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# Briefly

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The Minnesota Senate Weekly Review

January 6, 1989

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## Minnesota Senate convenes

The 76th Legislative Session of the Minnesota Senate was officially convened on Tues., Jan. 3, 1989. The Senate's two newest members, Patrick McGowan (IR-Maple Grove) and Patricia Pariseau (IR-Farmington), were sworn into office by Chief Justice designate Peter Popovich. Sen. Jerome Hughes (DFL-Maplewood) was unanimously chosen by his colleagues to serve as Senate President for the upcoming session, and Patrick E. Flahaven was again reappointed to the position of Secretary of the Senate.

Attention then shifted toward adopting ten resolutions relating to the internal operation of the Senate. Majority Leader Roger Moe (DFL-Erskine) explained the ten resolutions, and all were adopted by the full Senate on either a voice or roll call vote. The adopted resolutions included: naming Majority and Minority Leaders; adopting temporary rules for the 76th Legislative Session; confirming standing committee assignments; scheduling standing committee meetings; establishing postage parameters; determining attendance policies and providing for payment of expenses; allocating parking spaces; outlining intern expense policies; naming presidents pro tempore; and appointing five-member committees to notify the governor and the House of Representatives that the Senate was organized. Afterward, Moe thanked all people associated with undertaking the Senate Chamber renovation and congratulated them on their commitment to quality. Moe also reminded members that the Senate would reconvene on Wed., Jan. 4, at 5:45 p.m., just prior to Gov. Rudy Perpich's scheduled State of the State Address.

## Governor delivers State of the State speech

Job creation has always been and will continue to be the central goal of his administration, Gov. Rudy Perpich said during the annual State of the State speech to the Legislature Wed., Jan. 4.

Perpich said that, while growing up on Minnesota's Iron Range, he learned at a young age how important a job was to a person's self-respect and a family's happiness.

His administration has focused on job creation through four key areas: jobs through education, through research and development, through a clean environment, and through tax reform and sound fiscal management, Perpich said.

Minnesota should continue to develop these areas, he said, but with some changes: statewide testing should be added to our educational system at the sixth and tenth grade levels, and the state should work on tax reform, specifically in the areas of property tax and local government financing.

Perpich ended his speech by introducing his parents and renewing his pledge to continue his course of job creation for Minnesota.

## Panel considers Workers' Comp Court testimony

The Joint Employment and Judiciary Subcommittee on the Workers' Compensation Court of Appeals met Wed., Jan. 4, to

hear testimony about the Workers' Compensation Court of Appeals.

Tom Longfellow, a workers' compensation attorney and former WCCA judge, reviewed the legal history of workers' compensation in Minnesota. Longfellow urged that the panel not abolish the entire Workers' Compensation Court of Appeals, but rather work to refine the current system.

Peter Pustorino, an attorney and chairman of the Minnesota Defense Lawyers Association Workers' Compensation Committee, said he agreed with much of Longfellow's testimony, but presented new options for selecting judges. He also cited the need for improved facilities.

Frank Fly, Senate Counsel and Research, reviewed findings of a survey of attorneys representing clients before the Workers' Compensation Court of Appeals over the past five years. Of 271 attorneys, 20 percent responded. Of those responding, 52 percent said the court had been fair and impartial, while 48 percent said it had not been.

Judge Paul Rieke, chief judge of the Workers' Compensation Court, also briefly reviewed the legal history of workers' compensation in Minnesota.

## Committee hears unemployment compensation overview

The Senate Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met Thurs., Jan. 5, to hear presentations on unemployment insurance and the Employee Drug Testing Act.

Commissioner Joe Samargia, Dept. of Jobs and Training, presented an overview of the unemployment insurance compensation system in the state. His testimony included a review of year-end balances of the state Unemployment Compensation Insurance Fund over the past ten years. He presented a ranking of the state's average combined federal and state tax per worker indicating Minnesota ranks 21st nationally and sixth in the Midwest.

Currently, Samargia said the state's unemployment rate is 4 to 4.5 percent. A 1 to 3 percent change in the unemployment rate may not affect the Unemployment Compensation Insurance Fund, he said.

Dr. Robert Lindner, division director for Public Health Laboratories, updated the committee on the status of rules governing the licensing of state testing laboratories. He said he expects to submit revised rules by the end of January.

## Service for hearing-impaired available

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

# Preview

## The Minnesota Senate Week at a Glance

### Monday, January 9, 1989

**Education Committee**, Chair: James Pehler  
8:30 a.m. Room 15 Capitol

**Agenda:** Presentations by the Dept. of Education and State Board of Education on the board restructuring initiative, and a presentation on the legislative auditors report on high school education.

**Judiciary Committee**, Chair: Allan Spear  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 26-Spear: Six-member juries in nonfelony cases S.F. 28-Reichgott: Adult Health Care Decisions Act (living will).

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

**Agenda:** Presentations by the Minnesota Association of Townships and the Association of Minnesota Counties.

**The Senate will be in session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson  
3 p.m. Room 15 Capitol

**Agenda:** Presentations on special education.

### Tuesday, January 10, 1989

**Health and Human Services Committee**, Chair: Linda Berglin  
1 p.m. Room 15 Capitol

**Agenda:** Joint Meeting of House and Senate Committees on Education and Health and Human Services on children's policy initiatives.

**Taxes and Tax Laws Committee**, Chair: Douglas Johnson  
3 p.m. Room 15 Capitol

**Agenda:** Discussion by representatives from the Dept. of Finance on the November revenue forecast.

**Legislative Commission to Review Administrative Rules**, Chair: Peter Rodosovich  
4 p.m. Room 5 SOB

**Agenda:** Presentation of the final report of the Subcommittee on Rulemaking Exemptions for commission consideration.

### Wednesday, January 11, 1989

**General Legislation and Public Gaming Committee**, Chair: Marilyn Lantry  
8 a.m. Room 107 Capitol

**Agenda:** S.F. 7-Lessard: Lottery Enabling Legislation.

**Judiciary Committee**, Chair: Allan Spear  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 28-Reichgott: Adult Health Care Decisions Act

### Thursday, January 12, 1989

**Governmental Operations Committee**, Chair: Donald Moe  
8 a.m. Room 15 Capitol

**Agenda:** Continuation of discussion regarding policies and procedures for locating state agencies.

**Local and Urban Government Committee**, Chair: Robert Schmitz  
12 noon Room 107 Capitol

**Agenda:** Presentations by the League of Minnesota Cities and the Metropolitan Council.

**The Senate will be in session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson  
3 p.m. Room 15 Capitol

**Agenda:** Presentation on special education.

### Friday, January 13, 1989

**Education Division on Education Funding**, Chair: Randolph Peterson  
8 a.m. Room 15 Capitol

**Agenda:** Presentation on special education.

### Branches of government outlined

Government at the state and federal levels consists 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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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.

# SENATE COMMITTEE ASSIGNMENTS

## AGRICULTURE AND RURAL DEVELOPMENT (15)

CHAIR: Davis  
OFFICE NO: G-24  
MEETS: M, W; Room 112; 10-12 noon  
MEMBERS:

Anderson	Brandl	Frederickson, D.J.	Morse
Beckman	Davis	Frederickson, D.R.	Renneke
Berg	Decker	Freeman	Vickerman
Bertram	DeCramer	Larson	

## GOVERNMENTAL OPERATIONS (13)

CHAIR: Moe, D.M.  
OFFICE NO: 309  
MEETS: T, Th; Room 15; 8-10 a.m.  
MEMBERS:

Brandl	Freeman	Pariseau	Waldorf
Decker	Marty	Pogemiller	
Frederickson, D.J.	Moe, D.M.	Renneke	
Frederickson, D.R.	Morse	Taylor	

## COMMERCE (17)

CHAIR: 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	
Cohen	Luther	Samuelson	
Dahl	McQuaid	Solon	

## HEALTH AND HUMAN SERVICES (15)

CHAIR: 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 (13)

CHAIR: Frank  
OFFICE NO: G-10  
MEETS: M, Th; Room 15; 12-2 p.m.  
MEMBERS:

Beckman	Decker	Kroening	Reichgott
Bernhagen	Dicklich	McGowan	Storm
Cohen	Frank	Morse	
Dahl	Gustafson		

## JUDICIARY (17)

CHAIR: Spear  
OFFICE NO: G-27  
MEETS: M, W, F; Room 15; 10-12 noon  
MEMBERS:

Belanger	Luther	Peterson, D.C.	Spear
Berglin	Marty	Peterson, R.W.	Stumpf
Cohen	McGowan	Pogemiller	
Knaak	Merriam	Ramstad	
Laidig	Moe, D.M.	Reichgott	

## EDUCATION (21)

CHAIR: Pehler  
OFFICE NO: G-9  
MEETS: M, W, F; Room 15; 8-10 a.m.  
MEMBERS:

Beckman	Hughes	Morse	Ramstad
Dahl	Knaak	Olson	Reichgott
Decker	Knutson	Pehler	Stumpf
DeCramer	Langseth	Peterson, D.C.	
Dicklich	Larson	Peterson, R.W.	
Frederickson, D.J.	Mehrrens	Pogemiller	

## LOCAL AND URBAN GOVERNMENT (11)

CHAIR: Schmitz  
OFFICE NO: 235  
MEETS: M, Th; Room 107; 12-2 p.m.  
MEMBERS:

Adkins	Lessard	Olson	Schmitz
Bertram	McQuaid	Pariseau	Vickerman
Frederickson, D.J.	Metzen	Renneke	

## EDUCATION AIDS DIVISION (14)

CHAIR: 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	Mehrrens	Pogemiller	
Knaak	Olson	Pehler	

## PUBLIC UTILITIES AND ENERGY (12)

CHAIR: Dicklich  
OFFICE NO: 235  
MEETS: T, Th; Room 15; 10-12 noon  
MEMBERS:

Dicklich	Johnson, D.E.	Novak	Piper
Frank	Johnson, D.J.	Olson	Storm
Gustafson	Marty	Pehler	Waldorf

## ELECTIONS AND ETHICS (12)

CHAIR: Hughes  
OFFICE NO: 328  
MEETS: W; Room 107; 11:30 a.m.-1:00 p.m.  
MEMBERS:

Cohen	Johnson, D.J.	McGowan	Moe, R.D.
Hughes	Laidig	McQuaid	Peterson, D.C.
Johnson, D.E.	Luther	Metzen	Samuelson

## RULES AND ADMINISTRATION (31)

CHAIR: Moe, R.D.  
OFFICE NO: 208  
MEETS: On Call  
MEMBERS:

Belanger	Frank	Lessard	Purfeerst
Benson	Frederick	Luther	Renneke
Berglin	Hughes	Merriam	Schmitz
Bernhagen	Johnson, D.E.	Moe, D.M.	Solon
Bertram	Johnson, D.J.	Moe, R.D.	Spear
Chmielewski	Knutson	Novak	Storm
Davis	Laidig	Pehler	Taylor
Dicklich	Lantry	Peterson, R.W.	

## EMPLOYMENT (11)

CHAIR: 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 (25)

CHAIR: Johnson, D.J.  
OFFICE NO: 205  
MEETS: T, W, F; Room 15; 3-5 p.m.  
MEMBERS:

Anderson	Chmielewski	Knaak	Pogemiller
Belanger	Cohen	Laidig	Reichgott
Benson	Davis	Larson	Schmitz
Berglin	Diessner	Novak	Stumpf
Bernhagen	Frank	Pehler	
Bertram	Gustafson	Peterson, D.C.	
Brandl	Johnson, D.J.	Peterson, R.W.	

## ENVIRONMENT AND NATURAL RESOURCES (16)

CHAIR: Lessard  
OFFICE NO: 111  
MEETS: T, W, F; Room 112; 1-3 p.m.  
MEMBERS:

Berg	Frederickson, D.R.	Marty	Olson
Bernhagen	Knaak	Merriam	Pariseau
Dahl	Laidig	Morse	Peterson, R.W.
Davis	Lessard	Novak	Stumpf

## TRANSPORTATION (12)

CHAIR: Purfeerst  
OFFICE NO: 303  
MEETS: T, Th; Room 112; 8-10 a.m.  
MEMBERS:

Bernhagen	Langseth	Mehrrens	Purfeerst
DeCramer	Lantry	Metzen	Schmitz
Frederick	McQuaid	Novak	Vickerman

## FINANCE (30)

CHAIR: Merriam  
OFFICE NO: 122  
MEETS: T, W, F; Room 123; 3-5 p.m.  
MEMBERS:

Berg	Hughes	Mehrrens	Samuelson
Brataas	Johnson, D.E.	Merriam	Solon
Dahl	Knutson	Metzen	Spear
DeCramer	Kroening	Moe, D.M.	Storm
Dicklich	Langseth	Piper	Taylor
Frederick	Lantry	Purfeerst	Waldorf
Frederickson, D.R.	Lessard	Ramstad	
Freeman	Luther	Renneke	

## VETERANS AND MILITARY AFFAIRS (11)

CHAIR: Bertram  
OFFICE NO: 323  
MEETS: T, Th; Room 107; 10-12 noon  
MEMBERS:

Beckman	Laidig	Lessard	Schmitz
Bertram	Langseth	Mehrrens	Vickerman
Diessner	Larson	Pariseau	

## GENERAL LEGISLATION AND PUBLIC GAMING (9)

CHAIR: Lantry  
OFFICE NO: 328  
MEETS: W, F; Room 107; 8-10 a.m.  
MEMBERS:

Berg	Diessner	McGowan
Bertram	Johnson, D.E.	McQuaid
Davis	lantry	Samuelson

# MINNESOTA STATE SENATE

## Senate Members—1989 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	DFL	4136	Lessard, Bob	111 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William	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	2159	McGowan, Patrick D.	132B SOB	48
IR	3903	Benson, Duane D.	109 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	309 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	IR	5252	Pariseau, Patricia	151 SOB	37
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4241	Pehler, James C.	G-9 Cap.	17
IR	0415	Decker, Bob	109 SOB	4	DFL	4274	Peterson, Donna C.	G-27 Cap.	61
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	9248	Piper, Pat	325 Cap.	31
DFL	8298	Diessner, A. W. "Bill"	326 Cap.	56	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	105 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	121 SOB	38	IR	9457	Taylor, Glen	147 SOB	24
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	5650	Vickerman, Jim	G-29 Cap.	28
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	3809	Waldorf, Gene	124 Cap.	66
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

January 13, 1989

### Senate holds brief floor sessions

The Senate held floor sessions on Mon., Jan. 9, and Thurs., Jan. 12, to process bills and assign them to the appropriate committees. Senators passed a resolution providing for mileage reimbursement between their homes and the Capitol. Sen. Linda Berglin (DFL-Mpls.) spoke briefly on a resolution commemorating the life and work of Dr. Martin Luther King, Jr.

### Panel hears "living will" bill

Members of the Judiciary Committee met Mon., Jan. 9, and Wed., Jan. 11, to consider testimony on the Adult Health Care Decisions Act. The measure, S.F. 28, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides for advance declarations of preferences or instructions for future health care. The bill, also known as the "living will" bill, details the requirements for executing a declaration and provides a suggested format.

Reichgott emphasized that the measure does not require anyone to have an advanced declaration, that the provisions of the bill apply only if an individual has voluntarily made an advance declaration and that the standards of "reasonable medical practice" override instructions in advance declarations. Reichgott said that the bill makes "living wills" enforceable and allows individuals to make advance decisions about the level of medical care they wish to receive when they are no longer able to communicate their wishes.

The Monday meeting was devoted primarily to hearing testimony by proponents of the measure. Sam Sigal, co-chair of the Living Will Coalition, led off by detailing the growth of the coalition in support of the bill. According to Sigal, the measure is supported by the Minnesota Senior Federation, the American Association of Retired Persons, the Minnesota Medical Association, the Minnesota Nurses Association, the AFL-CIO, the Minnesota Alliance for Health Care Consumers and the Minnesota State Bar Association. Proponents argued that the bill would allow them to make decisions, in advance, about the level of life-sustaining care that they wish to receive.

The Wednesday hearing continued the testimony on S.F. 28. Arthur Caplan, director of the Center for Biomedical Ethics, speaking for the bill said that the measure was needed because of recent court cases that indicated the lack of a written "living will" was a factor in determining the decision. Caplan also said that the bill "is a simple matter of autonomy and that self-determination is the driving force behind the bill."

Opponents of the measure then began their testimony. Jackie Schwietz, of Minnesota Citizens Concerned for Life, said that the measure is too vague, that it serves to insulate health care professionals from liability and that the bill "validates death through starvation and dehydration."

John Dolan, from the Dept. of Philosophy at the University of Minnesota, spoke against the measure earlier. In his testimony, Dolan said that the bill was "an erosion of the traditional protection of human rights" and that the standard of "reasonable medical practice" contained in the bill could soon include the withholding of nutrition and hydration. Jane Hoyt of the Nursing Home Action Group also testified against the measure.

Testimony and debate on the bill will continue at the Fri., Jan. 20, committee meeting.

In other action, the panel, chaired by Sen. Allan Spear (DFL-Mpls.), quickly advanced the first bill of the session. S.F. 26, authored by Spear, reenacts the statutory provision authorizing six-member juries in nonfelony cases. The measure validates the decision of the people who granted passage last November to the constitutional amendment allowing six-member juries, said Spear. The measure is retroactive to Nov. 22, the date of certification by the State Canvassing Board of the passage of the amendment.

### Joint panel hears testimony on children's agenda

A joint meeting of House and Senate Committees on Education and Health and Human Services met Tues., Jan. 10, to hear testimony on the 1989 Children's and Youth Policy Initiative from a variety of speakers.

Lt. Gov. Marlene Johnson began the testimony by providing an overview of the Children's Agenda—the 1989 Children and Youth Policy Initiative. The agenda is composed of five major components: strengthening families; child and early childhood care; health and mental health care; management; and youth dropout prevention.

Johnson reviewed the eight Children's Agenda goals. These goals are: achieving a 96 percent high school graduation rate by 1996; insuring all high school graduates the basic skills necessary for work or further education; providing for the basic needs of all children including housing, nutrition, health care, parenting, safety, self-esteem, and growth; insuring support to families and children to avoid and cope with high-risk behaviors; providing support to parents in their role as parents by government, employers, professionals, and the community; structuring education to meet individual needs and supporting transition to self-sufficient adulthood; strengthening the link between education and job opportunities; and coordinating public, private, state, and local efforts to meet goals.

Mayor Don Fraser also testified about child care needs in Minneapolis. Fraser said the current welfare system contributes to dysfunctional children and poverty. He cited statistics that indicated that in 10 years half of the young children in Minneapolis would be those in welfare-dependent families.

Representatives from the Depts. of Health, Jobs and Training, Education, and Human Services testified about the various ways in which their departments have dealt with, and hope to deal with, child care issues.

Dr. James Renier, chair and CEO of Honeywell and chair of the United Way, discussed the goals and functions of the Success by Six program.

Pat Gosz, chair of the Task Force on Child Care in Higher Education, said child care was the number one concern of those in higher education. Child care problems now facing post-secondary institutions across the state include local government regulations, waiting lists, and complex and lengthy procedures for students, schools and funding authorities. Gosz also presented recommendations on ways to alleviate the problem.

Allan Baumgarten, associate director of the Citizen's League, discussed the league's study of early child care programs. Baumgarten said the study focuses on parents and the need for good parenting skills.

# Committee Capsule

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## Education

### Department presents restructuring proposal

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), met for the first time this session Mon., Jan. 9. Committee members heard a presentation from Jim Sauter, Dept. of Education, regarding restructuring Minnesota's instructional system.

Under the proposal, Sauter said, Minnesota's instructional system would become a learner outcome based system.

Some of the critical attributes of the restructuring, Sauter said, are that it would be student focused; it would include administrators who are instructional leaders; and the output-based curriculum would be focused on long-term significance.

The committee also heard the beginning of a presentation of the Legislative Auditor's Report on High School Education. Pehler asked representatives of the auditor's office to continue the presentation at the next committee meeting.

### Report paints negative picture of education

Marilyn Jackson-Beeck, from the Program Evaluation Division of the Legislative Auditor's Office, revealed some disturbing facts as she presented the Legislative Auditor's Report on High School Education to the Education Committee Wed., Jan. 11. The division focused on studying student performance, standards and curriculum variations in Minnesota high schools, she said.

Regarding student performance, the report indicates that college admission tests (ACT, SAT, PSAT) and advanced placement test scores are down. In addition, scores on 8th and 11th grade social studies assessments are down, Jackson-Beeck said.

Regarding standards, Jackson-Beeck said that the commission found that Minnesota standards are low; Minnesota's school year has grown shorter; a student's class day can be short; and state monitoring is lax and permissive.

Regarding curriculum variations, she said that some districts provide very few courses; 23 percent of students lack courses needed for college; few enrollees mean fewer courses and higher costs; and some students have unequal access to education.

Some key recommendations in the report, Jackson-Beeck said, include raising the state standards for courses and outcomes, improving monitoring, and ensuring full disclosure of information on programs and results. In addition, the report recommends certifying that curricula are adequate; requiring reading and math tests for graduation; phasing out very small districts; raising graduation requirements; and emphasizing English, math, social science and science.

The committee, chaired by Sen. James Pehler (DFL-St. Cloud), also heard testimony from Nan Skelton, Dept. of Education, regarding a Secondary Vocational Education Restructuring Study.

Skelton outlined a number of recommendations contained in the report. The study group found that:

The Legislature and State Board of Education must move to an outcome-based design for all of Minnesota's students.

The Legislature and State Board of Education must remove barriers that impede achieving these goals. They should support local program design that addresses individual student needs and interests and particular local conditions.

State and local leadership must ensure the support necessary to redirect curriculum, develop supportive structures and design effective evaluation approaches.

The Legislature, State Board of Education and local districts must implement some critical changes immediately as well as provide for the active participation of all stakeholders in a long-range restructuring of the total school experience.

Legislature must provide the necessary resources to assure implementation of the proposed restructured model.

Skelton said that the group concluded that an outcome-based framework would best serve the students' needs and wants, as well as society's needs and wants.

## Education Funding

### Panel hears special ed ideas

Senators discussed special education and its future during the Mon., Jan. 9, meeting of the Education Funding Division of the Education Committee. The majority of the meeting, chaired by Sen. Randolph Peterson (DFL-Wyoming), was devoted to three speakers.

Although Minnesota has made a great deal of progress in special education and is a leader in the field, there are still problems, according to Dr. Maynard Reynolds from the University of Minnesota. Reynolds stressed that most of his presentation applied to the mildly handicapped.

Minnesota currently has many different special education programs set up for many different categories of children, Reynolds said, and this has resulted in disjointedness, separatism and proceduralism, such as paperwork and red tape, he said. In addition, the current system leads to a failure to reach children who have problems not specifically covered under a program and a failure to catch problems at an early stage, he said.

To move toward solving these problems, Reynolds said he recommended moving more special education resources into regular education. Also, schools should be allowed to experiment without running the risk of losing funding, he said.

However, Dr. Ann Ryan, College of St. Thomas, said that problems exist in both special education and regular education, and she's not sure that merging the two together is the best idea.

We should look carefully at regular education before asking students who have fallen out of that system to re-enter it, she said.

Mark Wollak, the director of the Rum River Special Education Coop, also spoke to committee members. Wollak said that he thinks it is time for Minnesota to look at some changes, but cautioned that parents of children in special education may resist change.

## Finance

### U of M report presented to joint meeting

Edson Spencer and Gus Donhowe, chair and vice-chair of the Blue Ribbon Commission of Financial Management of the University of Minnesota, presented the commission's report to a joint meeting of the House Education Division of Appropriations and the Senate Education Division of Finance Thurs., Jan. 12. Following their presentation, University of Minnesota officials, including University President Nils Hasselmo, responded to the report.

Spencer outlined the report's proposals regarding governance and organization of the University. Recommendations are that the Board of Regents understand the difference between its oversight policy and the president's management responsibility; that the University improve communications with the Board of Regents, the Legislature and the public; and that the Legislature retain the University's autonomy while insisting on better accountability.

In addition, Spencer said, the report recommends that the Legislature review the regent selection process after the 1989 election of the Board of Regents.

Regarding financial management, Donhowe said that the report, looked at in its totality, basically recommends a complete overhaul of the University's financial system. However, since implementing all the report's recommendations, and implementing them quickly, is simply not possible, Donhowe said it is important to pick out priorities.

# Committee Capsule

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## Taxes and Tax Laws

### Finance Dept. makes presentation

The Taxes and Tax Law Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Tues., Jan. 10, to hear a presentation by the Dept. of Finance on the November revenue forecast.

State Economist Tom Stinson explained that net General Fund revenues during November and December totalled \$995.7 million—\$35.7 million or 3.7 percent above the November forecast. Stinson reported that the Gross National Product (GNP) grew at strong 3.9 percent rate during 1988, but cautioned that growth rates would probably slow in 1989 and 1990 before rebounding in 1991. He stressed that the volatility of financial markets and exchange rates, potential federal policy errors and technical miscalculations, and the still-uncertain impact of the 1986 Tax Reform Act all pose a risk to the forecast's accuracy.

Stinson said that in terms of the state's economy, the Gross State Product (GSP) in Minnesota tends to grow slightly more than the nation's GNP when times are good, while showing almost identical rates of decline when the economy slumps. He concluded his presentation by projecting that General Fund revenues should be approximately \$12.1 billion during the 1990-91 biennium, an increase of \$1.15 billion from the current biennium.

Tom Triplett, commissioner of finance, commented that biennium revenue and expenditure forecasting errors have been reduced from a range of eight to nine percent during the early 1980's to a current range of three to five percent, as evidenced by the November-December, 1988, figures. Triplett, in noting that the volatility of Minnesota revenues and expenditures argues in favor of strong fiscal stability mechanisms, outlined the following six "protection devices" to ensure that the state budget remains balanced in the event forecasting errors occur: legislative tax increases or expenditure reductions; unallotment; "trigger taxes;" short-term borrowing; the budget reserve; and accounting shifts. Triplett emphasized that the unallotment and budget reserve "devices" have proven most effective, and he recommended maintaining the latter. He further explained that the amount of funds in the budget reserve should be statutorily set at five percent of approximately biennial General Fund expenditures.

### Income Tax Division reviews bill

The Taxes and Tax Laws Division on Income Tax, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), met Wed., Jan. 11, to review S.F. 61, the Dept. of Revenue's corporate technical and administrative bill. Pogemiller, author of the bill, explained to division members that since the bill had already undergone numerous revisions, final editing suggestions would be heard only until Wed., Jan. 18, at which time division members would vote on whether to send the bill to the full Taxes and Tax Laws Committee.

John Malach and Mike Boekhaus, attorneys for the Dept. of Revenue, detailed the bill's components and submitted two minor language revisions to division members. Several technical corrections had recently been made in the first two articles of the bill.

## Veterans and Military Affairs

### Committee hears overview of vets health care budget

An informational meeting on cuts in the veterans health care budget was held by the Veterans and Military Affairs Committee on Tues., Jan. 10. Committee chair, Sen. Joe Bertram, Sr., (DFL-Paynesville), presented a brief description of the impact of federal budget cuts on veterans health care. He urged committee

members to support a joint resolution memorializing the U.S. Congress to restore full funding to the Veterans Administration Medical Centers.

### Committee hears testimony on national guard

The Veterans and Military Affairs Committee met Thurs., Jan. 12, to meet the state's new adjutant general and hear testimony on the role of the Minnesota National Guard in Central America.

Gen. Gene Andreotti, told the committee about his background and presented his four goals as adjutant general. These goals are: to advocate and educate citizens of the state about the national guard; to represent the interests of men and women in the national guard; to work with the legislature; and to strengthen the state guard through increased interaction with the federal government.

Capt. David Wirwahn, state public affairs officer for military affairs, presented a background of the Minnesota National Guard's role in Central America. Their mission, he said, is to support the U.S. Southern Command in defense of the Panama Canal. Their activities, said Wirwahn, are theater air lift, general cargo airlift, search and rescue, and disaster relief operation.

Jack Tunheim, of the state attorney general's office, gave the panel background on the Montgomery Amendment; an amendment declaring that the federal government could decide where state national guard troops could be trained.

Currently, Minnesota national guard troops are being trained in Central America. The attorney general's office has appealed the Montgomery Amendment, said Tunheim.

### Service for hearing-impaired available

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

### Information Office services profiled

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

### Facts about the Minnesota Legislature

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

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

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Some steps the commission endorses include: selection and employment of a strong chief financial officer; a plan to prepare and install computer-based financial information systems that permit informed decision-making; and development of a plan by the University for implementation of the commission's recommendations. The plan should be submitted to the 1989 Legislature.

The report also recommends retention of the current administrative organizational structure with certain changes.

Representing the University of Minnesota at the meeting were President Nils Hasselmo, Chair of the Board of Regents David Lebedoff, and acting Vice-President for Finance and Operations Carol Campbell. All three praised the report.

Lebedoff stressed that the Board of Regents must have a full and clear flow of information from the administration. The burden is not on the board to ask, he said; the principle obligation is on the administration to provide information.

## **General Legislation and Public Gaming**

### **Lottery proposal presented**

The General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lanry (DFL-St. Paul), met Wed., Jan. 11, to discuss enabling legislation for the lottery, a constitutional amendment approved by voters last November. Sen. Bob Lessard (DFL-Int'l. Falls), informed committee members that S.F. 7, a bill he is sponsoring that details the structure and scope of the proposed state lottery system, is undergoing additional language revisions and will soon be ready for discussion.

Lessard introduced Evelyn Y. Sun and Scott Milne, director and deputy director, respectively, of the Washington State Lottery, who provided committee members with background information on the structural strengths and weaknesses of their state's lottery. Sun stated that the lottery, which was approved by voters and began operation in 1982, expects to achieve \$232 million in gross sales this year with a projected annual growth rate of five to seven percent. Of that figure, approximately 45.7 percent is awarded as prize money, 40 percent is returned as profit to the state's General Fund, while the remaining amount is used for administrative and marketing costs.

Sun noted that a recent legislatively-funded study in her state found few harmful social side-effects from lottery activities, and that 75 percent of the state's citizens believe that the lottery is an excellent revenue source for necessary governmental programs. The Washington study also discovered that 90 percent of the population has played a lottery game at least once, while 57 percent are repeat players.

Sun and Milne concluded their joint presentation by emphasizing that a lottery needs both "control and operational flexibility" in order to quickly respond to market changes and to achieve financial success. Both added that "common-sense oriented, tasteful" advertising and promotion are also essential components of a successful lottery program.

## **Governmental Operations**

### **Committee hears building history**

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), met Thurs., Jan. 12, to continue discussion of policies and procedures for locating state agencies.

The focus of the meeting was to hear an overview of the Legislative Building Commission (LBC) which existed from 1955-1973. Past LBC members Art Naftalin, former commissioner of administration, former Sen. William Kirchner, and former Sen. Robert Ashbach spoke on the history of the LBC. The former

members commented that the commission was useful because it provided an effective public forum for planning.

## **Local and Urban Government**

### **Organizations outline legislative aims**

The Senate Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), held the first meeting of the session Mon., Jan. 9, to hear presentations by the Minnesota Association of Townships (MAT) and the Association of Minnesota Counties (AMC).

David Fricke, MAT executive director, stated that townships need additional funds to maintain and improve rural roads and bridges and that revenue could be generated by increasing the townships' share of the Highway Users Distribution Fund and the Bridge Bonding Program, and by repealing the three year cut-off of the excise tax transfer to local governments. Fricke also asked committee members to consider legislation to: provide towns with the authority to enact local ordinances regarding burning in ditches; reestablish the Audit Compliance Task Force in the State Auditor's Office; require the Minnesota Dept. of Transportation to maintain state highway informational signs erected prior to 1989; eliminate tort liability on collection and transfer facilities established only for handling recyclable wastes; revise the Greater Minnesota Corporation statute to provide town boards with the authority to approve local business applications; support the "discovery of evidence" concept for all annexation hearings; implement most of the recommendations contained in the Governor's Advisory Council Report on State-Local Relations; allow creation of special service districts by both petition and referendum; allow towns to establish heritage preservation commissions and to sign final plats; and financially assist towns to update local surface and groundwater management ordinances.

Patricia Conley, AMC chief policy analyst, informed committee members that her organization supports the recodification of local government planning and development statutes proposed by the Land Use Legislation Subcommittee of the Governor's Advisory Council on State-Local Relations, and the "fine-tuning" of pay equity practices for county employees. Conley added that the AMC would monitor legislative activity this session regarding the Truth in Taxation Law, property tax reform, shoreland management regulations, environmental topics ranging from recycling to solid waste management, employee licensing regulations, transportation issues such as light rail transit, and providing additional revenue to counties for maintaining and upgrading existing services.

Merry Beckmann, AMC policy analyst, stated that while the Pay Equity Act is conceptually sound, counties must be allowed to implement its provisions with flexibility and individual discretion and that arbitrators should be required to follow county pay equity plans when making arbitration awards. Beckmann added that AMC opposes any efforts to apply pay equity requirements to those entities contracting with the public sector.

### **Groups present overviews**

The Thurs., Jan. 12, meeting was devoted to presentations by representatives from both the League of Minnesota Cities (LMC) and the Metropolitan Council.

Donald Slater, LMC executive director, told committee members that his organization hopes that the Legislature addresses numerous issues this session, including tax increment financing, property tax reform, comparable worth, solid waste management, recycling, and transportation.

Steve Keefe, Met Council chairman, explained that his organization has outlined the following five areas for legislative study: city park funding; light rail transit; solid waste management; appointment process changes for regional commission chairs; and airport expansion plans.

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# COMMITTEE INFORMATION

1989-90 Minnesota House of Representatives



Economic Development Committee meeting.

## AGRICULTURE

(25 members)

Mon., 10 a.m., Room 5

Information .....296-4247

Wenzel-DFL, Chair

Nelson, C.-DFL, Vice Chair

Bauerly-DFL	McDonald-IR
Bertram-DFL	McPherson-IR
Brown-DFL	Olson, E.-DFL
Cooper-DFL	Olson, K.-DFL
Dauner-DFL	Omann-IR
Dille-IR	Redalen-IR
Frederick-IR	Richter-IR
Girard-IR	Sparby-DFL
Hugoson-IR	Steensma-DFL
Kahn-DFL	Uphus-IR
Kalis-DFL	Winter-DFL
Krueger-DFL	

### Staff:

Maureen Novak—Committee Administrator  
474 State Office Building .....296-4172  
Mary Ann Goschy—Committee Secretary  
487 State Office Building .....296-7191

## APPROPRIATIONS

(41 members)

Mon.-Thurs., 8 a.m., Room 200

Information .....296-4228

Anderson, G.-DFL, Chair

Rodosovich-DFL, Vice Chair

Abrams-IR	Miller-IR
Anderson, R.-IR	Morrison-IR
Battaglia-DFL	Munger-DFL
Bishop-IR	Murphy-DFL
Carlson, D.-IR	Orenstein-DFL
Carlson, L.-DFL	Osthoff-DFL
Clark-DFL	Pappas-DFL
Dom-DFL	Peterson-DFL
Forsythe-IR	Poppenhagen-IR
Frerichs-IR	Price-DFL
Greenfield-DFL	Pugh-DFL
Gruenes-IR	Rice-DFL
Heap-IR	Sarna-DFL
Jaros-DFL	Seaberg-IR
Jennings-DFL	Segal-DFL
Johnson, V.-IR	Solberg-DFL
Kahn-DFL	Sparby-DFL
Kalis-DFL	Stanius-IR
Krueger-DFL	Steensma-DFL
Lieder-DFL	

### Staff:

Carmen M. Fernholz—Cmte. Administrator  
363 State Office Building .....296-3806  
Laurie M. Stangl—Committee Secretary  
365 State Office Building .....296-4171

## Agriculture, Transportation & Semi-State Division/ APPROPRIATIONS

(10 members)

Mon.-Thurs., 8 a.m., Room 400S

Information .....296-5486

Rice-DFL, Chair

Lieder-DFL, Vice Chair

Anderson, G.-DFL	Pappas-DFL
Frerichs-IR	Sama-DFL
Johnson, V.-IR	Seaberg-IR
Kalis-DFL	Steensma-DFL

### Staff:

R. Scott Dickman—Committee Administrator  
383 State Office Building .....296-4115  
Mary M. Larson—Committee Secretary  
381 State Office Building .....296-5486

## Education Division/ APPROPRIATIONS

(10 members)

Mon.-Thurs., 8 a.m., Room 300N

Information .....296-3367

Carlson, L.-DFL, Chair

Dorn-DFL, Vice Chair

Anderson, G.-DFL	Munger-DFL
Heap-IR	Orenstein-DFL
Jaros-DFL	Poppenhagen-IR
Morrison-IR	Price-DFL

### Staff:

Molly A. Grove—Committee Administrator  
328 State Office Building .....296-5528  
Dolores E. Vaughan—Committee Secretary  
379 State Office Building .....296-3367

## Health & Human Services Division/ APPROPRIATIONS

(12 members)

Mon.-Thurs., 8 a.m., Room 200

Information .....296-0173

Greenfield-DFL, Chair

Segal-DFL, Vice Chair

Anderson, G.-DFL	Jennings-DFL
Anderson, R.-IR	Murphy-DFL
Clark-DFL	Pugh-DFL
Forsythe-IR	Rodosovich-DFL
Gruenes-IR	Stanius-IR

### Staff:

Victor A. Thorstenson—Cmte. Administrator  
304D State Office Building .....296-2317  
Marguerite Maloney—Committee Secretary  
375 State Office Building .....296-7189

## State Departments Division/ APPROPRIATIONS

(12 members)

Mon.-Thurs., 8 a.m., Room 300S

Information .....296-4257

Kahn-DFL, Chair

Sparby-DFL, Vice Chair

Abrams-IR	Krueger-DFL
Anderson, G.-DFL	Miller-IR
Battaglia-DFL	Osthoff-DFL
Bishop-IR	Peterson-DFL
Carlson, D.-IR	Solberg-DFL

### Staff:

Susan Mainzer—Committee Administrator  
304C State Office Building .....296-4112  
Judith Richardson—Committee Secretary  
369 State Office Building .....296-7173

## COMMERCE

(20 members)

Tues., Thurs., 10 a.m., Bsmt. Hearing Rm.

Information .....296-5318

Sarna-DFL, Chair

Kinkel-DFL, Vice Chair

Anderson, R.-IR	McEachern-DFL
Beard-DFL	Milbert-DFL
Bennett-IR	Murphy-DFL
Bishop-IR	O'Connor-DFL
Forsythe-IR	Pellow-IR
Frederick-IR	Pelowski-DFL
Heap-IR	Richter-IR
Janezich-DFL	Scheid-DFL
Jaros-DFL	Solberg-DFL

### Staff:

Joseph P. Biernat—Committee Administrator  
568 State Office Building .....296-5318  
Elizabeth A. Zentzis—Committee Secretary  
563 State Office Building .....296-5509

**ECONOMIC DEVELOPMENT**

(36 members)

Tues., Thurs., 12:30 p.m., Room 5

Information .....296-9281

Otis-DFL, Chair

Peterson-DFL, Vice Chair

Anderson, G.-DFL	Murphy-DFL
Burger-IR	Nelson, C.-DFL
Carlson, L.-DFL	Neuenschwander-DFL
Clark-DFL	Olson, K.-DFL
Cooper-DFL	Pellow-IR
Dawkins-DFL	Pelowski-DFL
Dille-IR	Poppenhagen-IR
Frerichs-IR	Reding-DFL
Girard-IR	Rodosovich-DFL
Heap-IR	Rukavina-DFL
Himle-IR	Schafer-IR
Hugoson-IR	Segal-DFL
Kahn-DFL	Sparby-DFL
Lasley-DFL	Tjornhom-IR
Marsh-IR	Uphus-IR
McLaughlin-DFL	Williams-DFL
Miller-IR	Winter-DFL

**Staff:**

Todd B. Rapp—Committee Administrator  
426 State Office Building .....296-5533  
Mabel S. Canty—Committee Secretary  
403 State Office Building .....296-5372

**Community Stabilization & Development Division/  
ECONOMIC DEVELOPMENT**

(12 members)

Thurs., 12:30 p.m., Room 300S

Information .....296-4836

Clark-DFL, Chair

Dawkins-DFL, Vice Chair

Burger-IR	Schafer-IR
McLaughlin-DFL	Segal-DFL
Nelson, C.-DFL	Uphus-IR
Otis-DFL	Williams-DFL
Pellow-IR	Winter-DFL

**Staff:**

Sharon Vizenor—Committee Administrator  
407 State Office Building .....296-6149  
Denise K. Nicholson—Committee Secretary  
407 State Office Building .....296-4836

**International Trade & Technology  
Division/ECONOMIC DEVELOPMENT**

(13 members)

Thurs., 12:30 p.m., Room 400S

Information .....296-4193

Reding-DFL, Chair

Pelowski-DFL, Vice Chair

Anderson, G.-DFL	Miller-IR
Carlson, L.-DFL	Otis-DFL
Frerichs-IR	Rodosovich-DFL
Heap-IR	Sparby-DFL
Hugoson-IR	Tjornhom-IR
Kahn-DFL	

**Staff:**

Albert T. Layman—Committee Administrator  
530 State Office Building .....296-5508  
Joan M. Sweeney—Committee Secretary  
537 State Office Building .....296-1340

**Rural Resources Development  
Division/ECONOMIC DEVELOPMENT**

(13 members)

Thurs., 12:30 p.m., Room 300N

Information .....296-4288

Murphy-DFL, Chair

Cooper-DFL, Vice Chair

Dille-IR	Olson, K.-DFL
Girard-IR	Otis-DFL
Himle-IR	Peterson-DFL
Lasley-DFL	Poppenhagen-IR
Marsh-IR	Rukavina-DFL
Neuenschwander-DFL	

**Staff:**

Denesse E. Hoole—Committee Administrator  
570 State Office Building .....296-4288  
Patricia E. Wallner—Committee Secretary  
557 State Office Building .....296-5514

**EDUCATION**

(36 members)

Mon., Wed., 8 a.m., Room 5

Information .....296-4374

McEachern-DFL, Chair

Olson, K.-DFL, Vice Chair

Bauerly-DFL	Ostrom-DFL
Beard-DFL	Otis-DFL
Frederick-IR	Ozment-IR
Girard-IR	Pellow-IR
Hartle-IR	Pelowski-DFL
Hasskamp-DFL	Rest-DFL
Hugoson-IR	Richter-IR
Jaros-DFL	Schafer-IR
Johnson, A.-DFL	Scheid-DFL
Kelso-DFL	Swenson-IR
Kinkel-DFL	Trimble-DFL
McDonald-IR	Tunheim-DFL
McGuire-DFL	Vellenga-DFL
McPherson-IR	Wagenius-DFL
Nelson, C.-DFL	Waltman-IR
Nelson, K.-DFL	Weaver-IR
Omann-IR	Wenzel-DFL

**Staff:**

Mark W. Mallander—Cmte. Administrator  
320 State Office Building .....296-4374  
Norma S. Christensen—Committee Secretary  
343 State Office Building .....296-7175

**Education Finance Division/  
EDUCATION**

(15 members)

Mon., 12:30 p.m., Wed., 2:30 p.m.,

Fri., 10 a.m., Room 300N

Information .....296-4244

Nelson, K.-DFL, Chair

Bauerly-DFL, Vice Chair

Hartle-IR	Rest-DFL
Hugoson-IR	Schafer-IR
Kelso-DFL	Scheid-DFL
McEachern-DFL	Tunheim-DFL
Ostrom-DFL	Vellenga-DFL
Otis-DFL	Weaver-IR
Ozment-IR	

**Staff:**

Julie C. Lund—Committee Administrator  
322 State Office Building .....296-5483  
Lillian A. Pohlkamp—Committee Secretary  
367 State Office Building .....296-9552

**Higher Education Division/  
EDUCATION**

(19 members)

Wed., 10 a.m., Room 500N

Information .....296-4246

Jaros-DFL, Chair

Trimble-DFL, Vice Chair

Beard-DFL	Nelson, C.-DFL
Frederick-IR	Olson, K.-DFL
Girard-IR	Omann-IR
Hasskamp-DFL	Pellow-IR
Johnson, A.-DFL	Pelowski-DFL
Kinkel-DFL	Richter-IR
McDonald-IR	Waltman-IR
McGuire-DFL	Wenzel-DFL
McPherson-IR	

**Staff:**

Denesse E. Hoole—Committee Administrator  
570 State Office Building .....296-4288  
Mercedes E. Peterson—Committee Secretary  
559 State Office Building .....296-6937

**ENVIRONMENT & NATURAL  
RESOURCES**

(31 members)

Tues., Thurs., 10 a.m., Room 10

Information .....296-4282

Munger-DFL, Chair

Johnson, R.-DFL, Vice Chair

Battaglia-DFL	Pauly-IR
Begich-DFL	Price-DFL
Carlson, D.-IR	Pugh-DFL
Himle-IR	Redalen-IR
Jennings-DFL	Reding-DFL
Johnson, A.-DFL	Rukavina-DFL
Johnson, V.-IR	Schafer-IR
Kahn-DFL	Simoneau-DFL
Long-DFL	Skoglund-DFL
Lynch-IR	Trimble-DFL
Marsh-IR	Wagenius-DFL
McGuire-DFL	Waltman-IR
McPherson-IR	Weaver-IR
Ozment-IR	Winter-DFL
Neuenschwander-DFL	

**Staff:**

Ann M. Glumac—Committee Administrator  
476 State Office Building .....296-7435  
Margaret A. Lane—Committee Secretary  
479 State Office Building .....296-3208

**FINANCIAL INSTITUTIONS  
& HOUSING**

(24 members)

Wed., 10 a.m., Room 5

Information .....296-4224

Osthoff-DFL, Chair

Bertram-DFL, Vice Chair

Abrams-IR	Lynch-IR
Boo-IR	Morrison-IR
Carlson, L.-DFL	Neuenschwander-DFL
Clark-DFL	O'Connor-DFL
Conway-DFL	Olsen-IR
Dawkins-DFL	Otis-DFL
Frerichs-IR	Poppenhagen-IR
Henry-IR	Quinn-DFL
Jacobs-DFL	Rodosovich-DFL
Jefferson-DFL	Sparby-DFL
Knickerbocker-IR	Tjornhom-IR

**Staff:**

Virginia E. Lanegran—Cmte. Administrator  
578 State Office Building ..... 296-2909  
Kristine M. Henry—Committee Secretary  
591 State Office Building ..... 296-5342

**Housing Division/FINANCIAL INSTITUTIONS & HOUSING**

(13 members)

Mon., 12:30 p.m., Room 500N

Information ..... 296-7807

O'Connor-DFL, Chair

Jefferson-DFL, Vice Chair

Bertram-DFL	Morrison-IR
Boo-IR	Olsen-IR
Frerichs-IR	Osthoff-DFL
Clark-DFL	Sparby-DFL
Conway-DFL	Tjomhom-IR
Dawkins-DFL	

**Staff:**

John B. Casserly—Committee Administrator  
593 State Office Building ..... 296-8326  
Jacqueline Davis—Committee Secretary  
593 State Office Building ..... 296-4884

**GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING**

(20 members)

Tues., 12:30 p.m., Room 500S

Information ..... 296-4388

Kostohryz-DFL, Chair

Price-DFL, Vice Chair

Abrams-IR	McEachern-DFL
Bennett-IR	Milbert-DFL
Bertram-DFL	Osthoff-DFL
Boo-IR	Ostrom-DFL
Frederick-IR	Quinn-DFL
Gutknecht-IR	Scheid-DFL
Kinkel-DFL	Solberg-DFL
Knickerbocker-IR	Steensma-DFL
McDonald-IR	Sviggum-IR

**Staff:**

Sandra A. Dicke—Committee Administrator  
580 State Office Building ..... 296-4179  
Marree A. Boland—Committee Secretary  
585 State Office Building ..... 296-4388

**Elections Division/GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING**

(10 members)

Thurs., 12:30 p.m., Room 500N

Information ..... 296-6970

Scheid-DFL, Chair

Steensma-DFL, Vice Chair

Abrams-IR	McEachern-DFL
Boo-IR	Osthoff-DFL
Knickerbocker-IR	Ostrom-DFL
Kostohryz-DFL	Sviggum-IR

**Staff:**

Daniel L. Kane—Committee Administrator  
576 State Office Building ..... 296-6970  
Judith A. Bernet—Committee Secretary  
583 State Office Building ..... 296-5491

**Gaming Division/GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING**

(11 members)

Thurs., 12:30 p.m., Room 500S

Information ..... 296-6970

Quinn-DFL, Chair

Milbert-DFL, Vice Chair

Bennett-IR	Kostohryz-DFL
Bertram-DFL	McDonald-IR
Frederick-IR	Price-DFL
Gutknecht-IR	Solberg-DFL
Kinkel-DFL	

**Staff:**

Daniel L. Kane—Committee Administrator  
576 State Office Building ..... 296-6970  
Jan C. Peterson—Committee Secretary  
445 State Office Building ..... 296-5496

**GOVERNMENTAL OPERATIONS**

(23 members)

Mon.-Thurs., 8 a.m., Room 10

Information ..... 296-9194

Simoneau-DFL, Chair

Rukavina-DFL, Vice Chair

Bertram-DFL	Lasley-DFL
Burger-IR	Limmer-IR
Conway-DFL	Lynch-IR
Cooper-DFL	Macklin-IR
Dawkins-DFL	O'Connor-DFL
Dille-IR	Reding-DFL
Haukoos-IR	Tompkins-IR
Henry-IR	Tjomhom-IR
Jefferson-DFL	Williams-DFL
Johnson, R.-DFL	Winter-DFL
Knickerbocker-IR	

**Staff:**

Carol A. Kummer—Committee Administrator  
330 State Office Building ..... 296-4281  
Paula J. Hoover—Committee Secretary  
335 State Office Building ..... 296-9194

**HEALTH & HUMAN SERVICES**

(26 members)

Tues., Thurs., 10 a.m., Room 5

Information ..... 296-8826

Ogren-DFL, Chair

Dauner-DFL, Vice Chair

Boo-IR	Nelson, C.-DFL
Cooper-DFL	Omann-IR
Dom-DFL	Onnen-IR
Greenfield-DFL	Orenstein-DFL
Gruenes-IR	Ostrom, DFL
Gutknecht-IR	Segal-DFL
Hasskamp-DFL	Sviggum-IR
Henry-IR	Swenson-IR
Jefferson-DFL	Tompkins-IR
Kelso-DFL	Vellenga-DFL
Macklin-IR	Welle-DFL
McLaughlin-DFL	Williams-DFL

**Staff:**

Bruce H. Nelson—Committee Administrator  
424 State Office Building ..... 296-8826  
Yvonne S. Amey—Committee Secretary  
417 State Office Building ..... 296-7168

**INSURANCE**

(21 members)

Wed., 12:30 p.m., Room 5

Information ..... 296-4178

Skoglund-DFL, Chair

Winter-DFL, Vice Chair

Blatz-IR	Pappas-DFL
Burger-IR	Peterson-DFL
Carruthers-DFL	Poppenhagen-IR
Hartle-IR	Pugh-DFL
Haukoos-IR	Reding-DFL
Johnson, R.-DFL	Stanius-IR
Kelly-DFL	Wenzel-DFL
Kinkel-DFL	Williams-DFL
Knickerbocker-IR	Wynia-DFL
Onnen-IR	

**Staff:**

Greg W. Bergstrom—Cmte. Administrator  
422 State Office Building ..... 296-5396  
Carol M. Flynn—Committee Secretary  
409 State Office Building ..... 296-4178

**JUDICIARY**

(25 members)

Mon., 10 a.m., Fri., 12:30 p.m.,

Basement Hearing Room

Information ..... 296-5319

Kelly-DFL, Chair

Wagenius-DFL, Vice Chair

Bishop-IR	Marsh-IR
Blatz-IR	Milbert-DFL
Dempsey-IR	Miller-IR
Brown-DFL	Seaberg-IR
Carruthers-DFL	Orenstein-DFL
Conway-DFL	Pappas-DFL
Forsythe-IR	Peterson-DFL
Greenfield-DFL	Pugh-DFL
Hasskamp-DFL	Rest-DFL
Janezich-DFL	Swenson-IR
Limmer-IR	Vellenga-DFL
Macklin-IR	

**Staff:**

Patrick M. Hill—Committee Administrator  
520 State Office Building ..... 296-5319  
Dianne L. Ruppert—Committee Secretary  
509 State Office Building ..... 296-4279

**Criminal Justice Division/JUDICIARY**

(16 members)

Wed., 10 a.m., Room 500S

Information ..... 296-4283

Vellenga-DFL, Chair

Carruthers-DFL, Vice Chair

Bishop-IR	Marsh-IR
Blatz-IR	Orenstein-DFL
Brown-DFL	Pappas-DFL
Dempsey-IR	Rest-DFL
Greenfield-DFL	Seaberg-IR
Janezich-DFL	Swenson-IR
Kelly-DFL	Wagenius-DFL

**Staff:**

Fran A. Kaul—Committee Administrator  
528 State Office Building ..... 296-4283  
Patricia L. Larson—Committee Secretary  
549 State Office Building ..... 296-1728

**LABOR-MANAGEMENT RELATIONS**

(18 members)

Mon., 12:30 p.m., Room 200

Information .....296-4371

Begich-DFL, Chair

Beard-DFL, Vice Chair

Abrams-IR	McPherson-IR
Battaglia-DFL	Redalen-IR
Dille-IR	Rice-DFL
Girard-IR	Rukavina-DFL
Jennings-DFL	Sama-DFL
Johnson, A.-DFL	Sviggum-IR
Kelly-DFL	Trimble-DFL
Limmer-IR	Wenzel-DFL

**Staff:**

Bradley A. Lehto—Committee Administrator

475 State Office Building .....296-5367

Maxine J. Wiech—Committee Secretary

477 State Office Building .....296-4371

**LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

(24 members)

Tues., Thurs., 12:30 p.m., Room 200

Information .....296-5366

Battaglia-DFL, Chair

Johnson, A.-DFL, Vice Chair

Anderson, R.-IR	Morrison-IR
Bauerly-DFL	Olsen-IR
Carruthers-DFL	Onnen-IR
Dom-DFL	Pauly-IR
Hasskamp-DFL	Rice-DFL
Haukoos-IR	Sama-DFL
Janezich-DFL	Simoneau-DFL
Jefferson-DFL	Tompkins-IR
Johnson, V.-IR	Trimble-DFL
Lieder-DFL	Valento-IR
McGuire-DFL	Weaver-IR

**Staff:**

Julian M. Empson—Committee Administrator

522 State Office Building .....296-5366

Joan I. Harrison—Committee Secretary

517 State Office Building .....296-7881

**REGULATED INDUSTRIES**

(19 members)

Mon., 10 a.m., Room 10

Information .....296-7172

Jacobs-DFL, Chair

Tunheim-DFL, Vice Chair

Beard-DFL	O'Connor-DFL
Bennett-IR	Ogren-DFL
Boo-IR	Olson, E.-DFL
Dawkins-DFL	Osthoff-DFL
Gruenes-IR	Ozment-IR
Hartle-IR	Quinn-DFL
Haukoos-IR	Solberg-DFL
Jefferson-DFL	Stanius-IR
Jennings-DFL	

**Staff:**

N/A—Committee Administrator

472 State Office Building .....296-xxxx

Lucille A. Finnegan—Committee Secretary

485 State Office Building .....296-7172

**RULES & LEGISLATIVE ADMINISTRATION**

(24 member)

Call of the Chair, Room 400N

Information .....296-3824

Wynia-DFL, Chair

Krueger-DFL, Vice Chair

Anderson, G.-DFL	Reding-DFL
Blatz-IR	Rest-DFL
Carlson, L.-DFL	Rice-DFL
Himle-IR	Rodosovich-DFL
Jacobs-DFL	Schreiber-IR
Knickerbocker-IR	Simoneau-DFL
Long-DFL	Stanius-IR
McLaughlin-DFL	Sviggum-IR
Munger-DFL	Valento-IR
Nelson, K.-DFL	Vanasek-DFL
Ogren-DFL	Vellenga-DFL

**Staff:**

Dianne M. Rumley—Cmte. Administrator

457 State Office Building .....296-4938

Nancy K. Anderson—Committee Secretary

459 State Office Building .....296-1544

**TAXES**

(35 members)

Tues., Thurs., Fri., 8 a.m., Room 5

Information .....296-4121

Long-DFL, Chair

Olson, E.-DFL, Vice Chair

Begich-DFL	Ogren-DFL
Bennett-IR	Olsen-IR
Blatz-IR	Onnen-IR
Brown-DFL	Pauly-IR
Carruthers-DFL	Quinn-DFL
Dauner-DFL	Redalen-IR
Dempsey-IR	Rest-DFL
Gutknecht-IR	Scheid-DFL
Himle-IR	Schreiber-IR
Jacobs-DFL	Skoglund-DFL
Janezich-DFL	Sviggum-IR
Kelly-DFL	Uphus-IR
Kostohryz-DFL	Valento-IR
McLaughlin-DFL	Vanasek-DFL
Milbert-DFL	Welle-DFL
Nelson, K.-DFL	Wynia-DFL
Neuenschwander-DFL	

**Staff:**

Peter L. Roos—Committee Administrator

434 State Office Building .....296-4121

Audrey M. Engebretson—Cmte. Secretary

443 State Office Building .....296-4165

**TRANSPORTATION**

(28 members)

Wed., 12:30 p.m., Room 10

Information .....296-5398

Kalis-DFL, Chair

Lasley-DFL, Vice Chair

Begich-DFL	Olson, K.-DFL
Brown-DFL	Orenstein-DFL
Carlson, D.-IR	Pellow-IR
Dauner-DFL	Richter-IR
Dempsey-IR	Seaberg-IR
Henry-IR	Steensma-DFL
Johnson, A.-DFL	Tunheim-DFL
Kelso-DFL	Uphus-IR
Lieder-DFL	Valento-IR
McDonald-IR	Vellenga-DFL
McLaughlin-DFL	Wagenius-DFL
Morrison-IR	Waltman-IR
Olson, E.-DFL	Welle-DFL

**Staff:**

Patricia Lindgren—Committee Administrator

532 State Office Building .....296-5398

Kathleen K. Bruss—Committee Secretary

543 State Office Building .....296-4271

**WAYS & MEANS**

(17 members)

Call of the Chair, Room 400N

Information .....296-4229

Vanasek-DFL, Chair

Welle-DFL, Vice Chair

Anderson, G.-DFL	Kostohryz-DFL
Carlson, D.-IR	Long-DFL
Carlson, L.-DFL	McEachern-DFL
Dempsey-IR	Nelson, K.-DFL
Forsythe-IR	Rice-DFL
Greenfield-DFL	Schreiber-IR
Gruenes-IR	Wynia-DFL
Kahn-DFL	

**Staff:**

James S. Wafler—Committee Administrator

461 State Office Building .....296-4389

Laura M. DeRose—Committee Secretary

463 State Office Building .....296-2955

**Fiscal Analysts:**

Richard H. Pfitzenreuter—Staff Director

373 State Office Building .....296-5069

Estelle M. Brouwer—Human Services

374 State Office Building .....296-5346

Mary B. Cerkvenik—Taxes

430 State Office Building .....296-3641

Elizabeth A. Eull—Education

385 State Office Building .....296-4181

Mary Jane Hedstrom—Taxes

423 State Office Building .....296-1237

Calvin C. Herbert—Agriculture, Transportation

&amp; Semi-State .....296-3305

383 State Office Building .....296-3305

Marcia D. Jefferys—Human Services

376 State Office Building .....296-5384

Kevin Kajer—State Departments

372 State Office Building .....296-4119

William F. Marx—Education Finance

361 State Office Building .....296-7176

Susan Nemitz—Education

378 State Office Building .....296-7165

Ronald G. Nickerson—State Departments

370 State Office Building .....296-4119

Matt Shands—Taxes

432 State Office Building .....296-4162

# Preview

## The Minnesota Senate Week at a Glance

### Monday, January 16

There are no committee meetings scheduled for today.

### Tuesday, January 17

**Governmental Operations Committee**, Chair: Donald Moe  
8 a.m. Room 15 Capitol

**Agenda:** Dept. of Administration report "State Office Space: Options and Cost," by Terry Bock, director, Management Analysis Division, and Paul Schwiezer, management consultant, Management Analysis Division.

**Transportation Committee**, Chair: Clarence M. Purfeerst  
8:30 a.m. Front steps of the Capitol

**Agenda:** Meeting with members of the Metropolitan Airports Commission and a tour of the Mpls.-St. Paul International Airport. There will be a bus leaving from the front steps of the Capitol at 8:30 a.m.

**Public Utilities and Energy Low Income Energy Task Force**, Co-Chairs: Ronald Dicklich and Andy Dawkins  
10 a.m. Room 15 Capitol

**Agenda:** Discussion of the Low Income Energy Task Force Report.

**Veterans and Military Affairs Committee**,  
Chair: Joe Bertram, Sr.  
10 a.m. Room 107 Capitol

**Agenda:** Minnesota Veterans Home update

**Environment and Natural Resources Committee**,  
Chair: Bob Lessard  
1 p.m. Room 112 Capitol

**Agenda:** Presentation on the interim report by the Governor's Blue Ribbon Commission on Forestry and Forest Products.

**Health and Human Services Committee**, Chair: Linda Berglin  
1 p.m. Room 15 Capitol

**Agenda:** Overview of Dept. of Human Services proposed legislation.

**Taxes and Tax Laws Committee**, Chair: Douglas Johnson  
3 p.m. Room 15 Capitol

**Agenda:** S.F. 99-Johnson, D.J.: Providing for computation of local government debt limits. Confirmation of the governor's appointment of John James as commissioner of the Dept. of Revenue.

**Agenda:** Presentation by D.D. Wozniak, Chief Judge, Minnesota Court of Appeals, on the state of the court. Confirmation of the governor's appointments to the Board on Judicial Standards and the Hazardous Substance Injury Compensation Board.

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

1 p.m. Room 15 Capitol

**Agenda:** Overviews by the Dept. of Health and the Dept. of Corrections on their proposed legislation.

**Taxes and Tax Laws Division on Income Tax**,  
Chair: Lawrence Pogemiller

3 p.m. Room 15 Capitol

**Agenda:** S.F. 62-Pogemiller: Departmental individual income tax bill.

### Thursday, January 19

**Governmental Operations Committee**, Chair: Donald Moe  
8 a.m. Room 15 Capitol

**Agenda:** Presentation on "Managing the State Patrol: Who's in Charge?" by Greg Hubinger, director, Legislative Commission on Employee Relations.

**Local and Urban Government Committee**, Chair: Robert J. Schmitz  
12:15 p.m. Room 107 Capitol

**Agenda:** Presentation by the Minnesota Municipal Board.

**The Senate will be in session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Review of Anoka-Hennepin Independent School District 11 budget by Anoka-Hennepin school officials.

### Friday, January 20

**Education Division on Education Funding**, Chair: Randolph Peterson

8 a.m. Room 15 Capitol

**Agenda:** Presentation by the Dept. of Education on the report on financial condition of schools and the report on aid appropriations transfers. State's response to ASGSD lawsuit by the Dept. of Education.

**Judiciary Committee**, Chair: Allan Spear  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 28-Reichgott: Adult Health Care Decisions Act (living will).

### Briefly subscription procedures

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### Wednesday, January 18

**Education Committee**, Chair: James Pehler  
8:30 a.m. Room 15 Capitol

**Agenda:** Presentations on secondary vocational education restructuring and on the study of school desegregation-integration cost.

**Judiciary Committee**, Chair: Allan Spear  
10 a.m. Room 15 Capitol

# MINNESOTA STATE SENATE

## Senate Members—1989 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	DFL	4136	Lessard, Bob	111 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William	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	2159	McGowan, Patrick D.	132B SOB	48
IR	3903	Benson, Duane D.	109 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	309 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	IR	5252	Pariseau, Patricia	151 SOB	37
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4241	Pehler, James C.	G-9 Cap.	17
IR	0415	Decker, Bob	109 SOB	4	DFL	4274	Peterson, Donna C.	G-27 Cap.	61
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	9248	Piper, Pat	325 Cap.	31
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	105 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	121 SOB	38	IR	9457	Taylor, Glen	147 SOB	24
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	5650	Vickerman, Jim	G-29 Cap.	28
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	3809	Waldorf, Gene	124 Cap.	66
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

## January 20, 1989

### Senate remembers Rosenmeier

The Senate met for a brief floor session Thurs., Jan. 20. Senate Minority Leader, Duane Benson (IR-Lanesboro), eulogized former Sen. Gordon Rosenmeier of Little Falls who served in the Senate from 1941-1971. Benson stated that with the passing of Rosenmeier the state has "suffered a great loss." He added that "Rosenmeier set a standard for all of us," not only in the length of his service but in the quality of his statesmanship. During his tenure, Rosenmeier authored bills which established the Minnesota Pollution Control Agency, the Metropolitan Council, and the State Planning Agency. Senate Majority Leader, Roger Moe (DFL-Erskine), joined Benson in extending sympathy to the Rosenmeier family and acknowledging "the legacy of a great Minnesotan." The President of the Senate, Jerome Hughes (DFL-Maplewood) also eulogized the late Senator.

In other action, senators processed bills and assigned them to the appropriate committees.

### U of M describes budget request

University of Minnesota President Nils Hasselmo presented the University's 1989-1991 budget request to the Higher Education Division of the Education Committee Wed., Jan. 18. The University is requesting a total increase of \$198.7 million, Hasselmo said.

The two major thrusts of the budget, Hasselmo said, are access and excellence. Under the "access" umbrella fall a request for an additional \$5.9 million to restore the average cost funding base so that the University does not need to cut enrollment below its targets, Hasselmo said, and a request for an additional \$12 million for funding rank adjustment, which Hasselmo said will help alleviate the problem of large class size. Also in the "access" category are requests for funding increases for advising students and for telecommunications, he said.

Under the "excellence" umbrella fall requests for a \$30 million increase for instructional equipment, \$20 million of which is a special request; a \$9 million increase for libraries; and a \$32 million increase for faculty and staff salaries, Hasselmo said. New additional funding is also requested for accounting and computer systems.

Hasselmo told the division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), that he has targeted seven specific areas for action at the University. The areas are accountability, managerial effectiveness, governance and organization, undergraduate education, research development, public service, and technology transfer. Hasselmo said he will appoint a lead person in each area and is planning on personally serving as the lead person in the accountability area.

### Committee discusses State Patrol

The Thurs., Jan. 19, committee meeting centered on a discussion of the status of the Minn. State Patrol.

The panel, chaired by Sen. Donald Moe (DFL-St. Paul), heard a presentation by Greg Hubinger, director, Legislative Commission on Employee Relations, on the report "Managing the State Patrol: Who's in Charge?" Hubinger outlined Legislative actions that have greatly affected the operations and the employees of the State Patrol: limiting the number of supervisors that the patrol can employ, designating troopers as unclassified employees, allowing

troopers a choice of two appeal mechanisms, prohibiting the use of quotas in the number of citations issued by troopers, permitting troopers to donate earned vacation into a bank which can be used by Troopers Association representatives, and providing a per diem of \$6 for troopers. In conclusion, the report noted that the Legislature's past involvement has resulted in an apparent policy that treats the State Patrol differently than other state agencies. The report advised the Legislature to review these policies to determine if they were appropriately enacted or not. It also advised that an outside party be involved to foster a more constructive relationship between the troopers and patrol management.

Col. Roger Ledding, chief, Minn. State Patrol, and Fred Peterson, president, Minn. State Patrol Troopers Association, provided general information about the State Patrol and commented on the report. Ledding noted that communications between troopers and patrol management improved prior to issuance of the report and that the report had further enhanced communications. Peterson explained the evaluation system for troopers, stating that it provides a useful way to track a trooper's effectiveness on the job.

### Committee reviews appointment and amends bill

Members of the Taxes and Tax Laws Committee met Tues., Jan. 17, to discuss the gubernatorial appointment of John James as commissioner of revenue. Panel members also deliberated on S.F. 99, a bill relating to local government financing, authored by Committee Chair Douglas Johnson (DFL-Cook).

After committee members approved a motion supporting James' appointment to the Revenue Department post, attention shifted to S.F. 99. Dwight Johnson, Shoreview city manager, testified that the 1988 Omnibus Tax Act greatly reduced allowable debt limits for cities and counties, thus crippling their ability to finance major improvement projects. He strongly urged passage of S.F. 99, a bill correcting the law by basing debt limit determinations on market value rather than tax capacity. Tom Ryan, from the Association of Minnesota Counties, expressed his organization's support for the bill. Committee members, after approving an amendment detailing several language revisions, approved the bill and sent it to the Senate floor.

### Medical center funding resolution gains

Members of the Veterans and Military Affairs Committee met, Thurs., Jan. 19, and took action on two proposals. S.F. 83, sponsored by Committee Chair Joe Bertram, Sr., (DFL-Paynesville), memorializes the Congress of the United States to restore full funding to the Veterans Administration Medical Centers. The only discussion on the resolution concerned parliamentary questions on the correct reference for the measure. Ultimately, the resolution was approved and recommended for the Senate Consent Calendar.

In other action, members approved S.F. 43 and re-referred the measure to the Committee on Finance. The bill, sponsored by Bertram, allows the commissioner of veterans affairs to provide bronze grave markers upon the request of county veterans service officers to mark the graves of veterans in that county.

# Committee Capsule

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## Education

### Desegregation plan presented

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), heard a presentation of a study of desegregation/integration costs in Minnesota Wed., Jan. 18. The study, according to Dr. Leonard Stevens, head of the study team, attempts to help Minnesota find a more practical, rational way to further the goal of integrated public education on a local level.

Under the study, which Stevens outlined, integration plans would continue to be drawn by the school district involved; integration and budget plans would be reviewed and approved by the state; state-approved plans would be fully financed through state-local financing; and the state share in desegregation/integration excess cost funding would be a minimum of 50 percent.

One overriding goal of the plan, Stevens said, is to place desegregation on a stable fund base.

The meeting began with Nan Skelton, Dept. of Education, Joe Graba, State Board of Vocational-Technical Education, Dr. George Copa, University of Minnesota, and John Mercer, Vocational-Technical Education Council, finishing up a presentation begun at a previous committee meeting on a secondary vocational education restructuring study report.

According to Copa, two important benefits of the model presented in the report are that it focuses attention on student outcomes and it proposes both a short-and long-term plan. The Legislature should act now and send a clear message that vocational education is important to students and to Minnesota, Copa said.

## Education Funding

### Special ed eligibility criteria discussed

Debate at the Thurs., Jan. 12, meeting of the Education Funding Division of the Education Committee centered around whether determining eligibility for special education should be based strictly on a student's performance, or if other factors should also be included in the determination.

Barbara Burke, Dept. of Education, spoke to the division, chaired by Sen. Randolph Peterson (DFL-Wyoming), about the state-recommended criteria for determining if children have a handicapping condition and if they need special education. Under the criteria, major factors taken into consideration for learning disabled students include the discrepancy between the student's ability and achievement, and whether the student exhibits learning characteristics which interfere with the student's ability to benefit from regular education.

A different approach was presented by Gary Gerrman from the Pine County Special Education Co-op. Gerrman said that the co-op has been involved in curriculum based measurement, a method which involves frequent testing to measure student performance. The student's performance is then used to determine if special education is necessary. Gerrman said that the curriculum based management approach is effective and far less costly than using the criteria recommended by the Education Department.

### Licensure of special ed teachers debated

The necessity of so many categories of special education and of special education licensure were the major topics of discussion at the Fri., Jan. 13, meeting of the Education Funding Division of the Education Committee.

Norena Hale, Dept. of Education, outlined the current State Board of Education rules for licensure of special education teachers. The rules require that every teacher must hold a license appropriate to the handicapping condition of the pupil taught, with

exceptions for certain team teaching situations and for districts that are unable to obtain an appropriately licensed person.

Within special education, some of the separate licenses available are licenses to teach the visually handicapped; the hearing impaired; the mentally retarded educable; the mentally retarded trainable; and the physically handicapped.

According to Sen. Gary DeCramer (DFL-Ghent), some schools simply cannot keep up with all of the categories. DeCramer said that he questioned whether the current system was really the best for the children involved.

The division, chaired by Sen. Randolph Peterson (DFL-Wyoming), also heard testimony from Jennifer Otto, a parent of two children who receive special education and a public member of the Board of Teaching. Otto said that she would rather see less licensure of special education teachers because she believes districts would be more likely to mainstream children if fewer teachers were available.

Linda Lawrie, an elementary principal from White Bear Lake, spoke to the division and cited three trends she had observed in special education: Parents have become much more involved with their children and have a stronger voice as advocates for their children; there is more intervention in the regular classroom before identifying children as needing special education; and there is more mainstreaming, or keeping children in the least restrictive environment.

However, Tim Moriarty, a parent of a child receiving special education, said that children are not being placed in the least restrictive environment and that the line between special education and regular education is an artificial one. Moriarty outlined some ways he believed the Legislature could improve the situation.

## Employment

### Testimony on Workers Compensation Court of Appeals

The Joint Employment and Judiciary Subcommittee on the Workers' Compensation Court of Appeals, chaired by Sen. Ember Reichgott (DFL-New Hope), and Sen. Pat Piper (DFL-Austin), met Fri., Jan. 13, to hear further testimony on the court's policy.

The joint subcommittee heard testimony by Chuck Nyberg, who represented the Minnesota Agri-Growth Council and the Minnesota Chamber of Commerce and Industry. Nyberg said the Workers' Compensation Court of Appeals does not deliver what the Legislature intends it to deliver: justice. The system needs reform, he said, citing that about one of two cases appealed by employers were reversed, while one of ten cases appealed by employees were reversed.

Paul Rieke, chief judge, Workers' Compensation Court of Appeals provided some suggestions to improve the court, including cost projections. These figures included judges' salaries, annual costs, operating expenses, and start-up costs.

A list of policy options for the future of the Workers' Compensation Court of Appeals was reviewed and discussed by members of the joint subcommittee. Options were: abolishing the court, improving the court's competency and impartiality, and improving the efficiency and reliability of the court's decisions.

## Environment and Natural Resources

### Committee discusses forestry

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), held the first meeting of the session Tues., Jan. 17, to discuss the interim report by the Governor's Blue Ribbon Commission on Forestry and Forest Products.

Gerald Rose, director, Dept. of Natural Resources Forestry Division, began with a review of a report on Minnesota's forest resources. He noted that in 1987 the Minnesota wood industry was the second largest manufacturing industry in the state and employed 54,000 workers. Rose also pointed out the rise in new and expanding pulpwood-using industries. The pulpwood-using industries capital investment was \$554 million from 1979-1986, and is estimated to be \$972 million for 1986-1990 and \$1.733 billion for 1991-1996. He emphasized the need for the Blue Ribbon Commission which was created to review and maintain the forest industry and the environment.

Howard Hedstrom, representing Minnesota Forest Industries, and Tom Evenson, representing Timber Products, each provided perspective on forestry concerns from a private industry viewpoint. Hedstrom stated that he supports appropriations for a continuous inventory. Evenson listed his concerns regarding transportation, groundwater pollution, and workers' compensation. He also noted that the Legislature has had a beneficial affect on forestry in the last decade and that he wants to continue a 50 year history of cooperating with the Legislature.

The final speaker, Dr. Richard A. Skok, dean of the College of Natural Resources, University of Minnesota, and vice chair of the Blue Ribbon Commission on Forestry and Forest Products, gave an overview of the commission and its list of recommendations. The commission is made up of 15 individuals representing different organizations and viewpoints on the subject of forestry. Included among the recommendations was support for an appropriation to the University of Minnesota's Agricultural Experiment Station request to relocate the hybrid aspen and larch tree improvement programs from Appleton, Wisc. to Grand Rapids, Minn. The commission's other recommendations were listed under the following issue areas: long-term timber supply and forest management, transportation, market and value-added expansion, business barriers in the forest products sector, educational programs, and recreation and tourism opportunities in the forest environment.

## **Governmental Operations**

### **Dept. of Administration presents report**

Members of the Governmental Operations Committee heard a presentation of the Dept. of Administration's report, "State Office Space: Options and Cost," Tues., Jan. 17.

The report is the result of a request by the 1988 Legislature to perform a second-phase study to compare the cost of leasing office space in privately owned buildings versus construction of new office buildings to house state departments and agencies. Terry Bock, director, and Paul Schweizer, management consultant, Management Analysis Division of the Dept. of Administration, presented an overview of the report and answered questions.

In his presentation, Schweizer noted that the focus of the report was on the financial analysis of nine alternative ways for the state to provide office space. These alternatives are: three leasing options, three building options, purchase of an existing building, lease-purchase of a new building, and lease with option to purchase a new building.

Sen. Donald Moe (DFL-St. Paul), chair of the committee, indicated that there would be continuing discussion on the issue before the committee takes any action.

## **Health and Human Services**

### **Committee hears from Dept. of Human Services**

The Health and Human Services Committee, chaired by Sen.

Linda Berglin (DFL-Mpls.), met Wed., Jan. 17, to hear an overview of proposed legislation from the Dept. of Human Services.

Sandra Gardebring, commissioner of the Dept. of Human Services, introduced staff and reviewed past departmental issues, including the Welsch Consent Order, the Torrey Report, and the Governor's Commission Report on Welfare Reform. She said agency proposals this session would include reconfiguring state institutions, welfare reform, and the multi-agency children's agenda.

Dr. Thomas Maleug, medical director and acting assistant commissioner for the department's Mental Health Division, provided the committee with an overview of state mental health services. He also reviewed the Mental Health Act of 1987 and identified some remaining problems. These problems included: inadequate funding for adult community support programs; inadequate focus and funding for children's mental health programs; insufficient quality of care in regional treatment centers; and problems with the funding mechanisms.

An overview of long-term care and other health care proposals to be presented to the Legislature this session, was reported by Maria Gomez, assistant commissioner, Health Care Residential Programs.

Topics for long term care include: nursing home issues, issues affecting intermediate care facilities for the mentally retarded, developmental activity centers issues, and issues dealing with case management for the brain injured.

Health care management proposals, said Gomez, relate to children's health plan issues, medical assistance issues, general assistance medical care eligibility issues, required changes for the Medicare Catastrophic Coverage Act, prepaid health care proposals and hospital rates issues.

### **Panel hears department requests**

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Wed., Jan. 18, to hear an overview of proposed legislation from the departments of Health and Corrections.

Sister Mary Madonna Ashton, commissioner, Dept. of Health, reviewed executive office staffing, and the agency's current funding and budget. She also provided an overview of some of the issues that each of the department's bureaus expect to deal with this session.

According to Ashton, the Bureau of Administration will be asking for full funding of a Community Health Services subsidy. The Bureau of Health Delivery Systems, she said, expects to deal with the issue of the Federal Nursing Home Reform Act; concerns arising from Home Health Care Rules; childhood injury protection issues; and issues affecting services for handicapped children. The Bureau of Health Protection, said Ashton, anticipates dealing with AIDS issues, issues affecting water management, and issues affecting indoor air quality.

Orville Pung, commissioner, Dept. of Corrections, reviewed background information about the department and answered questions from committee members.

## **Judiciary**

### **Chief judge describes Appeals Court status**

Most of the Wed., Jan. 18, Judiciary Committee meeting was devoted to a discussion of the Intermediate Court of Appeals. Chief Judge D. D. Wozniak appeared before the panel, chaired by Sen. Allan Spear (DFL-Mpls.), to describe the state of the court today, detail the functions and duties of the court as prescribed by the Legislature and to describe the need for additional judges.

# Committee Capsule

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Wozniak said that the Appeals Court, created in 1983, today stands at a critical juncture. The number of filings has increased dramatically, yet the court is the only Intermediate Appellate Court in the country without a backlog. However, Wozniak noted that the remarkable performance on the part of the judges and staff has not come without a human cost.

Wozniak outlined the workload of the judges and described the standards, established by the Legislature, by which the court was to operate. Those standards specified that the normal number of judges assigned to the court were to be one for every 100 cases; that the judges were to be elected at statewide elections (although vacancies were to be filled by gubernatorial appointment); that the temporary assignment of district judges to the Appeals Court by the Chief Justice was allowed; that the chief judge was to be designated for a three-year term and was to exercise general administrative authority over the court; that each case was to be submitted to a panel of at least three judges; that the decision of a majority of the judges on each panel was the decision of the court; that assignment to panels was to be on a rotating basis; that hearings were to be held in Greater Minnesota; that decisions of the court were to be rendered within 90 days of oral argument or final submission; and that decisions of the court, including written opinions, were to be indexed and made available to the public.

Wozniak further noted that filings have exceeded 2,000 per year and exceeded 2,400 in 1988. According to Wozniak, 28 or 30 cases are assigned to each panel per month, thus each judge must read the material for one case each day plus factor in time for decisions, writing decisions or dissents and reviewing decisions. "We are the victims of our own success," said Wozniak.

Committee members' questions hinged primarily on the practice of using retired District Court judges as supplementary Appeals Court judges. Wozniak conceded that the practice lacked accountability but contended that the use of the retired judges was a "life-saver" during 1987 and 1988. "We have maintained a torrid pace since the beginning, but the pace cannot be sustained without illness and burnout," Wozniak said. Thus, the court will be requesting that the Legislature approve an additional five judges; three in 1989 and two in 1990, Wozniak said.

In other action, the panel approved five gubernatorial appointments to the Board on Judicial Standards. The appointments of Raul Salazar, Janna Merrick, Charlotte Anderson, Lawrence Redmond and Edward Matonich were all recommended for confirmation. In addition, the appointments of David Miller and John Phillips to the Hazardous Substance Injury Compensation Board were also approved.

## Local and Urban Government

### Minnesota Municipal Board makes presentation

Members of the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), met Thurs., Jan. 19, to hear a presentation by the Minnesota Municipal Board.

Terry Merritt, executive director, told panel members that the Minnesota Municipal Board was created in 1959 to deal with "the proliferation of governmental units and the lack of a systematic approach to deal with boundary adjustments." He stated that of the five types of boundary adjustments—annexation, detachment, incorporation, concurrent detachment and annexation of incorporated land, and consolidation—annexation is mostly widely used. He concluded by saying that the Minnesota Municipal Board does not intend to propose any changes in existing law during the legislative session.

Pat Lundy, assistant director, testified that initiators of boundary adjustments fall into four categories: property owners; towns; cities; and the Minnesota Municipal Board itself. She pointed out that developing commercial and industrial areas, improving delivery of sewer and water services, correcting confusing gerrymandered boundaries, and reducing taxes on agricultural lands are some of the more common reasons for initiating boundary adjustment action. Lundy added that of the 150 adjustment petitions processed annually, 80 percent are filed by property owners, while the remaining petitions are divided between townships, cities, and the Minnesota Municipal Board.

Sen. Betty Adkins (DFL-St. Michael), asked Merritt how often an appeal is successfully brought against the Minnesota Municipal Board. He replied that a Minnesota Municipal Board decision is overturned only "one to seven percent of the time." Sen. Earl Renneke (R-Le Sueur) stated that orderly annexation agreements have helped to reduce the amount of fighting between parties in annexation cases during the last 10 to 15 years.

## Public Utilities and Energy

### Task force hears report

Sen. Ronald Dicklich (DFL-Hibbing) and Rep. Andy Dawkins (DFL-St. Paul) co-chaired a meeting to discuss the draft report of the Legislative Task Force on Low-Income Energy Policy Tues., Jan. 17.

Scott Sande, staff for the Public Utilities and Energy Committee, began a presentation of the draft report by giving a description of the task force. The bipartisan task force was created by the 1988 Legislature to study the energy needs of low-income Minnesotans and to review the efficiency, coordination, and effectiveness of existing programs.

The presentation focused on the recommendations given by the task force. Specific recommendations fell under the general categories of energy assistance, weatherization, the cold weather rule, oil overcharge funds, and conservation improvement programs. The draft report concluded that three central, basic needs are clear: The need for a statewide energy policy, the need for a lead agency to formulate and implement such policy and the need for additional state funding of energy programs for low-income families.

## Taxes and Tax Laws

### Panel reviews bills

Members of the Taxes and Tax Laws Division on Income Tax, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), met Wed., Jan. 18, to review several bills.

S.F. 61, the Dept. of Revenue's corporate technical and administrative bill, authored by Pogemiller, underwent no further revisions and was sent to the Senate floor.

Dorothy McClung, Wes Sjekstad, and John Haugen from the Revenue Department briefly explained provisions contained in S.F. 62, a bill on individual income taxes sponsored by Pogemiller. Panel members requested clarification from the department on a section of the bill that deals with taxes on nonresident entertainers.

Committee members heard testimony from four individuals on section 18, a portion relating to withholding taxes. Dean Busch, First Trust Corp. vice president, stated that the excessive cost of administering the Minnesota source income withholding provision contained in the bill was his organization's central concern. Former Sen. Ron Sieloff from Fiduciary Accounts, Inc., stated that implementing sections 16 and 18—relating to withholding by partnerships, estates, and trusts—would "create a

disincentive to invest in partnerships and real estate in Minnesota." Don Patterick, Minnesota Taxpayers Association, argued against inclusion of section 18 because "the trusts and estates industry in Minnesota is honorable and we want to keep this industry in the state." Wayne Cox of Minnesota Citizens for Tax Justice announced support for the bill, particularly provisions covering changes in computing elderly subtraction allowances and the Minnesota Dependent Care Credit.

## Transportation

### Commission conducts airport tour

Members of the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), met with members of the Metropolitan Airports Commission Tues., Jan. 17, and toured the Mpls.-St. Paul International Airport's maintenance, fire station, air traffic control, and Northwest Airline facilities.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, January 23

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** Presentations on school desegregation and integration costs and the Legislative Auditor's Report on Statewide Cost of Living Differences.

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

11:30 a.m. Front steps of the Capitol

**Agenda:** Tour of the new Metropolitan Council facility.

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

12 noon Room 15 Capitol

**Agenda:** Overview of Minnesota Housing Finance Agency.

**Education Subcommittee on Indian Education**, Chair: Gary DeCramer

12 noon Room 112 Capitol

**Agenda:** Reports on the higher education system and on the scholarship report.

**The Senate will be in session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 123 Capitol

**Agenda:** Presentations on the State's response to the ASGSD lawsuit and on determining eligibility for special education in Minneapolis public schools.

### Tuesday, January 24

**Public Utilities and Energy Low Income Energy Task Force**, Co-Chairs: Ronald Dicklich and Andy Dawkins

10 a.m. Room 15 Capitol

**Agenda:** Final action on Low Income Energy Task Force Report.

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

Bob Lessard

1 p.m. Room 112 Capitol

**Agenda:** Presentation on the effects of severe winter on deer and fish populations.

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

Berglin

1 p.m. Room 15 Capitol

**Agenda:** Presentations on federal changes and proposed Minnesota response, the PATHS Program, retrospective

budgeting of the AFDC, and an update on the Family Investment Plan.

**Taxes and Tax Laws Division on Income Tax**, Chair:

Lawrence Pogemiller

3 p.m. Room 15 Capitol

**Agenda:** S.F. 62-Pogemiller: Individual income tax bill, and a discussion on AMT.

### Wednesday, January 25

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** Presentations on proposed graduation standards and four exemplary learning centers.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott

10 a.m. Room 107 Capitol

**Agenda:** Presentations on corporate takeover and the Minnesota State Bar Association task force reports.

**\*Judiciary Division on Criminal Law**, Chair: Donna Peterson

10 a.m. Room 15 Capitol

**Agenda:** S.F. 32-Spear: Trespass recodification. S.F. 51-Spear: Revising procedures related to the collection of restitution.

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

Bob Lessard

1 p.m. Room 112 Capitol

**Agenda:** S.F. 1-Merriam: Restoring power of the Waste Management Board.

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

Berglin

1 p.m. Room 15 Capitol

**Agenda:** Overview on the Dept. of Jobs and Training, and presentations on the Health Care Access Report and Health Care for the Uninsured by sponsors.

**Joint Senate and House Finance Divisions on Education**,

Chair: Gene Waldorf

3 p.m. Room 123 Capitol

**Agenda:** Report on the University of Minnesota physical plant operations.

**Taxes and Tax Laws Division on Income Tax**, Chair:

Lawrence Pogemiller

3 p.m. Room 15 Capitol

**Agenda:** Overview on the governor's budget.

## Thursday, January 26

**Governmental Operations Committee**, Chair: Donald Moe  
8 a.m. Room 15 Capitol

**Agenda:** S.F. 2-Merriam: Relating to the elimination of the governor's authority to use reorganization orders to transfer appropriations, powers or duties.

**Veterans and Military Affairs Committee**, Chair: Joe Bertram, Sr.

10 a.m. Room 107 Capitol

**Agenda:** Presentations on the Vietnam Women's Memorial project, and the Minnesota Veterans Home update.

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

12:15 p.m. Room 107 Capitol

**Agenda:** Presentation of the Metropolitan Agencies 1988 consolidated financial report by Chairman Steve Keefe.

**\*The Senate will be in session at 2 p.m.**

## Friday, January 27

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

8 a.m. Room 107 Capitol

**Agenda:** S.F. 8-Dahl: Fire safe cigarettes and cigars. S.F. 9-Dahl: Requirements for movie projectionists in commercial movie theaters.

**\*Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 139-Spear: Drinking age violation penalties and remedies. S.F. 171-Diessner: Law library fees.

**Finance Committee**, Chair: Gene Merriam

3 p.m. Room 123 Capitol

**Agenda:** Presentation on the budget.

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

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## Branches of government outlined

Government at the state and federal levels consists 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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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.

## Service for hearing-impaired available

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

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# Briefly

The Minnesota Senate Week in Review

January 27, 1989

## Senate floor sessions held

The Senate met for a brief floor session Mon., Jan. 23, and took action on a bill, S.F. 83, placed on the Consent Calendar. Measures on the Consent Calendar are bills deemed noncontroversial by members of a standing committee and may be considered for final passage. S.F. 83, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), contains a resolution urging the United States Congress to restore full funding to Veterans Administration Medical Centers. Bertram stated that two medical facilities in Minneapolis and St. Cloud have reduced their staffs by more than 170 people because of federal budget cuts amounting to \$9 million. S.F. 83 passed on a vote of 55-0.

## Tax measure passed

A suspension of the rules and final passage of H.F. 40 provided the highlight of the Thurs., Jan. 26, Senate floor session. H.F. 40, carried in the Senate by Sen. Douglas Johnson (DFL-Cook), was amended to contain the language of S.F. 99. The bill makes several technical corrections in the 1988 Omnibus Tax Bill. The measure relates to the financing of local units of government and provides for the computation of debt limits as a percentage of market value and adjusts other debt limits for the conversion to tax capacities. Senate Majority Leader Roger Moe (DFL-Erskine) moved to suspend Senate rules in order to allow final passage of the bill. The bill also adjusts disparity reduction aid in certain cases and makes some technical corrections in 1988 tax increment financing law. Johnson amended the bill to include a provision that would allow Morrison County, and other local units, to issue bonds.

The Senate also passed a resolution sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville) which proclaims Jan. 29, 1989, to be POW/MIA Unity Day of Prayer in Minnesota.

## Governor's budget proposal unveiled

Gov. Rudy Perpich's proposed 1990-91 biennial budget was the primary topic of discussion at the Wed., Jan. 25, meeting of the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook).

Finance Commissioner Tom Triplett explained that in preparing the budget, five general guidelines were followed: avoid increases in major taxes; reallocate or cut current spending wherever possible; strengthen fiscal stability; cut property taxes and reform local aids systems; and target spending to the state's most pressing needs. Triplett noted that anticipated General Fund revenues for the 1990-91 biennium, including the Budget Reserve, should be \$13.858 billion. He emphasized that nearly 65 percent of 1990-91 General Fund revenues are earmarked for education, property tax, and local government support. Triplett concluded by saying that elementary and secondary education is slated to receive an additional \$120 million in funding for the biennium under the proposed budget, a 14 percent increase from 1988-89 levels.

Revenue Commissioner John James said that the proposed budget contains no major changes in income or sales tax

revenues. He mentioned that his department is aware of potential legislation to revise the corporate Alternative Minimum Tax (AMT), but expects that revenues generated by an amended AMT would remain roughly equal to previous biennial receipts. James added that the proposed budget includes a tax increase of four percent on charitable gambling gross receipts, thus raising an additional \$79 million during the biennium. James concluded by pointing out that the budget contains a proposal to increase the Budget Reserve from \$550 million to nearly \$700 million — to represent five percent of total biennial receipts.

Committee members asked Triplett to respond to specific items within the proposed budget. Sen. Duane Benson (R-Lanesboro), questioned the necessity of having a \$700 million Budget Reserve. Triplett defended the proposed increase by stating that the five percent figure would not protect Minnesota in a recession, but that it would provide a measure of security if state revenues were to decline.

## Physical plant reports presented

Legislators heard the Legislative Auditor's Report on the University of Minnesota's Physical Plant Operations and a response from University officials at a Wed., Jan. 25, joint House-Senate meeting of the Education Divisions of Finance and Appropriations. Sen. Gene Waldorf (DFL-St. Paul), chair of the Senate division, said that another joint meeting will be called to finish the discussion.

Legislative Auditor James Nobles presented the auditor's report. The study was conducted from March through August of last year and the general assessment of physical plant is not complimentary, he said. However, Nobles said that physical plant officials have been very cooperative and responsive to the report.

Among other things, Nobles said, the report concludes that the University has a large deferred maintenance problem; that central administration does not effectively oversee the Physical Plant Department; that the physical plant does not have the management systems in place that would ensure productivity; and that the system of transporting employees to work sites is ineffective.

During his presentation for the University, William Thomas, associate vice president for finance at the University, focused on some of the auditor's recommendations that had not yet been implemented. One recommendation not yet implemented, Thomas said, is development of a comprehensive deferred maintenance list and budget. The cost of the necessary consultant study would be about \$700,000, he said. The auditor's recommendation that a uniform perpetual inventory system be established has not been implemented because there is no space where the inventory could be centrally located, he said. Thomas was closely questioned by legislators during his remarks.

When asked by Waldorf if the University's report was an adequate response to the auditor's report, Nobles said he would reserve judgement. One large area of concern is the University's contract with the Building Trades Council, and Thomas really has no authority in that area, Nobles said. The contract expires in June, 1990.

Following Thomas, Walter Rudd, a long-time member of physical plant staff, gave testimony which criticized physical plant administration. The thrust of his criticism, he said, was that more money was being spent for administration and less on workers and repair work.

# Committee Capsule

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## Economic Development and Housing

### Committee hears testimony on housing

The Committee on Economic Development and Housing, chaired by committee vice chair Tracy Beckman (DFL-Bricelyn), met Jan. 23, to hear an overview of the Minnesota Housing Finance Agency presented by Alan Hans, deputy commissioner.

Hans explained the various sources of agency funding. These sources are tax exempt bonds, 56.5 percent; federal appropriations, 19.3 percent; state appropriations, 7.6 percent; agencies revenues, 10.5 percent; and taxable bonds, 6.1 percent.

He provided a summary of rental housing programs and home improvement programs. Programs funded by state appropriations include the Home Sharing Program, the Housing for the Homeless Program, the Low Income Persons Living Alone Program, and the Transitional Housing Program. Federal programs include Section 8 Housing, Low Income Housing Tax Credits, and the Rental Rehabilitation Grant Program.

Reviewing the agency's mission statement, Hans said that policies put together in 1984 were still in use to make financial resources as available and affordable as possible for low and moderate income households.

## Education

### Desegregation study discussed

Senators discussed a desegregation/integration study, and the recommendations of the State Board of Education regarding the study, at the Mon., Jan. 23, meeting of the Education Committee. The committee, chaired by Sen. James Pehler (DFL-St. Cloud), first discussed the report during a previous meeting.

Marge Johnson, chair of the State Board of Education, reviewed the board's recommendations regarding the study. Recommendations include encouraging the state to retain the 73 percent state participation appropriated for Duluth's desegregation costs while raising the minimum state funding of St. Paul's and Minneapolis's desegregation costs to 66 percent; having desegregation plans drawn up biennially and reviewed and updated annually; and requiring the inclusion of documentation of meaningful and appropriate participation of the minority community in the districts' plans for desegregation/integration.

Following the presentation by Johnson, Sen. Donna Peterson (DFL-Mpls.) expressed disappointment in the report, which was conducted by a study team of people who have worked in various aspects of school integration. The reality of integration, Peterson said, is that parents have to send their kids to school in a community that is not their own. To make that experience worthwhile, Peterson said, there must be quality education, such as special services for both at-risk and gifted students, waiting for the child at the end of the bus ride.

The heart of the matter, Pehler said, is that if Minnesota is not providing the best educational opportunities on a equal basis, then the state is not meeting its responsibilities.

### Progress in Indian ed discussed

The Education Subcommittee on Indian Education, chaired by Sen. Gary DeCramer (DFL-Ghent), met Mon., Jan. 23, and heard reports from representatives of the higher education system regarding Indian education.

Representatives from the Community College System, the University of Minnesota, the Technical Institute System and the State University System presented information on the status of Indian education. Information on the Minnesota Indian Scholarship Program was also presented.

### Area Learning Centers reviewed

Senators discussed a preliminary report regarding the four exemplary Area Learning Centers (ALCs) at the Wed., Jan. 25,

meeting of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud). Legislation for the ALCs was adopted in 1987.

The four exemplary ALCs are in the Carver/Scott Cooperative in Chaska, the Chisago/Pine Education District in Chisago, Mounds View and St. Cloud. ALCs are one of the options open to those participating in the High School Graduation Incentives program or the school district enrollment options program.

Programs and services offered at ALCs are developed to fit a student's specific needs, which may include: academic and learning skill classes taught using alternative methods, trade and vocational skills training, and work experience.

A representative from the St. Cloud ALC and a representative from the Chisago-Pine ALC presented information about the ALCs to the committee. Generally, the representatives expressed their belief that the ALCs fulfill a unique and important need for Minnesota students.

The committee also heard a presentation on the State Board of Education proposed graduation standards. Wayne Erickson, Dept. of Education, outlined recommendations for some possible changes regarding program and graduation standards. The tentative effective date of any new rules is not until the 1990-91 school year, Erickson said.

### HECB overview presented

Kathleen Kies, deputy executive director of the Higher Education Coordinating Board (HECB) presented a general overview of certain areas of post-secondary education in Minnesota to the Higher Education Division of the Education Committee Wed., Jan. 25.

Kies cited eight key issues regarding post-secondary education in Minnesota: quality of higher education, price and cost of higher education, opportunity and choice in higher education, the relationship of higher education to the workplace and economic development, public understanding of the role and purposes of higher education, adequate funding for post-secondary education, mission and governance, and strategic planning to ensure access and quality in the future.

Following Kies, Ann Kelley presented an Instructional Technologies Task Force Report. The task force focused on studying telecommunications. Recommendations of the task force include that state funding be provided to support local/institutional/regional funding of interactive television efforts; that only those telecommunications systems which foster meeting Minnesota's education goals and mission for all levels of education should be used for instruction; that all legislative proposals for funding interactive television for education meet specific criteria; that the Legislature review educational telecommunications funding requests using that criteria; that the state encourage new or innovative uses in the planning and design of telecommunications systems; that all educational institutions should be invited to participate in the planning and implementation of state-funded education telecommunications systems (connections to the system and user fees should be the responsibility of each institution); and the establishment of a public sector telecommunications databank or clearinghouse.

Kies then reviewed the HECB's recommendations regarding the report. The board, she said, endorses the recommendations of the task force.

The division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), also heard briefly from Dr. David Powers, the new executive director of the HECB.

## Education Funding

### Officials say district's future in jeopardy

Senators heard dire predictions when representatives of Anoka-Hennepin Independent School District 11 spoke about the district's financial future at the Thurs., Jan. 19, meeting of the Education Funding Division of the Education Committee. The division is chaired by Sen. Randolph Peterson (DFL-Wyoming).

If general education revenue does not increase by more than its scheduled percentage, the school district will face a fund

shortage of \$7.7-\$9.7 million, according to Dr. Roger Giroux, assistant superintendent. The scheduled increase is 1.6 percent. Giroux outlined the impact cuts could have on curriculum and instruction, staff development, special education and other areas.

Dr. Lewis Finch, superintendent, presented some possible explanations for the shortfall, including disparities in funding resulting from levy referendums in the districts. Anoka-Hennepin simply does not have the property tax base some of the other districts have, Finch said.

## **Financial condition of school districts presented**

Richard Pearson, Dept. of Education, presented data on the financial condition of school districts as of June 30, 1988, to the Education Committee's Funding Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), Fri., Jan. 20.

Revenues increased 6.47 percent between fiscal year 1987 and fiscal year 1988, Pearson said. Expenditures increased by about 6.37 percent. Of 435 districts on file, 239 showed relative improvement and 196 showed relative decline, as judged by the unreserved operating funds.

Pearson also reviewed information regarding expenditure limitation, capital fund, debt redemption and reserved fund balances. Steve Sandberg, Dept. of Education, presented information on categorical programs.

Following Sandberg, Gary Farland from the Dept. of Education presented an aid appropriation transfer report. Minnesota statute allows the commissioner of education to transfer excess education aid appropriations to fund deficiencies in the various categorical aids to school districts. According to Farland, estimated deficiencies for the 1988-89 school year are \$22.9 million and estimated transfers are \$4.4 million, leaving an estimated \$18.9 million in unfunded deficiencies.

Finally, Senators heard a summary of a study comparing state and local eligibility criteria for learning disabled (LD), mild mental handicaps (EMH) and emotional/behavior disorders (E/BD) programs. The summary was given by Thomas Lombard from the Unique Learner Needs Section of the Dept. of Education.

For the study, student records from 440 students recently placed in LD, EMH OR E/BD programs were reviewed. The student sample was drawn from 100 districts which had adopted either the department's recommended criteria or locally developed eligibility criteria. Some of the major findings of the study include: all of the cases had documentation that the student was having problems learning in the mainstream setting and needed some intervention; however, less than half the cases had sufficient documentation of eligibility for special education services, and a large number of the cases had information which actually contradicted the student's eligibility for special education services. In addition, the study showed that three-quarters of the LD and E/BD students and one-third of the EMH students received an hour or less of service per day.

The study makes four recommendations: special education programs should be limited to a population of students with identifiable handicaps who need specialized services; funds for personnel and training should be provided to regular education programs so that teachers can meet the instructional needs of students with learning programs who are not eligible for special education services; the department should begin the process of promulgating rules which provide statewide eligibility criteria for special education programs; and the department and the Legislature should commit sufficient resources for monitoring and program evaluation to ensure equitable placement practices and cost-benefit for special education programs.

## **Special ed eligibility debated**

Senators continued a discussion of how to determine eligibility for special education at the Mon., Jan. 23, meeting of the Education Funding Division of the Education Committee. The division,

chaired by Sen. Randolph Peterson (DFL-Wyoming), heard a presentation on the subject from representatives of the Minneapolis Public Schools.

A method of determining eligibility called curriculum based measurement was the focus of the presentation. The method involves frequent testing of students to determine performance levels, and decisions that students need special education services are based largely on performance.

Three important characteristics of curriculum based measurement, according to Doug Marston, Minneapolis Public Schools, are that it involves direct measurement, repeated measurement, and time series analysis. Time series analysis examines the relationship between the student's performance and the instruction being used. At least nine states are using curriculum based measurement, and over 85 articles have been written on the subject, Marston said.

Dr. Don Allen, Minneapolis Public Schools, contrasted the curriculum based measurement method of determining eligibility with the eligibility criteria recommended by the state Dept. of Education. A major difference, he said, is that curriculum based measurement compares a student's performance to that of other typical students at the same level who are being taught the same material; the Dept. of Education criteria compare the student's achievement to that student's own ability, as determined by the student's I.Q. Allen said he believes that curriculum based measurement properly identifies the students who need special services.

Senators also heard a presentation from the attorney general's office regarding a lawsuit filed last October against the state of Minnesota, the State Board of Education and Education Department Commissioner Ruth Randall. The lawsuit basically charges that Minnesota's educational funding system is unfair because it favors students from wealthier districts. The department will be asking for funding from the Legislature regarding the case, a department representative said.

## **Employment**

### **Workers' comp court gets last hearing**

The Joint Subcommittee on Workers' Compensation Court of Appeals, co-chaired by Sen. Pat Piper (DFL-Austin) and Sen. Ember Reichgott (DFL-New Hope), met Thurs., Jan. 19, to hear further testimony about the Workers' Compensation Court of Appeals (WCCA).

Panel members continued their discussion of issues arising from WCCA policy options. Options discussed were a composite of previous panel comments and questions in the areas of WCCA competency and impartiality, and the efficiency and reliability of WCCA decisions.

While addressing ways to improve the competency and impartiality of the WCCA, Senators discussed the results of requiring the court to have no more than three persons from the same political party.

Panel members discussed concerns in attracting judges to the court by increasing judges' salaries and staff to correspond with those of judges in the judicial branch.

In the area of improving the efficiency and reliability of WCCA decisions, the panel discussed a variety of issues relating to increasing the number of WCCA staff and judges.

The panel also discussed various issues involved in improving the reliability of WCCA decisions.

## **Environment and Natural Resources**

### **DNR reports on status of deer and fish**

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Tues., Jan. 24 to discuss the effects of severe winter on deer and fish populations.

# Committee Capsule

Roger Holmes, Wildlife Section chief, Dept. of Natural Resources (DNR), spoke on current winter conditions in the northern deer range and the possible impact of these conditions on the deer population. The DNR uses a Winter Severity Index (WSI) to monitor temperature and snowfall impact on wildlife. So far "we've had an unusual winter this year with mild temperatures and a lot of snow" said Holmes. While the index indicates there is no problem yet, the DNR is preparing for an emergency deer feeding program in case temperatures drop and the snow level increases. In the meantime, Holmes said the DNR plans to ask people in the northern deer range area to make trails either with snowshoes or snowmobiles to provide good access to deer yarding areas. If the snow level does increase then the trails will be important in getting food into the yarding areas quickly.

Roy Linder and Andy Anderson, representatives of the Minn. Deer Hunters Association gave their support for helping the DNR if the emergency deer feeding program is necessary. Anderson noted that many chapters have already started making trails and that the association is ready to help the DNR if they implement the feeding program.

Dick Hassinger, DNR Section of Fisheries chief, announced that 31 lakes which are subject to winterkill have been opened for unlimited fishing until February 15. Winterkill occurs when deep snow on a lake blocks out the sunlight aquatic plants need to produce oxygen, which keeps fish alive. The lakes are opened for unlimited fishing to give anglers a chance to harvest the fish that will most likely die before spring. The DNR has also developed a long-term program for lakes where winterkill is a problem. If a lake is subject to winterkill a system called lake aeration can be used. Aeration pumps oxygen back into the water so the fish can survive. The DNR purchases aeration systems and a sponsoring group maintains the system.

## Waste Management Board bill advances

Members of the Environmental and Resources Committee met Weds., Jan. 25, and took action on two proposals. Sen. Gene Merriam (DFL-Coon Rapids) explained S.F. 1 which calls for the restoration of powers and duties to the Waste Management Board. Committee chair Bob Lessard (DFL-Int'l. Falls) reminded members that the board was originally established to work with local units of government to promote programs.

Commissioner Gerald L. Willet of the Minn. Pollution Control Agency (MPCA) testified on the status of the merging of the Waste Management Board since it was transferred to the PCA and the Environmental Quality Board by Gov. Perpich. Willet stated that the merging has been successful. He also noted that retaining the board under PCA control provides a more effective and efficient way for promoting good working relationships with local units of government.

Merriam told members that the intent of establishing the board was to separate regulation and enforcement duties from planning and coordinating efforts and that they should continue to be separate. Committee members approved S.F. 1.

In other action, committee members passed S.F. 25. The bill, introduced by Sen. LeRoy Stumpf (DFL-Plummer), eliminates inaccurate and obsolete references to committees.

## Governmental Operations Committee considers two bills

Members of the Governmental Operations Committee met Thurs., Jan. 26, to begin discussion of two measures. S.F. 2 eliminates the governor's authority to use reorganization orders to transfer appropriations, powers or duties and S.F. 105 requires the Legislative Advisory Commission to make recommendations at a commission meeting except in certain circumstances.

Sen. Gene Merriam (DFL-Coon Rapids), author of both bills, told committee members that S.F. 2 amends statutes that define the governor's power in the reorganization of state agencies. Merriam stated that there is not a proper balance of executive and legislative

power. He specifically noted Gov. Perpich's decision to transfer the Waste Management Board to the Pollution Control Agency and the Environmental Quality Board without consulting the Legislature.

State Planning Agency Commissioner Lani Kawamura and Dept. of Administration, Management Analysis Division Director Terry Bock provided background information on the governor's reorganization powers. Kawamura said that the system of checks and balances is in place under current law. Currently, the Legislature has the power to undue reorganization orders made by the governor, she said. Bock stated that the governor's authority to reorganize is an important and necessary power to provide efficiency in managing state government.

Committee chair, Donald Moe (DFL-St. Paul), said that he believes executive power should be left as is and that the Waste Management Board decision is a separate issue which can be addressed by S.F. 1, a bill that calls for the restoration of powers and duties to the board. S.F. 2 was laid aside for further review.

The final portion of the meeting was devoted to Merriam's presentation of S.F. 105. The bill specifies that appropriations recommendations made by the Legislative Advisory Commission be made at commission meetings unless a written recommendation is signed by all commission members entitled to vote on the matter. The bill was approved and re-referred to the Committee on Rules and Administration.

## Health and Human Services

### Committee hears update on welfare reform

The Health and Human Services Committee met Tues., Jan. 24, chaired by Sen. Linda Berglin (DFL-Mpls.), to hear an update on welfare reform.

John Petraborg, assistant commissioner, Dept. of Human Services, Family Support Programs, reviewed the Family Support Act of 1988. The Act is designed to assist recipients of AFDC and custodial parents in receiving employment and training through the federal Job Opportunities and Basic Skills Training Program (JOBS). Each state must have a JOBS program in place as early as July 1, 1989, but no later than Oct. 1, 1990. The JOBS Program must be available statewide by Oct. 1, 1992.

Petraborg discussed issues relating to implementation of the act and answered questions by committee members.

Reports on the Primary Access to Human Services Program (PATHS) were presented by representatives of the Department of Jobs and Training, the Department of Human Services and the Self-Employment Demonstration Project (SEID).

Don Mohawk, director, Job Training Office, provided an overview of the PATHS project. The PATHS project is administered through the Dept. of Human Services and the Dept. of Jobs and Training. Since Dec. of 1988, Mohawk said 5,800 people statewide, have been served through the program.

Paul Timm-Brock, director, Assistance Payments Division, Dept. of Human Services, explained some of the refinements in the PATHS program. Barbara Beedle, a former AFDC recipient and member of PATHS, told her own story about being on AFDC. She described the entire AFDC procedure as "demoralizing and demeaning."

Connie Lewis, SEID coordinator, provided background information on the SEID Project in the state. Minnesota is one of four states nationally to administer the program, she said. The SEID Project works to encourage disadvantaged individuals to pursue self-employment. Program features include intensive business training, personal effectiveness training, access to seed money capital, and waivers from certain AFDC regulations.

Two outstanding providers for SEID in Minnesota, said Lewis, are the Womens Economic Development Corporation (WEDCO) and the Tri-county Community Action Agency, which oversees the Tri-county Community Action Program in Todd, Morrison and Crow Wing Counties. Representatives from each organization provided information.

Wrapping up the committee's update on welfare reform was Christine Davis, senior financial worker, AFDC Section of

Hennepin County. Davis explained her role in social services and explained, step by step, the way in which clients achieve their goals.

## **Committee hears testimony about health insurance**

Members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Wed., Jan. 25 to hear a report on a proposed state-subsidized health insurance program for those who are uninsured in the state.

Attorney Tim Flaherty, representing Cardondelet LifeCare Corporation, the United Way of Minneapolis, the Children's Defense Fund, and the law firm of Briggs and Morgan, provided committee members with an overview of the report.

The report recommended the state create a new comprehensive health care access program. Under the program, popularly called Healthspan, Minnesota would become the first state to require all citizens to have health insurance. The proposed plan would cost an estimated \$150 million to set up and would provide health insurance for those who have no insurance.

Sponsors believe a plan like Healthspan could be used to meet the health care needs of other states in the face of the rising number of uninsured.

The plan would be financed by a new payroll tax for individuals and businesses and would require that everyone in the state have insurance by July 1, 1990. Businesses that already provide health insurance would receive a tax credit.

Individuals would be required to obtain minimum health care coverage through their employers or the new health care access program. All residents would be eligible for the new program, but state financial assistance would be provided only to low and moderate income families and individuals based on a sliding fee scale.

Because of the difficulty in estimating state costs the program would be funded with a closed appropriation in order to protect the state's budget from unanticipated costs.

According to the report, only a basic minimum level of health benefits would be required and subsidized through the health care access program. These benefits would emphasize preventative care, early disease detection, primary care and in and out patient care.

In addition, higher benefit levels would be made available through the state's health care access program at an added cost to the participants, but not subsidized by the state.

Flaherty reviewed for the committee guidelines used in developing the report, as well as statistical information about the state's uninsured. According to the report, an estimated 400,000 Minnesotans do not have health insurance.

Sen. John Brandl (DFL-Mpls.) said that he would like to combine cost containment with the health care proposal and attribute more responsibility to the individual. He suggested having the employer pay part of the health care cost combined with providing the consumer with more health care purchasing information.

Joe Samargia, commissioner, Dept. of Jobs and Training provided the committee with a brief overview of departmental activities. Specifically, he reviewed activities and issues relating to human services.

## **Judiciary**

### **"Living will" bill gains**

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), devoted two additional hearings to consideration of S.F. 28, the "living will" bill before approving the measure and sending it to the Senate floor. The measure, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides that a competent adult may make a declaration of preferences or instructions regarding health care that may include the consent or refusal of health care, treatments, service procedure, or placement. A declaration may include preferences or instructions regarding health care, the

designation of a proxy to make health care decisions on behalf of the person making the declaration, or both.

Most of the Fri., Jan. 20, meeting was devoted to hearing opposition testimony in order to give both proponents and opponents an equal amount of time before the panel. In addition, the panel adopted an amendment deleting a section of the bill dealing with the immunity from liability granted to health care providers in the measure. Amendment sponsor, Sen. Gene Merriam (DFL-Coon Rapids), successfully argued that health care providers are already required to adhere to the standard of "reasonable medical practice" and that the language in the provision was unnecessary.

Most of the Mon., Jan. 23, hearing was devoted to debate over further amendments to the bill. An amendment, offered by Sen. Fritz Knaak (R-White Bear Lake), that would have restricted the implementation of "living wills" to persons with conditions in which death is imminent and required the continuation of artificial means of administering nutrition and hydration was successfully amended by Reichgott. Reichgott amended the amendment by altering the definition of "terminal condition" in the measure to specify that a "terminal condition means an incurable or irreversible condition for which the administration of medical treatment will serve only to prolong the dying process." According to Reichgott, the definition would allow the implementation of advance declarations in cases of irreversible coma, if an individual had executed a "living will." In addition, the Reichgott amendment eliminated a definition of "life-sustaining procedure" that excluded the administration of sustenance.

Other amendments to the bill increased the penalties for concealing or changing an advance declaration and for forcing the execution of an advance declaration; added a provision that clarifies that nothing in the bill prohibits legal treatment by spiritual means through prayer; provides that a person who has revoked or not executed a "living will" does not create a presumption concerning health care intentions or the appropriate health care to be provided; and drops a requirement that an advance declaration be witnessed by either two witnesses, a notary public or a physician by specifying simply that the declaration be signed by two witnesses.

### **Trespass recodification advances**

Members of the Judiciary Committee Division on Criminal Law, chaired by Sen. Donna Peterson (DFL-Mpls.), met for the first time Wed., Jan. 25, to consider two measures. The first, S.F. 32, authored by Sen. Allan Spear (DFL-Mpls.), is a recodification of the trespass laws. Currently, the trespass laws are divided into two categories: dangerous trespass and misdemeanor trespass.

Under the bill, the dangerous trespass law is repealed and the misdemeanor and felony penalties listed are moved elsewhere in the criminal code. The dangerous trespass provisions contain penalties for smoking near explosives; interfering with fire fighting; exhibiting a false traffic signal; obstructing a railroad track; exposing persons or property to harmful gases or substances; and being in a weapon-firing zone at Camp Ripley.

In addition, the bill specifies that the misdemeanor trespass law be reduced from 13 to 7 clauses. The bill also provides a narrower definition of "trespass" that focuses on interference with another person's land without consent.

In other action, the division began work on a bill revising the current procedures for ordering and collecting restitution for crime victims. S.F. 51, also sponsored by Spear, requires a payment structure to be included in a restitution order; requires defendants to comply with the payment structure; requires probation officers to ask for a hearing if restitution is not paid by 60 days before probation ends; allows victims to include out-of-pocket losses in a restitution request; requires the court administrator to disburse restitution to the victim as it is paid rather than wait for the full amount; and allows the court to assign the responsibility for developing the payment structure to the court administrator, a probation officer or any other designated person. Final action on the measure was delayed because of time constraints and the bill was laid over for further discussion.

# Committee Capsule

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## Division hears report on corporate law

The Civil Law Division of the Judiciary Committee, chaired by Sen. Ember Reichgott (DFL-New Hope), met Weds., Jan. 25.

Division members learned about a study group which was established and divided into two subcommittees, one to deal with general corporate law issues and the second to focus on corporate takeovers and related issues. Av Gordon and John Matheson of the Minnesota State Bar Association presented the study group reports and recommendations.

## Local and Urban Government

### Metropolitan Council tour conducted

Members of the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), met Mon., Jan. 23, and toured the Mears Park Centre. The Metropolitan Council and the Waste Management Board are just two of several metro agencies now headquartered at the complex, located at 230 E. 5th St., St. Paul.

### Met Council presents report

Metropolitan Council Chairman Steve Keefe presented the Metropolitan Agencies 1988 consolidated financial report to members of the Local and Urban Government Committee Thurs., Jan. 26. Keefe emphasized that the Metropolitan Council is required by the Legislature to prepare and present biennial reports that summarize financial information about the metropolitan agencies. He added that this report covers the 1986-1991 period.

Keefe highlighted a number of different topics in his presentation including capital financing sources; user and service charge revenues; property tax levies; operational expenditures; debt service payments; and reserved and unreserved fund balances for all metropolitan agencies. He said that 1988 revenues for metropolitan agencies totalled nearly \$388 million, while expenditures totalled just under \$348 million. He noted that expenditures for metropolitan agencies' operations are projected to increase at an annual rate of five percent between 1986 and 1991. He added that when debt service expenditures are combined with these operational expenditures, the annual growth rate increases from five percent to seven percent.

Several committee members asked Keefe technical questions relating to property tax revenue figures in the report. Sen. Earl Renneke (IR-LeSueur), questioned the purpose and value of such a consolidated report since each metropolitan agency differs in scope and function. Renneke added that some of the Metropolitan Council's asset and liability figures seemed inconsistent. Sen. James Metzner (DFL-S. St. Paul), asked for a clarification of reserved and unreserved fund balance figures listed for various commissions and boards.

Sen. Gen Olson (IR-Mound) inquired about the highway right-of-way land acquisition program. Keefe explained that the Metropolitan Council has established a fund to purchase land at anticipated sites of future highway projects. If a highway project is indeed proposed and completed on one of these land parcels, the project's sponsors then pay the Metropolitan Council for the land.

## Public Utilities and Energy

### Task force adopts report

The Legislative Task Force on Low-Income Energy Policy met Thurs., Jan. 26, to hear changes to the task force report and to approve a final version. Changes in report recommendations included specifically identifying the Dept. of Public Service as the agency to implement energy assistance policy and to coordinate the involvement of other agencies.

The task force, co-chaired by Sen. Ronald Dicklich (DFL-Hibbing) and Rep. Andy Dawkins (DFL-St. Paul), voted to adopt the report. The report will now be submitted to the Legislature and the executive branch. Bills implementing recommendations may be submitted to committees at a future date.

## Taxes and Tax Laws

### Alternative Minimum Tax debated

Discussion of the 1986 Alternative Minimum Tax (AMT) highlighted the Tues., Jan. 24, meeting of the Taxes and Tax Laws Division on Income Tax. Division Chair Lawrence Pogemiller (DFL-Mpls.) informed members that further action will not be taken until Wed., Feb. 2, on S.F. 62, a technical bill relating to individual income taxes.

Pogemiller said that few people like the AMT as tax policy and that committee members should develop an alternative tax which would generate an equal amount of revenue. John Tomlinson of the Revenue Department projected that 1987 corporate AMT collections would be in the \$50-60 million range. He described the benefits and drawbacks of four possible optional taxes to replace the AMT: a value-added tax; an eight percent of federal AMT income tax; a tax on true profits; and a 40 percent of federal AMT tax, which is currently scheduled to go into effect in 1990 if new legislation is not enacted. Tomlinson emphasized that the Dept. of Revenue is presenting these options without a recommendation.

Bryan Knutson, Minnesota Association of Certified Public Accountants, stated that the AMT should be replaced or modified to reduce distortions in corporate tax policy. He pointed out that under the tax: high volume, low profit businesses bear a disproportionate share of the tax burden; that certain classes of business—personal service corporations, insurance agencies, real estate firms, and financial institutions—are unfairly targeted; that partnerships, "S" corporations, and sole proprietors are unjustly excluded from paying the tax; that corporations suffering losses can no longer carry a net operating loss (NOL) to claim a refund, in sharp contrast to federal policy; and that the AMT wrongly uses two distinctly different assessment bases in its calculations. Knutson also presented five revenue generating AMT options.

Several other individuals representing various organizations such as the Minnesota Chamber of Commerce and Industry; Minnesota Business Partnership; Minnesota Retail Merchant's Association; Soo Line Railroad, and Minnesota Citizens for Tax Justice all argued against the current tax.

## Veterans and Military Affairs

### Vets home update presented

Two presentations were on the agenda for the Veterans and Military Affairs Committee Thurs., Jan. 26, meeting—an update on the Minnesota Veterans Homes and a presentation on the Vietnam Women's Memorial Project.

Gen. James Sieben and Bob Hanson of the Veterans Home Board detailed the progress made in Minnesota Veterans Homes since the new board began. According to both Sieben and Hanson, the number of citations from the Health Department has dropped dramatically. In addition, surveys by the Veterans Administration have shown equally dramatic improvement. Sieben also indicated that the board hopes that the Minnesota Veterans Homes can become leaders in the development of geriatric care through attracting national research. Hanson also noted that new rehabilitation and psychiatric programs have been initiated at the homes.

The panel, chaired by Sen. Joe Bertram, Sr., (DFL-Paynesville), also heard a presentation on the Vietnam Women's Memorial Project. Diane Carlson Evans outlined the chronology of the project and detailed the current status. The federal government has approved a memorial to women Vietnam-era veterans but the federal law is neither statue specific or site specific. According to Evans, further congressional battles lie ahead. The proposed statue of a nurse is not an afterthought but a completion of the Vietnam memorial, and would help provide healing and closure, Evans said.

Rodger M. Brodin, the sculptor of the proposed statue spoke briefly to the panel on his involvement in the development of the grassroots movement for a women's memorial.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, January 30

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** Reports by the Dept. of Education on the teacher mentoring task force and on educational effectiveness.

**Education Division on Higher Education**, Chair: Greg Dahl

10 a.m. Room 123 Capitol

**Agenda:** Presentations on the Private College Council and the State University System.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott

10 a.m. Room 118 Capitol

**Agenda:** S.F. 53-Reichgott: Increasing the number of deputy examiners of title in the fourth judicial district. S.F. 180-Beckman: Establishing procedures for the registration of corporations, partnerships, assumed names or trade or service marks with the secretary of the state. S.F. 232-Reichgott: Providing for the simplification of corporate filings. S.F. 130-Reichgott: Making failue to implement a comparable worth plan and unfair discriminatory practice.

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

10 a.m. Room 15 Capitol

**Agenda:** Presentation by the commissioner of the Dept. of Corrections. S.F. 51-Spear: Revising procedures related to the collection of restitution.

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

Don Frank

12 noon Room 15 Capitol

**Agenda:** Overviews on the Community Reinvestment Fund, community development corporations, and community economic development.

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

Schmitz

12:15 p.m. Room 107 Capitol

**Agenda:** Presentations on the Metropolitan Airports Commission Master Plan Study and the Metropolitan Council Airport Adequacy Study.

**The Senate will be in session at 2 p.m.**

**Rules and Administration Subcommittee on Permanent and Joint Rules**, Chair: William Luther

Immediately following session. Room 237 Capitol Continued discussion of proposals to amend the permanent rules.

**Education Division on Education Funding**, Chair: Randy

Peterson

3 p.m. Room 107 Capitol

**Agenda:** Presentation of the governor's education budget.

**Legislative Commission on Waste Management**, Chair: Dee

Long

5 p.m. Room 10 SOB

**Agenda:** Presentations on the 1989 Amendments to the Waste Management Act and infectious waste legislation.

### Tuesday, January 31

**Transportation Committee**, Chair: Clarence Purfeerst

7:45 to 8 a.m. Front steps of the Capitol

**Agenda:** Tour of the St. Croix Weigh Station.

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

Berglin

1 p.m. Room 15 Capitol

**Agenda:** Overview on regional treatment centers.

**Joint Senate and House Environmental and Natural Resources Committee**, Chair: Bob Lessard

1 p.m. Room 10 SOB

**Agenda:** Presentation on plastic recycling.

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

3 p.m. Room 15 Capitol

**Agenda:** Presentation on commercial and industrial, apartment and duplex property tax issues.

**Joint Meeting of Senate and House Education Division of Finance and Appropriations**, Chair: Gene Waldorf

4 p.m. Room 123 Capitol

**Agenda:** Continuation of the report on the U of M physical plant operations.

### Wednesday, February 1

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** Presentation on the Legislative Audit report on statewide cost of living differences and task force on education organization report.

**Agriculture and Rural Development Committee**, Chair:

Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 182-Berg: Extending the farmer-lender mediation act. S.F. 87-Dahl: Linked deposit program.

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

10 a.m. Room 15 Capitol

**Agenda:** Presentation by the attorney general's office on criminal justice issues.

**Environmental and Natural Resources Committee**, Chair:

Bob Lessard

1 p.m. Room 112 Capitol

**Agenda:** Report from the Governor's Select Commission on Recycling and the Environment, and a presentation on the Ramsey County Recycling Program.

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

Berglin

1 p.m. Room 15 Capitol

**Agenda:** Report from the State Advisory Council on Mental Health and presentations on Health Care for the Uninsured. S.F. 194-Piper: Rates for vendors of day

training and habilitation. S.F. 101-Adkins: Clarifying definitions of CSSA. S.F. 117-Vickerman: Case management and public guardianship. S.F. 167-Diessner: Recruitment of psychiatrists to work at regional treatment centers.

**Finance Division on Education**, Chair: Gene Waldorf  
3 p.m. Room 123 Capitol  
**Agenda:** Overviews of Rochester Mayo and Higher Education Coordinating Board budgets.

**Finance Division on Health and Human Services**, Chair: Don Samuelson  
3 p.m. Room 125 Capitol  
**Agenda:** Budget overviews for the Ombudsman for Corrections and the Sentencing Guidelines Commission.

## Thursday, February 2

**Governmental Operations Committee**, Chair: Donald Moe  
8 a.m. Room 15 Capitol  
**Agenda:** S.F. 257-Moe, D.M.: Dept. of Administration housekeeping bill. S.F. 258-Moe, D.M.: Dept. of Employee Relations housekeeping bill.

**Veterans and Military Affairs Committee**, Chair: Joe Bertram, Sr.  
10 a.m. Room 107 Capitol  
**Agenda:** Presentation on site studies for new veterans homes.

**Education Subcommittee on Indian Education**, Chair: Gary DeCramer  
12 noon Room 112 Capitol  
**Agenda:** Presentations on Indian teacher training proposals and the Indian Education Act of 1988.

**Local and Urban Government Committee**, Chair: Robert Schmitz  
12:15 p.m. Room 107 Capitol  
**Agenda:** Update by the Office of Pipeline Safety on its legislative mandate and presentation on the prior attempt to build a second major airport in the Twin Cities.

**The Senate will be in session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Presentation on the governor's education budget.

**Joint Agriculture and Environment and Natural Resources Ad Hoc Committee**, Chair: Charles Davis  
7:30 p.m. Room 112 Capitol

**Agenda:** S.F. 60-DeCramer: Recodification of water statutes.

## Friday, February 3

**Finance Division on Education**, Chair: Gene Waldorf  
10 a.m. Room 125 Capitol  
**Agenda:** Continuation overview of the HECB budget.

**Judiciary Division on Criminal Law**, Chair: Donna Peterson  
10 a.m. Room 15 Capitol  
**Agenda:** Presentation by the Minnesota Sentencing Guidelines Commission.

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

## Television coverage of hearings, sessions offered

Senate Media Services plans to begin live gavel-to-gavel television coverage of committee hearings originating in Room 15 of the Capitol. The hearings will run on the cable Twin Cities Regional Channel 6. Currently, Media Services broadcasts gavel-to-gavel coverage of all Senate floor sessions on the Twin Cities Regional Channel 6.

In addition, Media Services produces a variety of television programs for both broadcast and cable stations. Senate Journal, in its fifth season, is a one-half hour public affairs program that examines legislative issues through a moderated discussion format. Senate Journal is co-hosted by Majority Leader Roger Moe and Minority Leader Duane Benson and is broadcast throughout the state. Capitol Call-In, in its second year, is a live program broadcast over the Twin Cities Regional Cable Channel 6 that enables viewers to call-in questions for featured lawmakers. The office also produces several cable television programs for individual Senators. Check your local programing guide for the times and dates of Media Services television shows.

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# Briefly

The Minnesota Senate Week in Review

February 3, 1989

## Living will debated

Consideration of S.F. 28, the "living will" bill dominated the Thurs., Feb. 2, Senate floor session. The measure, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides that a competent adult may make a declaration of preferences or instructions regarding health care, designate a proxy to make health care decisions on behalf of the person making the declaration, or both.

Debate centered on several amendments offered to the bill. One amendment, offered by Sen. John Brandl (DFL-Mpls.), clarifies that the definition of "reasonable medical practice" apply only in cases where there is reliance upon an advance declaration. The amendment was adopted. Sen. Gene Merriam (DFL-Coon Rapids) offered an amendment that would remove language specifying that a decision whether to place or continue artificially administered nutrition or hydration must be made within the limits of reasonable medical practice. Merriam argued that the language caused confusion in the determination of reasonable medical practice in the bill. The amendment was also adopted.

An amendment offered by Sen. Gene Waldorf (DFL-St. Paul) generated considerable discussion. The amendment, Waldorf said, tightens up the definition of "terminal condition" and removes the issue of food and hydration from the measure. Under the amendment terminal condition is any condition that results from an illness or injury from which an individual will die within a reasonably short time whether or not life-sustaining treatment is provided. Further, the amendment defines life-sustaining treatment as any form of medical treatment or care necessary to sustain the life of a person other than the provision of sustenance. Finally, the amendment creates a presumption that, whether or not a declaration has been executed, an incompetent person has directed that sustenance necessary to sustain life be provided unless four specific conditions have been met. Reichgott successfully argued that the amendment was too restrictive and that it even invalidated the current patients bill of rights. The amendment was rejected 26-39.

An amendment offered by Sen. Fritz Knaak (IR-White Bear Lake), specifying the form of an advance declaration and requiring that the declarant specify the kinds of treatment—including artificial sustenance—to be administered, was divided. The first portion of the amendment specifying the form failed 25-35. The second portion requiring the declaration to specify the kinds of treatment was adopted. An amendment allowing a person appointed as a proxy to refuse to act as a proxy was offered by Sen. William Luther (DFL-Brooklyn Park) and was also adopted.

The bill was then given preliminary approval on a voice vote.

In other action, the Senate granted final passage to two measures. H.F. 1, carried by Sen. Allan Spear (DFL-Mpls.), authorizes six-member juries in civil and non-felony cases. S.F. 25, authored by Sen. LeRoy Stumpf (DFL-Plummer), corrects inaccurate references to Senate committees in the statutes.

## Senate okays six-member juries

The Senate held a brief floor session Mon., Jan. 30, and

processed H.F. 1, the first General Order's bill of the session.

The bill, approved by voice vote of the Committee of the Whole, reenacts the statutory provision authorizing six-member juries in non-felony cases. Sen. Allan Spear (DFL-Mpls.), author of the bill, explained that the measure validates the decision of the people who granted passage last November to the constitutional amendment supporting six-member juries. Spear added that the measure is retroactive to Nov. 22, the date of certification by the State Canvassing Board of the passage of the amendment.

## Task force on sexual violence summary heard

Members of the Judiciary Division on Criminal Law devoted the Wed., Feb. 1, meeting to a presentation on the findings of the Attorney General's Task Force on the Prevention of Sexual Violence Against Women. Attorney General Hubert H. Humphrey, III, began the hearing by summarizing the task force findings and recommendations on ways to reduce the threat of sexual violence. The task force, which was appointed in June of 1988, conducted public hearings throughout the state. According to Humphrey, the mission of the task force was threefold: to find ways to control sex offenders through the criminal justice system; to determine methods for public education about the problem and prevent sexual violence; and to improve services for victims of sexual violence.

Fern Sepler, one of the co-chairs of the task force, outlined specific findings and recommendations. Sepler said that among the findings the task force determined that preventions of sexual violence is the responsibility of the whole community; that guideline sentences for rape are too short for meaningful treatment or just punishment; that the best hope for changing the behavior of sex offenders is the prosecution and treatment of juvenile offenders; that treatment of sex offenders in custody and supervision upon release provide the best chance of protecting the public; that some offenders are not treatable and can never be safely released; and that many sex offenders were physically or sexually abused as children.

The task force recommendations fall under three major categories, Sepler said. The first is controlling the sexual offender through longer sentencing, earlier intervention for juvenile offenders, and intensive treatment programs. Included in the control of the offender category is a recommendation for providing an indeterminate civil commitment process for convicted sex offenders who pose the greatest danger to society. Other categories of recommendations fall under the umbrella of public education with the goal of preventing sexual violence and services for victims. The task force sets forth a number of recommendations for improving victim services, especially for members of underserved groups such as people of color, gay and lesbian people, disabled and hearing impaired people and male victims of sexual assault.

The division will be considering several measures resulting from the work of the task force.

# Committee Capsule

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## Agriculture and Rural Development

### Ag bill debated

A bill extending the Farmer-Lender Mediation Act Program was reviewed Wed., Feb. 1, by members of the Agriculture and Rural Development Committee. Sen. Charles Davis (DFL-Princeton), chairs the committee.

Sen. Charles Berg (DFL-Chokio), author of S.F. 182, explained that the bill extends the program for two years and proposes a meaningful change in its administration. He said that this change attaches a right of first refusal clause to the legislation. The clause requires a land owner who exercises his or her right of first refusal to hold the property for one year before being allowed to sell it. The current holding period for such a transaction is 180 days.

Agriculture Commissioner Jim Nichols testified that he supports the bill, except for the right of first refusal provision. He said that the provision wrongly assumes that farmers are acting collusively in such sales transactions. Nichols added that no data has been collected which supports the assumption. Scott Strand of the attorney general's office, while agreeing that the right of first refusal provision should be deleted, supports the indefinite extension of the program. Davis announced that S.F. 182 will receive additional committee attention at a later date.

## Economic Development and Housing

### Committee reviews Minnesota Project Innovation, Inc.

An overview of Minnesota Project Innovation, Inc. (MPI) was presented Thurs., Jan. 26, to the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park).

James Swiderski, executive director of MPI, presented the overview of the project. He provided the history of MPI and its relationship to the Small Business Innovation Research (SBIR) Program.

The mission of MPI, said Swiderski, is to promote the growth of high technology small business innovation in Minnesota by maximizing the benefit of participation in the federal SBIR Program statewide. Created in 1983 by the Legislature, MPI is a private, non-profit organization. It assists small businesses and individuals develop and market technology by securing federal research and development funds offered through the SBIR Program.

Funds from the SBIR Program serve as equity capital for individuals and small businesses interested in developing new technology. To date, businesses most successful in Minnesota are in the areas of life sciences, computers and electronics said Swiderski.

Applicants must pass thru three phases for the SBIR Program. The first phase awards up to \$50,000 to evaluate scientific merit and feasibility of a project. Phase two awards up to \$500,000 to expand upon the results of phase one and develop the product. And phase three brings the product to the commercial market for government and/or private sector support.

The SBIR job expansion track record since 1983 indicates that very few awards have been granted to companies in Greater Minnesota. Members of the committee discussed various issues involved in absorbing MPI into the Greater Minnesota Corporation (GMC). Sen. Ember Reichgott (DFL-New Hope) said she disagreed with the possibility of absorbing MPI into the GMC because the GMC focus is on Greater Minnesota.

Testifying against incorporating MPI into the GMAC was Anil Jain, vice chair of MPI. He said the government began the SBIR Program for small businesses, not for larger organizations. In addition, said Jain, small business owners may not have the time or resources necessary to pursue SBIR Program funding through a large bureaucracy.

Committee members also discussed various issues surrounding the need for and possible structure of gap funding between phases one and two of the SBIR Program format. According to Swiderski, this six month period is crucial for those progressing through the SBIR program. During the 6 month period, most applicants must quit their full-time jobs to complete SBIR program requirements for phase two.

### Panel hears about community development funding

Two organizational overviews were presented to members of the Economic Development and Housing Committee Mon., Jan. 30.

Frank Altman, president, Community Reinvestment Fund (CRF), provided an overview of the fund for committee members. The CRF, created by the Legislature last session, makes it possible for local communities and nonprofit development organizations to raise money for new projects by selling their existing development loans.

The three basic functions of CRF are to address the needs for community development capital; to strengthen local development and local developmental capacities; and to help offset declining public development funding.

Loans considered for purchase must be for commercial, business, industrial, or housing purposes. Awards range between \$25,000 and \$500,000, with the average loan at \$100,000, according to Altman.

Throughout the state, there are over 160 communities with potential for CRF's revolving loan funds and within these communities are over 200 eligible agencies, Altman said.

"Once we get started, we estimate we will be putting \$50 to \$75 million back into communities," Altman said.

Melva Radtke, executive director, Minnesota Center for Community Economic Development, presented an overview of Community Development Corporations and Community Economic Development.

Kris Nelson, executive director, Whittier Community Development Corporation, outlined examples of how the corporation worked within Whittier neighborhood of south Minneapolis. Loans totaling over \$100 million have been made to businesses in neighborhoods, Nelson said.

## Education

### Committee hears mentoring report

The Minnesota Dept. of Education presented two reports at the Mon., Jan. 30, meeting of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud). The reports were from the teacher mentoring task force and the Educational Effectiveness Program.

The commissioner of education appointed a teacher mentoring task force under legislation establishing the Teacher Assistance Through Mentorship Program. The task force, according to Marlys Peters, Dept. of Education, had three purposes: to provide grant funding to develop mentoring programs in school districts; to make recommendations for a system of incentives at the state and local level to assure that highly capable individuals are attracted to and retained in the teaching profession; and to determine ways in which teachers can be empowered through expanding to new and more professional roles. Peters outlined some of steps in the site

selection process used to determine which sites were chosen for a mentorship program grant.

Karen Nielsen, chair of the task force, presented the task force's recommendations regarding the recruitment, empowerment and retention of teachers. Its recommendations include enhancing the professional status of teachers by improving teacher preparation, and increasing teacher recognition, compensation, autonomy and accountability; reorganizing school structures to increase teacher involvement, decision making, and responsibility, within a framework of accountability for student achievement and system-wide improvement; and developing a comprehensive program for recruiting minority students into the teaching profession.

Senators also heard a report on the Minnesota Educational Effectiveness Program (MEEP). The program is a staff development process and was conceived as a way to maintain and improve student learning in Minnesota Schools. Representatives of the program presented a general overview of its activities and accomplishments.

## **State University System presents budget overview**

Robert Carothers, chancellor of the State University System, presented an overview of the system's budget request to the Higher Education Division of the Education Committee, Mon., Jan. 30.

Some of the problems in the State University System are actually the results of Minnesota's successes, Carothers said. The high school graduation rate in Minnesota of over 90 percent, and the growing percentage of students who intend to go to college, have meant a significant increase in students for the State University System. The system is near capacity, he said.

Of the system's total biennial budget request of \$524 million, \$28 million is for a competitive rank increase, Carothers said. Currently, the State University System's per student funding is well below the national average of four-year non-doctoral, non-specialized public institutions, he said. The biennial budget request would bring the system up to the national average in four years, he said.

Some priorities for that \$28 million include improving libraries, making classes available and holding down class size, and raising faculty compensation, Carothers said.

Following Carother's presentation, the division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), heard testimony from representatives of the Minnesota Private College Council regarding the situation of private colleges in Minnesota. The council represents 17 private liberal arts colleges in the state.

## **Cost of living differences outlined**

The cost of living in Greater Minnesota is about 11 percent lower than in the Twin Cities metro area, according to the findings of a statewide cost of living differences study done by the legislative auditor's office. Representatives of the office presented the study at the Wed., Feb. 1, meeting of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud).

The study also found that the primary factors causing differences in living costs across the state are home prices and rents; that non-shelter costs do not vary much across the state; and that the narrow spread in non-shelter costs is because higher commodity and utility costs in Greater Minnesota are offset by lower service costs.

Regarding teacher salaries, the study found that, overall, teacher salaries in Greater Minnesota are 17 percent lower than salaries in the Twin Cities metro area. About half of this difference is because metro teachers have more years of experience and higher levels of training and are consequently at

higher steps on the salary schedules; the other half results because metro salary schedules are generally higher than those in the rest of the state. Once adjusted for cost of living differences, "real" salary schedules in Greater Minnesota and the metro area vary only by a few percent. The exception is northeastern Minnesota, where real salaries are six to seven percent higher than metro salaries.

Because other studies on cost of living differences have reached varying conclusions, Senators discussed scheduling another hearing to review other studies and allow people to respond to the legislative auditor's report.

Committee members also heard a presentation from Ken Kelsey, chair of the Task Force on Education Organization. Kelsey outlined the work of the task force to date.

The fundamental questions to be answered by the task force are: What does every student need to learn in order to be a successful member of society? What organizational structures or delivery systems can be designed to facilitate successful individual student learning achievement? And, finally, what are the principles of funding to be developed for the design of delivery systems?

## **Indian ed teacher programs discussed**

Senators heard testimony regarding Indian teacher training programs and proposals during the Thurs., Feb. 2, meeting of the Education Committee's Indian Education Subcommittee.

Representatives of the Anishinabe teacher training program operated cooperatively by the University of Minnesota at Duluth and Independent School District No. 709, Duluth, spoke to the subcommittee about the status of the program. The program received a \$71,000 grant in fiscal year 1989.

Other representatives of the educational and Indian communities discussed expanding teacher training programs for American Indians.

The subcommittee, chaired by Sen. Gary DeCramer (DFL-Ghent), also heard testimony regarding a proposal for a joint venture between Red Lake Public Schools and Bemidji State University to train more American Indian teachers for American Indian children.

Louise Sundin, Minneapolis Federation of Teachers, spoke in support of a proposal for a ten-year plan for recruitment and retention of 250 American Indian teachers. A representative of the Arrowhead Community College Region also spoke briefly about American Indian teacher education and its possibilities for the Arrowhead Community College Region.

## **Education Aids**

### **Governor's education budget presented**

Representatives of the Dept. of Education presented the governor's education budget to the Education Committee's Funding Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), Thurs., Jan. 26.

Under the general education category, the governor's budget recommends increasing the fiscal year 1990 formula allowance to \$2800, and keeping it at \$2800 in fiscal year 1991, unless revenues increase. The 1.6 percent increase is the amount currently in statute. The governor also recommends five percent levy increases for general education levies for fiscal year 1991 and 1992. Effectively, the property tax levy increase would replace the state aid, said Gary Farland, Dept. of Education.

Also included in the recommendations, Farland said, are holding the AFDC pupil units constant in fiscal year 1990 and 1991, using the October 1988 count. This should make the funding more stable, he said. In addition, the governor is recommending transferring funding for three special education categories to a new component of general education revenue

# Committee Capsule

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called the Special Program Reserve. This would be funded by a fully equalized levy, and would have the effect of giving the districts greater flexibility, Farland said.

Regarding transportation, the governor's budget recommends a 2 percent adjustment for inflation for fiscal year 1990 and modification of the formula beginning in fiscal year 1991 to strengthen efficiency incentives and provide greater equity.

Regarding special programs, the governor's budget recommends reducing the special education salary formula from 66 percent to 59 percent in fiscal year 1990; transferring funding for speech handicapped, learning disabled, and other essential personnel to the general education program beginning in fiscal year 1991; and providing 66 percent funding for the remaining special education categories beginning in fiscal year 1991, with no salary cap and no excess levy.

In addition, the governor's budget recommends a \$3.3 million increase in the basic funding formula for community and family education and retaining education district revenue at \$60 per pupil unit, but increasing their maximum property tax capacity beginning in fiscal year 1991.

Bob Wedl, Dept. of Education, outlined the governor's budget for the department. A major change request, he said, is for \$1.3 million to transfer funding for specific activities that have been funded through federal block grants to state funding. Beginning in fiscal year 1990, Wedl said, the federal laws will give priorities for the block grants, which will limit how the department may spend the grant money.

A representative from the Minnesota Academy for the Deaf and the Minnesota Academy for the Blind also presented the governor's budget regarding those academies.

## Division continues review of budget

The Education Funding Division of the Education Committee, chaired by Sen. Randolph Peterson (DFL-Wyoming), continued reviewing the governor's budget recommendation Mon., Jan. 30.

Gary Farland, Dept. of Education, explained grade progression ratios to the division. Grade progression ratios are basically the rate at which students continue on from one grade to the next, he said. A grade progression ratio of one would mean that of 1000 fourth graders, all 1000 continued on to fifth grade—with no students leaving and no new students entering. Grade progression ratios are used to determine the average daily membership, which is used in determining funding, Farland said.

The grade progression ratio has been growing since 1983, Farland said, so the Legislature may want to assume it will continue to grow and appropriate money accordingly.

Farland also briefly discussed the governor's recommendation to freeze the AFDC pupil count used to calculate Compensatory Education Revenue for the biennium at the number from the fall preceding the beginning of the biennium. This would require a change in the law, he said.

Gary Olsen, Dept. of Education, explained the governor's recommendation involving property tax shift provisions. The first property tax shift was in fiscal year (FY.) 1983, and was intended to help the state during a period of revenue shortfall. Basically, Olsen said, the shift required districts to recognize revenue levied for the 1983-84 school year in 1982-83. Before the legislation requiring the shift, the district would not have been able to spend funds collected for the 1983-84 school year until July 1, even though half of the funds were collected by May 15, 1982. There was then a proportionate adjustment in the amount of state aids and credits.

Under current law, the adjustment to state aids resulting from the property tax shift will be an estimated \$4.7 million in FY. 1990 and \$4.9 million in FY. 1991. However, under the governor's recommendations, which include a larger property

tax levy increase, the tax shift adjustment for FY. 1990 would be about \$32.4 million and the adjustment for FY. 1991 would be about 13.1 million.

Olsen also discussed the Exceptional Need Aid, which was established to provide additional revenue to school districts which have relatively high pupil/staff ratios, referendum levies, and overall levies, but have low property valuation and fund balances. Olsen said the Exceptional Need Aid was created for South St. Paul; however, projections indicate that in FY. 1990 and 1991 only the Hibbing and Centennial school districts will qualify. The governor's recommendation would result in an a reduction in the aid entitlement in FY. 1991.

Referendum levy and staff development were the final budget items discussed. The governor's budget recommends no changes and simply assumes continuation of both these activities.

## Environment and Natural Resources

### Plastic recycling discussed

Presentations on plastic recycling were heard by members of the Senate and House Environmental and Natural Resources Committees Tues., Jan. 31.

Larry Sawyer, representing General Mills, discussed the trend in the use of plastic in food packaging. One of General Mills operating assumptions is a belief that society awareness for the need to recycle is increasing, he said. As a result, General Mills has resolved to minimize plastic usage, use non-toxic package material, try to use previously recycled goods, avoid using laminations, and complete an audit of all products to ensure that they meet the guidelines, in order to help deal with the problem of increased usage of plastic. Sawyer also noted that reducing plastic usage is more effective than recycling for the food industry because of possible contamination issues.

The use of plastic containers is rising and the country is running out of landfills, Prof. Bob Bennett of the University of Toledo, told committee members. Bennett, who heads a research project that focuses on potential recycled plastic products, said that a way to deal with the situation is to recycle plastic instead of constantly creating new plastic. One of the possible uses is fiberfill which is used in ski jackets and pillows. Bennett mentioned other possible uses of recycled plastic such as telephone covers, drain pipes, and picnic tables.

### SCORE presents recycling recommendations

The Environment and Natural Resources Committee, chaired by Bob Lessard (DFL-Int'l Falls), met Weds., Feb. 1. Members heard presentations on recycling recommendations from the Governor's Select Committee on Recycling and the Environment (SCORE) and on Ramsey County's recycling program.

Former Sen. Robert Dunn, chairman of SCORE, told the committee that if the recommendations were initiated Minnesota would move to the forefront in dealing with waste management issues. When SCORE deliberated over the recommendations the issue of local units of government having different needs, and wanting the tools and the authority to create solutions to deal with waste management was of great importance, Dunn said. The recommendations fell under several categories. Under the recycling category, SCORE recommended that guidance for statewide policies and guidelines for recycling programs should be set by the Legislature.

Rob Fulton, director of Public Health for Ramsey County, explained how Ramsey County developed its recycling program. In 1986, a system was established to collect a service fee on property and one-hundred percent of the fee went to funding

the Ramsey County resource recovery plant, Fulton said. He noted that Ramsey County then began to generate money for its recycling program by using a percentage of this fee in 1987. Currently ninety-five percent of the fee goes toward the recycling program.

Bob Orth, executive director for the Metropolitan Inter-County Association and member of SCORE, emphasized the importance of preserving options to conduct recycling programs at the local level whether in the area of collection or disposal.

## Finance

### Budget overviews heard

The Commissioners of Finance and State Planning met with members of the Finance Committee Fri., Jan. 27, to present overviews on the proposed 1990-91 budget. The committee is chaired by Sen. Gene Merriam (DFL-Coon Rapids).

Tom Triplett, Commissioner of Finance, reiterated many of the key points he made during his Wed., Jan. 25, appearance before the Taxes and Tax Laws Committee. He said that each of the proposed budget's chapters contains four elements: background statements that identify problem areas; recent initiatives; Gov. Perpich's goals; and specific recommendations. Triplett, in clarifying an earlier statement regarding charitable gambling taxes, stated that the proposed tax would be assessed at six percent of gross sales instead of the current assessment of 10 percent of net sales—after prizes. He emphasized the governor's intention to target mid-value homes, business property, and rental housing for property tax relief. Committee members asked Triplett numerous questions relating to the proposed increase of the Budget Reserve and restructuring of the property tax system.

Commissioner of State Planning Lani Kawamura also addressed the committee. She said that in preparing the budget proposal, research, education, environmental protection, children, center cities, and the state's economic infrastructure received particular attention.

Kawamura highlighted a number of specific items contained in the proposed budget. She noted that in terms of elementary and secondary education, the Choice Program, at-risk students, and computer literacy are priority concerns. Under the heading of higher education, Kawamura pointed out the governor's intention to consider additional financing for the University of Minnesota in the spring if the U presents a strong March financial forecast and has strengthened its financial management structure.

Kawamura listed increased ground water protection, expansion of the Re-Invest in Minnesota (RIM) program, and implementation of the Environmental Trust Fund as important environmental items contained in the proposed budget. She emphasized the governor's recommendation to expand child care and early childhood development programs by \$22 million, and noted that Minnesota ranks in the top five nationally for Aid to Families with Dependent Children (AFDC) per-capita spending. She also stressed additional funding requests for the Urban Redevelopment Action Program (URAP) and several human services and center city school programs contained in the governor's Year of the City initiative. Kawamura concluded that correctional system resource appropriations are limited and could therefore not support any program expansions by the 1989 Legislature.

### Physical Plant review continued

Senators and Representatives met for another joint House-Senate meeting of the Education Divisions of Appropriations and Finance Tues., Jan. 31, to continue discussion of the University's

Physical Plant Department. A recent legislative auditor's report was very critical of the department.

Physical plant employee David Olmscheid testified to the divisions that morale among workers in the physical plant department was low. Olmscheid's testimony was generally critical of Associate Vice President for Finance and Operations William Thomas, who is in charge of the Physical Plant Department, and raised questions as to whether some of the savings physical plant management claims to have made are actual savings or merely budget shifts. Thomas later responded that they are actual savings.

Most of the meeting was occupied by legislators questioning Thomas about the Physical Plant Department and the auditor's report. At the end of the meeting, Legislative Auditor James Nobles told legislators that, in his assessment, Thomas' performance has been impressive. However, Nobles said, Thomas must work on building a sense of trust between the Physical Plant Department and the Board of Regents.

### Mayo, HECB, present budget requests

The Higher Education Division of the Finance Committee heard the budget requests of Mayo Medical School and the Higher Education Coordinating Board (HECB) Wed., Feb. 1p.m. The division, chaired by Sen. Gene Waldorf (DFL-St. Paul), will continue hearing the HECB budget presentation at a later meeting.

Dr. Burton Sandok, Mayo Medical School, said that the medical school is requesting over \$700,000 for capitation of 80 Minnesota students (about 20 per class) at Mayo Medical School. Capitation is a uniform per capita payment. Because of capitation, Minnesota residents have had the opportunity to attend the medical school at a rate comparable to other schools in the state. The governor's budget recommendations include the requested support, along with a general inflation adjustment.

Following Sandok, Dr. Robert Avant, representing the Mayo Family Practice Graduate Residency Program, told the division that the program was asking for increased support. Currently, the state provides capitation for 12 residents in the program; program representatives are requesting an increase in capitation to provide for 18 residents. The governor's budget recommends maintaining state support for 12 residents, and includes a general adjustment for inflation.

Maureen Johnson Stores, president of the HECB, began the board's budget presentation. The total biennial request of the board is \$186 million. Stores pointed out that 94 percent of that is for student financial aid.

Stores said that while the board is generally pleased with the governor's proposed budget, it did not include all the programs the board would like funded.

Kathleen Kies, deputy executive director of the board, explained the design for shared responsibility, a model that breaks down the responsibility of the cost of higher education. Kies also said that when the board awards aid, it considers two parts to the student's budget: one part is tuition and fees, and the other is living expenses and miscellaneous items. The living and miscellaneous allowance portion for the state scholarship and grant program has not kept up with inflation, she said.

According to handouts supplied to the panel, the HECB's financial aid budget request is designed to ensure equal educational opportunity for all Minnesota residents to pursue a post-secondary education in Minnesota institutions and programs that can best meet their educational needs; to achieve equal educational opportunity within the context of state financing policies; and to maintain and improve the state scholarship and grant program and the state work-study program.

# Committee Capsule

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## **Committee hears sentencing guidelines overview**

Members of the Finance Health and Human Services Division met Wed., Feb. 1, to hear the Ombudsman for Corrections Report, and the Minnesota Sentencing Guidelines Commission Report to the Legislature. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

John Poupart, Ombudsman for Corrections, reviewed the annual report and the recommendations for funding state information systems. Poupart said that the agency request for funding and the amount recommended in the governor's budget are the same—\$310,000 for fiscal years 1990 and 1991.

The two basic functions of the ombudsman, said Poupart, are to deal with inmate complaints and to look at far-reaching policies in the correctional system.

Debra Dailey, director, Minnesota Sentencing Guidelines Commission reviewed factors contributing to increasing prison populations and explained the impact of criminal history scores. The division also discussed the commission's adopted modifications with regard to weighing prior felony sentences and restructuring the misdemeanor point.

## **General Legislation and Public Gaming**

### **Fire safety bills examined**

Members of the General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul), met Fri., Jan. 27, to review two fire safety-related bills. Both bills failed to receive approval by the committee.

Sen. Gregory Dahl (DFL-Ham Lake), author of S.F. 8, a bill requiring that cigarettes and little cigars meet certain standards for fire safety, reminded members that the bill was submitted in a slightly different form last session. Dahl said that 67,000 fires were caused in 1984 by careless smoking, and that they resulted in 1,600 deaths. He mentioned a 1987 National Bureau of Standard's study that determined that a fire safe cigarette could be made through slight modification of conventional cigarette design.

John Rupp of the Tobacco Institute testified that no cigarette has been developed that would have a significantly reduced "ignition propensity" and yet remain marketable. He emphasized that S.F. 8 is "the functional equivalent of a ban on cigarettes in Minnesota." Al Cassman, also of the Tobacco Institute, added that the bill "greatly oversimplifies the technical impediments of developing a fair, standardized test for fire safe cigarettes." Minnesota Grocer's Association representative John Olson expressed concern that grocery and convenience store owners and the state would suffer major revenue losses if the bill were enacted.

A bill relating to safety requirements for commercial movie theaters, authored by Dahl, also failed to receive committee approval. S.F. 9 would have required state fire marshal inspection of theaters once every three years and would have established minimum safety standards and training for theater personnel. Dahl said that because of the increased use of endless loop projectors—which require no attendants—the intense heat generated by projector bulbs, and the flammable nature of film, the fire potential in movie theaters is great. State Fire Marshal Tom Brace stated that two or three fires in Minnesota theaters are reported annually, but cautioned that many more fires go unreported. He added that limited staff resources and the lack of a coordinated statewide fire inspection program led to creation of this legislation.

## **Zoo seeks additional funding**

The Wed., Feb. 1, meeting of the General Legislation and Public Gaming Committee concentrated on status report presentations by the Minnesota Zoo and Canterbury Downs.

Director Kathryn Roberts of the Minnesota Zoo explained a \$2.9 million biennial increase by citing maintenance, staffing, and advertising needs as reasons for the budget request. She stressed that fundraising activity is on the rise and the zoo is in a strong financial position.

Roberts also outlined goals for the zoo's proposed \$43 million capital campaign. Plans for a new amphitheater, dolphinarium, arctic and tropical coral reef exhibits, and renovations designed to make the zoo more "visitor friendly" are being developed under the auspices of the campaign, she said.

Canterbury Downs representative Lou Burdick announced to the committee that the racetrack lost \$7 million in 1988, bringing its four year loss to \$30 million. She explained that charitable gambling and Minnesota Twins events impacted attendance at Canterbury Downs and contributed to its revenue loss. Burdick hopes that by reaching three goals, the racetrack will reverse its present financial condition. The goals are: to keep existing fans and increase the frequency of their visits; to improve marketing techniques and develop creative promotional events; and to find innovative ways to use the facility during the winter. She urged panel members to require lottery officials to shape some of their games around racing activities. Burdick also expressed the hope that a bill to allow the simulcasting of racing events would be passed this year.

## **Governmental Operations**

### **Committee reviews two bills**

The Governmental Operations Committee met Thurs., Feb. 2, to begin discussion of two measures sponsored by Chair Donald Moe (DFL-St. Paul).

S.F. 258, a Dept. of Employee Relations (DOER) housekeeping bill, was presented by DOER Commissioner Nina Rothchild. Included in the bill are provisions to change references from handicap to disability, clarify the commissioner's authority to write rules for the Public Employee's Insurance plan, permit the commissioner to waive standard hiring procedures to conduct experimental or research projects for filling state jobs, and amend affirmative action reporting requirements. Members agreed to lay the bill over for further discussion.

S.F. 257, a Dept. of Administration housekeeping bill, was presented by Jeff Zlonis, deputy commissioner for the department. The bill provides for the transfer of lands between departments and agencies, deletes obsolete language, expands the definition of the five-year eligibility period for the small business procurement program, and deletes community colleges from the list of buildings to be maintained. The committee plans to continue discussion of a proposal to create a statewide telecommunications access routing system board of directors and revolving fund at next week's meeting.

## **Health and Human Services**

### **Panel hears regional treatment center update**

Members of the Health and Human Services committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met to hear an overview of regional treatment centers proposals, Tues., Jan. 31. Sandra Gardebring, commissioner, Dept. of Human Services, and Brian McInerney, regional treatment centers negotiator, Dept. of Human Services appeared before the committee to discuss the

negotiating process and bring members up to speed on the current situation.

Commissioner Gardebring presented a status report on the proposed 6-year plan for the development of regional treatment centers. She said the objective of developing the plan was to modernize the state's health care system.

In 1988, she said, the department requested that client advocates, employees, counties and communities participate in planning for change by taking part in an ongoing negotiations process in order to reach consensus among all interested parties.

Gardebring said that components of the plan had to include mental health services, services for the developmentally disabled, proposals for long-term care for the elderly and the chemically dependent, services for families and proposals for case management. In addition, the needs of employees and communities were to be taken into account.

From these negotiations, the department has developed its current proposal. The primary goals are to meet the care and treatment needs of people now being served by the regional centers and to build a stable health care system that will meet state health care needs into the 21st century.

Also testifying before the committee was Toni Lipperty, speaking in support of community-based transitional programs for the mentally retarded.

### **Committee approves a variety of bills**

Members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), approved several bills, Wed., Feb. 1. The bills dealt with changes to services for the mentally retarded, to community social services, and to psychiatric care at regional treatment centers.

S.F. 167, sponsored by Sen. A. W. "Bill" Diessner (DFL-Afton), requires recruitment of psychiatrists to work at regional treatment centers. The measure also establishes an office of medical director, who would be a board-certified psychiatrist, to serve as medical director. The appointed office of medical director would be within the Dept. of Human Services.

According to the bill, the medical director and the medical staff would establish standards for admission and care of patients. They would develop quality assurance mechanisms, set standards and qualifications for treatment center physicians and monitor the performance of the medical staff.

Testifying for the bill were Dr. Tom Malueg, acting assistant commissioner, Mental Health Division, Dept. of Human Services, and Dominick Sposeto of the Minnesota Psychiatric Society. The bill was approved as amended and rereferred to the Government Operations Committee.

S.F. 194, sponsored by Sen. Pat Piper, (DFL-Austin), continues the existing rate setting provisions for day training and habilitation services for the mentally retarded for an additional year. The bill also clarifies rate setting requirements for community intermediate care facilities for persons with mental retardation.

The bill would establish new dates for payment rates for vendors of day training and habilitation services and impose a requirement for variances from payment rates. It would also allow the commissioner to establish cost thresholds for community-based services for persons with mental retardation. The bill was approved and re-referred to the Finance Committee.

S.F. 101, authored by Sen. Betty Adkins, (DFL-St. Michael), amends various provisions of the law relating to the Community Social Services Act. Proposed changes would eliminate obsolete language and clarify various definitions of the Community Social Services Act. The measure was approved and sent directly to the Senate floor.

The committee also heard a report from the State Advisory Council on Mental Health, and a report on health care for the proposed state-subsidized health insurance program for the state's uninsured.

## **Judiciary**

### **Trespass recodification approved**

The Fri., Jan. 27, meeting of the Judiciary Committee focused on two measures authored by Committee Chair Allan Spear (DFL-Mpls.): S.F. 32, a trespass recodification bill and S.F. 139, a bill providing for additional penalties for drinking age violations, were both advanced to the full Senate.

The trespass recodification bill repeals the current dangerous trespass section in the statutes and moves the misdemeanor and felony penalty provisions to more logical places in the criminal code. In addition, the bill reduces the misdemeanor trespass law from 13 to 7 clauses. Several amendments were adopted to clarify provisions of the measure. One substantive amendment provides that interference with a police officer or firefighter in the performance of their duties is a misdemeanor; interference with violence or the threat of violence is a gross misdemeanor and interference with the risk of death, bodily harm or damage to property is a felony.

In other action, committee members thoroughly discussed the provisions of S.F. 139. The measure increases the drivers license suspension period, from 30 to 90 days, for underage persons convicted of purchasing or attempting to purchase alcoholic beverages with a drivers license. The bill also provides that the person's license can be suspended for using other types of identification as well. In addition, a person would be subject to having his license suspended for lending his license or other identification to an underage person for purposes of purchasing or attempting to purchase alcohol.

The penalty for making a counterfeit drivers license or Minnesota identification card is increased from a misdemeanor to a gross misdemeanor under the measure. Finally, the measure adds the "carding defense" to prosecutions for selling alcoholic beverages in both criminal and civil cases. The "carding defense" language conforms with a Supreme Court case decision and specifies that it is a defense for the defendant to prove by a preponderance of the evidence that the defendant reasonably and in good faith relied upon representations of proof of age by a valid drivers license or Minnesota identification card.

### **Division hears three bills**

The Civil Law Division of the Judiciary Committee met Mon., Jan. 30, to discuss three bills.

S.F. 180 establishes an administrative procedure for a party to contest the registration of a corporate name with the secretary of state, explained author Tracy Beckman (DFL-Bricelyn). Beckman told the panel that the bill is a response to the problem of businesses that have similar corporate names. Currently, if a business wishes to contest the registration of a name, the business must go to court. Bert Black, director of business services in the secretary of state's office, said that each year businesses come to the secretary of state's office to dispute names and that "we have no power to do anything about it." The bill provides an informal way to solve the dispute at a minimal cost to the parties involved, he said.

During the testimony, Sen. Richard Cohen (DFL-St. Paul) expressed concern with the bill. He asked committee members to consider whether the bill gives additional powers to the secretary of state in the judicial area. The division decided to continue discussion of S.F. 180 at a subsequent date.

S.F. 53, authored by Chair Ember Reichgott (DFL-New Hope), increases the number of deputy examiners from five to seven in

# Committee Capsule

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Hennepin County and from three to five in Ramsey County. The bill was approved and referred to the full committee.

The meeting ended with Reichgott beginning an explanation of S.F. 232. The bill provides for the simplification of corporate filings with the secretary of state's office.

## Panel hears Corrections Dept. overview

Members of the Judiciary Criminal Law Division met Mon., Jan. 30, to hear an overview of the Dept. of Corrections and to finish deliberations on a bill revising the current procedures for ordering and collecting restitution.

Commissioner Orville Pung, Dept. of Corrections, began the hearing with an overview of current and projected populations at Minnesota corrections institutions. According to Pung, populations have increased in recent years and projections indicate that the trend will continue. However, Pung indicated that he did not anticipate a need for new construction in the near future to house the greater population. He did say that there is the potential for converting Regional Treatment Centers to corrections facilities. And, he pointed out that the actions of the Legislature this session in the area of increased sentences could impact prison populations over the course of the next few years.

In other action division members, chaired by Sen. Donna Peterson (DFL-Mpls.), approved the bill changing procedures for collecting restitution and sent the measure to the full committee. S.F. 51, sponsored by Sen. Allan Spear (DFL-Mpls.), provides that the juvenile court is allowed to order restitution in cases involving personal injury as well as property damage; requires that a payment structure or schedule be included in a restitution order; sets forth the procedure for requesting a hearing if restitution is not made according to the payment schedule; allows victims to include out-of-pocket losses in a restitution request; allows a court to issue a partial restitution order and clarifies that the victim may pursue civil remedies to collect the full restitution amount and requires the court administrator to disburse restitution to the victim as it is collected rather than wait until the full amount is collected.

Discussion on the bill centered on several amendments offered to bring the measure in line with the bill progressing through the other body. Earlier, the panel adopted an amendment clarifying that the court could not require that a victim waive or forfeit rights to pursue a civil case as a condition of granting restitution. A second amendment clarifies that an order of restitution is to be docketed as a civil judgment and that interest shall accrue on the unpaid balance of the judgment. A third amendment clarifies that a juvenile court is not required to appoint a guardian ad litem for a juvenile offender before docketing a restitution order. Both amendments were adopted.

## Local and Urban Government

### Airport reports detailed

Report presentations by the Metropolitan Airports Commission (MAC) and the Metropolitan Council highlighted the Mon., Jan. 30, meeting of the Local and Urban Government Committee. The committee is chaired by Sen. Robert Schmitz (DFL-Jordan).

MAC Executive Director Jeff Hamiel presented his organization's Master Plan Study, which was requested by the 1987 Legislature. He explained that the study, covering a ten-year period, identified three improvement options for the Mpls.-St. Paul International Airport. These options are: to make only minimal structural improvements to the facility and not increase its present capacity; to remodel the terminal building and surrounding sites, reconstruct ramps, change taxiing patterns,

and relocate Northwest Airlines to another part of the complex; or to build a new terminal, increase parking capacity, and expand the number of gates on the green concourse. Hamiel said that the MAC is endorsing the latter option at an anticipated cost of \$375 million over the next 10 years. The MAC is not seeking to fund this option at the present time. He noted that the MAC intends to proceed with the conceptual redesign of the airport and added that the commission will also begin a new study projecting airport needs after 2000.

Hamiel said that because of quieter technology and the increased use of larger planes, noise levels should stabilize. He also expressed his own opinion that the airport will be able to meet capacity demands until 2000 without constructing new runways or making major improvements. Hamiel does anticipate, however, that the MAC will approach the Legislature in the early-to mid-1990's with a firm decision on whether to further expand existing facilities or build a new airport.

Metropolitan Council Chairman Steve Keefe presented his organization's Airport Adequacy Study. The study projects airport needs until 2020. He said that the study concludes that the airport is reaching capacity at a faster rate than previously believed and that unless facility improvements are made soon, absolute capacity might occur in eight to ten years. He noted that failure to maintain sufficient airport capacity could directly impact the state's economy by \$1 billion annually.

Keefe explained the study's central recommendation to implement a "dual track" airport strategy. The first track encourages the MAC to make the airport improvements it deems necessary to respond to existing service demands. The second track instructs the Metropolitan Council to immediately begin the search process for a new airport location. He explained that the study's aim is to provide policymakers and the public with a wide variety of options if it is determined that a new airport is needed. Keefe added that the reason for expanding the present airport is two-fold: it will take up to 25 years to build a new airport; and it makes economic sense to increase the capacity at the existing airport before building a larger airport to ensure that the latter can be self-sufficient.

### OPS director provides update

A Minnesota Office of Pipeline Safety (OPS) official provided committee members with an overview of his agency's activities and responsibilities during their Thurs., Feb. 2, meeting.

OPS Director William Barbeau explained that his office was created in 1987 in response to the tragic 1986 Mounds View pipeline accident and the subsequent realization that 60 to 75 percent of the state's natural gas, propane, and liquid propane pipelines have not been comprehensively tested in the last 15 years. Barbeau said that in 1988, the OPS developed a model pipeline inspection program and a telephone hotline that provides citizens with pipeline and cable utility location information prior to any attempted excavations. He noted that the inspection program is designed to hydrostatically test every mile of Williams Pipeline in Minnesota by 1993, and added that the governor's proposed 1990-91 biennial budget includes increased OPS funding to hire additional inspectors.

## Taxes and Tax Laws

### Property owners call for tax reform

The Property Taxes and Local Government Aids Division of the Taxes and Tax Laws Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met Tues., Jan. 31, to hear rental property owners argue for reduction of non-homestead taxes. Witnesses at the meeting said they are asking for a 25 percent

reduction in 1990 for both non-homestead and apartment property taxes.

Minnesota Realtor's Association representatives Fred Schmidt and Denny Mathis told panelists that property taxes on rental housing in Minnesota are the highest in the nation. Furthermore, apartment property taxes in the Mpls-St. Paul metropolitan area are assessed at a rate 2.5 times the national average. Both men emphasized that residential non-homestead and apartment taxes are three to four times higher than property taxes on owner-occupied houses and that on average, property owners turn over 20-25 percent of their rent income to meet tax obligations. The high tax rates are forcing rent prices up, creating a situation where people who can least afford to pay are burdened with higher and higher rents. Schmidt and Mathis suggest that lawmakers set a long-term goal to have both residential and rental property taxed equitably.

Joe Modjeski, Edina Realty, echoed Schmidt's and Mathis' comments, and said that because of the high tax rates, small investors are being chased out of the market. He argued that lower-value rental properties are especially hard-hit by the rates. Jack Horner of the Minnesota Multi-Housing Association pointed out that by increasing the incentive for people to invest in smaller, lower-value, non-homestead properties through major tax relief measures, apartment supplies will increase and market forces will take over—thereby lowering rents.

### Bill undergoes technical changes

Final technical revisions were made Wed., Feb. 1, to S.F. 62, the administrative technical individual income tax bill. The bill is now headed to the Taxes and Tax Laws Committee for review. Sen. Lawrence Pogemiller (DFL-Mpls.), serves as chair of the Division on Income Tax.

Revenue Dept. attorney John Haugen informed panel members that the department removed the bill's provision requiring withholding taxes on trusts and estates in response to criticism expressed by attendees at an earlier Income Tax Division meeting. Additionally, the department changed the filing time for partnership withholding statements from quarterly to annually to help financial institutions reduce paperwork. Individuals with less than \$1,000 of Minnesota assignable income from a flow-through entity are also exempted from withholding taxes in the bill, according to Haugen.

## Transportation

### Committee tours complex

Members of the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), toured the St. Croix Weigh Station Tues., Jan. 31.

## Veterans and Military Affairs

### Vets home siting report heard

Members of the Veterans and Military Affairs Committee, chaired by Sen. Joe Bertram, Sr., (DFL-Paynesville), met Thurs., Feb. 2, to discuss a Dept. of Administration study of potential sites for new state veterans homes.

Terry Bock, of the department's Management Analysis Division, presented the details of the report generated by the study. The 1988 Legislature requested that the department consider the operating costs, impacts, staffing issues and demographics of the veterans population in relation to the establishment of a state veterans home in Fergus Falls and in Southwest Minnesota. According to Bock, about 492,000 veterans reside in Minnesota and as the veteran population ages the demand for nursing care will continue to rise until reaching a peak in 2010. The estimated cost of a new state veterans home facility is \$3.672 million, Bock said. However Veterans Administration (VA) construction grants are available to pay for up to 65 percent of the cost. The annual operating costs for a new 60-bed home are estimated to be \$2.25 million, Bock said, although part of the operating costs would be paid by residents and through VA per diem payments. The net operating costs to the state are thus estimated at \$935,600.

Bock said that the 22 communities proposed 38 sites that met minimum requirements. Proposals were evaluated by a site consultant and the Dept. of Administration in accordance with criteria specified in the request for information. As a result, Bock said, the recommended sites in Southwest Minnesota are in Luverne, Worthington, St. Peter and Willmar. The Fergus Falls site is recommended for Northwest and North Central Minnesota. According to the report, all of the sites were rated excellent by the site consultants, the communities were within 70 miles of a federal VA Medical Center, local medical services are available and the communities proposed at a minimum to donate land to the state for a veterans home.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, February 6

#### Education Committee, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** MN Dept. of Education Educational Effectiveness Report and a presentation on Planning, Evaluation and Reporting process.

#### Finance Division on Health and Human Services, Chair:

Don Samuelson

8:30 a.m. Room 125 Capitol

**Agenda:** Budget overviews on health related boards and the Hazardous Substances Injury Compensation Board.

#### Agriculture and Rural Development Committee, Chair:

Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 319-Berg: Grasshopper control program.

#### Education Division on Higher Education, Chair: Gregory

Dahl

10 a.m. Room 125 Capitol

**Agenda:** Presentations on the governor's higher education policies and the Higher Education Coordinating Board.

#### Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** H.F. 14/S.F. 51-Spear: Restitution. S.F. 53-Reichgott: Deputy title examiners. S.F. 171-Diessner: Law library fees. S.F. 227-Dahl: Brain death. S.F. 294-Stumpf: Criminal and civil penalties for unlawful release of animals.

**Economic Development and Housing**, Chair: Don Frank  
12 noon Room 15 Capitol

**Agenda:** S.F. 65-Dahl: Authorizes local jurisdictions involved in economic development to participate in secondary markets. Overview of the World Trade Center.

**Education Subcommittee on Indian Education**, Chair: Gary DeCramer

12 noon Room 112 Capitol

**Agenda:** Presentations on St. Paul initiatives for Indian education and the Johnson-O'Malley funds.

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

12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 168-Diessner: Washington County; payment of obligations by the county auditor-treasurer without presentation to county board. S.F. 229-Diessner: Relating to county powers. S.F. 230-Diessner: Relating to exempting computer software purchases from the Uniform Municipal Contracting Law.

**\*The Senate will be in session at 2 p.m.**

**Permanent and Joint Rules Subcommittee**, Chair: William Luther

Immediately following Session. Room 237

**Agenda:** Continuing discussion of proposals to amend the permanent rules.

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 107 Capitol

**Agenda:** Response to Minneapolis' CBM model by the Dept. of Education and a presentation of programs for mildly disabled students and low achievers.

## Tuesday, February 7

**Governmental Operations Committee**, Chair: Donald Moe  
8 a.m. Room 15 Capitol

**Agenda:** S.F. 257-Moe, D.M.: Dept. of Administration housekeeping bill telecommunications provisions.

**Transportation Committee**, Chair: Clarence Purfeerst  
8 a.m. Room 112 Capitol

**Agenda:** S.F. 173-Purfeerst: Resolution against additional motor fuel excise tax imposition to reduce federal deficit. Overview by the MN Dept. of Transportation.

**Permanent School Fund Advisory Committee**, Chair: Rep. Bob McEachern

11 a.m. Room 500 N SOB

**Agenda:** Updates on lakeshore lot sales, mineral leasing program, and trust fund land exchanges.

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

1 p.m. Room 112 Capitol

**Agenda:** Presentations on State Parks, new peat developments, and discussion on potential mineral diversification and development.

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

1 p.m. Room 15 Capitol

**Agenda:** Presentation on the Institute on Stress and Addiction. S.F. 277-Spear: Treatment for compulsive gamblers. S.F. 217-Beckman: Chemical Dependency Multidisciplinary Prevention Teams. S.F. 117-Vickerman: Case management and public guardianship. S.F. 265-Berglin: Chemical Dependency Consolidated Funds.

**Joint Meeting of the Senate Veterans and Military Affairs Committee and the House General Legislation, Veterans Affairs and Gaming Committee**, Chair: Joe Bertram, Sr.

2 p.m. Room 10 SOB

**Agenda:** Presentation by the National Commander of the American Legion.

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

3 p.m. Room 125 Capitol

**Agenda:** Overview of the Community College budget.

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

3 p.m. Room 112 Capitol

**Agenda:** Budget overview of the Dept. of Corrections.

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

3 p.m. Room 15 Capitol

**Agenda:** Presentation on commercial and industrial property taxes.

## Wednesday, February 8

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** Overview of the governor's education budget.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 104-Beckman: Changes in the Rural Finance Authority Loan Program. S.F. 182-Berg: Extending the farmer/lender mediation act.

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

10 a.m. Room 123 Capitol

**Agenda:** Budget hearings on the Ethical Practices Board, the Minnesota Municipal Board, the Voyageurs National Park Citizens Council, Veterans of Foreign Wars, the Military Order of the Purple Heart, and the Uniform Laws Commission.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott

10 a.m. Room 107 Capitol

**Agenda:** S.F. 260-Merriam: Uniform Statutory Will Act.

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

10 a.m. Room 15 Capitol

**Elections and Ethics Committee**, Chair: Jerome Hughes  
11:30 a.m. Room 107

**Agenda:** S.F. 204-Stumpf: Provides for the removal of certain voter registration cards. S.F. 5-Marty: Establishes an ethics code for public officials and employees.

**Joint Economic Development and Housing Committee and Finance Division on State Departments**, Co-Chairs:

Richard Cohen and Carl Kroening

12 noon Front steps of the Capitol

**Agenda:** Tour of Paisely Park recording studio and sound stage.

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

1 p.m. Room 112 Capitol

**Agenda:** Analysis of DNR Game and Fish Fund, and confirmations to MPCA and EQB.

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

1 p.m. Room 15 Capitol

**Agenda:** Update on maternal and child health formula. S.F. 363-Brandl: Dept. of Human Services client appeals. S.F. 218-Berglin: Amends Patient Bill of Rights, requires health facility to notify family under certain circumstances. S.F. 91-Berglin: Provides grant for Self Help Child Abuse-Parents Anonymous. Base review on AIDS funding.

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

3 p.m. Room 123 Capitol

**Agenda:** Overview of the Technical Institute budget.

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

3 p.m. Room 125 Capitol

**Agenda:** Continuation of budget overview of the Dept. of Corrections.

**Taxes and Tax Laws Division on Sales Tax**, Chair: LeRoy Stumpf

3 p.m. Room 15 Capitol

**Agenda:** S.F. 205-Stumpf: Technical corrections, clarifications and administrative changes to premium taxes.

## Thursday, February 9

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

8 a.m. Room 15 Capitol

**Agenda:** S.F. 206-Belanger: Relates to administrative procedures. S.F. 123-Frederickson, D.J.: Provides for the establishment of an audit task force. Presentation on the length of service contracts.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 23-Benson: Vehicle combinations restriction exemption for horse trailers. S.F. 118-Dicklich: Prohibits the use of hand-held telephones while operating a motor vehicle. S.F. 169-Frederick: Special license plates for custodial parents of handicapped minors.

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

10 a.m. Room 500 S SOB

**Agenda:** S.F. 96-Benson: Selection process for wild turkey license holders. S.F. 108-Bertram: Authorizes fee for special hunts. S.F. 152-Stumpf: Designates the white-tailed deer as the official state mammal. S.F. 280-Berg: Allows counties to authorize predator control.

**Veterans and Military Affairs Committee**, Chair: Joe Bertram, Sr.

10 a.m. Room 107 Capitol

**Agenda:** S.F. 115-Bertram: Requires Adjutant General to furnish

flags for deceased National Guard members. S.F. 191-Bertram: Reduces the number of years Adjutant General of the National Guard must serve before promotion to Major General.

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

12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 120-Adkins: Relates to town powers. S.F. 121-Adkins: Relates to authority of town boards. S.F. 119-Schmitz: Relates to establishment of subordinate service districts by towns.

**\*The Senate will be in session at 2 p.m.**

**Rules and Administration Subcommittee on Committees**, Chair: Roger Moe

Immediately following Session. Room 237

**Agenda:** Commission appointments.

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Presentations on remediation efforts in post-secondary institutions and the governor's education budget.

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

3 p.m. Front steps of the Capitol

**Agenda:** Tour of the new Dept. of Revenue building.

**Joint Agriculture and Rural Development and Environment and Natural Resources Ad Hoc Committee**, Chair: Charles Davis

7:30 p.m. Room 112 Capitol

**Agenda:** S.F. 60-DeCramer: Recodification of water statutes. Committee action will be taken. S.F. 262-Morse: 1989 Groundwater Protection Act.

## Friday, February 10

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

10 a.m. Room 125 Capitol

**Agenda:** Overview on the State University budget.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott

10 a.m. Room 107 Capitol

**Agenda:** S.F. 289-Peterson, R.W.: Trust and estate regulation.

**Judiciary Division on Criminal Law**, Donna Peterson

10 a.m. Room 15

**Agenda:** S.F. 320-Spear: Sexual assault offender controls: adult and juvenile sexual offender sentencing and treatment.

**Joint Health and Human Services and Judiciary Committees**, Co-Chairs: Linda Berglin and Allan Spear

1 p.m. Front steps of the Capitol

**Agenda:** Tour of the Stillwater Prison.

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

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# MINNESOTA STATE SENATE

## Senate Members—1989 Session

PARTY	PHONE	SENATOR	ROOM#	DIST.	PARTY	PHONE	SENATOR	ROOM#	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	DFL	4136	Lessard, Bob	111 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William	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	2159	McGowan, Patrick D.	132B SOB	48
IR	3903	Benson, Duane D.	109 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	309 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	IR	5252	Pariseau, Patricia	151 SOB	37
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4241	Pehler, James C.	G-9 Cap.	17
IR	0415	Decker, Bob	109 SOB	4	DFL	4274	Peterson, Donna C.	G-27 Cap.	61
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	9248	Piper, Pat	325 Cap.	31
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	105 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	121 SOB	38	IR	9457	Taylor, Glen	147 SOB	24
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	5650	Vickerman, Jim	G-29 Cap.	28
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	3809	Waldorf, Gene	124 Cap.	66
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 February 10, 1989

## Senate passes "living will" bill

Action on S.F. 28, the "living will" bill sponsored by Sen. Ember Reichgott (DFL-New Hope), highlighted the Mon., Feb. 6, Senate floor session. The bill, which gained final passage in the Senate by a vote of 41-24, is now headed to the House where it will receive consideration on Fri., Feb. 10.

The "living will" bill is a measure authorizing competent adults to make an advanced declaration of their health care treatment or to allow a designated individual to make health care decisions on their behalf. Sen. Gene Waldorf (DFL-St. Paul), urged legislators to defeat the bill because its language is vague and open to subjective interpretation. Sen. Phyllis McQuaid (IR-St. Louis Park), noted that the bill is too general and that patients deemed to be unwanted or whose health care costs are deemed too excessive could be allowed to die under its provisions. Reichgott replied that the bill does not force people to make a "living will," but gives them the option to choose. She added that opponents of the bill are misguided in their belief that patients can be forced to die since preventative safeguards are contained in the bill.

In other action, S.F. 32, a bill recodifying the trespass law, authored by Sen. Allan Spear (DFL-Mpls.), was recommended to pass by the Committee of the Whole.

The Thurs. floor session was devoted to the introduction of bills and the processing of work at the desk. In addition, Senators granted final passage to the trespass recodification bill, S.F. 32.

## Ethics bill outlined

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), discussed S.F. 5, authored by Sen. John Marty (DFL-Roseville), Wed., Feb. 8. The committee took no action on the bill.

S.F. 5 establishes an ethics code for local and state government employees and officials and an Ethics Board to administer the code. The Ethics Board consists of seven members appointed by the governor with the advice and consent of the Senate. No more than four members may be supporters of the same political party.

Upon request of someone who is or may be subject to this law, the Ethics Board must issue an advisory opinion on the requirements or applications of this bill within 30 days.

If the executive director of the board finds reasonable cause to believe that a violation has occurred, or if the board does not approve of a settlement regarding a violation, the board may refer the matter to an administrative law judge for a hearing. At the conclusion of that hearing, the board's decision and order may include a civil penalty of no more than \$10,000 for each violation. If the violator is a public official subject to impeachment or removal from office, the board may recommend to the appropriate body that it initiate proceedings to remove the violator.

Under the bill, the existing Ethical Practices Board would be renamed the State Board of Campaign Finance and would be responsible for administering the state campaign finance law, candidate campaign reporting requirements, and the state elections

fund. The Ethical Practices Board's responsibilities relating to lobbyist registration and reporting requirements, public official conflict of interest, and candidate statements of economic interest would be transferred to the Ethics Board.

Marty also outlined the portion of the bill regarding gifts to influence public actions. The bill simply states that no public official or employee may solicit or accept—and no one may offer—anything of value if the receipt of it could reasonably be expected to influence the performance of the official's or employee's public duties.

Sen. Donna Peterson (DFL-Mpls.) said that she was "personally offended" by this portion of the bill and the implication that Senators are more likely to be receptive to people who have made campaign contributions.

In other action, the committee approved S.F. 204, authored by Sen. LeRoy Stumpf (DFL-Plummer), after approving a minor author's amendment. The bill allows the county auditor to remove registration cards of voters from the county auditor's files after receiving appropriate notice of the voter's death. The bill was referred to the Consent Calendar.

## Determination of death definition gains

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Mon., Feb. 6, and endorsed a bill that enacts the Uniform Determination of Death Act. The bill, S.F. 227, authored by Sen. Gregory Dahl (DFL-Ham Lake), is designed to establish a statutory basis for pronouncing death. Under the bill an individual is dead if the individual sustains irreversible cessation of either: circulatory and respiratory functions; or all functions of the entire brain, including the brain stem. According to Dahl, Minnesota is one of a very few states that does not have a determination of death statute.

In other action, the panel approved two additional bills. S.F. 171, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), allows law libraries to set fees on an annual rather than a biennial basis. S.F. 53, sponsored by Sen. Ember Reichgott (DFL-New Hope), increases the number of deputy examiners of title in Ramsey County from three to five and in Hennepin County from five to seven.

All three measures were forwarded to the Senate floor.

## Senate Journal airs

Senate Journal, a one-half hour public affairs program that examines legislative issues through a moderated discussion format, begins its fifth season this year. The program, which is broadcast throughout the state, will be co-hosted by Majority Leader Roger Moe and Minority Leader Duane Benson. New to the program this year is an expanded Capitol Notebook segment that highlights legislative action. Also, an editorial segment allowing the moderators to voice their opinions on the program topic will conclude each show. Check local listings for time and channel. The Twin Cities Regional Cable Channel carries the program at 6:30 p.m. every Monday.

# Committee Capsule

## Agriculture and Rural Development

### Committee revises water statutes

The Thurs., Feb. 2, meeting of the Joint Agriculture and Environment and Natural Resources Ad Hoc Committee was devoted to recodifying existing Minnesota water statutes. The committee is chaired by Sen. Charles Davis (DFL-Princeton). The next committee meeting to continue work on the recodification is scheduled for Thurs., Feb. 9, at 7:30 p.m.

### Grasshopper control program reviewed

A bill authorizing a grasshopper control program highlighted the Mon., Feb. 6, meeting of the Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton). The bill, S.F. 319, authored by Sen. Charles Berg (DFL-Chokio), will undergo further revisions by committee members.

Berg explained that the bill repeals outdated statutes in the state's noxious weed and plant control laws and recodifies several statutes to specify wild sunflowers as noxious weeds. In addition the bill adds pest inspection to the duties of county weed inspectors. He stressed that a grasshopper control program should be developed to effectively respond to a large infestation. He mentioned that farmers in Western Minnesota had heavy financial losses in 1987 and 1988 because of grasshopper damage to their crops, and warned that even greater damage could occur in 1989 if the grasshoppers shift eastward.

Berg said that under the bill's provisions, the Agriculture Department and the state's entomologist would determine what types of chemicals to use in the control program. He estimates the cost of the program at \$1-1.5 million for the six counties specified in the bill, noting that part of the cost could be defrayed by utilization of federal cost-sharing funds. He cautioned that the figure is only a preliminary estimate since the program's total cost is dependent upon how widespread the infestation is this summer. Berg concluded by asking committee members to consider changing the bill's scope from regional to state-wide.

### Grasshopper control bill approved

The Agriculture and Rural Development Committee's Wed., Feb. 8, meeting included debate on two bills relating to the farmer-lender mediation act and the Rural Finance Authority Loan Program, and action on a bill relating to the grasshopper control program.

Panel members approved two amendments to S.F. 319, a bill sponsored by Sen. Charles Berg (DFL-Chokio), that expands the scope of the grasshopper control program state-wide and addresses environmental concerns regarding the program's chemical spraying component. The bill was approved and will now go to the Taxes and Tax Laws Committee for review.

Committee members decided to delay action on S.F. 182, a bill, also sponsored by Berg, that authorizes the extension of the farmer-lender mediation act. Committee Chair Charles Davis (DFL-Princeton), informed panel members that the bill will be reviewed at a later date.

Finance Commissioner Tom Triplett briefly discussed the Rural Finance Authority Loan Program. He explained that the governor recommends reviewing the program in 1991 to determine whether to sunset the program. S.F. 104, a bill relating to the Rural Finance Authority Loan Program authored by Sen. Tracy Beckman (DFL-Bricelyn), will be reviewed in a later committee meeting.

## Economic Development and Housing

### Joint panel hears GMC testimony

A Joint House and Senate Economic Development and Housing

Committee, chaired by Rep. Todd Otis (DFL-Mpls.), met Thurs., Feb. 2, to hear an overview of the Greater Minnesota Corporation (GMC).

Terry Montgomery, president and chief executive officer provided a status report on the GMC. The Corporation's five-point strategy includes: developing business innovation centers/technology field offices; raising regional seed capital funds; developing applied research institutes; providing for advanced manufacturing technology centers; and acquiring research grants.

Dr. Bruce Merrifield, vice president for Research and Development for the GMC, discussed the importance of technology and its importance to world economies. He praised the GMC and said because of its unique corporate concept, Minnesota can become a national model for entrepreneurial activity.

Dr. Kjell Knudson, director, UMD, Center for Economic Development, in Duluth, discussed the possibilities of economic development in the northeastern part of the state. He reviewed and clarified elements of the GMC's Business Innovation Center program. These elements included a focus on technology transfer, and new product and business developments.

### World Trade Center overview heard

A bill authorizing local jurisdictions involved in economic development to participate in secondary markets was approved by the Economic Development and Housing Committee Mon., Feb. 6. S.F. 65, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), has been referred to the floor.

The rest of the meeting was devoted to a presentation on the World Trade Center. Chief Executive Officer Richard Nolan told the committee that the trade center is governed by a 15 member board of directors which is represented by the public and private sectors. The board represents the state's commitment to develop, promote and manage the world trade center as a regional focus and resource center for international trade, he said.

Chair Don Frank (DFL-Spring Lake Park) asked Nolan how the trade center would benefit the state. Among the benefits Nolan listed were 250 construction jobs, urban revitalization for St. Paul, and 120,000 new jobs by 1995.

The committee closed the meeting with a discussion on state involvement in the funding of the project. The state has invested \$2.8 million in the project, explained Nolan. He also said that while the project needs continued funding from the state no funds have been requested in the budget proposal made by Gov. Perpich.

### Panel tours facility

Members of the Economic Development and Housing Committee, along with the Finance Division on State Departments toured the Paisley Park recording studio and sound stage Wed., Feb. 8. Members of the Economic Development and Housing Committee met with members of the House Community Development and Stabilization Committee Thurs., Feb. 9, to conduct a panel discussion entitled "Business Climate and Community Stabilization: Irreconcilable Differences?"

## Education

### Community colleges, state universities reviewed

Gerald Christenson, chancellor of the Community College System, outlined the system's current situation during the Fri., Feb. 3, meeting of the Higher Education Division of the Education Committee.

Four major factors that have affected community colleges are a 34 percent enrollment increase between 1984-88, the two-year state funding lag, the system's frugal funding base; and a diverse student body.

Christenson discussed the financial difficulties these factors and others had brought upon the system, and said that unless its

financial needs are met, he doesn't believe the Community College System will be a full partner in the University's Commitment to Focus plan.

The division, chaired by Sen. Gregory Dahl (DFL-Ham Lake), also heard a presentation on the Technical Institute System from Joseph Graba, director of the system.

### **MEEP, PER reviewed by committee**

Members of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), heard reports on the Minnesota Educational Effectiveness Program (MEEP) and the Planning, Evaluation and Reporting (PER) Program at the Mon., Feb. 6, meeting.

MEEP is a statewide model arrived at through a joint effort of schools, the Educational Cooperative Service Unit, the Dept. of Education and the Legislature. The program is a staff development process and was conceived as a way to maintain and improve student learning in Minnesota schools.

Ida Mae Arnold-Sonnek, an independent evaluator, discussed the MEEP 1988 evaluation report. Some of the variables that affect schools' success in implementing MEEP, Sonnek said, are the allocation of resources by district administration and the school board; leadership team access to and receipt of services provided by regional facilitators; and the role of the principals. Sonnek also said that there has been a trend in the schools toward focusing more on curriculum, rather than on other areas. Paul Mesenburg, Dept. of Education, outlined the program's role regarding school principals.

Barry Shaffer, Dept. of Education, reviewed a report on the PER program. The goals of the PER program include community involvement in curriculum decisions, curriculum improvement, and accountability, Shaffer said.

Shaffer also highlighted how the recent addition of nine regional facilitators to help districts implement the PER program had improved the program. The 1987 Legislature approved funding for the regional facilitators.

### **Division hears governor's policies, HECB report**

Commissioner of Finance Tom Triplett presented the governor's higher education policies to the Mon., Feb. 6, meeting of the Education Committee's Higher Education Division. In the absence of division Chair Gregory Dahl (DFL-Ham Lake), the meeting was chaired by Sen. Gary DeCramer (DFL-Ghent).

The governor has recommended systemwide funding for five initiatives relating to the common needs of all institutions, Triplett said. These initiatives and budget recommendations are \$7.5 million in debt service to finance lease purchase payments on modern instructional and lab equipment; \$5 million for facilities repair and betterment; \$3 million for telecommunications systems development; \$2 million for childcare for children of non-AFDC students; and \$1 million for handicapped student services.

In addition, the governor has also recommended \$16.7 million in marginal cost funding to help finance the increased enrollments at the State University and Community College Systems, he said.

Following Triplett, Kathleen Kies, deputy executive director of the Higher Education Coordinating Board (HECB), outlined a report from the Task Force on Post-Secondary Quality Assessment. The Legislature established the task force in 1987, and appropriated \$100,000 the following year for pilot projects regarding quality assessment. The task force later awarded funding for eight pilot projects.

Kies said that the task force has made the following recommendations to the HECB and the 1989 Legislature: to encourage the HECB to continue to sponsor workshops, conferences, and other activities designed to inform interested persons about new developments in assessment and encourage the sharing of information; to extend the term of the task force until

June 30, 1991, so that it can continue to serve as a vehicle for intersystem discussion, oversee the pilot projects, and report the results to the 1991 Legislature; and to provide funds of \$1.12 million for the implementation of quality assessment pilot projects during the 1990-91 biennium.

Representatives of the North Hennepin Community College and the State Board of Vocational Technical Education presented information regarding specific pilot projects.

### **Indian ed in St. Paul discussed**

The Education Subcommittee on Indian Education, chaired by Sen. Gary DeCramer (DFL-Ghent), learned about possible initiatives for the St. Paul Public Schools regarding Indian education, Mon., Feb. 6.

Jerald Shannon, director for elementary curriculum and instruction for the St. Paul Public Schools, said that the cornerstone of the initiative package is a magnet school for Indians, which would open in fall of 1990. Shannon outlined the successes of a Native American Magnet School in Buffalo, New York, and said the Buffalo school would serve as an example for the St. Paul school. Other recommendations were also discussed. A number of people spoke in support of the magnet school.

Representatives of the Red Lake School District and the White Earth area told the subcommittee how Johnson O'Malley funds are spent. The Johnson O'Malley Support Replacement Program provides funds for six school districts with large Indian enrollments which lost federal Johnson O'Malley basic support funds. In addition, Red Lake representatives said that they desperately need funding for four temporary classrooms.

Senators also heard testimony regarding the effect of last year's Indian Education legislation.

### **Governor's budget outlined**

Members of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), heard an overview of the governor's budget Wed., Feb. 8.

Gary Farland, Dept. of Education, said that, in general education, the governor is recommending keeping the formula allowance at \$2,800 for fiscal year (FY) 1990 and holding it at \$2,800 for FY 1991, unless revenues increase; transferring, beginning in FY 1991, funding for three special education categories to a new component of general education revenue called the Special Program Reserve (this would be funded by a fully equalized levy); holding the AFDC pupil units constant for FY 1990 and FY 1991, using the October 1988 count; and increasing general education levies by five percent for FY 1991 and FY 1992.

Regarding special programs, the governor has recommended a reduction in the special education salary formula from 66 percent to 59 percent in FY 1990; transferring funding for three programs to a special component of general education revenue in FY 1991; and then increasing the funding back to 66 percent for the remaining staff categories beginning in FY 1991, with no salary cap and no excess levy.

Farland also briefly reviewed the governor's recommendations regarding transportation and outlined figures showing school district revenue.

The committee also heard from Ken Kelsey, chair of the State Curriculum Advisory Committee, about the committee's recommendations regarding the Planning, Evaluation and Reporting (PER) process in Minnesota. The committee's recommendations include maintaining the State Curriculum Advisory Committee beyond its termination date of June 30, 1989; appropriating funds for district curriculum review cycle implementation; developing and disseminating instructional alternatives for essential learner outcomes; increasing funding for regional facilitation; and developing alternative assessment measures.

# Committee Capsule

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## Indian ed report presented

The Indian Education Subcommittee of the Education Committee, chaired by Sen. Gary DeCramer (DFL-Ghent), heard testimony regarding a report from the Indian School Council Thurs., Feb. 9. Yvonne Novak, executive director of the Indian School Council, reviewed the recommendations in the report.

Recommendations include the formation of a tribal-state intergovernmental education commission with membership selected by the tribal governments of Minnesota; the formation of an Indian School district serving the seven county metropolitan area to be governed by an Indian controlled board of education; the useage of tribal membership as a standard for the Indian school district definition of American Indian/Alaskan Native; the continuation of the Indian school council until 1991; the recommendation that the council oversee the formation of an American Indian resource and information center; and the recommendation that the tribal-state intergovernmental education commission, the Indian school district, the American Indian resource and information center and the Indian school council be housed together during the developmental stage.

Novak also presented some information regarding graduation rates and dropout rates for Indian high school students in Minnesota.

Bill Morrison, a representative of an Indian Parent Committee in Duluth, said that the committee did not feel that the Duluth school district was meeting the needs of Indian children. The committee is working to establish a separate school, he said. Other people also spoke in support of separate schools for Indian students.

David Beaulieu, Dept. of Education, briefly explained the Tribal School Equalization Proposal, which involves the aid provided for the education of American Indian children in tribally operated schools. A bill regarding the proposal is being drafted, Beaulieu said.

In addition, DeCramer outlined some appropriations in the governor's budget for teacher training, desegregation and Year of the City.

## Education Aids

### Special ed eligibility debated

The debate on how to identify children who need special education continued at the Mon., Feb. 6, meeting of the Education Funding Division of the Education Committee. Representatives of the Dept. of Education outlined various proposals regarding special education to the division, chaired by Sen. Randolph Peterson (DFL-Wyoming). Previously, the division heard about Curriculum Based Measurement (CBM), an alternative means of identifying students for special education.

Barbara Burke, Dept. of Education, said that because CBM identifies students for special education mainly through the use of test scores, more students are likely to be placed in special education under that method than under the state criteria. The state system, in contrast, identifies learning disabled students, rather than identifying simply low-achieving students, she said. The state considers a number of factors to determine if a student is learning disabled.

Burke said that the department would rather see the "gray area" kids served in regular education, instead of labeling them as handicapped and putting them into special education.

Following Burke's presentation, Norena Hale, Dept. of Education, presented a summary of recommendations from the department's Unique Learner Needs Section regarding coordination between regular education and special education services.

Recommendations include: clarifying what regular education can or will provide for students who have diverse needs so that policy makers can determine what special education can or will provide; supporting the proposed legislative amendment for two documented instructional or alternative interventions before

referring a student out of the regular classroom for a special education assessment; increasing the provision of special education services within the regular classroom; and supporting the proposed legislative amendment to direct the State Board of Education to adopt uniform eligibility criteria for special education.

In addition, Jessie Montano, Dept. of Education, explained the Chapter 1 program to the division. The program is federally funded and provides supplemental instructional services to the regular classroom curriculum in basic and more advanced skill areas. Burke then presented two alternative concepts for a statewide compensatory education proposal for in-classroom support to regular education.

## Environment and Natural Resources

### Status of State Parks presented

Presentations on State Parks, new peat developments, and potential mineral diversification and development were heard by the Environment and Natural Resources Committee Tues., Feb. 7. The committee is chaired by Sen. Bob Lessard (DFL-Int'l Falls).

Bill Morrissey, director, Division of Parks and Recreation, Dept. of Natural Resources (DNR), provided an overview of the State Park system and listed issues in maintaining the system. He reminded members that the park system was established to preserve a natural resource, provide recreation, and to provide environmental education and interpretation. Morrissey noted that while park use is increasing, there have been minimal increases in the operation's budget. The DNR is requesting budget increases to address such issues as the repair and replacement of buildings, and the operations of the park system, Morrissey explained. While the DNR does not expect to receive the total budget amount requested, he said that the park system is at a crossroads and needs to be carefully reviewed in order to ensure that the state's natural resources are preserved.

Several individuals from the private sector spoke in favor of supporting the state park system. Mary Jane Pettis, president of Friends of Flandrau State Park, explained how with private and DNR funds the park rebuilt a sandbottom pool. Attendance to the park has increased almost 200 percent since the pool opened, she said. Al Brody, representing private campgrounds, emphasized the importance in preserving the parks to ensure a natural resource and to attract visitors, all of which benefits the state economically.

A brief explanation of the horticultural peat marketing project was given by Marlene Solwald, Minn. Peat Association. The \$100,000 investment made by the Legislature has led to a new plant and more jobs, and has expanded the potential peat market, she said.

Bill Brice, DNR director, Division of Minerals and member of the Minn. Minerals Coordinating Committee, reported on potential mineral development. Some of the studies that have been conducted include projects on kaolin clay, taconite, and acid rain.

### DNR game and fish fund report heard

Members of the Environment and Natural Resources Committee began discussing the DNR game and fish fund report Weds., Feb. 8.

In his presentation of the report, Bill Clausen, consultant, Dept. of Administration (DOA), told members that the DNR had contracted the DOA to analyze both the fund's revenue structure and expenditures, and the nature and impact of the activities the fund supports. The fund was created to ensure that fishing and hunting license fees would be used for fish and wildlife programs, said Clausen. The report notes that the fund could possibly become insolvent in 1992. Possible reasons for the potential deficit are the fact that the focus of fish and wildlife programs has expanded and that basic revenues have not kept pace with new programs, explained Clausen.

Several committee members expressed concern over the projected deficit of the fund. Chair Bob Lessard (DFL-Int'l Falls) emphasized the importance in continuing to review the issues involving the fund.

The committee also confirmed the appointments of Commissioner Gerald Willet and Marcia Gelpe to the Pollution Control Agency.

### **Subcommittee approves two bills**

The Environment and Natural Resources Subcommittee on Fish and Wildlife met Thurs., Feb. 9, to consider four bills.

S.F. 108, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), authorizes fees for special hunts. The measure would provide for a fee to be charged to cover the cost of processing applications, he explained. The Dept. of Natural Resources supports the measure, said Richard Holmes, chief of Wildlife, DNR. The bill was approved and was sent to the full committee.

Subcommittee Chair Charles Berg (DFL-Chokio) is the author of S.F. 280, a bill dealing with the taking of fox. Discussion of the measure focused on provisions allowing for the suspension of certain trespass laws and on provisions setting a bounty on foxes. A person taking fox could enter a posted or nonposted area and there would be a \$10 payment for each fox taken. Holmes said that the DNR does not support the bill because of the bounty provision. The bill was laid over for further discussion.

S.F. 152, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), was also laid over for further discussion. The bill provides for the designation of the white-tailed deer as the official big game animal. The measure was amended to designate the timber wolf as the state wild animal.

Sen. Duane Benson (IR-Lanesboro) presented S.F. 96. The measure allows the DNR commissioner to limit turkey hunters and provides for a preference lottery system for issuing licenses. The measure was approved and was forwarded to the full committee.

## **Finance**

### **HECB continues budget presentation**

Kathleen Kies, deputy executive director of the Higher Education Coordinating Board (HECB), continued a presentation of the board's budget request at the Fri., Feb. 3, meeting of the Education Division of the Finance Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul).

Kies first focused on the board's new requests for student financial aid, which accounts for 94 percent of the total budget request of \$186 million. The board is requesting \$13.5 million to increase the allowance for tuitions to cover projected increases in tuition and fees of 5.1 percent each year of the biennium. The governor's recommendations concur with this request. The board is also requesting \$13.2 million to raise students' living and miscellaneous allowance by 5.1 percent each year. The governor has also recommended that increase in his budget.

In addition to that adjustment in the students' living and miscellaneous adjustment, the board is asking for \$8.1 million to bring the allowance to the 16th percentile of reported living expenses.

Another new request is for \$3 million to extend aid eligibility to allow students to receive the equivalent of four years of aid, rather than automatically eliminating them from eligibility after a maximum of four years of enrollment. Although the 1985 Legislature adopted this eligibility change into statute, the board has not had the funds to implement it. The board is also asking for \$2 million to even further extend eligibility to up to five years of aid. Neither request is included in the governor's budget.

In addition, the governor has recommended a biennial appropriation of \$4.08 million to the HECB to administer a campus-based childcare assistance program.

Kies also quickly reviewed the board's non-financial aid requests, which include funds for the Minnesota Interlibrary

Telecommunications Exchange (MINITEX) and funds for eight proposed pilot projects regarding quality assessment.

### **Division hears budget overviews**

Mon., Feb. 6, the Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met to hear budget overviews on the Hazardous Substance Injury Compensation Board and health related boards.

Virginia Reiner, executive director of the Hazardous Substance Injury Compensation Board, explained that the board was established during the 1985 special session to provide financial assistance to victims of environmental releases of hazardous substances. Individuals are eligible for awards if they experience property damage such as contamination of drinking water or a loss in the sale of a home in a contaminated area, she said. Reiner told members that the board is requesting that the \$2 million appropriation be reappropriated.

Among the numerous health boards presenting budgets was the Chiropractic Examiner's Board. President Kent Erickson said that the Chiropractic Examiners Board has asked for a budget increase to provide for staff to handle complaint procedures. Complaints have not only increased in number but are becoming more complex and staff is needed to review and summarize the complaints, he said.

The Board of Nursing has requested an increase in funding plus two staff persons, said Executive Director Joyce Schowalter. Part of the budget is to be used for the computerization of renewals and disciplinary action, and for the board's newsletter.

Members of the division also heard budget overviews from the Board of Pharmacy, the Board of Podiatric Medicine, the Board of Medical Examiners, and the Board of Social Workers. Many of the board representatives said that they had not requested any budget increases. Those that did ask for a budget increase noted the need for more staff to handle the rise in complaints and the need for computerization to deal with the processing of renewals and complaints.

### **Corrections budget reviewed**

The Health and Human Services Division of Finance devoted two hearings, Tues., Feb. 7 and Wed., Feb. 8, to a review of the Dept. of Corrections budget. Commissioner Orville Pung began the process by reviewing the population pressures on corrections institutions throughout the state and the use of revenue from contracts with other jurisdictions to supplement the expansion of the system's bed capacity. The panel, chaired by Sen. Don Samuelson (DFL-Brainerd), also heard specific change requests dealing with a variety of corrections programs. In addition, Pung reviewed the budget needs of each of the state's correctional facilities.

Departmental representatives devoted a portion of the Wed., Feb. 8, hearing to describing a variety of victim services. According to the department's budget, the request for funding victim services is more than the governor's recommendations, however, demand for services is also increasing, especially for underserved populations. In addition, the Sentencing to Service Program was also reviewed. The Sentencing to Service Program has been a demonstration project jointly developed by the Dept. of Corrections and the Dept. of Natural Resources to accomplish a twofold goal. First, the program eases the pressure of increased jail populations by using a community based program. Secondly, the program assists the DNR in using individuals in work programs designed to maintain the state's natural resources.

### **Community College System presents request**

Gerald Christenson, chancellor of the Community College System, presented the system's budget request to the Higher Education Division of the Education Committee Tues., Feb. 7. The division is chaired by Sen. Gene Waldorf (DFL-St. Paul).

# Committee Capsule

Christenson first outlined four factors contributing to the system's current financial difficulties: a 34 percent increase in students between 1984-1988; the two-year state funding lag; a frugal funding base; and a diverse student body.

The system is requesting \$80.2 million more than it received last biennium. Of that money, \$17.6 million is targeted for an increase to the base level funding to provide for enrollment growth; \$10 million is to partially fund lagged students who have not received funding because of recent enrollment increases; \$3.2 million is for health insurance; \$2.6 million is for equipment; \$3.2 million is for disabled students; \$1.7 million is for repair and replacement; \$956,000 is for new space costs; \$12.6 million is for inflation; and \$750,000 is for telecommunications/Statewide Telecommunications Access and Routing System (STARS).

In addition, Christenson stressed a request for a base adjustment of \$27.6 million. This "funding breakthrough" would provide the state appropriations necessary to bring public financial support for Minnesota's community colleges up to the national average for comparable institutions, he said. The governor has recommended an increase for the system of \$39.2 million. The governor's budget contains only a small adjustment for inflation and does not include the \$27.6 million base adjustment.

## Semi-state agencies appear before panel

Several organizations came before the Agriculture, Transportation and Semi-states Division of the Finance Committee Wed., Feb. 8, to detail budget requests for the biennium. The panel, chaired by Sen. Keith Langseth (DFL-Glyndon), heard overviews of each organization and explanations of each budget. Representatives of the Ethical Practices Board, the Municipal Board, the Voyageurs National Park Citizens Council, the Uniform Laws Commission, the Veterans of Foreign Wars and the Military Order of the Purple Heart all gave testimony.

The Ethical Practices Board requested an additional \$94,000 for the biennium to bring the total biennial budget request to \$4.06 million. The Minnesota Municipal Board requested no change in the base level funding for the biennium. The Uniform Laws Commission budget consists of annual membership dues to the national organization and travel expenses for three commissioners to attend the annual conference. Thus, the commission budget of \$32,000 per biennium includes an increase of \$2,000 each year for an anticipated increase in dues. The Voyageurs National Park Citizens Council budget request is \$186,000 for the biennium in order to continue operations beyond the scheduled expiration date of June 30, 1989.

## Technical Institutes outline budget

Joe Graba, director of the State Board of Vocational Technical Education, presented the Technical Institute (TI) System's budget request at the Wed., Feb. 8, meeting of the Higher Education Division of the Finance Committee.

Graba told the division, chaired by Sen. Gene Waldorf (DFL-St. Paul), that there are three relationships driving the system's budget request: changing student demographics, changing technology in the workplace, and external economic factors.

The system's request includes \$14.5 million for student support services. Because of changing student demographics—the system has increased numbers of older and part-time students, as well as many students participating in the Jobs Training Partnership Act—the system needs to increase its student support services, Graba said.

The system is also requesting \$16.5 million in base adjustment, Graba said. Because the system's governance is tied to the local school district boards, instructors and administrators at 26 of the 30 TIs are covered under the same contract that covers the local elementary-secondary school staff. The remaining four TIs are governed under an alternative structure. This unique system of

local control means that expenditures at the TIs are generally based on the revenues available to elementary/secondary education and leads to the need for an adjustment in the Average Cost Funding base of the TIs.

Among other things, the system is asking for \$6.2 million for equipment; \$4.5 million for health insurance; \$4.5 million for tuition adjustment; \$5 million for services for handicapped and disabled students; and \$4 million for curriculum restructuring. The total increase requested by the system is over \$55 million; the governor's total recommended increase is over \$18 million.

## Division tours building

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met Thurs., Feb. 9, and toured the new Department of Revenue building.

## General Legislation and Public Gaming

### Committee approves Indian gaming bill

A bill permitting the state to negotiate and enter into a tribal-state agreement regulating gambling activities on Indian reservations was approved Fri., Feb. 3, by members of the General Legislation and Public Gaming Committee. The committee is chaired by Sen. Marilyn Lantry (DFL-St. Paul). The bill is now headed to the Senate floor, where it will be placed on the Consent Calendar.

Lantry, author of S.F. 156, explained that the bill supplements the 1988 Indian Gaming Regulatory Act passed by the U.S. Congress. S.F. 156 authorizes the governor, house speaker, majority leader, and the attorney general—acting as legal counsel—to negotiate and conclude a compact that regulates Class III gaming activities. Mary Magnuson of the attorney general's office pointed out that Class III gaming activities include video poker, parimutual dog and horse racing, and lotteries. Magnuson added that Gov. Perpich supports the bill.

### Lottery report detailed

A presentation of the Governor's Commission Report on the Lottery highlighted the Wed., Feb. 8, meeting of the General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul).

Governor's Lottery Commission member Judith Wickhorst explained that the study examined 29 U.S. lottery operations and that the report includes six key recommendations. The recommendations are: the lottery should be independent of other state agencies, including other gambling-related agencies; the lottery should be statutorily required to return at least 50 percent of total annual sales revenues to the players as prizes; the marketplace, not the Legislature, should dictate the number and size of prizes; the lottery's advertising campaigns should be consistent with the state's dignity and should not exploit specific groups or economic classes of people; the background of potential lottery employees, sales agents, and major contractors and suppliers should be checked for criminal activity; and the lottery should protect charitable gambling interests by prohibiting on-sale liquor establishments that have housed a charitable gambling facility within the previous five years from being eligible to become a lottery sales agent. Wickhorst concluded by saying that voters approved the lottery for entertainment and revenue-raising reasons and that the commission developed its recommendations with those reasons in mind.

A bill to repeal state regulations relating to dance halls was approved by panel members. The bill, S.F. 300, authored by Sen. Jerome Hughes (DFL-Maplewood), repeals dance hall legislation originally enacted in 1923. Hughes said that the statutes are outdated and difficult to enforce. Hughes said that local ordinances

would still apply and therefore restrict truly offensive behavior. S.F. 300 is now headed to the full Senate.

## Governmental Operations

### Telecommunications review presented

Members of the Governmental Operations Committee met Tues., Feb. 10, to continue discussion regarding a telecommunications provision in a Dept. of Administration's (DOA) housekeeping bill. The provision in S.F. 257, sponsored by Chair Donald Moe (DFL-St. Paul), would create a statewide telecommunications access routing system (STARS) board of directors and revolving fund. To provide background in telecommunications, members heard presentations on technology trends, current status and needs, and information planning.

In the area of technology trends, STARS project Director Bob Fischer explained different types of telecommunications transmission facilities including fiber optic cable, satellite, and microwave.

Bob Madson, assistant state director of the Institutional Support Section, Vocational Technical Education, noted that because of the development of interactive video, technical schools can offer courses to individuals in rural areas. Also, schools cannot afford to duplicate programs and interactive video enables a school to offer classes from another school, he said.

Larry Grant of the Information Policy Office, DOA, emphasized the need to coordinate telecommunications systems and to be smart consumers of information technology. He explained that STARS is intended to deal with policy issues that are arising from the expansion of telecommunications systems.

Discussion of the telecommunications provision will continue at a later meeting.

### Committee approves two bills

Two bills were approved by the Governmental Operations Committee Thurs., Feb. 9.

S.F. 206, sponsored Sen. William Belanger, Jr. (R-Bloomington), is a technical bill making changes to the Administrative Procedure Act. The measure requires that exempt rules must be reviewed by the secretary of state's office and the Legislative Commission to Review Administrative Rules (LCRAR), and be published in the State Register. The bill also recodifies the section of the statutes that establishes the LCRAR in Chapter 3 instead of Chapter 14 to ensure the LCRAR's authority in the area of exempt rules.

Sen. David Frederickson (DFL-Murdock) presented S.F. 123. The bill provides for the re-establishment of the Audit Guide Task Force. The task force updated annually the Legal Compliance Audit Guide to help local units of governments comply with any changes in the law, Frederickson said. Both measures were approved by the committee and forwarded on to the full Senate.

In conclusion, Rick Scott of the American Federation of State County Municipal Employees spoke in regard to whether any local unit of government should be able to bind citizens to an agreement of any length. Scott specifically referenced a 45 year contract made between the city of St. Peter and the Southern Minn. Municipal Power Agency. Chair Donald Moe (DFL-St. Paul) noted that this is an area which should be discussed in more detail.

## Health and Human Services

### Compulsive gambling treatment okayed

A bill establishing a treatment program for compulsive gamblers gained the approval of the Health and Human Services Committee

at the Tues., Feb. 7, committee meeting. The measure, S.F. 277, authored by Sen. Allan Spear (DFL-Mpls.), requires the commission of human services to establish a treatment program and to contract with a nonprofit entity to operate the program. In addition, the measure calls for an appropriation of \$3.2 million to be provided from the tax on charitable gambling and from the amount recovered from the state from unredeemed pari-mutuel tickets. The bill provides that \$1.5 million be used for public education, prevention, and training in regard to compulsive gambling; \$1.2 million be used for treatment; and \$500,000 be used for research. Panel members, chaired by Sen. Linda Berglin (DFL-Mpls.), approved the bill and re-referred the measure to the Committee on Finance.

In addition, the committee approved, and re-referred to the Finance Committee, a measure that makes various changes in the Chemical Dependency Consolidated Treatment Fund. The bill, S.F. 265, sponsored by Berglin, modifies the establishment and collection of sliding fees and makes changes to provisions dealing with providing services to American Indians.

In other action, the panel heard an overview of the Minnesota Institute for Addiction and Stress. The institute was created by the 1988 Legislature to serve as a research and information source on the nature of addictive disorders. Thus far, a board of directors has been established to develop the mission and scope of the newly created institute. To that end, the board has requested \$5 million for a biennial budget. Three members of the board, Margaret Peake Raymond, Mark Kleinschmidt and Dr. Elizabeth Craig spoke to the committee on the costs of addiction and the need for research into effective treatment.

### Four bills advance

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), advanced four bills at the Wed., Feb. 8, hearing. The first bill, S.F. 117, authored by Sen. Jim Vickerman (DFL-Tracy), allows county case managers to serve as qualified mental retardation professionals on the screening teams that make decisions about treatment programs for mentally retarded persons. The measure also allows counties to contract with private agencies or individuals to serve as public guardians for clients. The second measure, S.F. 363, sponsored by Sen. John Brandl (DFL-Mpls.), clarifies the procedures by which public assistance applicants and recipients can appeal actions of local agencies to the Dept. of Human Services. In addition, the bill clarifies a provision authorizing telephone hearings. According to Brandl, the bill codifies what is, in most cases, current practice and provides uniformity for the appeal process. Both bills were advanced to the Senate floor.

S.F. 91, authored by Berglin, authorizes a grant to a statewide parent self-help child abuse prevention organization. The measure was approved and re-referred to the Committee on Finance. S.F. 218, also sponsored by Berglin, adds language to the Patient Bill of Rights. Under the bill, hospitals would be required to make a good faith effort to notify families of the admission of patients brought to the hospital unconscious, comatose, or otherwise unable to physically communicate. Discussion on the bill centered on an author's amendment providing for a cause of action against a facility for failure to comply with the requirement of contacting the family. The measure was approved and re-referred to the Judiciary Committee.

Committee members also heard an update on the Maternal and Child Health Formula.

## Judiciary

### Division approves bill

Members of the Civil Law Division of the Judiciary Committee

# Committee Capsule

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approved a measure sponsored by Chair Ember Reichgott (DFL-New Hope) Fri., Feb. 3. Bert Black, director of business services for the secretary of state's office, completed the presentation of S.F. 232. The bill provides for the simplification of corporate filings with the secretary of state's office.

The division began discussion of S.F. 130, also sponsored by Reichgott. The bill amends the definition of unfair discriminatory practice in the Human Rights Act to provide that failure to implement a comparable worth plan is an unfair discriminatory practice. Commissioner of Human Rights Stephen Cooper told members that the bill clarifies the ambiguity of current law.

Tom Deans, legal counsel for the Minn. School Board Assoc., noted that the definition of "to implement" is not clearly defined and is open to interpretation. Deans is also concerned that the bill may allow for the commissioner to have the authority to pass judgement on comparable worth plans.

Testimony in support of the bill was given by Diane Haugesag, co-president of the Minn. Nat'l Organization for Women. Haugesag said that the bill makes clear that women who are not treated fairly under the terms of an adequate comparable worth program are being discriminated against unfairly.

Sen. Linda Berglin (DFL-Mpls.) told members that she thought the bill's language is not clear. "We could end up with a city who does an outstanding plan and someone could bring a suit over one small part that hasn't been implemented," said Berglin.

Reichgott explained that the intent of the bill was not to extend the commissioner's authority and that "to implement" was language that had been used previously. Discussion on the bill will continue at a later hearing.

## Sentencing Guidelines report discussed

Members of the Criminal Law Division of the Judiciary Committee met Fri., Feb. 3, to hear The Minnesota Sentencing Guidelines Commission Report to the Legislature. Debra Dailey, director of the commission, reviewed the findings of the report and explained the commission's scope of activities. According to Dailey, the Legislature created the commission in order to reduce sentence disparity, establish proportionality of sentences, provide truth and certainty in sentences and coordinate sentencing with correctional resources.

The report details modifications made by the commission in 1988, outlines proposed modifications needing legislative review in 1989 and details the impact of the changes on state and local resources. Members of the division, chaired by Sen. Donna Peterson (DFL-Mpls.), will hear several bills stemming from the report throughout the course of the session.

## Security guard regulation debated

A bill providing for the licensure and regulation of security guards providing the focal point of discussion for the Wed., Feb. 8, meeting of the Judiciary Criminal Law Division. The bill, S.F. 55, authored by Sen. Ember Reichgott (DFL-New Hope), defines security guards and requires that a security guard company obtain a criminal record check before hiring someone to be a security guard. In addition, the measure prohibits employers hiring a person who has been convicted of a felony or criminal sexual conduct. The bill was laid over for further discussion.

In other action, the panel, chaired by Sen. Donna Peterson (DFL-Mpls.), approved a measure that provides that an offender may not request that a sentence be imposed rather than be placed on probation. The bill, S.F. 404, eliminates the offenders option to request jail time rather than have to meet the conditions of probation. The measure, sponsored by Peterson, was forwarded to the full committee.

## Division hears will act

Members of the Judiciary Civil Law Division heard presentations regarding a Uniform Statutory Will Act Weds., Feb. 8. S.F. 260 provides a simple mechanism for the making of a will, said sponsor Sen. Gene Merriam (DFL-Coon Rapids).

Dean Robert Stein, Univ. of Minn. Law School, said that if the bill passes an individual could make a will by using a form with key language from the bill. The form would also allow for modifications to the will, he explained. Stein said that this procedure would simplify the will making process for both lawyers and individuals who do not want to go through the current will making procedure.

Speaking against the bill was Jerry Dygert, Minn. State Bar Association. He believes that the bill would not provide a simpler way to make wills and that if intestate law is not workable it should probably be reviewed.

The committee, chaired by Sen. Ember Reichgott (DFL-New Hope), will continue discussion of the bill.

## Local and Urban Government

### Committee approves bills

The Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), met Mon., Feb. 6, and approved three bills relating to the operation of municipal and county governments. The three measures are all sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), and are now headed to the Senate floor.

S.F. 168 authorizes county boards to provide procedures for the payment of county obligations by a designated county financial officer, without formal presentation to the county board. Washington County Treasurer Dick Stafford explained that the bill enables his county to streamline its fiscal operations by eliminating the need to obtain auditor and commissioner warrants before the Washington County Board can approve expenditure requests. He noted that both Ramsey and Hennepin counties already have similar special legislative authorization.

S.F. 229 exempts the rental of county-owned residences from the more formal competitive bid requirements currently contained in state statutes. Under the bill's provisions, rental of county-owned residences would be subject to conditions set by county boards.

Washington County representative Mike Grupentrog explained that S.F. 230 proposes exempting purchases of computer software from the competitive bid process of the uniform municipal contracting law. He noted that under the bill's provisions, local units of government would have the authority to determine the parameters for purchasing computer software. Sen. Jim Vickerman (DFL-Tracy), expressed concern that the bill contained no purchase limits. Panel members approved an amendment to the bill specifying a \$60,000 cap on such purchases.

### Township bills approved

Three bills relating to township powers were approved Thurs., Feb. 9, by members of the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan).

H.F. 113, sponsored by Sen. Betty Adkins (DFL-St. Michael), was approved by panel members. The bill authorizes towns to employ an attorney in the conduct of town business, to establish heritage preservation commissions, to employ an attorney without obtaining voter approval for expenses over \$15,000 per year, and to make contracts for the rental of equipment without undergoing the competitive bid process for bid estimates anticipated to be less than \$60,000. In addition, the bill provides town boards with the authority to approve plats.

S.F. 121, also sponsored by Adkins, permits townships to impose a service charge on an owner, lessee, or occupant of property for a governmental service provided by townships. The bill also specifies that all unpaid service charges can be collected in combination with property taxes. The bill was approved by committee members and is now headed to the full Senate for review.

S.F. 119, a bill authored by Schmitz that provides townships with the authority to establish subordinate service districts, was also approved by panel members and was sent to the Taxes and Tax Laws Committee.

## Taxes and Tax Laws

### Commercial and industrial taxes examined

The second meeting of the Taxes and Tax Laws Division on Property Taxes and Local Government Aids, chaired by Sen. Steven Novak (DFL-New Brighton), was held Tues., Feb. 7. Discussion centered on commercial and industrial property taxes.

Minnesota Dept. of Revenue Assistant Commissioner John Tomlinson provided panel members with a brief overview of a business property tax study conducted by the department. The study discovered that in 1984, commercial and industrial property taxes represented 29.8 percent of all property tax revenues generated in Minnesota and that by 1990, commercial and industrial property taxes will account for 36.7 percent of all property tax revenues received by the state. Tomlinson pointed out that the study also examined tax rates for retail and industrial businesses in Minnesota in order to determine how they would rate in comparison to taxes assessed in 28 other states. The study concluded that Minnesota ranks first out of the 28 states surveyed in relation to total business property taxes assessed against retail enterprises, while the state ranks twentieth in relation to total business property taxes assessed against factory-oriented industrial operations. Tomlinson explained that because Minnesota does not tax manufacturing equipment, retail businesses are especially hard-hit by property taxes because their assets tend to be real estate and inventory-based while industrial business assets tend to be equipment-based.

George Corvelle of St. Cloud State University cited a Lou Harris poll of 385 U.S. corporate executives who were asked to rate 31 metropolitan areas in relation to their overall tax climates. He said that of the 31 metropolitan areas identified, Mpls-St. Paul ranked only 22nd in 1988 primarily because of its high commercial and industrial property tax rates. Corvelle emphasized that by reducing commercial and industrial property tax rates, the Twin Cities would improve its tax climate standing and would therefore be more competitive in attracting new business ventures. Commercial property owner Burt Dahlberg said that if it weren't for internal growth and business consolidations, no major building activity would be occurring in the Mpls-St. Paul metropolitan area due to the high commercial and industrial property tax rates.

Commercial and Industrial Tax Equity Group representative Bob Hentges presented panel members with a timetable for reducing commercial and industrial property tax rates from 5.25 percent of market value to 3 percent of market value by 1994. Other witnesses presented similar proposals that included commercial and industrial property tax reductions ranging from 10 percent to 50 percent of current levels over the next five years.

### Unfair Cigarette Sales Act reviewed

A bill strengthening the enforcement of the Unfair Cigarette Sales Act was approved by members of the Taxes and Tax Laws Division on Sales Tax, Wed., Feb. 8. The division is chaired by Sen. LeRoy Stumpf (DFL-Plummer).

The Dept. of Revenue's sales and general taxes bill, S.F. 205,

sponsored by Stumpf, contains numerous technical and administrative revisions. The Dept. of Revenue's Appeals and Legal Services Director Dorothy McClung testified that the bill proposes three main substantive changes to present state statutes. She explained that the bill authorizes the commissioner of administration to provide unmarked cars with undercover license plates to the Dept. of Revenue for use in administering the tax laws, tightens loopholes in statutes relating to Indian reservation cigarette sales and tax collections, and repeals the Unfair Cigarette Sales Act. McClung added that the Unfair Cigarette Sales Act is difficult, if not impossible, to enforce because of limited departmental staff resources.

Witnesses argued that by repealing the Unfair Cigarette Sales Act, many small Minnesota businesses that rely on cigarette sales revenues to remain profitable would be forced to close because large-volume businesses would be able to lower their cigarette prices to below-cost levels—thereby monopolizing cigarette sales. McClung replied that if the Unfair Cigarette Sales Act wasn't repealed, her department would need \$120,000 annually to hire additional staff to enforce its provisions. Sen. A.W. "Bill" Diessner (DFL-Afton), offered an amendment to provide the necessary funding to strengthen the Dept. of Revenue's enforcement capability by taxing cigarette distributors.

Division members approved S.F. 205, deleting its Unfair Cigarette Sales Act repealer and adding Diessner's amendment. The bill now goes to the Taxes and Tax Laws Committee for review.

## Transportation

### Excise tax resolution approved

Members of the Transportation Committee met Tues., Feb. 7, and approved a resolution requesting that the President and the U.S. Congress prevent the imposition of any additional motor fuel excise taxes in order to reduce the federal deficit. S.F. 173, sponsored by Committee Chair Clarence Purfeerst (DFL-Faribault), is headed to the full Senate where it will be placed on the Consent Calendar.

Minnesota Good Roads President Bob McFarlin said that numerous proposals to increase the excise tax are pending in the U.S. Congress. He noted that using revenues generated by the tax to help reduce the nation's deficit violates the principle that user fees should be spent to improve transportation systems. Minnesota Dept. of Transportation Commissioner Leonard Levine explained that using excise tax revenues for deficit reduction purposes discriminates against low- and mid-income families and unfairly burdens drivers in rural areas who tend to travel greater distances. He stated that Minnesota drivers would pay, on average, 27 percent more than other U.S. citizens because of the state's rural transportation infrastructure. Levine added that 73 percent of all U.S. citizens oppose increasing motor fuel excise taxes to help pay for the federal deficit.

Minnesota Dept. of Transportation (Mn/DOT) Deputy Commissioner Doug Differt provided panel members with an overview of his organization's activities during the past year. He detailed Mn/DOT's budget and said that by the year 2000, Minnesota urban transportation demands are projected to increase 36 percent while capacity will increase only 10 percent. Accordingly, Differt emphasized that highway management techniques must be improved to handle the anticipated increase in demand. He explained that increased freeway monitoring and night maintenance activities, improved traffic flow planning for large public events, and stepped-up Mn/DOT public affairs efforts designed to inform citizens of upcoming transportation projects will contribute toward meeting transportation challenges in the next several decades.

# Committee Capsule

## Handicapped license plate bill approved

The Thurs., Feb. 9, meeting of the Transportation Committee concentrated on two bills relating to motor vehicle regulations. S.F. 169, sponsored by Sen. Mel Frederick (R-Owatonna), extends the availability of special license plates for the handicapped to custodial parents or guardians of permanently physically handicapped minors. The bill was approved and is now headed to the full Senate.

S.F. 118, a bill authored by Sen. Ronald Dicklich (D-F-Hibbing), prohibits a person from using a hand-held cellular telephone while operating a motor vehicle. Dicklich explained that the bill does not apply to speaker telephones. He added that public safety considerations led to creation of the legislation.

Opponents of S.F. 118 argued that public safety is enhanced by the use of cellular telephones in motor vehicles. A representative of Cellular One said that the 30,000 Minnesotans who own cellular telephones often assist law enforcement agencies by immediately reporting intoxicated drivers and other traffic dangers, consequently quickening law enforcement response time and increasing public safety. John Scully of U.S. West said that S.F. 118 was redundant because reckless driving provisions are already contained in state statutes. He cited three studies that concluded that a person who drives while using a cellular telephone is not any more likely than a non-user to become distracted and pose a public safety threat. Panel members agreed to delay action on S.F. 118 until a later date in order to allow for sufficient public response time to the bill's provisions.

## Veterans and Military Affairs

### Military bills advance

Three measures dealing with the military were approved and forwarded to the full Senate at the Thurs., Feb. 9, meeting of the Veterans and Military Affairs Committee. The panel, chaired by Sen. Joe Bertram, Sr., (D-F-Paynsville) also unanimously approved the nine gubernatorial appointments to the Minnesota Veterans Home Board.

The first measure gaining committee endorsement, S.F. 191, reduces from two years to one year the amount of time the adjutant general is required to serve as brigadier general before promotion to major general in the National Guard. The bill brings Minnesota law into conformity with federal law. The second measure, S.F. 115 requires the adjutant general to furnish an American flag to deceased members of the Minnesota National Guard who were in active service at the time of death. Current law specifies that the flag is required to be furnished only to members who have served honorably for six or more years. The final bill gaining committee approval, S.F. 286, clarifies the authority of the adjutant general to establish the pay grade for staff positions. All three measures are sponsored by Bertram.

Earlier in the week, Tues., Feb. 7, committee members met with their House counterparts to hear an address by the National Commander of the American Legion. The combined committee heard H. F. "Sparky" Gierke, National Commander of the American Legion outline the history and goals of the organization.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, February 13

#### Joint Senate and House Education Committees, Co-Chairs:

James Pehler and Bob McEachern  
8:30 a.m. Room 123 Capitol

**Agenda:** Meeting to accept the report from the Regent Candidate Advisory Council.

#### Finance Division on Health and Human Services, Chair:

Don Samuelson  
8:30 a.m. Room 125 Capitol

**Agenda:** Budget overview on the Dept. of Jobs and Training.

#### Agriculture and Rural Development Committee, Chair:

Charles Davis  
10 a.m. Room 112 Capitol

**Agenda:** S.F. 87-Dahl: Linked deposit.

#### Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** H.F. 14/S.F. 51-Spear: Restitution. H.F. 27/S.F. 405-Peterson, D.C.: Assault of an unborn child. S.F. 215-McQuaid: Notary public reappointment period. S.F. 232-Reichgott: Corporate filing changes. S.F. 294-Stumpf: Unauthorized release of animals.

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

Don Frank  
12 noon Room 15 Capitol

**Agenda:** Overview of Dept. of Trade and Economic Development.

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

12:15 p.m. Room 107 Capitol

**Agenda:** Final report on airport issues.

#### Rules and Administration Subcommittee on Bill Referral,

Chair: William Luther  
1:15 p.m. Room 237 Capitol

**Agenda:** S.F. 166-Merriam: Relates to taxation. S.F. 231-Pariseau: Relates to veterans affairs. S.F. 243-Chmielewski: Relates to insurance.

### The Senate will be in session at 2 p.m.

#### Education Division on Education Funding, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Presentations from the governor's budget: Community and family education and education facilities and equipment.

#### Finance Division on State Departments, Chair: Carl Kroening

3 p.m. Room 123 Capitol

**Agenda:** Overview of the Dept. of Veterans Affairs and the Dept. of Administration.

**Rules and Administration Committee**, Chair: Roger Moe  
3 p.m. Room 107 Capitol

**Agenda:** Reports from the Permanent and Joint Rules and the Bill Referral Subcommittees.

**Joint Agriculture and Environment Ad Hoc Committee on Water**, Chair Charles Davis

7:30 p.m. Room 112 Capitol

**Agenda:** Continuing discussion on S.F. 262-Morse: 1989 Groundwater Protection Act.

## Tuesday, February 14

**Joint Senate Education Division on Higher Education and House Education Division of Appropriations**, Chair:

Gregory Dahl

8 a.m. Basement Hearing Room SOB

**Agenda:** Post secondary student groups (Student Day on the Hill).

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

8 a.m. Room 15 Capitol

**Agenda:** Confirmation of William Brown as Chief Administrative Law Judge, and a report of the attorney general's opinion concerning political subdivision salary limits.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 163-Frank: U-turns, school bus equipment, bumper requirements and rear end protection. S.F. 388-Berglin: Resolution on establishing a multimodal demonstration project on Interstate 35W.

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

9 a.m. Room 123 Capitol

**Agenda:** S.F. 296-Berg: Disallows refunds on angling licenses. S.F. 297-Berg: Authorizes party hunting for small game. S.F. 299-Merriam: Provides for restitution for wild animals that are illegally killed or injured. S.F. 152-Stumpf: Designates the white-tailed deer as the official state mammal. S.F. 280-Berg: Allows counties to authorize predator control.

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

1 p.m. Room 15 Capitol

**Agenda:** Overview of the Welfare Reform Family Investment Program. S.F. 345-Berglin: Maternal and child health. S.F. 339-Solon: Steroids. S.F. 384-Brandl: Title of physicians.

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

3 p.m. Room 155 Earle Brown Center, St. Paul U of M Campus.

**Agenda:** U of M budget overview.

## Wednesday, February 15

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

8 a.m. Room 107 Capitol

**Agenda:** S.F. 254-Pehler: Makes sales of pull-tabs and tipboards to exempt organizations exempt from state tax. S.F. 382-Berg: Clarifies regulations pertaining to dangerous dogs.

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** Presentation on the Minnesota Academic Excellence

Foundation plan for "Academic League" and the governor's education budget.

**Agriculture and Rural Development Subcommittee on Rural Development**, Chair: David Frederickson

10 a.m. Room 112 Capitol

**Agenda:** S.F. 24-Dahl: Ban on irradiated foods.

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

10 a.m. Room 123 Capitol

**Agenda:** Budget hearings on the Minnesota-Wisconsin Boundary Area Commission, the Minnesota Horticultural Society, the Arts Board, and the Academy of Science.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott

10 a.m. Room 107 Capitol

**Agenda:** S.F. 260-Merriam: Uniform Statutory Will Act.

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

10 a.m. Room 15 Capitol

**Agenda:** To be announced.

**Economic Development and Commerce Subcommittee on Insurance**, Chair: William Luther

12 noon Room 107 Capitol

**Agenda:** S.F.94-Marty: Regulates insurance information collection, use, disclosure, access and correction practices.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl

1 p.m. Room 112 Capitol

**Agenda:** S.F. 281-Berg: Allows nuisance and pollution free disposal of solid waste. S.F. 263-Morse: Eliminates PCB exemption program.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 342-Dahl: Regulates Radon testing work. S.F. 374-Berglin: Increases standards income (COLA) for aged, blind, and disabled. S.F. 235-Lantry: Zoning. Update from the Interagency Board on Quality Assurance.

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

3 p.m. Room 125 Capitol

**Agenda:** Continuing budget overview of the Dept. of Jobs and Training.

**Taxes and Tax Laws Committee**, Chair: Doug Johnson

3 p.m. Room 15 Capitol

**Agenda:** Appointment of Judge Gustafson for Tax Court. S.F. 61-Pogemiller: Dept. corporate income tax bill. S.F. 62-Pogemiller: Dept. individual income tax bill. S.F. 205-Stumpf: Dept. sales tax bill.

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

3 p.m. Room 123 Capitol

**Agenda:** Continuing overview of the U of M budget.

**Ad Hoc Subcommittee on Information Management**, Chair: Gregory Dahl

6 p.m. Room 112 Capitol

**Agenda:** Presentations on information policy office budget process and review, and access to information issues.

## Thursday, February 16

**Employment Committee**, Chair: Florian Chmielewski  
8 a.m. Room 107 Capitol

**Agenda:** S.F. 112-Frank: Relates to changing certain terms of vocational rehabilitation. S.F. 312-Merriam: Employee review of personnel records; regulation. S.F. 466-Beckman: Workers' compensation; regulating self-insurance. S.F. XXX: Workers' compensation; expanding the family farm exclusion from workers' compensation coverage. S.F. 103-Chmielewski: Regulation and inspection of certain boilers.

**Governmental Operations Committee**, Chair: Donald Moe  
8 a.m. Room 15 Capitol

**Agenda:** S.F. 1-Merriam: Restores powers and duties to the Waste Management Board.

**Commerce Subcommittee on Banking**, Chair: James Metzen  
10 a.m. Room 112 Capitol

**Agenda:** Overview of the mortgage banking industry.

**Joint Senate Veterans and Military Affairs Committee and House General Legislation, Veterans Affairs and Gaming Committee**, Chair: Joe Bertram, Sr.

12:30 p.m. Room 10 SOB

**Agenda:** Veterans Awareness Day: Presentations by state commanders of various veterans organizations.

**Senate will be in Session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Presentations on the governor's education budget and on federal programs.

**Finance Division on State Departments**, Chair: Carl Kroening  
3 p.m. Room 123 Capitol

**Agenda:** Overview of the secretary of state, state treasurer, state auditor, office of administrative hearings, and the state board of investment.

## Friday, February 17

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** SRI International presentation with the Higher Education Coordinating Board on M-SPAN final report.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott  
10 a.m. Room 107 Capitol

**Agenda:** S.F. 289-Peterson, R.W.: Trust and estate regulation.

**Judiciary Division on Criminal Law**, Chair: Donna Peterson  
10 a.m. Room 15 Capitol

**Agenda:** To be announced.

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

1 p.m. Front steps of the Capitol.

**Agenda:** Tour of the Anoka Regional Treatment Facility.

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

## Branches of government outlined

Government at the state and federal levels consists 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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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

February 17, 1989

### Senate approves repeal of dance law

The Senate gave preliminary approval to two measures at the Mon., Feb. 13, floor session. S.F. 300, authored by Sen. Jerome Hughes (DFL-Maplewood), repeals a 1923 law regulating dances. The old law prohibited dancing in dimly lit halls and "immodest" dancing. According to Hughes, the primary reason for repealing the law, aside from the changing of the times, is to return control to local units of government. Senators also granted preliminary passage to a bill allowing law libraries to set fees on an annual basis. The measure, S.F. 171, is sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton).

Both measures were granted final passage at the Thurs., Feb. 16, floor session. The balance of the floor session was devoted to routine matters such as the introduction of bills and the processing of committee reports.

### Sexual offender penalties debated

Three bills increasing penalties for sexual offenders were discussed at the Judiciary Criminal Law Division hearing Wed., Feb. 16. Division members, chaired by Sen. Donna Peterson (DFL-Mpls.), heard all three measures but delayed taking action on the bills.

The hearing began with a discussion of the availability of secure facilities for juveniles. Debate centered primarily on the definition of "secure." Commissioner of Corrections Orville Pung clarified that although juvenile facilities in Minnesota have locked areas, no facility is walled or has a secure perimeter.

The panel then continued the discussion of S.F. 320, authored by Sen. Allan Spear (DFL-Mpls.), and concentrated on the sentencing provisions of the bill. Under the measure the statutory maximum sentence for criminal sexual conduct is increased and a mechanism is provided for the sentencing of repeat and violent offenders for longer periods of time.

In addition, the division heard explanations of two bills authored by Sen. Patrick McGowan (R-Maple Grove). S.F. 360 requires a life sentence with no possibility of supervised release for persons convicted a fourth time of criminal sexual conduct. In addition, the bill provides for increased sentences for persons convicted of criminal sexual conduct for a second or third time. McGowan stressed that the bill imposed the life sentence upon the fourth conviction and was designed to toughen the penalties for the most predatory offenders. S.F. 479, also sponsored by McGowan, requires the commissioner of corrections to order a screening of a convicted sex offender prior to release to determine if the person is a psychopathic personality. The bill also provides that if there is reason to believe the person is a psychopathic personality, the county attorney is required to petition for civil commitment under the psychopathic personality statute.

Division members ended the hearing with a discussion of the psychopathic personality statute and a report comparing the statute to other state's laws.

### Higher ed meets at University

The Higher Education Division of Finance heard an overview

of the University of Minnesota's budget request Tues., Feb. 14. The division, chaired by Sen. Gene Waldorf (DFL-St. Paul), met at the Earle Brown Center on the University campus.

University President Nils Hasselmo outlined the University's request. The net change request is \$249.3 million, which includes \$59 million for inflation and \$15 million for health insurance. The comparable figure in the governor's budget, according to University officials, is \$31.7 million.

Major elements of the request include \$32 million for faculty and staff salaries; \$5.9 million for an Average Cost Funding base adjustment; \$10 million for instructional equipment; \$20 million for laboratory equipment; \$12 million for a funding rank adjustment; \$14 million through indirect cost recoveries; \$15 million for academic computing; \$9 million for libraries; and \$42 million for infrastructure, which includes repairs and replacements, fuel and utilities, and physical plant operations, among other things.

In addition, Hasselmo said that the University was ready to recommend funding a previous request for \$10.5 million for Management Information Services through reallocation of University funds. The University will recommend this change to the Board of Regents by the time the board meets in March, he said.

In addition, Senators heard a brief presentation regarding the Minnesota Extension Service and its role in Minnesota.

### Senior license refund repeal gains

The Environment and Natural Resources Subcommittee on Fish and Wildlife discussed and approved three bills Tues., Feb. 14. The bills were referred to the full committee.

S.F. 296, sponsored by Chair Charles Berg (DFL-Chokio), disallows refunds on angling licenses for senior citizens. Currently, senior citizens can purchase a license for four dollars and then apply for a refund. However, there is a significant loss of funds for processing the application and refunding the fee, said Berg. The total loss of monies is about \$10 per refund application, said Director Larry Shannon, director of Fish and Wildlife Division, Dept. of Natural Resources (DNR).

S.F. 297 authorizes party hunting for small game and fish, said sponsor Berg. The bill allows for one member of a group to take more than the individual limit of small game or fish if the total number does not exceed the limit for the group, explained Berg. Leo Haseman, director of the Enforcement Division, DNR, does not support the bill. He specifically noted that the definition of party is too vague and makes it difficult for conservation officers to enforce the restrictions on how much small game or fish someone could take.

The subcommittee also discussed S.F. 299, sponsored by Sen. Gene Merriam (DFL-Coon Rapids). The measure provides for the payment of restitution and establishes civil penalties for wild animals that are illegally killed or injured. The bill also states that money collected from restitution must be used for the replacement, propagation, or protection of wild animals, said Merriam. Testifying in favor of the bill was Jim Schroeder, president of Turn in Poachers. Schroeder noted that poaching results in economic loss for the state. "People who commit the crime should pay for it," said Schroeder.

# Committee Capsule

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## Agriculture and Rural Development

### Committee approves water recodification bill

A bill recodifying state water statutes was approved Thurs., Feb. 9, by members of the Joint Agriculture and Rural Development and Environment and Natural Resources Ad Hoc Committee, chaired by Sen. Charles Davis (DFL-Princeton). The bill, S.F. 60, sponsored by Sen. Gary DeCramer (DFL-Ghent), will now go to the Environment and Natural Resources Committee for review.

DeCramer explained that S.F. 60 is the culmination of a three-year project to recodify Minnesota's water law into understandable and readable chapters. He said that the recodification clarifies language and reorganizes provisions relating to water planning, water project implementation, water resource protection through land use regulation and management, water project districts—including soil and water conservation districts, watershed districts, drainage systems, and state water use regulations. He emphasized that the bill contains no new provisions, just recodification of existing law. Two technical amendments containing language corrections were approved by panel members.

In other action, a bill aimed at protecting the quality and abundance of Minnesota's water resources by strengthening state and local programs was also presented to committee members. The bill, S.F. 262, authored by Sen. Steven Morse (DFL-Dakota), will be reviewed by the committee before it is submitted for public comment at five scheduled outstate hearings. Morse said that he will attempt to incorporate provisions in S.F. 262, known as the 1989 Groundwater Protection Act, with provisions in S.F. 411, known as the Comprehensive Water Resources Protection Act of 1989, a bill he is also sponsoring. Committee Chair Davis stated that S.F. 262 will be reviewed extensively during the next Joint Agriculture and Rural Development and Environment and Natural Resources Ad Hoc Committee meeting.

### Ag loan program bill approved

S.F. 104, a bill that authorizes changes in programs administered by the Rural Finance Authority (RFA) sponsored by Sen. Tracy Beckman (DFL-Bricelyn), was approved Mon., Feb. 13, by members of the Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton). The bill is now headed to the full Senate for review. The committee delayed action on bills extending the Farmer-Lender Mediation Act and creating a linked deposit program.

Beckman explained that S.F. 104 makes technical corrections in the RFA's Beginning Farmer Loan Program and proposes the establishment of a Seller-Sponsored Loan Participation Program. He said that a seller-sponsored loan occurs when the seller of a farm finances all or part of the sale by a loan to the buyer. Under the bill's provisions, the balance of the non-seller financing would be provided jointly by a commercial lender and the RFA. Sen. Charles Berg (DFL-Chokio), offered an amendment to base loans granted under the RFA's Seller-Sponsored Loan Participation Program on first mortgages. The amendment was approved by panel members.

Sen. Gregory Dahl (DFL-Ham Lake), provided committee members with a brief description of S.F. 87, a bill he sponsors that proposes the establishment of a linked deposit program in Minnesota. He said that a linked deposit program would allow eligible agricultural business and small business owners to obtain operating loans from lending institutions at a reduced rate of interest. The interest rates in the program are reduced because state funds are used to "buy-down" a portion of the interest. Dahl explained that S.F. 87 specifies a \$200 million limit on the amount of state funds available under the program.

Committee members decided to delay action on S.F. 182, a bill

authored by Berg that authorizes the extension of the Farmer-Lender Mediation Act. Committee Chair Davis said that because panel members want to review several technical changes made to the bill, S.F. 182 will receive final committee action Mon., Feb. 20.

### Groundwater bill debated

The Mon., Feb. 13, meeting of the Joint Agriculture and Rural Development and Environment and Natural Resources Ad Hoc Committee, chaired by Sen. Charles Davis (DFL-Princeton), centered on discussion of S.F. 262, a bill relating to the protection of Minnesota's groundwater. The bill is sponsored by Sen. Steven Morse (DFL-Dakota).

State Planning Agency representative John Wells provided committee members with an in-depth analysis of similarities and differences between S.F. 262—The Groundwater Protection Act, and S.F. 411—The Comprehensive Water Resources Protection Act of 1989. He noted that Gov. Perpich is recommending passage of the latter bill. He said that pesticides have been found in nearly 40 percent of water wells tested in special state studies and that nitrate levels in the studies exceeded health limits in more than 40 percent of the private wells and seven percent of the public wells tested. Wells added that solid waste landfills and dumps have become a major source for groundwater contamination, with more than 50 sites placed on the state's Superfund priority cleanup list.

Linda Bruemmer of the Pollution Control Agency testified that her agency wants to work with Morse to iron-out differences between the two bills. Agriculture Dept. representative Greg Buzicky directed his comments toward the responsibilities outlined for his department in S.F. 262. Health Dept. Asst. Commissioner Michael Finn said that further discussion is needed on the well management and safe drinking water programs contained in S.F. 262. Other witnesses included Jim Birkholz, Board of Soil and Water Resources, and Al Christopherson, president, Minnesota Farm Bureau.

### Irradiated food bill discussed

The Wed., Feb. 15, meeting of the Agriculture and Rural Development Subcommittee on Rural Development, chaired by Sen. David Frederickson (DFL-Murdock), was devoted to debate on a bill banning the sale of irradiated food. The bill will undergo further review by subcommittee members Wed., Feb. 22.

S.F. 24, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), prohibits the sale of irradiated food in Minnesota. The bill allows people to sell irradiated food if a spice is the only ingredient of the food that has been irradiated, or if the food product is being sold to someone intending to conduct irradiation research. Dahl explained that irradiated food is defined as food that is treated with gamma radiation or other ionizing radiation for preservation purposes. He added that potential health risks and the lessened nutritional value of irradiated foods led to the creation of S.F. 24.

Numerous witnesses, including representatives from the University of Minnesota, the Minnesota Public Interest Research Group, and concerned citizens, testified in favor of S.F. 24. Proponents argued that the bill protects consumers from the potentially harmful effects of food irradiation. Dr. Richard Piccioni, Accord Research and Educational Associates, emphasized the potential detrimental impact irradiation facilities can have on the environment.

## Commerce

### Privacy bill debated

Members of the Commerce Subcommittee on Insurance, chaired by Sen. William Luther (DFL-Brooklyn Park), met for the first time this session Tues., Feb. 14, to discuss S.F. 94, which regulates insurance information collection, use and disclosure.

Author Sen. John Marty (DFL-Roseville) said that the bill has

three purposes: to inform people why a policy or coverage was denied, to protect individuals' privacy by regulating how insurers disclose personal information about insureds, and to allow insureds access to their personal files.

The bill requires insurers to notify applicants and policyholders that personal information on them may be collected from other persons. The bill also requires an insurer, insurance agent or insurance support organization to grant access to a person's personal information within 30 days of a request by that person.

In addition, the bill provides that an individual may request that personal information be corrected, amended or deleted, and provides for an appeal process through the commissioner of commerce if the insurer does not correct, amend, or delete disputed information.

Commerce Commissioner Mike Hatch said that the department supported the bill. Former Sen. Robert Tennesen, Minnesota Mutual Life Insurance, provided background on the bill and said that his organization and the Insurance Federation of Minnesota believe that the bill should be changed to include only insurance individually underwritten.

No action was taken on the bill; Luther said that the subcommittee will consider an unofficial engrossment of the bill next week after Marty has considered some questions raised by Senators and members of the insurance community.

## **Mortgage banking industry outlined**

The Commerce Subcommittee on Banking, chaired by Sen. James Metzen (DFL-So. St. Paul), met Thurs., Feb. 16, and heard an overview of the mortgage banking industry from St. Cloud University Professor George Karvel.

Karvel's presentation provided background on the industry, focusing on the part of the home-buying process that occurs after the purchase agreement is assembled. Karvel also explained facets of the secondary mortgage market, including its investors and why it exists.

In addition, a representative of the attorney general's office spoke briefly to the subcommittee regarding some legislation subcommittee members will be considering throughout the session.

## **Economic Development and Housing Overview presented**

Members of the Economic Development and Housing Committee heard an overview of the Dept. of Trade and Economic Development Mon., Feb. 13. Sen. Don Frank (DFL-Spring Lake Park) is chair of the committee.

Commissioner David Speer began the presentation by telling members that the Department of Trade and Economic Development has developed six strategies for the department to pursue during the 1987-1989 biennium. A short slide show, "Working Together to Serve Minnesota," was presented to explain the strategies: clarify and communicate an integrated departmental mission; initiate a departmentwide quality improvement process; establish efficient management practices; increase cooperation among divisions; develop a positive, coordinated departmental identity; and increase customer satisfaction.

Some of the projects the department has been involved in are the Star Cities Program, Celebrate Minnesota 1990, and the Challenge Grant Program. The department also produces publications such as Resource Minnesota to provide information to the public on the department's programs and resources.

## **Education**

### **Regent Advisory Council report heard**

Mel George, chair of the Regent Candidate Advisory Council, presented the results of the council's work to a Mon., Feb. 13, meeting of the House and Senate Education Committees.

The board, which was created by the Legislature last year, was mandated to formulate criteria for University regents. George outlined the criteria, which include the capability and willingness to function as a member of a diverse group in an atmosphere of collegiality and selflessness; an understanding of the board's role of governance and a proven record of contribution with the governing body of one or more appropriate organizations; an overriding loyalty to the University and to the public interest rather than to any region and constituency; and recognition that authority resides only with the board as a whole and not in its individual members.

In addition, the council has compiled a list of regents' responsibilities, which George briefly outlined.

The board is required to recommend at least two and not more than four candidates for each vacancy on the board. Currently, the board has four vacant seats: the student regent position, the 5th District regent position, and two at-large regent positions. George read the list of the 16 candidates recommended by the board; however, one of the candidates is no longer eligible, he said, and the board will be recommending another candidate as a replacement.

Legislators expressed appreciation to the council for its hard work. George also answered questions regarding concerns about affirmative action, the application process and deadline, and the student regent seat.

### **Governor's budget review continued**

Education Committee members heard a continuation of the governor's budget recommendations and a report from the Minnesota Administrators' Academy Wed., Feb. 15.

Claire Rumpel, Dept. of Education, outlined the governor's recommendations. Regarding Community and Family Education, major recommendations Rumpel reviewed include a \$3.3 million increase in the basic funding formula; \$3.8 million for interagency adult literacy to provide grants for priority clients, support workplace literacy and an adult literacy council; and a total of \$7 million for four "children's initiatives," one of which is early childhood development.

Under the Access to Excellence category, Rumpel said, recommendations include \$10 million to begin a major program of purchasing instructional hardware and software to improve computer literacy and work readiness; \$1.67 million for development of statewide testing of students in 6th and 10th grades to evaluate student achievement; \$3.7 million for an instructional leadership program; and \$8.7 million as part of the "Year of the City" initiative for the Minneapolis, St. Paul, and Duluth school districts to assist in addressing the unique needs of inner city students and their families.

Rumpel also reviewed the governor's budget recommendations in the areas of education facilities and equipment; education organization; public libraries; and education agency services.

In addition, Bob Wedl, Dept. of Education, presented the department's budget request. Major change items include \$1.3 million to fund certain programs that are no longer eligible for federal block grant funding and \$1.3 million to provide the department with resources needed to implement the Integrated Data Base.

The committee, chaired by Sen. James Pehler (DFL-St. Cloud), also heard a brief presentation from Jim Undercoffler, director of the Minnesota School and Resource Center for the Arts. The school and resource center has requested \$3.4 million in new funding for

# Committee Capsule

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fiscal year (FY) 1990 and \$3.5 million in new funding for FY 1990.

In addition, representatives of the Minnesota Administrators' Academy presented a report. The academy provides school administrators with opportunities for professional growth.

## Education Funding

### Special ed, remediation considered

The major portion of the Thurs., Feb. 9, meeting of the Education Funding Division of the Education Committee was devoted to a presentation by State University System Chancellor Bob Carothers, who was representing the Higher Education Advisory Council. Carothers discussed remediation efforts in post-secondary institutions.

Some of the post-secondary students who need remedial instruction, Carothers said, are those who went through high school without taking the classes necessary in post-secondary education; those who may have taken the courses, but a long time ago; and those who took the courses but did not master the material.

Carothers reviewed a study regarding remedial education that the Higher Education Coordinating Board (HECB) had reviewed in May 1984. The key findings of that study of remedial and skills development instruction, Carothers said, were that mathematics had the highest enrollments; that in all of the included subjects, approximately 3,000 full year equivalent enrollments for credit in public institutions were identified; that expenditures for courses and support services were estimated at \$14.3 million in 1982-83; and that registrations in remedial and skills development courses had grown rapidly over the previous 10 years.

Carothers said that the study concluded that the need for remedial and skills development programs had resulted both from changes in the mission of post-secondary education and changes in student achievement at the elementary and secondary levels.

The HECB reviewed the study and issued an update in August 1988, Carothers said. In its update, the board noted that, compared to four years ago, there is more attention given to informing and guiding high school students to take rigorous courses in foundation academic fields; there is an increase in the assessment of students in elementary and secondary schools to identify learning problems and in post-secondary education institutions to identify incoming students who could benefit from remedial services; there has been extensive discussion in Minnesota over the implications of post-secondary enrollments drawn from the entire ability and age spectrum, including the role of different systems and institutions in serving underprepared students; and that, with changes in welfare strategies and continued attention to economic dislocation of farmers and other workers, there is a new appreciation of the potential value of basic skills programs to improve individual well-being and reduce costs for income support.

The division, chaired by Sen. Randolph Peterson (DFL-Wyoming), also heard a presentation regarding the governor's budget for Adult Basic Education (ABE). Nan Skelton, Dept. of Education, said that the increasing demand for adult education can be attributed to five factors: displaced workers, the fact that jobs are becoming more complicated, the higher demand for the program from the welfare reform program, the number of refugees arriving in Minnesota and the number of refugees who are no longer eligible for federal assistance, and the nationwide and statewide publicity campaigns encouraging adults to return for basic education.

Following Skelton, Mark Larson, State Planning Agency, explained the new Interagency Adult Literacy Initiative to the division. The initiative is based on the recommendations resulting from work by the Minnesota Adult Literacy Policy Group.

Larson reviewed the initiative's target population and the budget for the initiative. The budget includes \$3.5 million for targeted grants. Kevin Burn, Bloomington Schools, also testified regarding

adult learning programs.

In addition, Senators heard a continuation of a presentation on special education. Jessie Montano, Dept. of Education, outlined a regular education instructional support program proposal. Funds for the program would go to provide instructional services in regular education for students who are not reaching expected levels of achievement. Montano outlined two alternative means of identifying low-achieving students and explained the advantages and drawbacks of both.

### Adult literacy program discussed

Senators resumed discussion about the Interagency Adult Literacy Initiative at the Fri., Feb. 10, meeting of the Education Funding Division of the Education Committee. Mark Larson, State Planning Department, continued explaining the financial aspects of the program and briefly outlined some supporting initiatives, such as funds for child care, within the Dept. of Human Services.

Larson reviewed common limitations of current adult literacy programs, which include a lack of connection between learning and career planning and training; no daytime hours; programs that are offered only 5-10 hours a week; and inadequate resources for low-level learners with severe barriers. Larson also told the division, chaired by Sen. Randolph Peterson (DFL-Wyoming), about characteristics of effective programs and the program's expected results.

The beginning of a presentation on the governor's transportation budget for education was also heard by the division. Greg Sogaard, Dept. of Education, said that there are three transportation categories: regular transportation, nonregular transportation, and excess transportation. Nonregular transportation includes transportation for handicapped students, summer program transportation, and late activity transportation. Excess transportation is a levy that school districts are permitted to make for the cost of transporting secondary pupils living between one and two miles from school, and for the cost of transportation or related services necessary—such as crossing guards—because of extraordinary traffic hazards.

Sorgaard said that, beginning in fiscal year 1990, the basic transportation tax rate is set to raise \$72.7 million statewide. Tom Melcher, Dept. of Education, and Sorgaard answered questions from Senators and provided background regarding the transportation budget.

### Governor's community, family ed budget outlined

Representatives of the Dept. of Education and other involved organizations presented the governor's budget regarding community and family education to the Education Funding Division of the Education Committee, Mon., Feb. 12.

Lois Engstrom, Dept. of Education, spoke on the Early Childhood Family Education (ECFE) Program, which serves children (and their parents) from birth to kindergarten enrollment. An ECFE program may involve educating parents about the physical, mental and emotional development of children; enhancing the skills of parents in providing for their children's learning and development; and providing information on related community resources.

Engstrom said that the governor is recommending an increase in the ECFE formula to establish and expand programs.

Nan Skelton, Dept. of Education, told the division, chaired by Sen. Randolph Peterson (DFL-Wyoming), about the extended day grants program, which is designed to give school age children and parents expanded day care options in their communities. The governor has recommended an aid entitlement of \$1.5 million for the biennium to begin, improve or expand extended day programs.

The division also heard descriptions of a senior mentor program and a youth service program.

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## Employment

### Workers' comp farm exclusion debated

Members of the Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met for the first time this session Thurs., Feb. 16. Committee members devoted most of the meeting to debating a bill expanding the family farm exclusion from workers' compensation coverage.

S.F. 511, authored by Sen. Charles Berg (DFL-Chokio), provides that family farm operations that have an annual payroll of less than \$20,000 in cash wages are exempt from workers' compensation coverage if the farmer is covered under a liability policy of at least \$5,000 for medical payments and at least \$300,000 for total liability. Current law provides the exclusion if the payroll is less than \$8,000 and does not address the subject of liability insurance.

Debate on the bill centered on two issues. First, Sen. James Pehler (DFL-St. Cloud), questioned whether migrant workers would be covered under workers' compensation with the raise in dollar amount of cash wages. Secondly, counsel for the Dept. of Labor and Industry pointed out that tying the issue of liability insurance to the dollar amount of wages would create a situation in which employees would be covered by the Special Compensation Fund which in turn could subject the farmer to lawsuits that could jeopardize the farm operation.

Committee members adopted an amendment that removed the liability insurance language from the bill. In addition, the panel approved another amendment that excluded migrant workers from the workers' compensation exclusion. The second amendment effectively requires that migrant workers be covered under workers' compensation. The bill was approved and referred to the full Senate.

In other action, the committee approved and sent to the Consent Calendar a bill changing the words "extended employment plan participant" to "workers" in the statute on evaluation of vocational rehabilitation programs. The bill, S.F. 112, is sponsored by Sen. Don Frank (DFL-Spring Lake Park). Finally, the panel began discussion of S.F. 466. The measure, authored by Sen. Tracy Beckman (DFL-Bricelyn), makes numerous changes in laws regulating workers' compensation self-insurance.

## Environment and Natural Resources

### Transfer of land bills approved

The Tues., Feb. 14, meeting of the Environment and Natural Resources Subcommittee on Public Lands and Water was devoted to reviewing several bills relating to the transfer of land.

S.F. 64, sponsored by Florian Chmielewski (DFL-Sturgeon Lake), authorizes the private sale of tax-forfeited land in Carlton County.

Sen. Ronald Dicklich (DFL-Hibbing), author of S.F. 88, explained that the bill permits St. Louis County to sell tax-forfeited lands adjacent to public waters by private sale.

S.F. 390, authored by Sen. Don Anderson (IR-Wadena), authorizes sale of tax-forfeited land that borders public water in Todd County.

The panel also reviewed S.F. 192, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville). The measure increases limits on security in lieu of bond for forestry development projects.

All four bills were approved and referred to the full committee. A fifth bill, S.F. 145, was recommended to be laid over until another meeting by Chair Steven Novak (DFL-New Brighton). S.F. 145, authored by Sen. LeRoy Stumpf, allows for additions to and deletions from state parks and waysides. The measure also abolishes the boundaries of Little Elbow Lake State Park.

### Bill eliminating PCB exemption program gains

Two measures were the focus of discussion at the Wed., Feb. 15,

Environment and Natural Resources Subcommittee on Environmental Protection. S.F. 263 eliminates the PCB exemption program. S.F. 281 allows for nuisance free and pollution free, aesthetic disposal of solid waste on agricultural land by a person engaged in farming.

The reason for eliminating the PCB exemption program, said Sen. Steven Morse (DFL-Dakota) and sponsor of S.F. 263, is that both the state and the federal government are carrying out similar duties in the administrative area of PCB regulation. Richard Svanda, director of the Hazardous Waste Division for the Pollution Control Agency (PCA), explained that the state would no longer issue or monitor certificates of exemption and would become more involved in inspection which would streamline the regulation process. The subcommittee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), approved the bill and referred it to the full committee.

S.F. 281, explained author Sen. Charlie Berg (DFL-Chokio), also allows for the commissioner of agriculture to adopt rules to outline conditions for safe disposal and requires the PCA to hold public hearings when there is a rule change proposal.

Director of Ground Water and Solid Waste Division Rodney Massey noted that the DNR is concerned with allowing the Dept. of Agriculture to develop solid waste rules and would prefer to have public meetings instead of hearings. Holding hearings statewide is expensive and public meetings are usually more productive because it is a cooperative arrangement, said Massey.

The subcommittee agreed that further discussion of the bill is necessary and laid the bill over.

## Finance

### State University System budget outlined

Members of the Higher Education Division of Finance met Fri., Feb. 10, to hear a presentation of the State University System's budget request. Bob Carothers, chancellor of the system, presented the request to the division, chaired by Sen. Gene Waldorf (DFL-St. Paul).

Carothers first explained some of the factors influencing the State University System in recent years. Increased enrollment in the system, increasing high school graduation rates in Minnesota, and the growth in the number of part-time students have all significantly affected the State University System, Carothers said.

The system's total biennial request is \$523.8 million; \$71 million is new money. Of the change request items, Carothers said, \$28.6 million is for a competitive rank increase. Minnesota funding per student for the State University System is far below the national average for comparable institutions, he said, and the \$28.6 million would bring the system about halfway to the national average. Next biennium, the system would request more new funding to bring it up to the national average, Carothers said.

The request also includes \$6.7 million for lagged student funding; \$3.5 million for student employment; \$8.5 million for a health insurance increase supplement; and \$3 million for operating expenses for new buildings.

### Dept. of Jobs and Training rehab reviewed

Members of the Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met Mon., Feb. 13, and reviewed the budget requests of two Dept. of Jobs and Training divisions. Assistant Commissioner Bill Niederloh spoke on behalf of the Rehabilitation Services Division and Rick Hokanson spoke on the budget requests for the Services for the Blind Division.

According to Niederloh, the Rehabilitation Division provides services to enable persons with disabilities to increase their vocational, personal and financial independence, with special attention to those with severe handicaps. Currently, Niederloh said, there are 311,000 working age Minnesotans with disabilities and

# Committee Capsule

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two-thirds are unemployed. Program components of the Division of Rehabilitation Services include vocational rehabilitation services, independent living services, client services innovation, workers' compensation, extended employment and disability determination services.

Niederloh said that the largest component is vocational rehabilitation services. The department is requesting a \$7.2 million increase for the biennium to target new resources to emerging and underserved populations, to increase capacity to serve individuals with more severe disabilities and to reduce caseload size. In the area of independent living services, the department is requesting \$3.6 million for the biennium to provide a statewide network by adding three new centers and six branches. In the area of workers compensation, the department is requesting an additional \$810,000 for the biennium to target services to reduce a backlog, to injured workers not afforded the opportunity to choose a public provider in some locations, and to reduce caseload size. The department is also requesting additional funding to expand the community based employment program.

Hokanson outlined the additional funding requests for the Services to the Blind Division of the department. According to Hokanson, the three major program activities include rehabilitation services, business enterprises and a communication center. The department is recommending five new initiatives that were not in the governor's budget proposal.

## Ad hoc panel begins work

A new Ad Hoc Subcommittee on Information Management met for the first time Fri., Feb. 10, to begin an overview of the Dept. of Administration's Information Policy Office and InterTechnologies Group. In addition, the panel, chaired by Sen. Gregory Dahl (DFL-Ham Lake), was scheduled to review telecommunications in government. The panel was appointed to review the growing information activities throughout the state.

The Wed., Feb. 15, hearing was devoted to presentations on the Information Policy Office budget process and on access to information issues.

## Overview of state agency budgets heard

The Depts. of Veterans Affairs and Administration presented budget overviews to the Finance Division on State Departments Mon., Feb. 13.

Deputy Commissioner Jeffrey Olson, Dept. of Veterans Affairs, noted in his budget presentation that as the veteran population ages there is an increase in requests for health care. Olson outlined several budget change requests including funds for the Relief Fund Program, which has not had a cost of living increase in two years, and for a position for the Guardianship Program.

The Dept. of Administration overview was presented by Deputy Commissioner Jeff Zlonis. Zlonis emphasized the complexity of the department by noting its size, its varied sources of funding and its total annual budget of \$140 million. Budget change requests include funds to expand efforts in involving youth in community service volunteer activities and to complete implementation of a disaster recovery capability for computer centers at InterTechnologies Group.

The division, chaired by Sen. Carl Kroening (DFL-Mpls.), will continue to hear the overview on the Dept. of Administration budget at another meeting.

## Academy of Science, Arts Board present budgets

The Finance Division on Agriculture, Transportation and Semi-states met Wed., Feb. 15, to hear the budget presentations of three semi-state organizations. In addition, the panel, chaired by Sen. Keith Langseth (DFL-Glyndon), heard representatives of each organization give descriptions of the organizations' activities.

According to Judy Harrigan, the Academy of Science's primary purpose is to promote an appreciation for science, science students and teachers and to provide an organizational base for people united by a common interest in creating a climate for better understanding pure and applied natural, social and life science. The Academy of Science budget requests a \$44,000 increase for the biennium in order to fund a full-time professional staff person. Currently, the academy is staffed by one full-time secretary and a part-time professional director.

Several people from the Board of Arts appeared before the division to detail the arts board budget request. The purpose of the agency is to serve the public by supporting the arts throughout the state with grants and services funded by a biennial state appropriation, a federal block grant and partnerships with the private sector. The base level request for the biennium is \$8.7 million. However, the board is requesting an additional \$7.39 million for the biennium. The governor's budget recommends only an additional \$206,000. According to the board representatives, the agency request is based on the rationale that the arts are an economic industry that contributes significantly to Minnesota's economy. The budget request is to continue to effectively respond to the needs of the industry.

Finally, the division heard the budget request of the Minnesota-Wisconsin Boundary Area Commission. The commission is requesting an additional \$84,000 for the biennium to fund program continuation and equipment purchases. The governor's recommendation is for a \$47,000 increase for the biennium.

## University budget request explored

Members of the Higher Education Division of the Finance Committee further explored areas of the University's budget request Wed., Feb. 15. Dr. Rick Heydinger, vice president for external relations, presented material to the division, chaired by Sen. Gene Waldorf (DFL-St. Paul).

The University's request for a \$5.9 million Average Cost Funding adjustment will hold the instructional base funding constant despite an enrollment drop, Heydinger explained. The enrollment reduction is part of the "Commitment to Focus" plan, and Waldorf said that when the Legislature supported the plan, there had been agreement that the University would not lose this funding due to an enrollment decrease.

Heydinger also explained that the University's \$25.8 million academic pay plan request would increase University of Minnesota academic salaries by 4.75 percent in fiscal year (FY) 1990 and by 5.25 percent in FY 1991, over and above a 5 percent inflation adjustment each year. The University is also requesting \$6.7 million to increase civil service salaries over inflation.

Regarding equipment, the University is asking for a \$20 million one-time appropriation to help it "catch up." For instructional equipment, the University is requesting an additional recurring \$5 million annually; currently, the University's base for instructional equipment is \$2 million annually. Heydinger also outlined the University's funding rank adjustment request.

Senators closely questioned Heydinger and the University's Institute of Technology Dean Ettore Infante regarding the cost of attracting and retaining faculty, especially in the area of research support costs.

## Dept. of Jobs and Training budget reviewed

Members of the Finance Division on Health and Human Services continued the review of the Dept. of Jobs and Training budget Wed., Feb. 15. Division members, chaired by Sen. Don Samuelson (DFL-Brainerd), heard explanations of various departmental programs and of the changes requested by the department.

The hearing was devoted primarily to discussion of Economic Opportunity Programs and Employment and Training Programs. Representatives of the department outlined the anti-poverty

programs, Head Start Program, food and shelter programs, energy assistance program and weatherization programs for the panel. Many of the Economic Opportunity Programs are partially or fully federally funded. However, state funds are needed for various components. In addition, as part of the governor's Children's Initiative an addition \$16 million has been requested for the Head Start Program this biennium.

Employment and Training Programs encompass several diverse elements. Again, several of the programs receive full or partial federal funding. Included in the Employment and Training Programs are the federal Job Training Partnership Act; youth programs; wage subsidy programs (MEED); employment initiatives for AFDC recipients; dislocated worker programs; displaced homemaker programs; and Job Service programs.

## General Legislation and Public Gaming

### Horse racing bills approved

Two bills relating to Minnesota horse racing were approved Fri., Feb. 10, by members of the General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul). Both bills are now headed to the full Senate.

S.F. 351, sponsored by Lantry, allows a portion of Minnesota Breeder's Fund revenues to be expended for the racing industry's promotional and educational activities—regardless of whether the activities are conducted by a public post-secondary institution. Lantry noted that current law requires that 20 percent of the money in the Minnesota Breeder's Fund be used for equine research grants and related education at public institutions of post-secondary learning within the state.

S.F. 400, also authored by Lantry, eliminates the statutory requirement that racehorse medications be administered under the visual supervision of the racing commission veterinarian or assistant veterinarian. Racing Commission Chief Veterinarian Camille McArdle explained that the present law is difficult to comply with because schedule demands often limit the amount of time she, or her assistant, can spend visually monitoring medication injections. Under the bill's provisions, liability for properly administering racehorse medication rests with the racing commission.

### Committee okays charitable gambling change

Two bills amending Minnesota's charitable gambling statutes and the Dangerous Dog Act were approved Wed., Feb. 15, by members of the Local and Urban Government Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul).

S.F. 254, a bill authored by Sen. James Pehler (DFL-St. Cloud), exempts pull-tabs and tipboards that are sold by a distributor to an organization that is exempt from licensing under the charitable gambling law from the charitable gambling tax. The exemption applies only to organizations that conduct lawful gambling once during a calendar year. Under the bill's provisions, a distributor is required to have the organization show proof of its exempt status before the distributor is required to identify, in a report submitted to the commissioner of revenue, that the sales of the pull-tabs and tipboards are exempt from the tax. The Revenue Dept. estimates that the bill, if passed, will cost the state \$50,000 in lost tax revenues during the next fiscal year. The bill is now headed to the Taxes and Tax Laws Committee for review.

S.F. 382, a bill sponsored by Sen. Charles Berg (DFL-Chokio), makes technical corrections in the Dangerous Dog Act passed during the last legislative session. Berg explained that the bill contains a provision prohibiting local jurisdictions from adopting ordinances regulating dangerous or potentially dangerous dogs

based solely on the specific breed of the dog. S.F. 382 also requires owners to tag dangerous dogs that are registered and revises statutes relating to the seizure of dangerous dogs. The bill now goes to the full Senate.

## Governmental Operations

### Panel hears Waste Management Board bill

A bill restoring the powers and duties to the Waste Management Board was discussed by the Governmental Operations Committee Thurs., Feb. 16.

Sen. Gene Merriam (DFL-Coon Rapids), sponsor of S.F. 1, outlined the reasons for reestablishing the Waste Management Board. Last fall the powers and duties of the board were transferred to the Pollution Control Agency (PCA) by executive order. The board was originally created to provide a planning, coordination, and promotion role that would be separate from the PCA's role as regulator, said Merriam. Merriam said that he believes there is a conflict of interest when an advocacy role and an enforcement role are combined under one agency.

Speaking in favor of keeping the Waste Management Board's powers and duties within the PCA was Commissioner Gerald Willet. The PCA's role has not only been in monitoring and regulating, said Willet. He cited a number of service programs the PCA makes available to the public including the lake assessment program. A conflict of interest is not necessarily inherent by combining duties, said Willet. He noted that New Jersey and Oregon are among a number of states that combine regulatory and advocacy functions.

Chair Donald Moe (DFL-St. Paul) recommended that the bill be laid over for further discussion. In other action, the committee approved the confirmation of William Brown as Chief Administrative Law Judge for the State Office of Administrative Hearings.

## Health and Human Service

### Steroid bill gains

A bill placing anabolic steroids on the list of controlled substances was approved by members of the Health and Human Services Committee at the Tues., Feb. 14, meeting. S.F. 339, authored by Sen. Sam Solon (DFL-Duluth), classes anabolic steroids and derivatives as Schedule IV substances. According to Dr. Howard Juni of the State Pharmaceutical Association, and others testifying on the bill, the use of anabolic steroids, particularly by young athlete is a growing problem. Witnesses pointed out that, although there are potential physiological and emotional damages associated with steroid usage, steroids are not on the list of controlled substances. Under current law, illegal possession or sale of Schedule IV substances carries a felony penalty. The measure will be heard next by the Judiciary Committee.

In other action, the panel, chaired by Sen. Linda Berglin (DFL-Mpls.), began discussion of a bill that would prevent the overconcentration of state licensed residential facilities. S.F. 235, authored by Sen. Marilyn Lantry (DFL-St. Paul), is designed to protect clients of the residential facilities and, at the same time, prevent the overconcentration of facilities in a single area. The measure sets standards for the number and spacing of facilities in neighborhoods and requires counties to prepare a plan for the dispersal of facilities in already overconcentrated areas. In addition, the bill spells out the criteria that must be in the plans formulated by the counties. Discussion on the measure will continue.

Finally, the committee also heard an overview of the Family Investment Program being formulated as part of the welfare reform package.

# Committee Capsule

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## Facility zoning bill examined

The Wed., Feb. 16, meeting of the Health and Human Services Committee was devoted to discussion on the bill designed to avoid the overconcentration of licensed facilities. Chief author Marilyn Lantry (DFL-St. Paul), finished the explanation of S.F. 235 and offered a series of technical amendments to the bill. Lantry indicated that final action on the measure would be delayed in order to hear testimony from both proponents and opponents. The committee, chaired by Sen. Linda Berglin (DFL-Mpls.), began hearing testimony and will continue discussion on the measure. Tues., Feb. 21.

Nancy Holmens, Planning and Economic Development Dept. of the city of St. Paul, explained the rationale for the measure and outlined the three major policy initiatives in the bill. According to Holmens, the measure changes the distance and concentration levels of licensed facilities by specifying distances and providing for dispersal; accommodates the need for a planful approach to the dispersal process and provides for implementation; and prohibits local units blocking the establishment of facilities that meet the criteria contained in the bill. Holmens said that the bill is designed to "enhance the quality of care by providing insurance of residential care in facilities that can be embraced by our communities."

## Judiciary

### Sexual assault offender control discussed

The Judiciary Criminal Law Division met Fri., Feb. 10, to begin consideration of the first of a series of bills designed to address several serious criminal justice issues. S.F. 320, sponsored by Sen. Allan Spear (DFL-Mpls.), is one of the pieces of legislation resulting from the Attorney General's Task Force on Sexual Violence. According to Spear, the bill is a comprehensive approach to the subject of sexual violence.

The measure, Spear said, approaches the problem from four angles. The bill addresses sentencing issues by increasing the statutory maximum sentence for criminal sexual conduct offenders and provides a mechanism for sentencing repeat and violent offenders for longer periods of time. The measure also is designed to help law enforcement by providing for DNA profiling of sex offenders, by providing for the admissibility of DNA profile information as evidence and by providing an appropriation to the Bureau of Criminal Apprehension for the establishment of a laboratory to perform DNA profile analysis. The third approach is through stronger incentives for treatment for those sexual offenders who are amenable to treatment. In addition, the measure provides for earlier intervention for juvenile offenders by requiring the establishment of an intensive sex offender treatment program for eligible juveniles. The measure also provides for developing statewide public information programs on the prevention of sexual violence. Finally, also in the area of prevention, the bill provides for the evaluation of the child abuse reporting act and the child protection system in responding to the needs of sexually aggressive and sexually abused children.

Members of the division, chaired by Sen. Donna Peterson (DFL-Mpls.), heard testimony on the measure but delayed taking any action in order to allow sufficient time for amendments to be drafted and further concerns to be debated.

### Debate on comparable worth bill continues

The Fri., Feb. 10, meeting of the Judiciary Civil Law Division was devoted to continuing discussion of S.F. 130, sponsored by Chair Ember Reichgott (DFL-New Hope).

S.F. 130 amends the definition of unfair discriminatory practice in the Human Rights Act to provide that failure to implement a

comparable worth plan is an unfair discriminatory practice.

Reichgott offered an amendment to the bill in the hopes that it would alleviate concerns expressed previously by members and individuals giving testimony. The concerns were that the bill would allow for the commissioner to have authority to pass judgement on comparable worth plans and that the language "to implement" is too ambiguous. Reichgott's amendment proposes changing language in the Human Rights Act Exception to state that the commissioner may use the result of job evaluations in a proceeding or action commenced alleging discrimination.

Because members could not agree on the impact of language on a portion of the amendment, Reichgott recommended laying the bill over until another meeting.

### Panel approves variety of bills

A total of five bills were advanced at the Mon., Feb. 13, meeting of the Judiciary Committee. The panel, chaired by Sen. Allan Spear (DFL-Mpls.), advanced S.F. 215, increasing the notary public reappointment period from 10 to 30 days, to the Consent Calendar. The measure is sponsored by Sen. Phyllis McQuaid (IR-St. Louis Park). In addition, S.F. 232, authored by Sen. Ember Reichgott (DFL-New Hope), was approved and re-referred to the Committee on Finance. The measure makes a number of housekeeping changes designed to simplify the corporate filing process in the secretary of state's office.

Three other measures were advanced to the Senate floor. S.F. 294, authored by Sen. LeRoy Stumpf (DFL-Plummer), amends the law dealing with the unauthorized release of animals that was enacted last year. Under the measure, a second or subsequent offense is a gross misdemeanor. In addition, the measure modifies the civil liability to include liability for damages resulting if the release of the animal causes the failure of an experiment, for the costs of repeating the experiment and for the replacement of the animal, labor, and materials. A subdivision of the bill requiring a felony penalty was deleted by the committee.

H.F. 14, carried by Spear, makes a number of changes to the laws dealing with restitution for crime victims. The measure requires that a payment structure be included in a restitution order; requires defendants to comply with the payment structure; requires probation officers to ask for a hearing if restitution is not paid by 60 days before probation ends; allows victims to include out-of-pocket losses in a restitution request; requires the court administrator to disburse restitution to the victim as it is paid, rather than wait for the full amount; and allows the court to assign the responsibility for developing the payment structure to the court administrator, a probation officer or any other designated person.

Finally, the committee also approved H.F. 27, expanding the definition of bodily harm to an unborn child. The measure, sponsored by Sen. Donna Peterson (DFL-Mpls.), was originally drafted to the section of law dealing with assault of an unborn child in the third degree; however, committee members adopted an amendment that places the definition in the section of law dealing with assault of an unborn child in the second degree. Thus, the definition is no longer for "bodily harm," but for "substantial bodily harm." Under the bill, "substantial bodily harm includes the birth of the unborn child prior to 37 weeks gestation if the child weighs 2,500 grams or less at the time of birth."

### Will act debated

Members of the Judiciary Civil Law Division, chaired by Sen. Ember Reichgott (DFL-New Hope), continued discussion of the Uniform Statutory Will Act Wed., Feb. 15. S.F. 260, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides a simple mechanism for the making of a will.

The meeting focused on a delete everything amendment offered by Sen. Fritz Knaak (IR-White Bear Lake). Prof. Thomas Waterbury, University of Minnesota Law School, explained that the amendment

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is based on Wisconsin statutes. Wisconsin offers statutory forms for two types of wills, a basic will and a basic will with trust, said Waterbury. He feels that the uniform will act is too complicated and that most people would not feel comfortable using it. The Wisconsin format limits the choices for the testator and states that the advice of a lawyer should be sought in making out a will.

Merriam opposed the amendment, stating that the Wisconsin statutes are too rigid while the uniform will act makes it as easy as possible for a testator to dispose of property as the testator sees fit. The division voted down the amendment. The bill was laid over for further discussion.

## **Local and Urban Government**

### **Airport noise and capacity report discussed**

A report on the Mpls.-St. Paul International Airport highlighted the Mon., Feb. 13, meeting of the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan). Schmitz announced that the draft report, a compilation of key testimony presented to the committee on airport noise and capacity issues, will be reviewed in-depth during the committee's Mon., Feb. 20, meeting and must receive committee member approval before it is released to the full Senate.

Senate Researcher Jill Schultz provided panel members with a brief overview of the report's contents. She explained that the report summarizes information presented by witnesses during 12 interim hearings conducted by the Local and Urban Government Committee from May, 1988, to February, 1989. Schultz emphasized that the hearings and the resulting report are intended to inform committee members and the Senate on airport noise and capacity issues—not to define and support a single legislative agenda to address the issues.

Sen. Phyllis McQuaid (IR-St. Louis Park), expressed her frustration that the state cannot take decisive action on airport noise and capacity issues because of federal preemption rights granted under the Interstate Commerce Clause. Sen. Earl Renneke (IR-LeSueur), questioned whether the report should remain informational, or whether it should go one step further and develop specific recommendations. Sen. Michael Freeman (DFL-Richfield), voiced concern that Metropolitan Airport Commission members are not required to represent designated districts in either the Mpls.-St. Paul metropolitan area or in outstate regions, consequently leaving some citizens unrepresented in the airport's policy-making process.

## **Rules and Administration**

### **Committee deadlines set**

Members of the Rules and Administration Committee met Mon., Feb. 13, and adopted permanent and joint rules for the Legislative session. The committee, chaired by Majority Leader Roger Moe (DFL-Erskine), adopted the permanent rules of the Senate, which provide for the conduct of Senate business and the joint rules, which provide for the conduct of both the Senate and the House of Representatives when meeting in joint session. In addition, the joint rules contain a provision setting Fri., Apr. 14, as the first committee deadline and Wed., Apr. 26, as the second committee deadline. Thus, Senate bills must be heard by Senate committees and House bills must be heard by House committees by Apr. 14. The second deadline means that Senate committee must hear House bills and House committees must hear Senate bills by Apr. 26.

In other action, the committee authorized reimbursement of up to one half the cost or \$150.00, whichever is less, for those

Senators and staff who choose to take part in a smoking cessation program. The panel also approved minor amendment to the two Senate resolutions. The first changes the name of the Education Division on Education Aids to the Education Division on Education Funding and the second specifies that the public areas of the State Office Building under Senate jurisdiction are included in the resolution prohibiting smoking in the Capitol building.

## **Taxes and Tax Laws**

### **Tax bills approved**

Members of the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Wed., Feb. 15, and approved three technical bills relating to sales, corporate income, and individual income taxes. Panel members also recommended that the full Senate reappoint Earl Gustafson to the Minnesota Tax Court for a six-year term.

S.F. 205, a Dept. of Revenue sales tax bill sponsored by Sen. LeRoy Stumpf (DFL-Plummer), was approved by committee members and is now headed to the Finance Committee for review. Revenue Dept. Appeals and Legal Services Division Director Dorothy McClung informed the committee that the bill contains three major provisions concerning strengthened enforcement of the Unfair Cigarette Sales Act, revised Indian reservation cigarette tax collection procedures, and Revenue Dept. authorization to use unmarked cars for tax enforcement purposes.

S.F. 61, a bill authored by Sen. Lawrence Pogemiller (DFL-Mpls.), amends state statutes relating to corporate income taxes. Pogemiller noted that the bill is revenue neutral because it will not generate or expend any additional state revenues. The bill, originally requested by the Revenue Dept., also received committee approval and will now go to the full Senate.

Several technical amendments were made to S.F. 62, a technical bill relating to individual income taxes also sponsored by Pogemiller. After a brief discussion, committee members approved the bill and sent it to the Senate floor.

## **Transportation**

### **Committee approves two bills**

A resolution requesting that the federal government fund a transportation management demonstration project and a bill revising traffic regulations were approved, Tues., Feb. 14, by members of the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault). Both bills are now headed to the full Senate.

S.F. 388, authored by Sen. Linda Berglin (DFL-Mpls.), urges the President and the U.S. Congress to enact legislation to allow the use of flexible highway design standards in reconstructing the Interstate Highway 35W corridor in the cities of Minneapolis, Richfield, Bloomington, and Burnsville. Berglin explained that the resolution requests that the project be funded by monies allocated under the Federal Interstate Reconstruction, Resurfacing, Restoration, and Rehabilitation Program. She noted that the bill also asks the U.S. Congress to provide Minnesota with greater flexibility in designing transit and shared ride facilities, developing transit options such as light rail, and constructing high occupancy vehicle lanes and freeway meter bypasses to help reduce highway congestion. Berglin added that she is offering the resolution now in the hope that the U.S. Congress will incorporate its provisions in a federal omnibus transportation bill currently being drafted and expecting enactment by October, 1991.

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# Committee Capsule

In other action, S.F. 163, a transportation and traffic regulation bill sponsored by Sen. Don Frank (DFL-Spring Lake Park), was approved by committee members. The bill expands police enforcement powers regarding illegal u-turns, revises current state statutes regarding the loading and unloading of passengers from school buses, applies federal bumper regulations to Minnesota-registered trucks weighing under 12,000 pounds, and provides technical corrections to bring state transportation laws into compliance with federal laws.

## Veterans and Military Affairs Veterans Awareness Day observed

Members of the Veterans and Military Affairs Committee, chaired by Sen. Joe Bertram, Sr., (DFL-Paynesville), met Thurs., Feb. 16, with members of the House General Legislation, Veterans Affairs and Gaming Committee. The joint panel met to observe Veterans Awareness Day and to hear presentations by state commanders of various veterans organizations.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, February 20

**Education Committee**, Chair: James Pehler  
8:30 a.m. Room 15 Capitol

**Agenda:** Presentations on the Higher Education Coordinating Board's review and comment on M-Span recommendations, and the Higher Education Advisory Council.

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

8:30 a.m. Room 125 Capitol

**Agenda:** Budget overview on veterans nursing homes.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 182-Berg: Extends the Farmer/Lender Mediation Act. S.F. 87-Dahl: Linked deposit.

**Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 218-Berglin: Patient bill of rights; hospital notification of patient's family. S.F. 493-Berglin: Juvenile court child endangerment, hearsay testimony amendments. Bills reported out of Criminal Law, 2/17/89.

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

12:15 p.m. Room 107 Capitol

**Agenda:** Continuing discussion on staff report of interim meetings on airport issues. S.F. 54-Storm: Edina public transit system. S.F. 414-Frederickson, D.R.: Provides for a 7-member municipal hospital board and a 9-member economic development authority.

**\*Senate will be in Session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Presentation on school facilities plan for 3 school districts, and a review of the Luverne School District budget.

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

3 p.m. Room 123 Capitol

**Agenda:** Budget overviews of the attorney general's office and the Dept. of Military Affairs.

### Tuesday, February 21

**Education Division on Higher Education**, Chair: Gregory Dahl  
8 a.m. Room 123 Capitol

**Agenda:** S.F. 392-Pehler: Governance of the U of M system. S.F. 27-Dahl: U of M student regents.

**Employment Committee**, Chair: Florian Chmielewski  
8 a.m. Room 107 Capitol

**Agenda:** S.F. 466-Beckman: Workers' compensation; regulating self-insurance. S.F. 103-Chmielewski: Regulation and inspection of certain boilers. S.F. 164-Chmielewski: provides for certified questions to the Workers' Compensation Court of Appeals. S.F. 242-Chmielewski: changes the rate of gross premium tax imposed on certain mutual insurance companies. S.F. 243-Chmielewski: regulates access to certain insurance and medical data. S.F. 372-Chmielewski: provides for a wage protection program.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 126-Diessner: Provides for suspension of drivers license of person failing to appear in court following verbal promise to appear. S.F. 401-Lantry: Exempts state patrol troopers from requirement of security barrier in marked state patrol vehicles. S.F. 100-Frank: Provides for strength, width, clearance, and safety standards for bridges.

**Commerce Subcommittee on Insurance**, Chair: William Luther  
10 a.m. Room 112 Capitol

**Agenda:** S.F. 94-Marty: Regulates insurance information collection, use, disclosure, access and correction practices.

**Veterans and Military Affairs Committee**, Chair: Joe Bertram, Sr.

10 a.m. Room 107 Capitol

**Agenda:** S.F. 285-Beckman: Requires cost-of-living increases in certain veterans benefits. S.F. 429-Beckman: Increases the amount of educational assistance for war orphans and veterans; increases education assistance for POW/MIA dependents; provides cost-of-living increases. S.F. 246-Dicklich: Changes qualifications for veterans service officers. S.F. 44-Bertram: Provides for the transfer of "Ex-POW" license plates to surviving spouses. S.F. 435-Bertram: Emergency rulemaking procedures for Veterans Home Board.

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

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

1 p.m. Room 112 Capitol

**Agenda:** Continuing discussion on analysis of Game and Fish Fund, and a discussion of the advisory concerning consumption of fish from the Mississippi River.

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

1 p.m. Room 15 Capitol

**Agenda:** Presentation on the "Project on Early Intervention to Break the Cycle of the Disadvantaged." S.F. 235-Lantry: Zoning. S.F. 374-Berglin: Increases the Standards (COLA) Income for aged, blind and disabled. S.F. 342-Dahl: Regulates radon testing work.

**Joint House and Senate Education Subcommittee on**

**Libraries**, Chair: Donna Peterson

2 p.m. Room 10 SOB

**Agenda:** Report on Minnesota's Regional Library System. Overview of the governor's budget recommendations for public libraries.

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

3 p.m. Room 125 Capitol

**Agenda:** Continuing U of M budget overview.

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

3 p.m. Room 15 Capitol

**Agenda:** Report by the Dept. of Revenue on the circuit breaker, and a presentation on utilities.

## Wednesday, February 22

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** Child Care in Higher Education Task Force Report; presentation on the Minnesota Educational Computing Corporation.

**Agriculture and Rural Development Subcommittee on Rural Development**, Chair: David Frederickson

10 a.m. Room 112 Capitol

**Agenda:** S.F. 24-Dahl: Ban on irradiated foods.

**Finance Division on Agriculture, Transportation and Semi-states**, Chair: Keith Langseth

10 a.m. Room 123 Capitol

**Agenda:** Budget hearings on Commerce, Animal Health, Racing Commission, Accountancy Board, Board of Architecture, Engineering, Land Surveying, and Land Architecture.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott

10 a.m. Room 107 Capitol

**Agenda:** To be announced.

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

10 a.m. Room 15 Capitol

**Agenda:** To be announced.

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

1 p.m. Room, 112 Capitol

**Agenda:** S.F. 60-DeCramer: Recodifying, clarifying and relocating provisions relating to water law.

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

1 p.m. Room 15 Capitol

**Agenda:** Presentations on children's mental health issues.

Overview of the mental health service delivery system for children. Discussion of the Ohio Comprehensive Mental Health Delivery System for Children.

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

3 p.m. Room 123 Capitol

**Agenda:** Presentation on the Private College Council, and continuing U of M budget overview.

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

3 p.m. Room 125 Capitol

**Agenda:** Continuing budget overview on veterans nursing homes.

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

3 p.m. Room 107 Capitol

**Agenda:** Budget overviews on the state auditor, the Office of Administrative Hearings, the State Board of Investment, and continuation of the Dept. of Administration.

**Joint Agriculture and Rural Development and Environment**

**Ad Hoc Committee on Water**, Chair: Charles Davis

7:30 p.m. Room 112 Capitol

**Agenda:** Continuing testimony on S.F. 262-Morse: 1989 Groundwater Protection Act.

## Thursday, February 23

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

8 a.m. Room 125 Capitol

**Agenda:** Presentations on Rochester and Winona 2 + 2 Program, the State University System, and the Community College System.

**Employment Committee**, Chair: Florian Chmielewski

8 a.m. Room 107 Capitol

**Agenda:** S.F. 438-Lantry: Defines high pressure piping; regulates the practice of pipefitting. S.F. 312-Merriam: Provides for employee review of personnel records; regulates use of personnel records.

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

8 a.m. Room 15 Capitol

**Agenda:** S.F. 488-Berglin: Defines equitable compensation relationships. S.F. 317-Peterson, R.W.: Prohibits retroactive application of contracts.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 477-Kroening: Permits Regional Railroad Authorities to enter certain agreements. Update on light rail.

**Commerce Committee**, Chair: Sam Solon

10 a.m. Room 112 Capitol

**Agenda:** S.F. 247-Dicklich: Authorizes two additional on-sale liquor licenses in Hibbing. S.F. 203-Spear: On-sale liquor license for Minneapolis Convention Center. S.F. 361-Luther: No fault auto insurance; eligibility for economic loss benefits. S.F. 261-Solon: Regulates burglar alarm franchises. S.F. 200-Solon: Regulates continuing insurance education.

**Veterans and Military Affairs Committee**, Chair:

Joe Bertram, Sr.

10 a.m. Room 107 Capitol

**Agenda:** S.F. 340-Lessard: Clarifies the treatment of certain settlement payments for the purpose of certain assistance program and benefits. S.F. 513-Frederick: Changes the amount of state cash bonus payments to certain members of the Minnesota National Guard.

**Economic Development and Housing**, Chair: Don Frank  
12 noon Room 15 Capitol

**Agenda:** Confirmation of the Minnesota Housing Financial Agency Board appointment. Overview of 1987 Minneapolis and St. Paul URAP legislation.

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

12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 417-Metzen: Allows city appropriations for historical purposes.

**\*Senate will be in Session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Presentation on the governor's education budget: transportation and education organization and cooperation.

**Finance Division on State Departments**, Chair: Carl Kroening  
3 p.m. Room 123 Capitol

**Agenda:** Budget overviews of the governor's office, the lieutenant governor's office, and the Dept. of Employee Relations.

## Friday, February 24

**Education Division on Education Funding**, Chair: Randolph Peterson

8 a.m. Room 15 Capitol

**Agenda:** Presentation on the governor's education budget: federal programs.

**Finance Division on Agriculture, Transportation and Semi-states**, Chair: Keith Langseth

10 a.m. James J. Hill House

**Agenda:** Budget hearing for the Historical Society and tour of the James J. Hill House.

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

10 a.m. Room 125 Capitol

**Agenda:** Continuing U of M budget overview.

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

10 a.m. Room 112 Capitol

**Agenda:** S.F. 280-Berg: Allows counties to authorize predator

control. S.F. 271-Dahl: Contents of firearms safety course for young hunters. S.F. 476-Berg: Prohibits harassment of hunters and anglers. S.F. 496-Lessard: Allows possession of a handgun while hunting bear with bow and arrow.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott

10 a.m. Room 107 Capitol

**Agenda:** To be announced.

**Judiciary Committee**, Chair: Donna Peterson

10 a.m. Room 15 Capitol

**Agenda:** To be announced.

**Ad Hoc Committee on Information Management**, Chair:

Gregory Dahl

12 noon Room 125 Capitol

**Agenda:** Presentations on concerns and issues for legislative review regarding telecommunications, current technology expenditures, and recommendations for funding state information systems.

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

1 p.m. Front steps of the Capitol

**Agenda:** Tour of the Faribault Regional Treatment Facility.

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

## Facts about the Minnesota Legislature

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

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

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

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# Briefly

## The Minnesota Senate Week in Review

February 24, 1989

### "Living will" bill gains final passage

Senators granted concurrence and repassage to S.F. 28, the "living will" bill, at the Thurs., Feb. 23, Senate floor session. The bill, sponsored by Sen. Ember Reichgott (DFL-New Hope), authorizes adults to make advance declarations about the extent of health care they wish to receive in the event of incompetence. On a voice vote, the Senate concurred with the amendments attached by the House to S.F. 28. The bill gained final passage by a vote of 47-16 and will now go to the governor for signature.

Reichgott told members that she preferred the Senate version of the bill because she felt it was "technically cleaner" than the House version, but added that she did not want to send the bill to a conference committee if members felt more comfortable with the House version. She cited language added by the House to the section of the bill that specifies that no presumption is created as an example. The language specifies that patients who have not prepared a "living will" or designated a proxy would not have artificially administered nutrition or hydration withheld or withdrawn. Reichgott stated that this language already appears in several sections of S.F. 28, and including it under the section specifying that the bill created no presumption for care simply adds an element of confusion to the bill. Reichgott noted that the House amendments, while burdensome, were primarily technical and do not change the practical meaning of the bill's provisions.

Other amendments placed on the bill by the other body included specifying that the declarant must specify whether nutrition and hydration was to be administered; that declarations executed after Aug. 1, 1989, must be in substantially the same form as that contained in the bill; and that neither of the two witnesses required by the bill may have an interest in the declarant's estate.

In other action, the Senate granted final passage to the three bills that received preliminary approval during the Mon., Feb. 20, Senate floor session.

### Death determination bill advances

The Mon., Feb. 20, Senate floor session was highlighted by the debate and preliminary approval of three bills. One measure provides a statutory definition of death. A second measure provides technical revisions in human services policies. A third measure authorizing officials to negotiate a tribal-state compact regulating Indian reservation gambling activities also received Senate action.

S.F. 227, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), enacts the Uniform Determination of Death Act. Dahl explained that the bill is designed to establish a statutory basis for pronouncing death. Under the bill's provisions, an individual is dead if the individual sustains irreversible cessation of either circulatory and respiratory functions, or all functions of the entire brain, including the brain stem. Minnesota is one of the few states without a statutory definition of death, Dahl said.

S.F. 101, sponsored by Sen. Betty Adkins (DFL-St. Michael), clarifies the definition of community social services and requires the human services commissioner to coordinate application procedures for various social services grants. Both bills were recommended to pass by the Committee of the Whole.

S.F. 156, authorizing the governor, the speaker of the house, and the senate majority leader to negotiate a tribal-state compact

regulating gambling activities on Indian reservations, encountered resistance on the Senate floor. The bill is sponsored by Sen. Marilyn Lantry (DFL-St. Paul). Sen. Fritz Knaak (IR-White Bear Lake), argued that the governor should have the sole authority to negotiate treaties and compacts. Knaak offered an amendment specifying this change, and the amendment was adopted by a vote of 30-22. The bill was then granted preliminary approval.

Two bills amending state election and notaries public statutes gained final passage by unanimous vote. S.F. 204, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), provides for the removal of voter registration cards by county auditors for voters who have died outside of the county. S.F. 215, authored by Sen. Phyllis McQuaid (IR-St. Louis Park), increases the period of time for notary public reappointments. Both bills were on the Consent Calendar. Bills on the Consent Calendar may be considered for final passage because they are deemed noncontroversial by members of a standing committee.

### Committee amends lottery bill

Discussion of a bill to establish parameters for the Minnesota lottery and adoption of a resolution condemning the Iranian government highlighted the Wed., Feb. 22, meeting of the General Legislation and Public Gaming Committee. The committee is chaired by Sen. Marilyn Lantry (DFL-St. Paul).

S.F. 150, lottery enabling legislation sponsored by Sen. Bob Lessard (DFL-Int'l Falls), underwent numerous committee revisions. Panel members adopted several key amendments. One amendment deleted the bill's policy statement because panel members decided the statement was unnecessary. A second amendment strengthened provisions detailing the hiring practices and daily operation of the lottery commission staff. An amendment offered by Sen. Joe Bertram, Sr., (DFL-Paynesville) eliminates language prohibiting on-sale liquor establishments from selling lottery tickets. A final amendment permits the lottery commission to contract ticket sales with non-profit organizations. Discussion on the bill is scheduled to continue.

In other action, committee members adopted S.F. 686, a resolution sponsored by Sen. Fritz Knaak (IR-White Bear Lake), that memorializes the President and the U.S. Congress to condemn the Iranian government for its actions against author Salman Rushdie. The resolution also requests that the U.S. government block efforts to return frozen Iranian assets to Iran. The resolution is now headed to the full Senate where it will be placed on the Consent Calendar.

### Emergency deer feeding program okayed

The Finance Committee met Wed., Feb. 22, and granted approval to a bill authorizing \$500,000 for an emergency deer feeding program in the Northern part of the state. According to chief author, Sen. Gene Merriam (DFL-Coon Rapids), the deep snow cover and sub-zero temperatures in the Northern part of the state has led to a situation in which up to 35 percent of the deer population is in danger of starvation. The bill appropriates the \$500,000 from the Game and Fish Fund to purchase a special feed pellet mixture. The actual feeding of the deer will be done by volunteers under the direction of Dept. of Natural Resources staff.

# Committee Capsule

## Agriculture and Rural Development

### Committee approves farmer-lender bill

The Mon., Feb. 20, meeting of the Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), centered on approval of a bill to revise and extend the Farmer-Lender Mediation Act. The bill is now headed to the full Senate for review.

S.F. 182, sponsored by Sen. Charles Berg (DFL-Chokio), makes technical corrections to the Farmer-Lender Mediation Act and extends the program's expiration date from July 1, 1989, to July 1, 1991. The bill, which has undergone extensive debate by committee members, was approved on a roll-call vote of 9-4.

In other action, two witnesses expressed their support for S.F. 87, a bill that establishes a linked deposit program in Minnesota. A linked deposit program allows eligible agricultural business and small business owners to obtain operating loans from lending institutions at a reduced rate of interest. The interest rates in the program are reduced because state funds are used to "buy down" a portion of the interest. S.F. 87 is sponsored by Sen. Gregory Dahl (DFL-Ham Lake).

### Irradiated food bill defeated

The Wed., Feb. 22, meeting of the Rural Development Subcommittee, chaired by Sen. David Frederickson (DFL-Murdock), was devoted to the continued discussion of a bill prohibiting the sale of irradiated food in Minnesota. Subcommittee members adopted a motion delaying action on S.F. 24, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), until the next legislative session.

Food and Drug Administration (FDA) representative Don Aird testified that there is no scientific evidence to support a ban on irradiated food for health reasons. John Olson of the Minnesota Grocers' Association voiced agreement with Aird's comment. Minnesota Dept. of Agriculture Food Inspection Director Tom Masso said that no irradiated food is being produced or sold in the state. He added that the irradiation issue should be researched and resolved at the national level by the FDA and the U.S. Dept. of Agriculture—not at the state level. Dr. Peter Snyder, food scientist and technologist, said that irradiation is currently the safest process available for preserving and protecting food products.

### Groundwater legislation discussed

Testimony related to S.F. 262, known as the 1989 Groundwater Protection Act, was heard Weds., Feb. 23, by members of the Joint Agriculture and Rural Development and Environment and Natural Resources Ad Hoc Committee. S.F. 262, sponsored by Sen. Steven Morse (DFL-Dakota), provides for strengthening state and local programs to help protect the quality and abundance of Minnesota's water resources.

Ron Nargang, Dept. of Natural Resources (DNR), explained the DNR coordinated component of S.F. 262, which provides for activities to be conducted in cooperation with the Minnesota and U.S. Geological Surveys. The activities include regional assessment of ground water resources, county-based geologic and hydrogeologic atlas preparation, regional aquifer studies, the observation well program, and providing technical assistance to other governmental units. The DNR's major concern with the bill regards a provision to allow for the moving of the Minnesota Environmental Education Board (MEEB) to the Environmental Quality Board (EQB).

Also expressing concern with the EQB being the administrator of MEEB instead of the DNR was Jackie Lind, executive director of MEEB. MEEB plans, implements, coordinates, and promotes education on environmental topics throughout the state. While MEEB supports groundwater legislation, said Lind, the board is concerned that S.F. 262 would restrict MEEB to one issue and feels that the DNR is a more appropriate administrator of MEEB since it carries out similar functions.

Diane Jensen of the Clean Water Action Project and Sharon Clark, vice president of Minn. Corn Growers concluded the testimony. Jensen suggested that language be added to the bill to include a scheduled goal for reducing inputs. Clark supports the provision that the Dept. of Agriculture should set guidelines for pesticide and fertilization use.

The ad hoc committee will continue to hear testimony Wed., March 1.

## Commerce

### Committee approves four bills

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved four bills during its first committee meeting of the year, Thurs., Feb. 23. All four bills were forwarded to the full Senate.

S.F. 200, authored by Solon, regulates continuing education for insurance agents. The bill reduces the number of hours that an agent must take each year to maintain an insurance license from 20 to 15.

According to Dominick Sposeto, a representative of three insurance agents' organizations, the bill as approved changes the continuing education requirements for insurance agents to include the possibility of applying home study programs toward the requirements. Sposeto also said that the bill allows retired agents to retain their licenses without continuing education, providing they write no new policies. The bill also removes the section of the law that had previously dealt with that issue, Sposeto said.

The bill also requires that the continuing insurance education advisory task force recommend approval or disapproval of professional designation examinations to the commissioner.

As originally offered, the distinction in the bill regarding continuing education revolved around a "nationally recognized professional insurance designation"; however, an amendment, offered by Sen. Carl Kroening (DFL-Mpls.) and approved by the committee, changed the distinction from a "nationally recognized professional insurance designation" to a "professional designation used by agents."

Also approved, with a minor amendment, was S.F. 361, authored by Sen. William Luther (DFL-Brooklyn Park), relating to the Auto Assigned Claims Plan. The assigned claims plan was established to provide basic economic loss benefits to people injured in a motor vehicle accident, if they are not required to maintain their own insurance or, for certain other reasons, benefits are not available from another source.

Among other things, the bill permits a person to bring a negligence action for economic losses that are not paid by the assigned claims plan or are not paid by any source because of a lack of insurance coverage for economic losses.

Also approved were S.F. 203, with a technical amendment, authored by Sen. Allan Spear (DFL-Mpls.), authorizing an on-sale liquor license for the Minneapolis Convention Center, contingent on local approval; and S.F. 247, authored by Sen. Ronald Dicklich (DFL-Hibbing), which will permit Hibbing to issue two on-sale intoxicating liquor licenses in addition to the number currently authorized without submitting that issue to the voters of the city.

## Economic Development and Housing

### Overviews on URAP projects heard

An overview of the 1987 Urban Revitalization Action Program (URAP) law and reports on URAP projects in Minneapolis and St. Paul were heard at the Thurs., Feb. 24 meeting of the Economic Development and Housing Committee. Sen. Don Frank (DFL-Spring Lake Park) is chair of the committee.

St. Paul Mayor George Latimer and other St. Paul and Minneapolis officials gave detailed reports on URAP projects to revitalize housing and commercial property in distressed areas of the two cities.

## Education

### M SPAN study outlined

Senators heard an overview of the controversial Minnesota Postsecondary Access and Needs (M SPAN) study at the Fri., Feb. 17, committee meeting. The study was prepared by SRI International for the Higher Education Coordinating Board (HECB) at the request of the Legislature.

Tom Chmura, SRI International, presented the study, which is an examination of current conditions and changing needs for postsecondary education among residents in Minnesota's urban population corridor from St. Cloud to Rochester, including the Twin Cities. The study is phase one of the project; phase two will address the needs of residents in the rest of the state.

Although SRI was not asked to develop detailed recommendations, Chmura did review a strategy designed as a possible starting point for discussion in Minnesota, based on the M SPAN study.

Some points in the strategy include: implementation of the Commitment to Focus initiative at the University; conversion of Metropolitan State University into a more comprehensive, four-year, urban university; strengthening the state universities, especially their professional and master's level programs; and encouragement of the expansion of private college capacity.

Some important findings about Minnesota's higher education system in the study include: that Minnesota is unusually dependent upon the University for multiple roles, many of which are not well suited for a research university striving to be among the top five public research universities in the nation; that the Twin Cities area lacks an urban-oriented institution with strong expertise in and an explicit focus on urban issues, and it is weak in traditional public undergraduate education alternatives to the University; that there is a clear lack of advanced technical education resources in Rochester; and that, as a whole, the urban corridor appears best served at the lower division of undergraduate education by the community colleges and the technical institutes, but there are gaps in particular geographic areas.

The environment in which higher education operates is dramatically changing, he said, and Minnesota needs to reconsider its traditional criteria regarding higher education. The traditional criteria in Minnesota have been quality, access, affordability, efficiency and individual choice; according to the report, the state needs to begin to consider criteria like institutional diversity, responsiveness to rapidly changing needs, orientation to new kinds of students, active links with employers, and accountability for performance and responsiveness.

The committee, chaired by Sen. James Pehler (DFL-St. Cloud), will hear the recommendation of the HECB regarding the report at its next meeting.

## HECB review and proposals discussed

Education Committee members heard the Higher Education Coordinating Board's (HECB) proposals regarding the Minnesota Postsecondary Access and Needs (M SPAN) study Mon., Feb. 20. The proposals are based on the study and review of the study by the HECB and the Higher Education Advisory Committee (HEAC).

David Powers, executive director of the HECB, outlined the board's proposals for the committee, chaired by Sen. James Pehler (DFL-St. Cloud). The board's first recommendation, Powers said, is to reaffirm its request that the Legislature fund phase two of the project, which will address postsecondary needs in the rest of the state. Phase one addresses postsecondary needs in the urban corridor from St. Cloud to Rochester.

The board's proposals, Powers said, include several to meet the needs of changing student populations. Some activities which should begin in the next six months, he said, are an HECB study of needs of minority and immigrant people statewide; an HECB study of financial aid opportunities for changing student populations; and a review of barriers to postsecondary education for the rural poor.

Regarding meeting the Twin Cities' undergraduate needs, the board has recommended that the HECB and the HEAC develop an intersystem plan for the 1991 Legislature detailing short-range and long-term strategies to ensure adequate capacity. As part of this recommendation, Powers said, the board requests a proposal from Metropolitan State University as to how it would meet undergraduate needs.

Regarding meeting specialized science and technology education needs, the board supports strengthening the University of Minnesota's Institute of Technology; strengthening the Technical Institute System through, among other things, moving to governance under one statewide system; and strengthening the State University System's role in providing quality engineering programs in specific disciplines, perhaps through cooperative ventures with private institutions or the Institute of Technology.

Regarding developing practitioner (as opposed to research) oriented graduate programs, the board recommends that the HECB, in cooperation with the HEAC, develop a process whereby the State University System, along with the University of Minnesota and private colleges, can

develop specific plans by the fall of 1990 as to how they would meet practitioner graduate education needs.

## U of M bills approved

The Higher Education Division of the Education Committee approved S.F. 392, authored by Sen. James Pehler (DFL-St. Cloud), and S.F. 27, authored by division Chair Gregory Dahl (DFL-Ham Lake), Tues., Feb. 21. Both bills were referred to the Education Committee.

S.F. 392 alters the governance of the University of Minnesota. The bill establishes a University of Minnesota System made up of the campuses located at Crookston, Duluth, Minneapolis/St. Paul, Morris and Waseca. The Board of Regents would be responsible for management of the system, and would be required to appoint a chancellor to serve as the full-time chief executive officer of the system. The board would also appoint a president of each institution. Currently, the person who serves as president of the Twin Cities campus is also president of the system as a whole.

According to Pehler, the governance structure for the University established in the bill would be similar to the governance structures of the other postsecondary systems.

Discussion about the bill revolved around the question of its constitutionality. A memo from Senate counsel supported the view that the bill, primarily because of the University's autonomy, was unconstitutional. According to the memo, the Supreme Court has stated that the governance of the University is placed with the Board of Regents, not with the Legislature. Dahl said he believed that the bill would need to be an amendment to the Minnesota Constitution.

University representative Tom Nelson said that the University did not support the bill.

Also approved, with a technical amendment, was S.F. 27. The bill changes the qualifications of the student member of the Board of Regents to require that the member be a student enrolled in a degree program at the time of election to the board. Currently, the law specifies only that the member be a student or have graduated from the University within five years of election.

## Child care, MECC discussed

Patricia Gosz, chair of the Task Force on Child Care in Higher Education, presented a draft report at the Wed., Feb. 22, meeting of the Education Committee. The task force had representatives from the Community College System, the State University System, the University of Minnesota, the Technical Institute System, private colleges, the Dept. of Health, the Dept. of Human Services, and the Higher Education Coordinating Board, Gosz said.

Gosz outlined a number of recommendations from the task force in the areas of support for students and providers, operations of campus-based child care centers, allocation of postsecondary child care funds, and quality of child care services.

The task force recommended that information about child care services should be presented at student orientations at all postsecondary institutions; that students should receive child care subsidies at the beginning of each term so they may pay their provider on a per term basis; that additional nighttime hours and weekend and drop-in care should be provided at campus-based centers; and that a task force should be created to develop standards of care that integrate physical, cognitive, health, educational, social and developmental needs of children.

Following Gosz, the committee, chaired by Sen. James Pehler (DFL-St. Cloud), heard a presentation from the Minnesota Educational Computing Consortium (MECC). MECC provides instructional computing products for students grades K-12 in Minnesota and elsewhere.

MECC President and Chief Executive Officer Dale LaFrenz outlined the corporation's history. The Legislature established MECC as a consortium in 1973; in 1984, the Legislature changed MECC to a public corporation. LaFrenz explained that MECC currently functions exactly like a private corporation, except that it is wholly owned by the State of Minnesota and LaFrenz reports to a board appointed by the governor.

## Education Funding Review of governor's budget continues

Senators in the Education Funding Division of the Education Committee heard the completion of a presentation on the governor's budget

# Committee Capsule

proposals regarding community and family education and a presentation on his recommendations regarding education facilities and equipment Thurs., Feb. 16.

The Community Education Program is a component of the overall Community and Family Education Program. Nan Skelton, Dept. of Education, explained that part of the function of the Community Education Program is to encourage and administer local community education programs.

The governor's has recommended an appropriation of \$4.6 million in fiscal year (FY) 1990 and \$5.3 million in FY 1991. The recommendation includes an increase in the Community Education Formula from \$5.50 to \$5.75 per capita in FY 1990 and to \$5.95 in FY 1991, Skelton said.

For prekindergarten programs, which provide grant funds to school districts, groups of districts, Head Start agencies or non-profit organizations to establish appropriate programs for children ages three to kindergarten enrollment who have significant developmental delays and need additional learning opportunities, the governor has recommended \$996,000 for FY 1990 and \$1 million for FY 1991, according to Lois Engstrom, Dept. of Education. The appropriation is divided between statewide grants, targeted grants and staff.

Also reviewed were the governor's recommendations of \$610,000 for FY 1990 and \$670,000 for FY 1991 for adult handicapped programs; \$100,000 each year of the biennium for the General Education Development (G.E.D.) on TV program, which provides funds for the broadcast, publicity and coordination of the GED on TV series; \$75,000 for each year of the biennium for adult education basic skills evaluation; and \$70,000 for each year of the biennium for hearing impaired adults.

Dept. of Education representatives also presented information on the governor's budget recommendations for education facilities and equipment. Dick Pearson explained that major changes were enacted to the structure of the Capital Expenditure Revenue during the 1988 legislative session. The Capital Expenditure-Regular and the Capital Expenditure-Hazardous were replaced with three new components, Capital Expenditure-Facilities, Capital Expenditure-Equipment, and Capital Expenditure-Health and Safety, beginning in FY 1990. Mike Landers compared revenue, levy and aid for the various Capitol Expenditure programs from FY 1988 through FY 1991.

## Proposal to combine districts reviewed

Ernest Janisch, superintendent of the school districts of Glenwood, Starbuck and Villard, outlined a proposal to build one educational facility to serve students in grades 7-12 from all three districts at the Mon., Feb. 20, meeting of the Education Funding Division of the Education Committee. Division Chair Randolph Peterson (DFL-Wyoming), commended representatives of the three districts for what he termed their "bold" move.

Janisch said that problems led the districts in 1987 to request that the Management Assistant Center of the Dept. of Education do a study of possible organizational alternatives for the districts. The number one alternative outlined by the study group, Janisch said, was to merge the Glenwood, Starbuck and Villard School districts into one unified Pope County School District and build a comprehensive secondary school serving all three communities. Elementary schools would be maintained in each community.

The new district would have one board of education comprised of seven members elected from three precincts which would geographically represent the present three school districts.

The districts need help from the Legislature in financing the new building, Janisch said. A position statement from the three districts supports pursuing financing for construction costs through either a Minnesota Maximum Effort Loan or a Minnesota Secondary Facilities Grant. Janisch also mentioned the governor's proposed 100 percent equalized aid and levy revenue program as a possibility.

In addition, Senators heard a presentation from representatives of the Luverne School District. Norman Miller, superintendent of the district, said that unless something changes, the district will have some serious financial problems by 1991-92.

Possible solutions to the impending financial difficulties outlined by Miller all revolved around the \$600 fund balance cap. Currently, districts are penalized if their unappropriated fund balances exceed a \$600 per pupil unit cap. Miller suggested exempting Community Education, Trans-

portation and Food Service Funds from the cap; increasing the cap to \$700; tying the cap to a percent of the Foundation Aid Formula; or allowing districts who have a fund balance cap to receive their additional funds by challenging them with achievement goals that are greater than the statewide average in a particular subject area.

## Employment Workers' comp technical bills advance

Members of the Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), approved several technical bills relating to workers' compensation Tues., Feb. 21. S.F. 164 provides for certified questions to the Workers' Compensation Court of Appeals. Under the bill, the chief administrative law judge may certify a question of workers' compensation law to the Workers' Compensation Court of Appeals as important and doubtful under four criteria. The measure sets forth the criteria to be used: that all parties have stipulated to the facts; that the sole issue to be resolved is a question of workers' compensation law that has not been resolved by the Workers' Compensation Court of Appeals or the Supreme Court; that all parties request that the matter be resolved by certification to the Workers' Compensation Court of Appeals as an important and doubtful question; and that it is determined that the resolution of the certified question would resolve a number of pending cases and would reduce further workers' compensation litigation.

The second measure, S.F. 243 allows insurers and self-insurers to disclose information among themselves about charges for medical treatment and other services without prior approval of the parties involved. In addition, the bill clarifies that medical data related to a current claim for compensation may be disclosed to insurance adjusters or other agents of the insurer-employer over the telephone.

The third measure, S.F. 242, changes the rate of gross premium tax imposed on mutual insurance companies principally, but not exclusively, writing primary workers' compensation tax. S.F. 242 was re-referred to the Taxes and Tax Laws Committee.

The final bill to gain the committee's approval, S.F. 103, specifies that boilers with a capacity of 200,000 pounds per hour or more with an internal continuous water treatment program are to be inspected every two years rather than on an annual basis. All four bills are sponsored by Chmielewski, and except for S.F. 242 were sent to the Senate floor.

In other action, the panel completed a review of S.F. 466. The measure, authored by Sen. Tracy Beckman (DFL-Bricelyn), makes numerous changes in the laws regulating self-insurance. At the request of the author, the committee delayed action on the bill in order to allow more time for discussion on two provisions.

The committee also began discussion on a measure to establish a wage protection program for employees who cannot collect wages from an employer because the employer no longer has assets. S.F. 372, sponsored by Chmielewski, sets up a fund in the Dept. of Labor and Industry and provides that payments from the fund would be limited to a maximum of four weeks wages or \$2,000, whichever is less. The bill also appropriates \$200,000 to the department for the fund. Discussion on the bill is scheduled to continue.

## High pressure piping bill approved by committee

The Senate Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met on Wed., Feb. 23, to consider two bills. The committee approved S.F. 438, a measure that requires pipes used to carry ammonia to be subjected to the standards of high pressure piping as regulated by the Dept. of Labor and Industry. Jim Berg of the Dept. of Labor and Industry clarified that this measure, authored by Sen. Marilyn Lantry (DFL-St. Paul), does not affect the agricultural use of ammonia. The measure was sent to the Senate floor.

The committee also began consideration of S.F. 312, a measure that expands the right to review employment records to private sector employees. The bill, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), is similar to a provision in the Data Practices Act that provides state employees access to their personnel records. John Polley, representing the Minnesota Chamber of Commerce, testified against the bill citing difficul-

ties that employers would have in making such records available. The committee will further consider the bill on Mar. 2.

## **Environment and Natural Resources**

### **Game and Fish Fund discussed**

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Tues., Feb. 21, to continue discussion of an analysis of the Game and Fish Fund and to discuss the advisory on fish consumption from the Mississippi River.

Bill Clausen, consultant for the Dept. of Administration, completed his presentation of the analysis of the Game and Fish Fund by reviewing recommendations regarding expenditures and by listing alternate sources of revenue. The analysis of expenditures recommended possible cost savings by designating a new source of revenue for the Leech Lake payments, transferring in-lieu-of-tax payments from the Game and Fish Fund to the General Fund, and assessing the fund's enforcement costs to match the number of hours spent on fish and wildlife enforcement. Alternate sources of revenue include a general increase in license fees and indexing of license fee increases, said Clausen.

The committee began a discussion of advisories issued by Minnesota and Wisconsin concerning the consumption of fish from the Mississippi River. Michael Finn, assistant commissioner, Dept. of Health, explained that Minnesota's fishing regulations list fish with detectable levels of PCB's. While there has been a drop in PCB levels overall, recent scientific evidence indicates that smaller doses of PCB's are more toxic than previously thought and are a more complex compound than previously understood, said Finn. Minnesota does not have a standard regarding unsafe levels of PCB's and recommends restricting the intake of fish to once a month while Wisconsin issues an advisory based on the commercial fishing cutoff limit of two parts per million, said Dave Gray of the Dept. of Health. The committee plans to continue discussion of why Minnesota and Wisconsin arrive at different conclusions regarding unsafe fish consumption levels.

### **Water recodification bill approved**

A bill recodifying state water statutes was approved by the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls), Weds., Feb. 23. The bill was re-referred to the Agriculture and Rural Development Committee.

S.F. 60 is the result of a three year project to recodify the state's water law into understandable and readable chapters, explained Sen. Gary DeCramer (DFL-Ghent), sponsor of the bill. He emphasized that the intent of the bill is not to make any substantive changes. The proposed recodification will clarify language and reorganize provisions relating to water planning, water project implementation, water resource protection through land use regulation and management, water project districts, and regulation of the use of and activities affecting waters of the state, said DeCramer.

## **Finance**

### **Boards present budget requests**

The Fri., Feb. 17, meeting of the Finance Division on Agriculture, Transportation, and Semi-states was devoted to hearing budget overviews by four semi-state organizations. The division is chaired by Sen. Keith Langseth (DFL-Glyndon).

Board of Barbers' Chair Ken Kirkpatrick provided panel members with a brief overview of his organization's purpose, responsibilities, and funding requirements. He noted that the governor's recommendation to cut \$40,000 from the board's 1990-91 biennial budget has been accepted by the board's members.

Minnesota Horticultural Society (MSHS) Executive Director Dorothy Johnson informed division members that the society is submitting two budget request changes for the 1990-91 biennium. The first change involves an additional \$75,000 appropriation to help meet fundraising campaign support costs and to furnish office equipment. The second change includes a \$42,000 request to fund an educational services coordinator position within the society. Johnson added that the MSHS is also requesting authority to reallocate funds remaining in the Garden State Project to

the Minnesota Green Project—a program to promote land stewardship in lower income areas of Minnesota.

A one-time request for \$20,000 to help the Transportation Regulation Board (TRB) computerize its operation, and an on-going annual appropriation of \$19,000 to hire a part-time staff attorney highlighted the presentation made by TRB Chair Roger Laufenburger. Jim Birkholz, Minnesota Board of Water and Soil Resources (MBWSR) executive director, provided panel members with a detailed analysis of the MBWSR's budget request. He explained that the governor is recommending \$4.159 million in additional funding for the MBWSR to support groundwater protection activities. Birkholz added that the governor is also recommending the transfer of the Re-Invest in Minnesota (RIM) Reserve program from the Dept. of Agriculture to the MBWSR.

### **Veterans nursing homes budget presented**

Members of the Finance Division on Health and Human Services began a discussion of the veterans nursing homes budget presented by the Veterans Home Board Mon., Feb. 20. The division, chaired by Sen. Don Samuelson (DFL-Brainerd) will continue hearing the review of the board's budget requests on Wed., Feb. 22.

General James G. Sieben, chair of the Veterans Home Board, provided background information on the board's role and budget requests. The board, which was created during the 1988 legislative session, manages veterans homes in Minneapolis, Hastings, and will manage the Silver Bay home when it is completed. Sieben further explained that the budget requests are for the management of the board as well as for veterans homes.

Jeff Smith, administrator of the Minneapolis home, began the detailed budget presentation by explaining the board's goals for the operation of the homes and by focusing on the board's budget requests for that facility. In order to provide high quality health care services to veterans the board seeks to provide quality patient care, maintenance and protection of the physical plant, and efficient management support systems, said Smith. As part of the board's plan to carry out these goals, a major portion of the budget request for the Minneapolis facility is for a total of 92 positions. Among the requested positions that Smith covered are direct care nurses, physical and occupational therapists, a behavior therapist, a pharmacist, a plant maintenance engineer, and an internal auditor.

### **Budget overviews heard**

Budget overviews of the attorney general's office and the Dept. of Military Affairs were heard by members of the Finance Division on State Departments Mon., Feb. 20.

Before outlining budget requests, Attorney General Hubert H. Humphrey III, explained the purpose of the attorney general's office. The office represents the legal interests of the state and enforces state laws, acts as legal advisor to state agencies, assists county attorneys, and litigates constitutional challenges, said Humphrey. Humphrey noted that during the biennium the amount of overtime put in by staff attorneys was equivalent to 11 additional attorneys. The attorney general's office has sought federal funding and community support to compensate for the backlog of work, said Humphrey, before coming to the Legislature for budget requests.

Tom Ryan, of the Dept. of Military Affairs, highlighted budget requests for the department. The department operates and maintains military reservations, installations, armories, air bases and facilities owned or controlled by the state for military purposes, explained Ryan. Budget change requests are for window, roof, boiler, and furniture replacement, and to continue the new cash bonus and tuition assistance programs.

### **Higher ed continues U hearings**

The Higher Education Division of the Finance Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), continued hearings on the University of Minnesota's budget Tues., Feb. 21.

University Institute of Technology Dean Ettore Infante began by outlining the University's request regarding the Rochester Graduate Program. The object of the request is to expand graduate degree programs in electrical engineering and computer science in the Rochester area. The program uses faculty and resources of the Institute of Technology.

Infante said that the University is requesting an increase of \$744,000 for fiscal year (FY.) 1990, \$498,000 of which would be a direct state ap-

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appropriation and \$246,000 of which is targeted to come from tuition. For FY. 1991, the University is requesting an increase of \$1 million, \$699,000 of which would be a direct state appropriation and \$344,000 of which is targeted to come from tuition. The governor's recommendation concurs with this request.

In addition, Dr. Rick Heydinger, University of Minnesota, outlined the governor's recommendation for a non-recurring appropriation of \$400,000 in FY. 1991 for an endowed chair in Hispanic Studies and the governor's recommendation for a non-recurring appropriation of \$1 million in FY. 1991 for an endowed chair in Canadian studies at the University of Minnesota-Duluth. Neither recommendation was included in the University's budget request. The University is requesting a one-time \$250,000 allocation for the Roy Wilkins Chair and Center for Human Relations and Social Justice; and the governor concurs with that request.

Regarding telecommunications, Heydinger outlined three components to the University's request: a satellite component, the State Telecommunications Access Routing System (STARS), and program accommodation.

In addition, Heydinger touched upon the system's request for child care funds. The governor included funding for child care at the University and other post-secondary institutions in the state grant and scholarship program administered by the Higher Education Coordinating Board.

## Commerce budget heard

On Wed., Feb. 22, members of the Finance Division on Agriculture, Transportation and Semi-states, chaired by Sen. Keith Langseth, (DFL-Glyndon) heard budget requests for several semi-state agencies.

Dept. of Commerce Commissioner Mike Hatch presented the department's biennial budget of \$32.55 million, which contains two change requests. The first recommendation would reduce the Financial Examinations Division allocation by \$314,000 for the biennium due to the computerization of examination records. The second request, \$110,000 for the biennium, would permit the department to participate in nationwide recovery network to locate unclaimed property. The remainder of the department's budget requests funds to operate at the base level.

In his presentation of the budget of the Board of Animal Health, Executive Secretary Tom Hagerty requested \$5.514 million for 1990-91, an increase of more than \$1.9 million over the previous biennium. Of these additional funds, \$1.544 million would be used to implement a pseudorabies control program; \$98,000 would expand salmonella and avian influenza testing; \$208,000 would be used to create 3 new positions to monitor and enforce new rules regarding pseudorabies and dog and cat dealers; and \$68,000 would be used to acquire personal computers to automate the agency. The board's request is \$1.6 million over the governor's biennium recommendation.

Three agencies presented budgets which requested funding at the previous biennial level. The Board of Accountancy requested \$716,000 to continue its examining, licensing and enforcement programs at the base level. The Board of Boxing recommended funding of \$59,000 for the biennium, at the base level. The Racing Commission budget was also presented as a base level request of \$3.689 million. The Racing Commission originally requested an additional \$400,000 for the regulation of a new racetrack in Little Falls. However, the license for that track, Minnesota Downs, has since been surrendered.

## Panel hears vets home siting report

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), devoted the Wed., Feb. 22, meeting to discussion of the veterans homes budget request. In addition, the panel heard a presentation on the Dept. of Administration study of potential sites for new state veterans homes. Terry Bock, of the department's Management Analysis Division, presented the details of the report generated by the study. The recommended sites in Southwestern Minnesota are in Luverne, Worthington, St. Peter and Willmar. A site in Fergus Falls is recommended for Northwest and North Central Minnesota.

## Private colleges outline contribution to state

Sister Colman O'Connell, president of the College of St. Benedict and a member of the Minnesota Private College Council, spoke about private colleges in Minnesota at the Wed., Feb. 22, meeting of the Higher Educa-

tion Division of the Education Committee. The council represents 17 private liberal arts colleges in Minnesota.

Dr. David Laird, Jr., president of the council, outlined the financial situation of the private colleges. While state and institutional financial support of private colleges has increased in recent years, it has not filled the gap left by decreases in support from federal and other sources, he said. Laird also indicated that private education is asking for the Legislature's help in purchasing scientific and instructional equipment.

Following the presentation from the council, representatives of the University of Minnesota continued their explanation of their budget request. Dr. Rick Heydinger presented most of the University's request to the division, chaired by Sen. Gene Waldorf (DFL-St. Paul).

University request items included a \$9.2 million increase for libraries, both for acquisitions and for services. One-third of that request is targeted to come from tuition; the remainder would be a state appropriation. The governor's recommendations do not include this request.

## Agencies give budget overviews

The Finance Division of State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met to hear budget overviews Wed., Feb. 22.

State Auditor Arne Carlson presented the state auditor's office budget. The office requests that a structural change be made to move one position from the revolving fund to the general fund, said Carlson. One budget request is being made for \$39,000 to fund single audit. Carlson explained that single audit is a requirement of the federal government.

The Office of Administrative Hearings budget was presented by Bill Brown, Chief Administrative Law Judge. Brown explained that a major goal of the office has been to reduce the amount of time between the filing and the hearing of workers' compensation claims and that the reduction of time can continue without a budget increase. The office is requesting an increase of six positions but no funding to accomplish the extension of the administrative process for Child Support Enforcement.

Executive Director Howard Bicker briefly explained the role of the State Board of Investment. The board develops and implements policies and strategies for the state's retirement funds, trust funds and cash accounts. Bicker said the board is requesting their base level of funding though several new initiatives will be implemented during the upcoming biennium.

## Governmental Operations Committee reviews two bills

Two bills were brought before the Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), Thurs., Feb. 23. Both bills were laid over for further discussion.

S.F. 488, sponsored by Sen. Linda Berglin (DFL-Mpls.), defines equitable compensation relationships. The bill is the result of a number of questions raised as to how to interpret the 1982 Pay Equity Act, said Berglin. Besides defining equitable compensation relationships, the bill defines the purpose of the pay equity law, and provides that an implementation report must be submitted by Jan. 31, 1992, and that the commissioner of employee relations has the authority to review and determine whether reports submitted have failed to implement equitable compensation plans.

Testimony in favor of S.F. 488 was given by Aviva Breen, executive director, Legislative Commission on Economic Status of Women. Breen noted that in 1984 legislation was passed to require local units of government to submit reports on how they would implement a equitable compensation plan and how long implementation of the plan would take. The law did not require that the plan had to be reviewed to determine whether the report would bring the local unit of government in compliance with the Pay Equity Act nor did it provide for how penalties would be assessed if it were not in compliance, said Breen. S.F. 488 will more clearly define the law and its intent.

Commissioner Nina Rothchild, Dept. of Employee Relations, said that while most local units of government have acted in good faith to implement plans the Pay Equity Act allows for a broad interpretation of what is equitable pay. Under current law, the range of equitable pay between female-dominated classes and male-dominated classes could differ by as much as 20 percent, explained Rothchild.

Speaking briefly in opposition to the bill was Peter Bergstrom, general counsel, Assoc. of Minn. Counties. He feels the bill is unnecessary and asked the committee to "let local units of government try to accomplish what the law requires." He also explained that the comparable worth plan is antithetical to the collective bargaining process.

In other action, the committee also heard S.F. 317, sponsored by Sen. Randolph Peterson (DFL-Wyoming). The bill prohibits retroactive application of contracts.

## **Health and Human Services Aged, blind and disabled COLA increased**

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), took action Tues., Feb. 21, to raise the medical assistance income standard for aged, blind, and disabled persons. The bill, S.F. 374, authored by Berglin, was re-referred to the Committee on Finance. Under the measure, to be eligible for medical assistance a person must not have, or anticipate receiving, semiannual income in excess of 120 percent of the income standards by family size used in the Aid to Families with Dependent Children Program (AFDC). Current law limits income to 115 percent of the AFDC standards. Berglin indicated that the bill would require an appropriation of \$1.6 million for the biennium.

In other action, the panel heard Lisbeth Schorr, author and Harvard Medical School lecturer, detail an activist role for government in breaking the poverty cycle. Schorr advocates an early intervention and comprehensive approach in providing services to the disadvantaged. Schorr, along with her husband, Daniel Schorr, wrote "Within Our Reach: Breaking the Cycle of the Disadvantaged." The book further details government's role in breaking the poverty cycle and focuses on successful programs.

Finally, the committee continued hearing testimony on a bill providing for the dispersal of overconcentrated state licensed residential facilities. S.F. 235, authored by Sen. Marilyn Lanry (DFL-St. Paul), sets forth a procedure for siting residential facilities in order to avoid overconcentration and requires counties to plan for the dispersal and downsizing of facilities in areas that already have an overconcentration of residential facilities. Discussion and testimony on the measure are scheduled to continue.

## **Childrens mental health programs outlined**

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), devoted the entire Wed., Feb. 22, meeting to a discussion of children's mental health issues. Susan Yelton, of the Florida Mental Health Institute, and Patrick Canary, Chief of Bureau of Children's Services, Ohio Dept. of Mental Health, provided an overview of mental health delivery systems for children in other states. In addition, Canary went into detail on the state of Ohio's experience in devising a comprehensive mental health delivery system for children.

Both speakers emphasized the importance of coordinating the full range of children's services, including mental health services. According to the speakers, every state has different needs and, on the whole, most states provide the necessary services. However the key, they said, is to coordinate the services. Coordination provides benefits not only to the individual child being served, but also benefits the state in terms of long range cost efficiency. In addition, they noted that mental health systems for children must be child-centered, that is, based upon the individual needs of children. Finally, the overview of other states' experiences suggests that the more successful systems incorporated a community-based delivery system.

## **Judiciary Victims' rights bill advances**

The Judiciary Criminal Law Division, chaired by Sen. Donna Peterson (DFL-Mpls.), met Fri., Feb. 17, and advanced two measures to the full committee. In addition, the panel began discussion of a bill, S.F. 223, authored by Sen. Gene Merriam (DFL-Coon Rapids), that would create an affirmative defense to the charge of being in physical control of a vehicle while under the influence of alcohol.

The first bill to gain committee endorsement, S.F. 315, creates a special

statute of limitations provision for victims of criminal sexual conduct. Under the bill, sponsored by Peterson, a civil suit for damages based on personal injury caused by sexual abuse must be commenced within two years of the time the complainant knew or had reason to know that the injury was caused by sexual abuse. According to Peterson, the bill addresses the situation in which a young person is victimized yet, because the injury is repressed or not immediately manifest, the extent of injury is not recognized until much later. Current law provides that the statute of limitations is two years from the time of injury. Because of the nature of sexual abuse, the extent of injury may not be known for a period of years, said Peterson. The bill also provides that the victim is not required to establish which act in a series of abuse acts caused the injury. In addition the bill specifies that the fact that a parent or guardian knew of the injury does not mean that the minor victim also knew. Finally, the bill requires oral notice to a victim of criminal sexual conduct when a suspect is released from pretrial detention. The notice parallels notice provisions in the battered spouse laws.

Division members also approved H.F. 95. The measure, also sponsored by Peterson, provides that the maximum amount of reimbursement for funeral expenses of a crime victim may be set by the Crime Victim Reparations Board on the first day of each fiscal year. Current law sets the maximum at \$2,250. In addition, the bill allows the Crime Victims Board to deny reparations when the board deems there was contributory misconduct on the part of the claimant. Finally, the bill provides that a Minnesota resident who is a victim of a crime outside Minnesota has the same crime victims rights as if the crime had occurred in Minnesota.

## **Trust and estate regulation bill covered**

The Fri., Feb. 17, meeting of the Judiciary Civil Law Division centered on a bill dealing with trust and estate regulation.

Gene Olson, an attorney representing the Probate and Trust Law Section of the Minnesota Bar Association, gave a brief explanation of S.F. 289, sponsored by Sen. Randolph Peterson (DFL-Wyoming). The vast majority of Minnesota's trust law has developed over the past 100 years, said Olson, and as a result is cumbersome and complex. The primary goal of S.F. 289 is to consolidate and organize the trust law into a reasonable format, to codify and expand, and to delete outmoded and duplicative language, explained Olson.

The provisions of the bill were presented by Olson, Jerry Dygert, an attorney, and Prof. Thomas Waterbury, U of M Law School. All are representatives of the Probate and Trust Law Section. Olson explained that the bill consolidates three different types of court proceedings into one set of procedures. Dygert outlined changes in charitable trusts, noting that major changes include a new definition of charitable trusts and new jurisdictional limits of the attorney general's office. Waterbury completed the review and described a portion of the bill that would allow for the repeal of the Uniform Statutory Rule Against Perpetuities.

The rest of the meeting was devoted to discussion of the Uniform Statutory Rule Against Perpetuities and a proposed amendment to repeal abolishing the rule. Dean Robert Stein, U of M Law School, while supportive of the bill is concerned about the provision abolishing the Uniform Statutory Rule. He explained that when a trust is created under the rule, either the trust must end 21 years after the death of the beneficiary or it terminates 90 years after its creation. The rule prevents an individual from tying up his or her wealth forever, said Stein.

The division, chaired by Ember Reichgott (DFL-New Hope), will continue discussion of S.F. 289 and the proposed amendment.

## **Victims' bill gains**

Two bills that were approved by the Criminal Law Division Fri., Feb. 17, were given approval by the full Judiciary Committee at the Mon., Feb. 20, hearing and advanced to the Senate floor. S.F. 315, authored by Sen. Donna Peterson (DFL-Mpls.), sets forth a special statute of limitations provision for civil suits brought by victims of criminal sexual abuse. Under the bill, the statute of limitations runs for two years from the time the victim knows or has reason to know that an injury was caused by sexual abuse. Panel members adopted an amendment, offered by Sen. LeRoy Stumpf (DFL-Plummer), requiring a prosecuting attorney to inform a victim of the contents of a plea agreement recommendation including the amount of time recommended for the defendant to serve in jail. Fi-

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nally, committee members spent some time discussing a portion of the bill that exempts the law concerning sexual exploitation by a psychotherapist from the statute of limitations provisions. Several committee members argued successfully that that section of the law provides a five year statute of limitations and that including the exemption in the bill would shorten the time frame of the statute of limitations being proposed. The exemption was deleted from the bill.

H.F. 95, also sponsored by Peterson, clarifies the proportion of the mandatory fine for assault and criminal sexual conduct cases that goes to local victims' programs; authorizes the Crime Victims Reparations Board to approve the maximum amount of reimbursement for funeral expenses of a crime victim; allows the board to deny compensation if the board deems there was contributory misconduct on the part of the claimant; and allows a Minnesota resident who is a victim of a crime outside Minnesota to collect compensation under Minnesota's crime victim law.

The committee, chaired by Sen. Allan Spear (DFL-Mpls.), also approved two additional bills and forwarded them to the full Senate. S.F. 218, sponsored by Sen. Linda Berglin (DFL-Mpls.), requires health facilities to make reasonable efforts to notify family members if a patient enters the facility unconscious, comatose or physically unable to communicate. Originally, the bill had included language providing for the recovery of damages but the language was deleted from the bill under an author's amendment.

S.F. 493, also authored by Berglin, expands the definition of "child in need of protection or services" to include a child who has resided with a victim of domestic child abuse or resides with or has resided with a perpetrator of domestic child abuse and whose health or welfare is endangered. The bill also expands the authority of the court to order temporary removal of a child due to immediate endangerment by specifying that the court shall consider whether the child would reside with a perpetrator of domestic child abuse if the child was to be released to the custody of a parent, guardian, custodian, or other person. Finally, the bill expands provisions of the law dealing with the "child hearsay exceptions" to include statements about the abuse or neglect of another child witnessed by the child making the statement in certain court proceedings.

## DWI affirmative defense bill gains

The Judiciary Division on Criminal Law devoted most of the Wed., Feb. 22, hearing to consideration of a bill that creates an affirmative defense to the charge of being in physical control of a vehicle while under the influence of alcohol. S.F. 223, authored by Sen. Gene Merriam (DFL-Coon Rapids), specifies that it is an affirmative defense if the defendant can prove that the defendant did not drive the vehicle to the location where the defendant was arrested, or did not drive to that location while under the influence of alcohol and did not intend to drive the vehicle while under the influence of alcohol. An affirmative defense places the burden of proof on the defendant, rather than the prosecution.

Discussion on the bill centered on whether the bill would provide a "loophole" in the law and make it more difficult to prosecute repeat offenders or whether the bill would correct an inequity in the system by allowing prosecution of persons who were in a car but had no intention of driving. Division members adopted an amendment to require a higher standard of evidence by specifying that the defendant had to prove by clear and convincing evidence both conditions in order to establish an affirmative defense. The bill was approved and advanced to the full committee.

Division members, chaired by Sen. Donna Peterson (DFL-Mpls.), also began consideration of a bill making a number of changes in the sentencing laws. S.F. 314, authored by Peterson, increases the term of mandatory imprisonment for a life sentence from 17 to 25 years; increases the penalties for first, second, third and fourth degree assault; and provides increased penalties for repeat offenders. Discussion on the measure will continue.

## Corporate takeover measures debated

Three measures dealing with corporate takeover modifications were presented to the Judiciary Division on Civil Law, chaired by Sen. Ember

Reichgott (DFL-New Hope), Wed., Feb. 22. No action was taken on the measures.

S.F. 517 is a companion bill to a measure authored by Rep. Wayne Simoneau (DFL-Fridley). The bill amends the control share acquisition and the business combination statute to make them permanently "opt out," explained Reichgott who is author of the bill.

Both S.F. 221, also authored by Reichgott, and S.F. 190, sponsored by Sen. William Luther (DFL-Brooklyn Park), amend corporate statutes dealing with corporate takeovers. The measures have similar provisions including the clarification of the definition of "beneficial owner" and the reduction of restrictions on business combinations with interested shareholders from five to three years.

Richard Fitzgerald, an attorney, explained that S.F. 190 includes additional language which provides that if an interested shareholder acquires at least 90 percent of the voting shares of the corporation the business combination restrictions would not apply.

## Local and Urban Government Airport report approved

Approval of three bills revising municipal government statutes and a report concerning airport noise and capacity issues highlighted the Mon., Feb. 20, meeting of the Local and Urban Government Committee. Sen. Robert Schmitz (DFL-Jordan), serves as chair of the committee.

Schmitz reminded panel members that the airport report is a compilation of key testimony presented to the committee during 12 interim hearings conducted from May, 1988, to February, 1989. Sen. Earl Renneke (IR-LeSueur), offered an amendment designed to strengthen the wording and increase the specificity of findings contained in the report's executive summary. Schmitz emphasized that the report's original intent was to provide information—not to support a specific legislative agenda. Renneke's amendment was defeated and the report, as originally drafted, received final committee approval.

S.F. 54, sponsored by Sen. Donald Storm (IR-Edina), permits the city of Edina to operate a public transit system, to establish special service districts, and to exempt the city and the housing and redevelopment authority from competitive bidding and bonding requirements for specified redevelopment projects, received committee approval. The bill now goes to the Economic Development and Housing Committee for review.

S.F. 414, a bill allowing the city of St. Peter to expand its hospital board to seven members and to provide for a nine-member economic development authority, was approved by panel members. The bill, sponsored by Sen. Dennis Frederickson (IR-New Ulm), is headed to the full Senate.

A bill permitting municipalities to sell notes, mortgages, leases, or other obligations in an attempt to secure economic development, job creation, redevelopment, or community revitalization loans, was approved by committee members. The bill, S.F. 65, authored by Sen. Gregory Dahl (DFL-Ham Lake), now goes to the Taxes and Tax Laws Committee.

## Taxes and Tax Laws Division reviews departmental study

The Tues., Feb. 21, meeting of the Taxes and Tax Laws Division on Property Taxes and Local Government Aids, chaired by Sen. Steven Novak (DFL-New Brighton), was devoted to the examination of property and utility tax issues.

Minnesota Dept. of Revenue Assistant Commissioner John Tomlinson detailed the results and recommendations contained in the department's Property Tax Refund Compliance Study. The study, requested by the 1987 Legislature, found that the largest number of errors made by renters completing the Certificate of Rent (CRP) form involved the listing of ineligible dependents and the understating of income. Tomlinson added that homeowner errors included the non-reporting of income made by adult children living in the home and the incomplete reporting of income derived from Individual Retirement Accounts and pensions.

Tomlinson told division members that the study includes three recommendations that, if implemented, would save the state three to four million dollars annually. The recommendations are to base current property

tax refund rates on the assumption that property taxes constitute 20 percent of rent paid, revise the M1-PR claim form to include the names and social security numbers of all adults living in the housing unit, and abolish the policy of sending a duplicate CRP form to the Dept. of Revenue.

The division then turned its attention to examining utility property tax issues. Bob Dolan, Northern States Power, testified that utilities in the state should be taxed similarly to commercial and industrial properties.

### **Tax options outlined**

The Wed., Feb. 22, meeting of the Taxes and Tax Laws Division on Income Tax, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), centered on discussion of the corporate Alternative Minimum Tax.

Dept. of Revenue representative John Tomlinson provided panel members with a brief overview detailing five corporate Alternative Minimum Tax options. He explained that regardless of what option is finally chosen by the Legislature, a minimum of \$56 million in revenues will need to be raised for tax year 1990. Tomlinson said that the revenue department is currently examining 1987 Minnesota corporate tax returns to project the amount of revenue each option would raise for tax years 1990 and 1991. He added that the revenue department will present division members with the results of its study by mid-March. Pogemiller informed division members that discussion on the corporate Alternative Minimum Tax will resume once members have had a chance to review the department of revenue's report.

### **Transportation Bills receive committee approval**

Bills to amend traffic violation statutes, state patrol vehicle requirements, and Minnesota bridge standards were approved Tues., Feb. 21, by members of the Transportation Committee. The committee is chaired by Sen. Clarence Purfeerst (DFL-Faribault). All three bills are now headed to the full Senate.

S.F. 126, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), decriminalizes failure to appear in court and provides for suspension of a driver's license when the driver fails to appear in court following a verbal promise to appear. Cottage Grove Chief of Police Dennis Kusick testified that 80 percent of drivers told to appear in court following a traffic violation do not comply and that this non-compliance led to creation of the legislation. Major Ralph Church, Minnesota State Patrol, noted that the bill's provisions apply to both residents and non-residents of the state.

S.F. 401 exempts marked state patrol vehicles from the Minnesota Occupational Safety and Health Administration (OSHA) rule requiring security barriers between the front and rear seats of the vehicle. The bill is sponsored by Sen. Marilyn Lantry (DFL-St. Paul).

Fred Peterson, Minnesota State Patrol, said that the security barriers are potentially dangerous because they limit the ability of state patrolmen to clearly see out of patrol vehicles' rear windows while driving. Church added that the bill provides each state patrol officer with the option of whether to have a security barrier installed in his or her car.

S.F. 100, sponsored by Sen. Don Frank (DFL-Spring Lake Park), requires that state standards for bridge width, clearance, and safety apply to privately owned bridges. State statutes require that the minimum strength of all bridges must support specified truck weights and that minimum bridge widths must be 20 feet.

### **Regional rail authority bill approved**

A bill relating to regional rail authorities was approved Thurs., Feb. 23, by members of the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault). S.F. 477, sponsored by Sen. Carl Kroening (DFL-Mpls.), permits regional rail authorities to enter into joint powers agreements with municipalities or other regional rail authorities. Committee members referred S.F. 477 to the Local and Urban Government Committee.

In other action, chairs of regional rail authorities in the seven

county metropolitan area provided panel members with overviews on plans to develop a regional light rail transit system. Speakers testified that Hennepin, Anoka, Ramsey, Washington, Scott, Carver, and Dakota Counties must cooperate in the planning of a light rail network, and that light rail plans are still in varying stages of study in each of the seven counties.

Metropolitan Council Chair Steve Keefe commended the regional rail authorities for working together to develop comprehensive plans and added that the Metropolitan Council should be granted approval authority over transit proposals developed by the seven regional rail authorities. Elliot Perovich, chair, Regional Transit Board (RTB), commented that the RTB should be given the light rail transit oversight authority, with the MTC coordinating the light rail system's daily operation. Minnesota Dept. of Transportation (MnDOT) Assistant Commissioner Darrel Durgin explained that in Nov., 1988, his department allocated four million dollars to regional rail authorities to help them support rail transit study efforts. He added that an additional eight million dollars has been requested by MnDOT for rail transit study support during the 1990-91 biennium.

### **Veterans and Military Affairs Ed benefit increase okayed**

Members of the Veterans and Military Affairs Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), combined two bills and advanced the resulting measure, S.F. 429, to the Committee on Finance. S.F. 429, authored by Sen. Tracy Beckman (DFL-Bricelyn), increases the amount of educational assistance for war orphans and veterans and increases educational assistance for POW/MIA dependents. The measure also provides for regular increases in both kinds of assistance by coordinating the levels with the cost of living. S.F. 285, also sponsored by Beckman, was amended onto S.F. 429. S.F. 285 requires the commissioner of veterans affairs to adjust the benefits paid under the veterans relief fund to reflect changes in the cost of living on an annual basis.

Two additional bills were also approved by the committee. S.F. 44, sponsored by Bertram, provides for the transfer of "ex-POW" license plates to surviving spouses. The bill was re-referred to the Committee on Finance. S.F. 435, also carried by Bertram, authorizes emergency rulemaking procedures for the Veterans Home Board. The board is currently involved in the permanent rulemaking process. However, in order to have the authority for day-to-day operation of the veterans homes, the board is requesting the emergency rulemaking authority. The bill was re-referred to the Governmental Operations Committee.

### **Agent Orange payment exemption okayed**

A bill that exempts the payments received by veterans as settlements for exposure to Agent Orange from treatment as income for purposes of public assistance or benefit programs received the unanimous approval of the Veterans and Military Affairs Committee Thurs., Feb. 23. The committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), referred the measure, S.F. 340, to the Health and Human Services Committee. Chief author Bob Lessard (DFL-Int'l. Falls), explained that the measure exempts the payments from being treated as income for purposes of any program of public assistance or benefit program administered by the Dept. of Veterans Affairs, the Dept. of Human Services, or other agencies of the state. Jeff Olson, Dept. of Veterans Affairs, explained that the payments result from the settlement of a 1984 suit against the manufacturers of Agent Orange. According to Olson, veterans are eligible for the payments of \$1,200 per year for 10 years only if certified permanently and totally disabled by the Social Security Administration. Olson said that approximately 400 Minnesota veterans would receive payments.

In other action, the panel also approved a measure increasing the state cash bonus, from \$100 to \$300, to members of the Minnesota National Guard. The measure, S.F. 513, authored by Sen. Mel

# Committee Capsule

Frederick (IR-Owatonna), and presented by Sen. Pat Pariseau (IR-Farmington), also eliminates a requirement that tuition reimbursements paid to a National Guard member be reduced by the amount of the bonus. Finally, the bill increases the appropriation available for the bonus payments. According to Pariseau and others

who testified on behalf of the measure, the bill is needed as a recruitment and retention tool to insure that the National Guard membership maintains its high quality membership. The measure was given unanimous endorsement and re-referred to the Committee on Finance.

## Preview

### The Minnesota Senate Week at a Glance

#### Monday, February 27

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** Presentations on the Minnesota Academic Excellence Foundation's annual report, and on International Education.

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

8:30 a.m. Room 125 Capitol

**Agenda:** Budget overview of the Dept. of Health.

**Joint Senate and House Agriculture and Rural Development Committees**, Chair: Charles Davis

10 a.m. Room G-5 SOB

**Agenda:** Presentation on cheese and milk pricing results of Green Bay Cheese Exchange price cuts.

**Finance Division on Agriculture, Transportation and Semi-states**, Chair: Keith Langseth

10 a.m. Room 123 Capitol

**Agenda:** Budget hearing for the Dept. of Public Safety.

**Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 223-Merriam: Affirmative defense to DWI charge of being in physical control of a motor vehicle. S.F. 560-Marty: Ramsey County attorney prosecution of gross misdemeanor child neglect, etc. S.F. 618-Cohen: School district exemption from rehabilitated ex-offender employment law. S.F. 621-Berglin: Restricting availability of a minor's court-supervised settlement funds for human services purposes. S.F. 624-Spear: Parental liability for theft by a minor child. S.F. 628-Peterson, D.C.: Standard for eminent domain relocation benefits paid by a local authority. S.F. 675-Pogemiller: Penalties, prosecution for failure of a criminal defendant to appear for trial.

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

12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 417-Metzen: Allows city appropriations for historical purposes. S.F. 327-Knaak: Relates to cities removing an annexation provision.

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

12 noon Room 15 Capitol

**Agenda:** S.F. 48-Vickerman: Authorizes counties to establish economic development authorities. S.F. 278-Morse: Revises provisions governing regional development commissions.

\*The Senate will be in session at 2 p.m.

\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Presentation on basis for determining competitive salary ranges.

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

3 p.m. Room 123 Capitol

**Agenda:** Budget overviews of the Tax Court and the Dept. of Revenue.

**Joint Senate and House Finance Subcommittee on Joint Claims**,

Co-Chairs: Gregory Dahl and Henry Kalis

3 p.m. or immediately following House session. Room 112 Capitol

**Agenda:** 1989 Omnibus Claims Bill.

#### Tuesday, February 28

**Employment Committee**, Chair: Florian Chmiewlewski

8 a.m. Room 107 Capitol

**Agenda:** Confirmation of Judge Richard C. Pranke and Judge Edward Toussaint, Jr., to the Workers' Compensation Court of Appeals. S.F. 680-Benson: Workers' compensation for burial expenses and death benefits. S.F. 372-Chmielewski: Employee wage protection. S.F. 466-Beckman: Workers' compensation.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl

8 a.m. Room 123 Capitol

**Agenda:** S.F. 281-Berg: Allows nuisance and pollution free, aesthetic disposal of solid waste in farming. S.F. 237-Dahl: Regulates the disposal of infectious and pathological waste.

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

8 a.m. Room 15 Capitol

**Agenda:** S.F. 488-Berglin: Defines equitable compensation relationships.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 447-DeCramer: Triple trailers.

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

9 a.m. Room 125 Capitol

**Agenda:** S.F. 320-Spear: Sections 3 & 6 Juvenile Records. S.F. 222-Merriam: Family member access to medical examiner, other medical data. S.F. 264-Diessner: Timeliness of patient access to health care records. S.F. 134-Frank: Blind vendors' committee access to data.

**Commerce Committee**, Chair: Sam Solon

10 a.m. Room 112 Capitol

**Agenda:** S.F. 454-Dahl: Regulates sale of used motor vehicles. S.F. 465-Dahl: Regulates sale of new motor vehicles. S.F. 495-Freeman: Reasonable compensation for warranty service. S.F. 717-Cohen: Permits banks to perform clerical services off premises. S.F. 114-Bertram: Detached banking facility in St. Augusta.

**Veterans and Military Affairs Committee**, Chair: Joe Bertram, Sr.  
10 a.m. Room 107 Capitol  
**Agenda:** S.F. 590-Diessner: Requires a pre-sentence investigation report on a convicted veteran.

**Ad Hoc Subcommittee on Information Management**, Chair: Gregory Dahl  
12 noon Room 125 Capitol  
**Agenda:** Continuing presentation of recommendations for funding state information systems.

**Environment and Natural Resources Committee**, Chair: Bob Lessard  
1 p.m. Room 112 Capitol  
**Agenda:** S.F. 64-Chmielewski: Sale of Carlton County land. S.F. 88-Dicklich: Sale of St. Louis County land. S.F. 390-Anderson: Sale of Todd County land. S.F. 96-Benson: Wild turkey licenses. S.F. 108-Bertram: Fees for special hunts. S.F. 297-Berg: Party hunting for small game.

**Health and Human Services Committee**, Chair: Linda Berglin  
1 p.m. Room 15 Capitol  
**Agenda:** S.F. 235-Lantry: Establishes requirements to prevent overconcentration of residential facilities. S.F. 342-Dahl: Regulates radon testing work.

**Finance Division on State Departments**, Chair: Carl Kroening  
3 p.m. Room 123 Capitol  
**Agenda:** Continuing overview of the Dept. of Administration.

**Taxes and Tax Laws Division on Property Taxes and Local Government Aids**, Chair: Steven Novak  
3 p.m. Room G15 Capitol  
**Agenda:** Presentations on the Citizen League Report on Non-Profits and the Non-Profit Coalition Report.

## Wednesday, March 1

**General Legislation and Public Gaming Committee**, Chair: Marilyn Lantry  
8 a.m. Room 107 Capitol  
**Agenda:** S.F. 600-Pogemiller: Grants certain powers to animal control officers. S.F. 352-Lantry: Allows licensed organizations to conduct casino nights under specified conditions. S.F. 588-Lantry: Allows a licensed racetrack to conduct pari-mutuel betting on televised races on days when races are not conducted at the licensed racetrack.

**Education Committee**, Chair: James Pehler  
8:30 a.m. Room 15 Capitol  
**Agenda:** S.F. 69-Cohen: Absence from school because of religious beliefs. S.F. 149-Spear: Minneapolis health insurance premium subsidies to be paid more often than annually. S.F. 138-Hughes: Career Teacher Act. S.F. 193-Bertram: CPR instruction and trained person at certain school events.

**Agriculture and Rural Development Committee**, Chair: Charles Davis  
10 a.m. Room 112 Capitol  
**Agenda:** S.F. 87-Dahl: Linked deposit.

**Finance Division on Agriculture, Transportation and Semi-states**, Chair: Keith Langseth  
10 a.m. Room 123 Capitol  
**Agenda:** Budget hearings for the Science Museum, the Public Utilities Commission, and Public Safety.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott  
10 a.m. Room 107 Capitol

**Agenda:** S.F. 260-Merriam: Uniform Statutory Will Act. S.F. 210-Reichgott: Condominium purchaser protection.

**Judiciary Division on Criminal Law**, Chair: Donna Peterson  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 314-Peterson, D.C.: Statutory maximum increases; habitual offenders; sentencing guideline modifications, etc. S.F. 383-Spear: Auto theft and miscellaneous theft provisions. S.F. 31-Spear: Increases the penalty for criminal vehicular operation.

**Elections and Ethics Committee**, Chair: Jerome Hughes  
11:30 a.m. Room 107 Capitol  
**Agenda:** S.F. 4-Luther: Limits campaign expenditures by congressional candidates who choose to receive a public subsidy for their campaigns. S.F. 577-Marty: Limits campaign expenditures by certain congressional candidates. S.F. 368-Luther: Provides a public subsidy for legislative candidates in special elections.

**Environment and Natural Resources Committee**, Chair: Bob Lessard  
1 p.m. Room 112 Capitol  
**Agenda:** S.F. 192-Bertram: Security for forestry development projects. S.F. 263-Morse: Eliminates PCB exemption program. S.F. 299-Merriam: Restitution for wild animals illegally killed or injured. S.F. 323-Lessard: Controlled burn program. Confirmation of Milton Radjenovich to the MPCA.

**Health and Human Services Committee**, Chair: Linda Berglin  
1 p.m. Room 15 Capitol  
**Agenda:** S.F. 342-Dahl: Regulates radon testing. S.F. 644-Pogemiller: Proposes changes to the method for calculating a nursing home's property-related payment rate.

**Finance Division on Education**, Chair: Gene Waldorf  
3 p.m. Room 123 Capitol  
**Agenda:** Testimony by public, faculty and students.

**Finance Division on Health and Human Services**, Chair: Don Samuelson  
3 p.m. Room 125 Capitol  
**Agenda:** Continuing Dept. of Health budget overview.

**Finance Division on State Departments**, Chair: Carl Kroening  
3 p.m. Room 112 Capitol  
**Agenda:** Budget overviews of the State Treasurer, the Dept. of Labor and Industry, and the Workers' Compensation Court of Appeals.

**Legislative Commission on Employee Relations**  
3 p.m. Room 300 S SOB  
**Agenda:** Approval of DOER proposal regarding compensation inequities for state employees. Presentation on part-time studies reports. Review of proposed legislation. Presentation on the use of classified and unclassified employees.

**Joint Agriculture and Environment and Natural Resources Ad Hoc Committee on Water Protection**, Chair: Charles Davis  
7:30 p.m. Room 112 Capitol  
**Agenda:** S.F. 262-Morse: 1989 Groundwater Protection Act.

## Thursday, March 2

**Employment Committee**, Chair: Florian Chmielewski  
8 a.m. Room 107 Capitol  
**Agenda:** S.F. 312-Merriam: Employee personnel records.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl  
8 a.m. Room 125 Capitol  
**Agenda:** S.F. 470-DeCramer: Regulates municipal wastewater treatment

funding. S.F. 344-Stumpf: Exempts generators of small amount of hazardous waste from administration regulation. S.F. 376-Metzen: Inver Grove Heights waste fee.

**Governmental Operations Committee**, Chair: Donald Moe  
8 a.m. Room 15 Capitol

**Agenda:** Proposals to establish a Legislative Building Commission. S.F. 30-Dahl: Creates a legislative commission on capital improvements. S.F. 357-Freeman: Creates a legislative building commission. S.F. 421-Renneke: Creates a legislative building commission.

**Transportation Committee**, Chair: Clarence Purfeerst  
8 a.m. Room 112 Capitol

**Agenda:** S.F. 469-DeCramer: Establishes certain vehicle weight limits. S.F. 159-Moe, R.D.: Provides for the apportionment of five percent of the net highway users tax distribution fund; provides for distribution of county turnback account. S.F. 499-Vickerman: State airport fund money may be used as state's match of costs of the federal essential air services program; establishes registration classification for recreational aircraft.

**Economic Development and Housing Committee**, Chair: Don Frank  
12 noon Room 15 Capitol

**Agenda:** To be announced.

**Local and Urban Government Committee**, Chair: Robert Schmitz  
12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 459-Adkins: Grants certain water and sewer powers to towns.

**\*The Senate will be in session at 2 p.m.**

**Finance Division on State Department**, Chair: Carl Kroening  
3 p.m. Room 123 Capitol

**Agenda:** Budget overview of the Dept. of Natural Resources.

**Education Division on Education Funding**, Chair: Randolph Peterson  
3:30 p.m. Minneapolis School District Offices

**Agenda:** Alternatives to participating in ESV Regions.

## Friday, March 3

**Education Division on Higher Education**, Chair: Gregory Dahl  
8 a.m. Room 15 Capitol

**Agenda:** HECB report on TI Governance. S.F. 365-Pehler: Establishes a state system of post secondary vocational technical education.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott  
10 a.m. Room 107 Capitol

**Agenda:** S.F. 132-Luther: UCC leases. S.F. 391-Mehrkens: UCC grain storage contracts.

**Judiciary Division on Criminal Law**, Chair: Donna Peterson  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 19-Ramstad: Omnibus sentencing bill; abolishes the sentencing guidelines.

**Minnesota Future Resources Commission**, Chair: Clarence Purfeerst  
10 a.m. Room 200 SOB

**Agenda:** Staff report on LCC approval of staffing changes. Review of the governor's budget proposal and recommendation language. Consideration of work program amendment for SNA program to add target areas for future acquisition, and of several specific SNA parcels in target areas formerly approved by MFRC. Develop MFRC recommendations on proposed Oil Overcharge grants as determined and submitted by the Dept. of Administration.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl  
1 p.m. Room 112 Capitol

**Agenda:** S.F. 530-Merriam: Waste Management Act Amendments.

**Health and Human Services Committee**, Chair: Linda Berglin  
1 p.m. Room 15 Capitol

**Agenda:** S.F. 746-Berglin: Institutions for Mental Disorders. S.F. 486-Berglin: Requires reasonable efforts to prevent placement of children in need of protection services; reunification, classification. S.F. 195-Berglin: Ombudsman for mentally ill and mentally retarded.

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# Briefly

## The Minnesota Senate Week in Review

March 3, 1989

### Action on triple trailer bill delayed

Discussion of a bill to allow triple trailers to operate in Minnesota highlighted the Tues., Feb. 28, meeting of the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault). S.F. 447, sponsored by Sen. Gary DeCramer (DFL-Ghent), authorizes the commissioner of transportation to issue special permits to motor carriers to operate trucks with a combined length of no more than 110 feet on interstate highways throughout the state. The committee delayed action on the bill until its Tues., Mar. 7, meeting.

DeCramer explained that S.F. 447 allows triple trailers to operate in the state from from Aug. 1, 1989, to Aug. 31, 1993. The bill imposes permit fees to cover anticipated losses in state fuel tax revenues, to fund three additional regulatory positions in the Minnesota Dept. of Transportation, and to meet study, rest area conversion, and start-up costs. DeCramer said that the bill grants authority to the commissioner of transportation to develop guidelines restricting triple trailers from operating during holidays and dangerous weather conditions, along with other activities posing potential public safety risks. He added that S.F. 447 prohibits triple trailers from travelling between the hours of 5:30 a.m. and 10 p.m. within the seven county metropolitan area, requires that the vehicles use the right-hand lane except to pass or make an exit on the left, and restricts triple trailers from transporting explosives, radioactive materials, or bulk quantities of hazardous materials.

Dr. Howard Matthias, safety consultant, testified that a study he conducted examining the safety and environmental aspects of triple trailers in 14 states concluded that triple trailers produced less road wear, trucking operational costs, pollution, and traffic congestion than conventional semi-trucks.

Jake Crandall of the American Automobile Association questioned the conclusions presented in Matthias' study on triple trailer safety. He mentioned federal studies that determined that triple trailers are unsafe vehicles, especially when they are operated under adverse weather conditions.

### Lottery bill clears committee

The Fri., Feb. 24, meeting of the General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul), was devoted to the continued discussion of lottery enabling legislation. S.F. 150, establishing a Minnesota state lottery and authorizing the sale of lottery tickets, sponsored by Sen. Bob Lessard (DFL-Int'l Falls), was approved on a roll-call vote of 7-2 and is now headed to the Judiciary Committee.

Lessard explained that S.F. 150 stipulates a minimum of 45 percent of the gross revenues from lottery ticket sales must be returned to players as prizes. He estimated that eight million dollars from the General Fund will be needed for lottery start-up costs and added that the General Fund would be reimbursed for the appropriation by June 30, 1991.

Committee members adopted two amendments offered by Sen. Phyllis McQuaid (IR-St. Louis Park), specifying that prizes won in the lottery should be subjected to state income taxes and limiting the lottery director's annual salary to \$78,500.

### Deer bill and Iranian resolution passed

Final passage of a resolution condemning the Iranian government

and a bill authorizing money for an emergency deer feeding program highlighted the Mon., Feb. 27, Senate floor session.

S.F. 686, a resolution memorializing the President and U.S. Congress to condemn the Iranian government for its action against the author Salman Rushdie and to refuse efforts to return frozen Iranian assets to Iran, was unanimously passed by a vote of 65-0. Sen. Fritz Knaak (IR-White Bear Lake), the bill's chief author, said "a strong statement is called for here for this deeply offensive intrusion on human rights."

Senate members designated S.F. 574 as a Special Order. The bill, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), appropriates \$500,000 from the Game and Fish Fund to help save 50,000 deer from starvation and predation in northern Minnesota. Merriam explained that Special Orders were necessary to obtain legislative approval and get the program operating by the weekend. The bill gained final passage on a unanimous vote of 64-0.

S.F. 112, a technical bill relating to vocational rehabilitation sponsored by Sen. Don Frank (DFL-Spring Lake Park), also gained final passage on the Consent Calendar.

### General Orders bills approved

The Senate granted preliminary approval to a number of bills on the General Orders Calendar at the Thurs., Mar. 2, floor session.

Granted preliminary approval were H.F. 29, sponsored by Sen. Ember Reichgott (DFL-New Hope), increasing the number of deputy examiners of title in the second and fourth judicial districts; S.F. 169, authored by Sen. Mel Frederick (IR-Owatonna), allowing a custodial parent of a handicapped minor to obtain special license plates for the handicapped; S.F. 115, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), requiring the adjutant general to furnish flags for deceased members of the national guard regardless of their number of years of service; S.F. 286, authored by Sen. Jim Vickerman (DFL-Tracy), clarifying the authority of the adjutant general to establish the pay grade for staff positions; and S.F. 363, authored by Sen. John Brandl (DFL-Mpls.), clarifying administrative and judicial review procedures and creating new procedures relating to human services.

In addition, preliminary approval was given to S.F. 117, authored by Vickerman, modifying the method of applying the requirement that at least 50 percent of new intermediate care beds be used for persons transferred from the regional treatment centers, allowing case managers or the commissioner to carry out screening for home and community-based services, and allowing counties to contract for guardianship services in screening for services; S.F. 123, authored by Sen. David Frederickson (DFL-Murdock), providing for the establishment of an audit guide task force by the state auditor; S.F. 121, authored by Sen. Betty Adkins (DFL-St. Michael), authorizing town boards to provide for the collection of unpaid service charges; H.F. 113, sponsored by Adkins, granting powers to towns and setting certain procedures; and S.F. 206, authored by Sen. William Belanger (IR-Bloomington), regulating exempt rules and administrative procedures in state government.

S.F. 168, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), permitting the Washington County Board to establish payment procedures, was approved after an amendment, proposed by Sen. Gregory Dahl (DFL-Ham Lake) and approved by Senators, added a section granting similar authority to the Anoka County Board.

# Committee Capsule

## Agriculture and Rural Development

### Joint committee examines cheese issue

The Mon., Feb. 27, meeting of the Joint Senate and House Agriculture and Rural Development Committee was devoted to discussion of recent pricing activities carried out by the National Cheese Exchange and its subsequent affect on Minnesota's dairy industry. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

Wisconsin Dept. of Agriculture Policy Board member Jim Ziegeweid requested that the Minnesota Legislature adopt a resolution urging the federal government to investigate the National Cheese Exchange's business practices and to regulate its operation. He emphasized that declining national milk production and increasing U.S. demand for cheese should have led to an increase in cheese prices. Instead, cheese prices have declined. Ziegeweid said that the discrepancy between the national cheese free market supply and demand forces and actual cheese prices suggest potential market price manipulation by the National Cheese Exchange.

Morrison County dairy farmer Richard Schilling agreed that the National Cheese Exchange should be investigated. He stated that the National Cheese Exchange's upper management should be subpoenaed, if necessary, to provide testimony regarding the organization's business practices and procedures. Minnesota Commissioner of Agriculture Jim Nichols noted that the recent decline in cheese prices will result in at least a \$150 million loss in annual income for the state's 25,000 dairy farmers.

### Linked deposit bill approved

The Wed., Mar. 1, meeting of the Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), was devoted to the continued discussion of a bill to establish a linked deposit program in Minnesota. An amended S.F. 87, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), was approved by panel members and was sent to the Finance Committee.

Dahl offered three amendments to S.F. 87, explaining that they resulted from a recent discussion he had with a representative of Farm Credit Services. He said the amendments were designed to tighten the bill's language and to increase the number of people who would be eligible for a loan under the linked deposit program. Dahl noted that one amendment specifies that only small businesses with annual gross revenues of \$3.5 million or less would be eligible to obtain a loan under the program, while the second amendment contains two minor technical corrections to the bill's language. He added that the third amendment limits the amount of linked deposit funds a lending institution can receive to one million dollars or 10 percent of the total amount of agriculturally-oriented loans it made during the previous calendar year, whichever is greater. Sen. David J. Frederickson (DFL-Murdock), offered an amendment revising the maximum interest rate a lending institution could charge on loans it makes under the linked deposit program. All four amendments were adopted by committee members.

### Committee addresses groundwater bill

The Wed., Mar. 1, meeting of the Joint Agriculture and Rural Development and Environment and Natural Resources Ad Hoc Committee centered on continued discussion of a groundwater protection bill. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

Judy Bellairs, Sierra Club legislative director, suggested that S.F. 262, known as the 1989 Groundwater Protection Act and sponsored by Sen. Steven Morse (DFL-Dakota), does not go far enough to combat groundwater pollution. She said that acceptable levels of contamination for people may not be acceptable for plant and animal life. She noted that research and public education are integral components of successfully fighting environmental contamination.

Dr. James Piegat, a representative of the Hennepin Conservation District, emphasized that a solid state-local partnership needs to be forged to develop and implement contaminated water clean-up programs. He said that local input is essential when developing groundwater protection plans.

## Commerce

### Five bills okayed

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved five bills with little discussion Tues., Feb. 28.

S.F. 454, authored by Sen. Gregory Dahl (DFL-Ham Lake), alters the used

car lemon law. The bill clarifies an exemption from the used car lemon law relating to lessors of motor vehicles who sell used cars, either directly or indirectly. In addition, the bill exempts cars driven only for demonstration purposes if the car is covered by a manufacturer's express warranty, provided that the manufacturer's warranty provides better coverage than provided under the used car lemon law. The bill also excludes from the used car lemon law vehicles that when sold would be classified as a class C total loss vehicle or have unrepaired damage in excess of \$5,000.

S.F. 465, also authored by Dahl, addresses the question of dealer liability with regard to the new car lemon law. Dahl said that the new car lemon law put the responsibility for repairs covered under the manufacturer's warranty clearly on the manufacturer; S.F. 465 further provides that the manufacturer is prohibited from charging back or requiring any reimbursement from the dealer for costs incurred from an action arising out of violation of the new car lemon law. The manufacturer is protected if there is evidence that the dealer carried out repairs in a way that is substantially inconsistent with the manufacturer's instructions.

Also approved was S.F. 495, authored by Sen. Michael Freeman (DFL-Richfield). The bill provides that the hourly rate paid to a dealer for warranty services shall not be less than the rate charged by the dealer for similar services to non-warranty customers for non-warranty service and repairs. In addition, the reimbursement for parts purchased by the dealer for use in performing pre-delivery and warranty service is to be the same amount charged by the dealer to non-warranty customers. The bill is necessary, Freeman said, because manufacturers are currently basing their reimbursement on the lowest rate they can find.

S.F. 717, sponsored by Sen. Richard Cohen (DFL-St. Paul), which permits banks to perform clerical services at off-premises data processing and storage centers, was also approved by the committee. In addition, the committee approved S.F. 114, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville). The bill provides that, with approval from the commissioner of commerce, a bank doing business within 100 miles of St. Augusta could establish and maintain a detached facility within the town of St. Augusta. The bill does not take effect until approved by the town board of St. Augusta.

All bills were sent to the Senate floor.

### Medical disclosure bill approved

The Insurance Subcommittee of the Commerce Committee approved S.F. 94, authored by Sen. John Marty (DFL-Roseville), Thurs., Mar. 2.

The three main purposes of the bill are to allow insureds access to their personal files held with insurance companies in order to verify information and to correct information if it is wrong; to restrict the manner insurers may disclose personal information regarding insureds to others; and to require insurers to disclose to individuals why policies or coverages were denied or canceled.

The subcommittee members agreed that the bill should be amended to require insurance companies to specify the particular page or date in a patient's medical record that led to the adverse underwriting decision. Subcommittee Chair William Luther (DFL-Brooklyn Park), said that he believed that this would prevent insurance companies from a "broad brush" technique of simply saying that the adverse decision was based on the patient's medical record. The bill was approved.

## Economic Development and Housing

### Development bills heard

The Economic and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Thurs., Mar. 2, to consider two bills regarding economic development authorities.

S.F. 48, authored by Sen. Jim Vickerman (DFL-Tracy), permits counties to establish economic development authorities. Committee members heard testimony from economic development authorities supporting the bill, and adopted an amendment to strike counties' levy and bonding authority from the bill. S.F. 48 was held over for further discussion.

The committee also began to review S.F. 278, a bill to revise the structure and powers of regional development commissions. In addition, the measure would establish revolving business loan programs. Sponsor Sen. Steven Morse (DFL-Dakota) said S.F. 278 is intended to create greater flexibility for economic development throughout the state. Regional development commission officials, who support the bill, gave detailed descriptions of their

current operations and concerns they had about changes the bill proposes. S.F. 278 is scheduled for further consideration Thurs., Mar. 9.

## **Education 2 + 2 program described**

Members of the Higher Education Division of the Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), heard a presentation on the 2 + 2 program Thurs., Feb. 23. The program allows a graduate of a lower division institution (such as a community college) to complete a specific baccalaureate degree program on the lower division campus.

The only area where the program is really being practiced as defined, according to Robert Carothers, chancellor of the State University System, is at Rochester Community College. Winona State University provides upper division credits on the community college campus, allowing students to complete baccalaureate programs without leaving the Rochester campus. Other cooperative programs between various other institutions also exist.

The program raises questions about quality, especially regarding issues such as library resources, computer equipment and access to faculty, Carothers said. However, he pointed out that in many settings the alternative to the program is simply not providing any way for students to complete four-year degrees.

Gerald Christenson, chancellor of the Community College System, spoke about the 2 + 2 program in relation to educational needs pointed out in the recent M SPAN study. Four points to keep in mind, Christenson said, are to use what we already have effectively; to insist on maximum cooperation between institutions; to focus attention on the post-war baby boom generation; and to insure flexibility and adaptability.

## **Academic Excellence Foundation discussed**

Senators on the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), heard a report from representatives of the Minnesota Academic Excellence Foundation (MAEF) Mon., Feb. 27. The foundation, created in 1983, promotes academic excellence in Minnesota public schools through a public-private partnership.

Zona Sharpe-Burk, executive director of MAEF and other representatives, outlined some of the foundation's past accomplishments and proposed future programs. During 1988, MAEF through three statewide programs, recognized 500 top Minnesota seniors plus the top 20 percent of each graduating class. MAEF's programs include the Governor's Scholars program and the Lettering for Excellence program, which recognizes two students in each high school by awarding them an academic letter like the letters received by athletes.

The committee also heard a presentation on international education. Roger Wangen, Dept. of Education, spoke on the Minnesota In the World and the World In Minnesota Program. The program is designed to help Minnesota citizens develop an international or global perspective. This perspective, Wangen said, means viewing the world with understanding and concern.

## **Absence for religious holidays debated**

Members of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), spent the vast majority of their Wed., Mar. 1, meeting discussing S.F. 69, authored by Sen. Richard Cohen (DFL-St. Paul). The bill addresses the question of a student's right to miss school for religious observance without being penalized.

The bill requires that a public school student who wishes to be excused from a curricular activity for a religious observance must be excused without penalty and be given a reasonable opportunity to make up the missed activity. The pupil must meet whatever requirements the school has regarding excused absences, as long as they don't conflict this section.

The bill further sets out a procedure for a pupil (or pupil's parent or guardian) who claims to have been penalized to ask for an administrative conference with the principal.

A portion of the bill which was deleted by an amendment offered by Sen. David Frederickson (DFL-Murdock) would have provided for a pupil or parent or guardian unsatisfied with the conference or denied a conference to maintain an action against the school board in district court. The amendment was proposed after Senators raised questions about the bill's relationship to human rights statutes. The bill was sent to the Senate floor.

Committee members also approved S.F. 149, authored by Sen. Allan Spear (DFL-Mpls.), authorizing the Minneapolis school district to pay health insur-

ance premium subsidies more often than annually. Spear explained that the health insurance is only for about 70 teachers who retired prior to 1974.

The bill was referred to the Consent Calendar.

## **Education Funding Review of governor's budget continues**

Dept. of Education employees continued their presentation of the governor's budget recommendations regarding pupil transportation at the Thurs., Feb. 23, meeting of the Education Funding Division of the Education Committee. Greg Sogaard, Dept. of Education, reviewed summaries of transportation expenditures and formula funding of authorized transportation.

Tom Melcher of the department reviewed the governor's budget recommendations for pupil transportation. In addition, Melcher reviewed some modifications the governor has recommended to improve the formula. The governor believes changes should be made to the formula to make it simpler and more understandable; to make it provide more equal funding for districts with similar characteristics; to make tax rates for transportation more equal among districts; and to make it strengthen incentives for efficient operations.

Sogaard also explained two miscellaneous transportation levies and transportation funding for the Postsecondary Enrollment Options Program and the open enrollment program and outlined the governor's recommendations regarding those transportation costs.

Following the presentation on transportation, Mike Landers, Dept. of Education, outlined the governor's budget recommendations regarding various cooperative arrangements between districts. For education districts, Landers said, the governor is recommending retaining the current revenue level of \$60 per pupil unit, but reducing state aid entitlements by increasing the maximum property tax rate beginning with taxes payable in 1990. The governor also recommends applying the property tax shift provisions to education district levies in the same way they are applied to school districts, beginning in fiscal year (FY) 1990.

A representative of the department outlined funding for program improvement grants to the division, chaired by Sen. Randolph Peterson (DFL-Wyoming). The governor has recommended eliminating aid for the activity beginning in FY 1990.

## **Federal programs reviewed**

The Education Funding Division of the Education Committee heard a presentation from the Dept. of Education regarding federally funded programs, Fri., Feb. 24.

Bob Wedl, Dept. of Education, said that the goals most often addressed using federal funds include providing instruction and support services to children and youth, their families and adult learners; providing personnel development programs which will assist teachers and others in improving the delivery of educational programs; providing for the needs of children in areas such as nutrition, child care and others; and assisting school districts and communities construct or improve facilities.

Representatives of the department explained various federal programs, including federal block grant allocations, public library aid, nutritional programs, and programs within the Development and Partnership Division of the department.

## **Competitive salary ranges discussed**

The Senate Education Funding Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), discussed teacher pay comparison techniques Mon., Feb. 27.

Al Bunnet, from Hay Management Consultants, said that the company believed that reasonable boundaries for discussion of teacher pay can be defined by using a common job measurement scale professionally applied; comparing teacher pay to similarly-scaled jobs in existing compensation data bases; refining those comparisons by geography; and understanding other factors which influence pay levels.

Senators briefly questioned Bunnet regarding the possibility of such a study in Minnesota, and a representative from the Minnesota Federation of Teachers gave some input on the subject.

## **Access to excellence outlined**

Representatives of the Dept. of Education explained the governor's budget recommendations regarding access to excellence programs at the Tues., Feb. 28, meeting of the Education Funding Division of the Education Committee.

# Committee Capsule

Claire Rumpel, Dept. of Education, gave a brief overview of the topic and told division members, chaired by Sen. Randolph Peterson (DFL-Wyoming), that the programs tend to involve school district cooperation and enrollment options, allowing parents and children to have choices regarding education.

Len Nachman from the department outlined the governor's recommendations regarding Open Enrollment. The governor has recommended a \$100,000 appropriation for FY 1990 to evaluate enrollment options programs. In addition, the governor has also recommended \$75,000 for each year of the biennium for one professional and one clerical staff position. Senators discussed concerns about making an open enrollment agreement more of a contract between a school and a student, so that students could not change their minds about attending a school at the last minute.

Jessie Montano from the department addressed the governor's recommendations for the Postsecondary Enrollment Options Program; the governor has recommended continuation.

Also covered by department representatives were recommendations regarding High School Graduation Incentives; Area Learning Centers; Adult Graduation Aid; and Minority Faculty Development.

## Elections and Ethics Public financing for U.S. candidates debated

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), devoted the majority of its Wed., Mar. 1, meeting to discussion of two bills relating to public financing and spending limits for candidates to the U.S. Senate or House of Representatives.

S.F. 4, authored by Sen. William Luther (DFL-Brooklyn Park), and S.F. 577, authored by Sen. John Marty (DFL-Roseville), both establish procedures for candidates who agree to spending limits to receive public financing under certain conditions.

Discussion centered around differences between the two bills. S.F. 4 calls for an amendment to the Minnesota Constitution which would provide for a system of congressional candidate public financing and spending limitations; S.F. 577 would merely be in statute. S.F. 4 establishes a voluntary check-off for congressional candidates similar to the one for state candidates; S.F. 577 provides a flat grant to candidates. Under S.F. 4, candidates are required to provide evidence of private matching funds to receive a public subsidy. In addition, spending limits under S.F. 4 are \$4 million for Senate candidates and \$400,000 for U.S. House of Representatives candidates; under S.F. 577, the limits are \$2.5 million for Senate candidates and \$250,000 for U.S. House of Representatives candidates. Both bills contain a higher limit for candidates involved in contested primary races in which they received less than twice as many votes as their opponent.

Under both bills, the expenditure limits apply only to candidates who agree to the limits and whose opponent agrees to the limits; if one candidate agrees to be bound by the limits and their opponent does not, the first candidate can then receive the public subsidy and not be bound by the limits. However, S.F. 577 is unique in that it provides that if both candidates agree to the limits, neither receives a public subsidy but both are bound by the limits.

The committee took no action on either bill.

Committee members discussed S.F. 368, also authored by Luther, which provides a public subsidy for legislative candidates in special elections. The bill was laid over for future consideration.

## Employment Employee wage protection bill advances

The Employment Committee met Tues., Feb. 28, and approved S.F. 372, the Wage Protection Act, sponsored by Committee Chair Florian Chmielewski (DFL-Sturgeon Lake).

S.F. 372 establishes an employee wage protection fund to make limited payments to employees unable to collect wages from employers who no longer have assets. Under the bill, employees are eligible for up to four weeks of wages or \$2,000, whichever is less, when an employer has no assets, has ceased operations or is under bankruptcy proceedings. The dept. of labor and industry commissioner would be responsible to recover the amounts paid from the fund from the employers, including attorneys fees and a 25 percent penalty of the wages reimbursed.

Before granting final approval, the committee adopted an amendment

raising to \$400,000 the appropriation for the fund. S.F. 372 was referred to the Finance Committee.

Also approved by the committee was S.F. 680, a bill increasing workers' compensation burial expense benefits from \$2,500 up to \$7,500 for employees whose death results from a work-related injury. The bill, sponsored by Sen. Duane Benson (IR-Lanesboro), was approved by voice vote after provisions extending death benefits to a non-dependent spouse or parents were removed.

In other action, the committee confirmed the governor's appointments of Judges Edward Toussaint, Jr., and Richard C. Pranke to the Workers' Compensation Court of Appeals.

## Employee review of personnel records considered

Members of the Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met Thurs., Mar. 2, to hear testimony on S.F. 312, a bill extending to private sector employees the right to review their personnel records. The bill is sponsored by Sen. Gene Merriam (DFL-Coon Rapids).

Among witnesses testifying on S.F. 312, Don Gemberling, director of the Dept. of Administration Data Privacy Division, supported the bill, saying that it would provide private sector employees with rights similar to those already granted to state employees under the Data Practices Act. In opposition, John Vanetta, representing a Chaska company, testified that the bill should be limited, allowing employees to make only specific requests about their personnel files.

At the close of the meeting, members began to discuss an amendment, offered by Sen. Don Frank (DFL-Spring Lake Park), to more specifically define employees, personnel records and the procedures for review. Consideration of S.F. 312 will continue at the Tues., Mar. 7, committee meeting.

## Environment and Natural Resources Hunter harrassment bill advances

The Environment and Natural Resources Subcommittee on Fish and Wildlife heard three bills Fri., Feb. 24. Two of the measures, S.F. 476 and S.F. 280, were sponsored by Subcommittee Chair Charles Berg (DFL-Chokio).

The first bill, S.F. 476, prohibits the harrassment of hunters legally taking game. In support of the bill, Roger Holmes, Wildlife Section Chief of the Dept. of Natural Resources (DNR), said that while hunter harrassment is not widespread in Minnesota, some hunters were threatened during last year's elk hunt. Representatives of several hunters' groups also testified in favor of the bill. The subcommittee approved S.F. 476 on a voice vote and advanced it to the full committee.

Also presented by Berg, S.F. 280 authorizes counties to establish predator control bounties on fox. Berg said that fox are primarily responsible for the serious drop in the state's pheasant population. Under the bill, the predator bounties would be funded by a \$2 increase in the small game license surcharge. The total surcharge would be raised to \$6 for licenses purchased from July 1, 1989, to Feb. 28, 1991.

The first of several witnesses testifying against S.F. 280, Holmes stated that while fox present a serious predator problem in some areas of the state, bounties are not an effective means to correct the problem. The subcommittee will continue discussion of the bill at a later meeting.

S.F. 332, a bill to change the open season for walleye in the Rainy River to May 15 through April 14, was also held over for further discussion by the subcommittee. Sponsor Sen. LeRoy Stumpf (DFL-Plummer), explained that advancing the opening date from the current third Saturday in May would make a common walleye fishing season on Rainy River and Rainy Lake. However, a DNR spokesman, Leo Haseman, director, Enforcement Division, opposed the bill. Haseman said S.F. 332 would create greater confusion and make enforcement impossible if fishing opener dates were not kept the same on the U.S. and Canadian sides of the river, as they currently are.

## Infectious waste bill heard

Members of the Environment and Natural Resources Subcommittee on Environmental Protection met Tues., Feb. 28, and began work on a bill defining and regulating infectious and pathological waste. S.F. 237, authored by Subcommittee Chair Gregory Dahl (DFL-Coon Rapids), covers all infectious waste generator, treatment, storage, transport and disposal facilities and pro-

vides for the management of infectious and pathological waste. The bill requires the segregation of infectious and pathological waste, specifies labeling requirements, requires reusable containers to be disinfected, and prohibits mixture with other waste. The bill also requires facilities that generate, transport, store, treat or dispose of infectious or pathological waste to prepare, maintain, and comply with a waste management plan. In addition, commercial treatment storage, incineration and disposal facilities are required to submit a management plan to the Pollution Control Agency (PCA) by Jan. 1, 1990, and update the plan every two years after that date. The bill also spells out civil and criminal penalties for violations and requires a \$150 fee to be submitted with every management plan. The bill was laid over for purposes of amendment.

In other action, the subcommittee approved a bill allowing farmers to bury or burn and bury, solid waste generated from the farmer's household or as part of the farming operation if the burying is done in a nuisance-free, pollution-free, and aesthetic manner on the land used for farming. In addition, S.F. 281, authored by Sen. Charles Berg (DFL-Chokio), specifies that before the PCA adopts or repeals rules that affect farming operations, a copy of the proposed rule change must be provided to the commissioner of agriculture for review and comment. The bill is a result of recent actions by the PCA to require farmers to obtain a permit before disposing of household waste, said Berg.

### **Committee approves bills**

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls), reviewed and approved six bills Tues., Feb. 28. The bills have been referred to the Senate floor.

Three of the measures deal with the transfer of land. S.F. 64, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes private sale of tax-forfeited land in Carlton County. Sen. Ronald Dickdich (DFL-Hibbing), author of S.F. 88, explained that the measure allows St. Louis County to sell tax-forfeited lands adjacent to public waters by private sale. The third transfer of land bill was S.F. 390, authored by Sen. Don Anderson (IR-Wadena). The bill provides for the sale of tax-forfeited land that borders public water in Todd County.

Sen. Joe Bertram, Sr. (DFL-Paynesville), sponsor of S.F. 108, outlined the purpose of the bill. The measure authorizes the commissioner of the Dept. of Natural Resources to charge a fee for special hunt permits and applications.

S.F. 96, sponsored by Sen. Duane Benson (IR-Lanesboro), allows the establishment of a preferential selection process for obtaining wild turkey licenses.

The final bill reviewed and approved by the committee was S.F. 297. The measure, authored by Sen. Charles Berg (DFL-Chokio), provides for party hunting for small game and fish. The measure was amended to specify that a hunting party is defined by maintaining unaided visual or vocal contact and to delete provision concerning to ice fishing.

### **Restitution measure gains**

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls), reviewed and approved four measures Wed., Mar. 1. All four measures were referred to the Senate floor.

S.F. 299, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), provides for the payment of restitution for protected wild animals that are illegally killed or injured. Included in the bill are provisions for a civil penalty for the value of the wild animal killed or injured and for civil penalties collected to be credited to the game and fish fund.

The committee also approved S.F. 192, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville). The bill eliminates the \$20,000 limit on security in lieu of bond for forestry development projects.

S.F. 263, authored by Sen. Steven Morse (DFL-Dakota), provides for the elimination of the PCB exemption program. Federal involvement has increased in the area of regulating PCBs and the state program duplicates federal efforts, said Morse.

S.F. 323, sponsored by Lessard, establishes a prescribed burn program on public and private land. Lessard explained that the measure also provides that a permit is required for prescribed burns. In order to receive a permit an individual must submit an application to the Dept. of Natural Resources.

In other action, the committee approved the confirmation of Milton Radjenovich to the Pollution Control Board.

## **Finance**

### **University continues budget hearings**

Acting Vice President and Provost for Academic Affairs Shirley Clark outlined four items of the University's budget request relating to improvement of undergraduate education at the Fri., Feb. 24, meeting of the Higher Education Division of the Finance Committee. The division is chaired by Sen. Gene Waldorf (DFL-St. Paul).

The items she explained involved enhancing curriculum, teacher's assistant training, advising and faculty development. The governor's budget does not recommend funding any of the requests.

University of Minnesota-Duluth (UMD) Chancellor Larry Ianni discussed some University requests for UMD. Change requests include \$123,000 for fiscal year (FY) 1990 and \$169,000 for FY 1991 for academic support. Half of that request is state appropriation; half is targeted to come from tuition. UMD is also asking for a direct special appropriation of \$100,000 for FY 1990 and \$170,000 for FY 1991 for a Center of Indian and Minority Health, Ianni said. Ianni also reviewed special appropriation requests for the conversion of industrial technology programs to engineering technology programs and for the Natural Resources Research Institute. The governor has not included any of the requests in his budget recommendations.

Dr. Rick Heydinger from the University outlined a number of other items in the University's budget. Among other things, the University is requesting an increase of \$2.2 million in FY 1990 and \$2.2 million in FY 1991 for repairs and replacements. For both years, \$1.9 million of that request would be a direct appropriation. The governor has recommended a total aid increase of \$1.9 million for each year, \$1.6 million of which would be a direct appropriation.

In addition, the University is requesting new funds of \$3.7 million (\$3.1 million of which would be a direct appropriation) in FY 1990 and \$4.3 million (\$3.6 million of which would be a direct appropriation) in FY 1991 for operation of new space at the Twin Cities and Duluth campuses. The governor did not include this item in his budget.

### **Dept. of Health budget overview begins**

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd) met Mon., Feb. 27, to consider the \$235.45 million Dept. of Health budget request for 1990-91. The proposal represents a \$31.77 million increase over the base level for the previous biennium. Dept. of Health Commissioner Sister Mary Madonna Ashton began the budget presentation by briefly highlighting the major new initiatives of the department: AIDS prevention and case management services for AIDS victims, and groundwater protection programs.

Mick Finn, asst. commissioner, gave a detailed account of the department's health protection proposals. The department requests approximately \$4.7 million in 1990-91 to develop community organization and education programs to prevent the further spread of AIDS. The program was not included in the governor's budget. In addition, both the department and the governor recommended \$1.08 million for the biennium to finance comprehensive case management services to coordinate long-term medical care, counseling and support services for AIDS victims.

In conjunction with the Comprehensive Water Resources Protection bill, substantial budget increases were requested for several groundwater programs in the 1990-91 biennium. Under an expanded water well management program, a new appropriation of \$2.97 million would be used to strengthen the inspection and management of water wells. In addition, \$3.66 million is requested for monitoring all public water supplies according to new federal requirements. Finn explained that new and existing fees are expected to finance these programs. Funding for several other water quality proposals has been requested under the State Departments budget.

Asst. Commissioner Nancy Feldman emphasized budget requests for two new Maternal and Child Health Programs, which are components of the governor's Children's Initiative. Under the Infant Mortality Reduction Initiative, a biennial request of \$348,000 would fund a study to identify problems causing infant mortality and improve the likelihood for infant survival. The department also proposes \$512,000 in new funding for 1990-91 to establish a Childhood Injury Prevention Program.

### **Dept. of Public Safety presents budget**

The Mon., Feb. 27, Agriculture, Transportation and Semi-States Division of Finance was devoted to the budget presentation by the Dept. of Public

# Committee Capsule

Safety. The division, chaired by Sen. Keith Langseth (DFL-Glyndon), will continue to hear the department's budget presentation Wed., Mar. 1.

Commissioner Paul Tschida briefly described the Dept. of Public Safety's programs and responsibilities before Deputy Commissioner Rina McManus outlined significant change requests in the area of automation systems. Included in the department's budget change requests are funds for an automated fingerprint network, a state patrol radio system, driver examining equipment, and optical disk storage, said McManus.

The department is also requesting funds for narcotics investigator positions in the criminal investigation and assistance program, and trooper positions for the state patrol.

## DOER budget overview presented

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met Fri., Feb. 24, to hear budget overviews of the Lieutenant Governor's Office and the Dept. of Employee Relations.

Penny Miller of the Lieutenant Governor's Office explained that the office is requesting continuation of its base base level funding. Governor Perpich is recommending increased funding of \$50,000 per year for child care issues and staff support.

Most of the meeting was devoted to the Dept. of Employee Relations budget which was presented by Commissioner Nina Rothchild. Rothchild said that a significant percentage of the department's change level requests would be used for the implementation of new information systems or for the upgrading of existing systems to replace outdated manual systems. An example of how the funding would be used is to automate a computer system for applicant processing. Another significant budget request is for funds for the premiums charged to the state for participation in the Workers' Compensation Reinsurance Association.

## Dept. of Revenue budget overview heard

The Mon., Feb. 28, meeting of the Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), was devoted to hearing an overview of the Dept. of Revenue's budget.

Before presenting the Dept. of Revenue's major change requests, Commissioner John James explained the purpose of the agency. James noted that the department strives to make the state and local tax system fair and efficient as well as understandable in structure and operation. The major change requests made by the Dept. of Revenue, said James, include funding in the areas of information systems, charitable gambling, sales tax compliance, and taxpayer information services. A more detailed explanation of the change requests will be given at another meeting of the division.

The division also heard a brief budget presentation of the Tax Court of Appeals. The Tax Court hears and decides appeals of any state or local tax cases, explained Brent Peterson. Currently the court is experiencing an increase in the number of property tax case filings while other filings have remained constant. A budget change request of \$22,000 for the biennium is being made by the Tax Court to deal with the increase of filings.

## Department budget overview continued

The Dept. of Administration continued a presentation of their budget overview and change level requests to the Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), Tues., Feb. 29.

Deputy Commissioner Jeff Zlonis outlined a number of requests for change level funding including funds for an internal auditor position and for the state band. Zlonis also explained that the Governor is requesting \$650,000 and 6.5 positions for the biennium for funds for the department to conduct several pilot projects to experiment with redesigning public services. Pilot projects would focus on areas such as human services, education, transportation and natural resources, said Zlonis. Other department change level requests are for funds for public broadcasting grant increases and for Minnesota Public Radio equipment grants.

## U budget overview finished

The Higher Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), finished testimony on the University's budget request Tues., Feb. 28. The meeting was devoted to hearing descriptions of requests for special appropriations.

Most of the requests were for programs within the graduate school, the health sciences, and the Institute of Technology. Also discussed were women's intercollegiate athletics, the supercomputer institute, a Developmental

Disabilities Resource Center, and the Hormel Institute. University officials requested increases for the majority of items discussed.

## Science Museum budget reviewed

Members of the Finance Division on Agriculture, Transportation and Semi-States met Wed., Mar. 1, to hear budget presentations from the Science Museum of Minnesota, Public Utilities Commission (PUC) and the Dept. of Public Safety. The division is chaired by Sen. Keith Langseth (DFL-Glyndon).

Emphasizing plans to expand innovative science exhibits and make the museum more accessible to rural Minnesota schools and low-income families, Science Museum president James Peterson requested \$1.958 million for 1990-91, a \$916,000 increase over the previous biennium. At this funding level, the state-provided portion of the Science Museum's annual operating budget would rise from 6 to 10 percent.

Public Utilities Commission Chair Barbara Beerhalter informed committee members of the commission's recent efforts, and submitted a biennial budget of \$10.55 million. Included in this proposal is a \$520,000 change request for additional legal and technical staff to meet the commission's utility regulation responsibilities. Beerhalter also noted that the commission is virtually self-supported by fees assessed to regulated companies.

Testimony on the Dept. of Public Safety budget was also completed. Several department officials presented budget proposals for the State Patrol, the Fire Marshal, Capitol security and nuclear and hazardous waste emergency preparedness. Significant change requests include \$2.475 million to modernize the State Patrol radio communications system, and \$388,000 to create a special inspection team to review fire safety in day and foster care facilities.

## Higher education hears testimony

Students and faculty representatives of postsecondary education in Minnesota testified at the Wed., Mar. 1, meeting of the Higher Education Division of the Finance Committee. The division is chaired by Sen. Gene Waldorf (DFL-St. Paul).

Student representatives from the University of Minnesota and the State University System discussed concerns regarding tuition, financial aid, child care, teaching assistants, library quality and student employment.

Faculty representatives of the University, the Community College System and the State University System outlined concerns regarding faculty morale, retention of faculty, salaries, and quality issues.

In addition, a representative from the Minnesota Coalition for Disability Issues discussed the needs of mildly and moderately mentally retarded people in postsecondary education.

## Dept. of Health budget overview completed

Members of the Finance Division on Health and Human Services met Wed., Mar. 1 to complete review of the Dept. of Health budget. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Three significant change requests were described by department officials. First, a biennial grant of \$4.99 million is proposed for the Institute for Addiction and Stress Research to study and develop therapies for addictive and stress-related diseases. In addition, the grant would be used to establish an education and training program for health care providers. Second, the department requests \$5.565 million for Community Health Services Subsidy during 1990-91. Asst. Commissioner Nancy Feldman explained that while local expenditures for community health services have more than doubled in the past decade, state support has increased by only 46 percent. This change request would adjust the state contribution for inflation. Third, \$1.830 million is proposed to install modular furniture, to make computer network improvements and replace the department's telephone system. The governor does not recommend funding for these improvements.

## Presentation of budgets heard

The State Treasurer, the Dept. of Labor and Industry, and the Workers' Compensation Court of Appeals presented overviews of budgets and change level requests to the Finance Division on State Departments Wed., Mar. 1.

The treasurer's office is the state's cash receipts and disbursement control center, explained State Treasurer Michael McGrath. Since the duties of both the state treasurer and the staff have increased since the last biennium the office is requesting funds for the restoration of two positions, as well as funds for armored car services, and for information system equipment and planning study.

Commissioner Ken Peterson explained that the Dept. of Labor and Industry functions primarily as a regulatory agency for the protection of working people in Minnesota. Two major budget issues for the department are in the area of OSHA funding and computer system restructuring. Funding for the OSHA program is split between the state and federal government. Peterson requested that OSHA continue to be funded via the general fund and not through the special fund as has been suggested. Funds to restructure the department's computer system are being requested to reduce administrative costs associated with the filing and tracking of workers' compensation cases.

One change level request has been made for the Workers' Compensation Court of Appeals, said Chief Judge Paul Rieke. The request is for funding for maintenance, enhancement and development of information systems.

## **General Legislation and Public Gaming**

### **Televised betting bill approved**

Passage of two bills relating to gambling activities and a bill revising an animal control statute highlighted the Wed., Mar. 1, meeting of the General Legislation and Public Gaming Committee. The committee is chaired by Sen. Marilyn Lantry (DFL-St. Paul).

S.F. 588, permitting state licensed racetracks to conduct parimutuel betting on televised races on winter days when actual racing is not conducted at the racetrack, was approved by committee members and sent to the Senate floor. Two technical amendments clarifying the bill's language and making it compatible with proposed legislation in the other body were also adopted by panel members. Lantry, author of S.F. 588, explained that the bill does not propose off-track betting in Minnesota and that it will generate additional tax revenue for the state.

A second bill, also sponsored by Lantry, permitting nonprofit organizations to conduct casino nights in addition to charitable gambling activities currently allowed under state statutes, was approved by committee members and sent to the Taxes and Tax Laws Committee. Lantry explained that S.F. 352 permits nonprofit organizations licensed by the charitable gambling control board to conduct a maximum of two casino nights in a calendar year. She added that the bill will exclude dice games at casino night events.

S.F. 600, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), allows animal control officers to remove, shelter, or care for an animal that is not properly protected from the cold, heat, or inclement weather, or an animal that is not properly cared for. Current statutes permit peace officers and humane society agents to perform this function. Panel members approved the bill and sent it to the full Senate.

## **Governmental Operations**

### **Equitable compensation bill debated**

The Tues., Feb. 28, meeting of the Governmental Operations Committee was devoted to continuing discussion of S.F. 488, a measure that defines equitable compensation relationships. No action on the bill was taken by the committee, chaired by Sen. Donald Moe (DFL-St. Paul).

The committee heard testimony in opposition of S.F. 488, sponsored by Sen. Linda Berglin (DFL-Mpls.), from Joel Jamnick, League of Minn. Cities. Passage of the measure will lead to further ambiguity of the Pay Equity Act rather than clarifying it, Jamnick said.

Sheryl Le, personnel manager, City of St. Paul, expressed concern over a section of the bill which provides that equitable compensation relationships are established when the average compensation for female-dominated classes is equal to the average compensation for male-dominated classes. Le explained that while local units of government can achieve comparable relationships, establishing equal relationships would be virtually impossible.

In conclusion, Berglin reminded the committee that the bill is trying to deal with the problem of ambiguity in current law over what average means.

### **Building commission bills reviewed**

Two proposals to establish a Legislative Building Commission were reviewed by the Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), Thurs., Mar. 2.

The reason for S.F. 421, said the author of the bill Sen. Earl Renneke (IR-LeSueur), is to "provide an effective way to prioritize our building needs." The bill provides for a Legislative Building Commission consisting of 13 members with representation from the Senate and the House of Representa-

tives. The bill also requires that the commission set priorities for projects to be funded in consultation with the governor, and submit its recommendations to the Legislature in each even-numbered year. The commission's duties are also outlined in the bill. The duties include maintaining an inventory of all state buildings and leased property, and establishing and maintaining a six-year plan for capital improvements in the state.

A measure with similar provisions was outlined by author Sen. Michael Freeman (DFL-Richfield). S.F. 357 provides for a Legislative Building Commission consisting of 10 members with representation from the both legislative bodies. One of the differences between his bill and S.F. 421, said Freeman, is a provision that requires a capital improvement project request to include a description of the project and why it is needed, a cost-benefit analysis, and an estimate of project impact on the state's operating budget.

Sen. Gene Waldorf (DFL-St. Paul) said that while there is a need to restrict and discipline the process he does not feel that the establishment of a building commission would be the solution. Currently, divisions of the Finance Committee visit sites and this helps Senators to understand program and building needs, said Waldorf. Both measures were laid over for further discussion.

## **Health and Human Services**

### **Facilities dispersal bill debated**

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), devoted the Tues., Feb. 28, and Wed., Mar. 1, to testimony and discussion of S.F. 235, the bill establishing requirements to prevent the overconcentration of residential facilities. The measure, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), also requires counties to submit plans for the dispersal and downsizing of facilities in areas that already have an overconcentration of state licensed facilities. The Tues., Feb. 28, meeting was devoted entirely to hearing testimony from a variety of concerned parties. Lantry emphasized that the measure attempted to address the major concerns of all parties but that many people still have concerns with the bill.

The Wed., Mar. 1, hearing was devoted primarily to the discussion of several amendments offered to the bill. Two amendments dominated the proceedings. Sen. Jim Vickerman (DFL-Tracy), offered an amendment to alter the fines specified in the bill for counties that do not submit plans for dispersal and downsizing. The bill provided for a fine of \$10,000 per day; the Vickerman amendment originally specified 20 percent per day of the county's allocation under the Community Social Services Act (CSSA). The amendment was amended to specify a one time fine of 10 percent of the CSSA allocation. The amendment was adopted.

A second major amendment, offered by Sen. Pat Piper (DFL-Austin), restricts the bill's scope to the seven county Metropolitan Area. Piper argued that a two-tiered approach to the locating of residential facilities would be a more prudent state policy. However, Sen. Gene Waldorf (DFL-St. Paul), countered that the bill exemplified a statewide approach and should not be confined to the Metro Area. The amendment failed on a close voice vote.

Action on a third major amendment was delayed because of time constraints. The amendment, offered by Sen. Duane Benson (IR-Lanesboro), deletes reference to the implementation of the plans developed by the counties. The amendment, and the bill, will be rescheduled.

Committee members devoted some time at the beginning of the hearing to discussion of S.F. 342, the radon testing regulatory bill. The measure, authored by Sen. Greg Dahl (DFL-Ham Lake), will be considered at a later date.

## **Judiciary**

### **Computer virus bill gains**

A bill prescribing penalties for the intentional unauthorized distribution of computer programs was approved by members of the Judiciary Division on Criminal Law, Fri., Feb. 24. S.F. 155, authored by Sen. Gregory Dahl (DFL-Ham Lake), is designed to get at the problem of computer viruses that spread from computer to computer and either damage or destroy the computers or computer products. The bill defines destructive products and destructive functions and includes the intentional unauthorized distribution of the programs in the penalty section of law for computer damage. Thus, the penalty is a maximum of ten years imprisonment if the damage results in a loss in excess of \$2,500. If the damage results in a loss of more than \$500 but less than \$2,500, the maximum is five years imprisonment. For all other cases, the penalty is up to 90 days or a fine of up to \$700.

# Committee Capsule

The division, chaired by Sen. Donna Peterson (DFL-Mpls.), also approved two additional bills. H.F. 97, carried by Sen. Richard Cohen (DFL-St. Paul), requires pre-sentence investigation reports of persons convicted of gross misdemeanors. Currently, pre-sentence investigation reports are required in felony cases and are authorized, but not required, in gross misdemeanor and misdemeanor cases.

S.F. 220, also authored by Cohen, makes several changes in the juvenile code and in sections dealing with the Child in Need of Protective Services (CHIPS) provisions. The bill prohibits courts from transferring legal custody of a child if the only reason is to provide special treatment services to the child. In addition, the court is allowed to terminate parental rights without parental consent if the child is a CHIPS child and efforts to correct the conditions leading to the determination that the child is a CHIPS child have failed. Finally, the measure also eliminates criminal liability for social service and other outreach workers who provide services to runaway and homeless children.

All three measures were advanced to the full Judiciary Committee.

## Corporate takeover bills discussed

Members of the Judiciary Division on Civil Law continued discussion of two measures that amend statutes dealing with corporate takeovers Fri., Feb. 24. Both S.F. 190 and S.F. 221 have similar provisions, including the clarification of "beneficial owner" and the reduction of restrictions on business combinations with interested shareholders from five to three years. The measures also provide that in the appointment of special committees disinterested persons must be independent and that the good faith determinations of the committee are based upon reasonable inquiry. S.F. 190, sponsored by Sen. William Luther (DFL-Brooklyn Park), contains additional language which sets up a procedure for a person to petition the district court for the appointment of members to a special litigation committee and provides that if an interested shareholder acquires at least 90 percent of the voting shares of the corporation, the business combination restrictions would not apply.

Robert Gislason, an attorney, spoke in favor of S.F. 190. He emphasized the importance of providing an avenue for minority shareholders to ensure that a special litigation committee is impartial.

Speaking in favor of S.F. 221, sponsored by Division Chair Ember Reichgott (DFL-New Hope), was Philip Garon, also an attorney. Garon said that it is not necessary to provide for the courts to appoint members to a special litigation committee. Under current law, minority shareholders have other avenues to seek redress in the case of decisions made by a special litigation committee, explained Garon.

No action was taken on either bill. S.F. 190 and S.F. 221 will be discussed further by the division.

## DWI affirmative defense bill okayed

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Mon., Feb. 27, and advanced five bills to the full Senate. S.F. 223, authored by Sen. Gene Merriam (DFL-Coon Rapids), creates an affirmative defense to the DWI charge of being in physical control of a motor vehicle. An affirmative defense places the burden of proof on the defendant to prove the defense, rather than on the prosecution. Under the bill, a defendant would have to prove by clear and convincing evidence that the defendant did not drive a vehicle to the location where the defendant was arrested, or did not drive to that location while under the influence of alcohol and did not intend to drive the vehicle while under the influence of alcohol.

S.F. 675, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), expands the crime of failure to appear for a criminal court appearance by including failure to appear for misdemeanor and gross misdemeanor charges along with the current crime of failure to appear for a felony charge. In addition, the bill creates an affirmative defense that the failure to appear was due to circumstances beyond the person's control. The bill also prescribes a misdemeanor penalty for the crime of failure to appear for a criminal court appearance and specifies that violations are to be prosecuted by the prosecuting authority responsible for prosecuting the original offense.

S.F. 560, authored by Sen. John Marty (DFL-Roseville), authorizes the Ramsey County attorney to prosecute gross misdemeanor violations of unreasonable restraint of children, malicious punishment of a child and child neglect. Currently, Ramsey County is the only metropolitan county that does not prosecute these violations.

S.F. 618, authored by Sen. Richard Cohen (DFL-St. Paul), alters the criminal offenders rehabilitation law to exempt employment by a school district from requirements relating to employment of rehabilitated criminal offenders.

Finally, the panel also approved and recommended for the Consent Calendar a bill that provides that regulations for relocation benefits for displaced persons under eminent domain be adjusted in tandem with the adjustment of federal regulations. S.F. 628 is authored by Sen. Donna Peterson (DFL-Mpls.).

## Subcommittee examines four bills

Members of the Judiciary Subcommittee on Data Privacy, chaired by Sen. Richard Cohen (DFL-St. Paul), met Tues., Feb. 28, to hear three data privacy bills and consider the data privacy issues of a fourth. S.F. 134, authored by Sen. Don Frank (DFL-Spring Lake Park), gives the State Committee of Blind Vendors access to private data in the Dept. of Jobs and Training on an individual licensed under the blind vendor statute to the extent necessary for the committee to complete its duties. S.F. 264, sponsored by Sen. A. W. "Bill" Diessner (DFL-Afton), specifies that private health care providers furnish patient health records and reports quickly upon the written request of the patient.

S.F. 222, authored by Sen. Gene Merriam (DFL-Coon Rapids), deals with access to medical data and medical examiner data by family members of a deceased patient. Under the bill, medical data in a public facility are available to the surviving spouse, parents, children and sibling, or if there are no surviving spouse, parents, children or siblings to the relative of the nearest degree of kinship. Further, the bill specifies the medical examiner data are available to a surviving spouse, parents, children, siblings or legal representatives. Finally, the bill provides access to health records in private facilities to include the surviving spouse and parents of a deceased patient.

All three measures were advanced to the full committee.

Finally, the subcommittee examined the data privacy issues contained in S.F. 320. The bill, sponsored by Sen. Allan Spear (DFL-Mpls.), deals primarily with the sentencing and treatment of sex offenders. However, a portion of the bill dealing with juvenile sex offenders raises data privacy issues. The bill requires the juvenile court to forward to the Bureau of Criminal Apprehension data on juveniles adjudicated delinquent for having committed an act that would be a felony if committed by an adult. The bill spells out the data to be transmitted to the bureau. The subcommittee amended the measure to require that the county of adjudication be included and deleted a requirement that the juvenile court notify the bureau whenever juvenile court records are destroyed. In addition, the bill sets up a centralized system for identification of adjudicated juveniles. The measure was amended to provide access for all persons who currently have access to juvenile court records as already provided in statute or in court rules. Originally, the bill had listed agencies and authorities with access. The Criminal Law Division will continue work on the bill.

## Will act okayed

Members of the Judiciary Division on Civil Law approved a measure that enacts the Uniform Statutory Will Act Weds., Mar. 1. The bill was referred to the full committee.

S.F. 260, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), provides a simple mechanism for the making of a will. The bill provides for the surviving spouse to receive the entire estate or, if there are surviving children, the division of the estate. Other provisions of the bill include the establishment of a trust when property is distributable to children who are under an age specified in the will or under age 23, if an age is not indicated in the will; distribution of property to underage persons; and distribution of the estate when there is no surviving spouse. A notice provision informing the testator to talk to a lawyer if there are any questions regarding the will was amended to the bill.

In other action, the division approved a measure which makes technical corrections to the Uniform Condominium Act. S.F. 210, sponsored by Chair Ember Reichgott (DFL-New Hope), provides that the purchaser's right to cancel applies to condominiums created before August 1, 1980 and that an existing condominium is not affected by a lien put on real estate added in the expansion of a flexible condominium. S.F. 210 was also referred to the full committee.

## Sentencing bill amended, debated

Members of the Judiciary Criminal Law Division devoted the entire Wed., Mar. 1, hearing to discussion of the sentencing bill, S.F. 314, and two additional measures that were subsequently amended onto the sentencing bill. S.F. 314, sponsored by Division Chair Donna Peterson (DFL-Mpls.), makes a number of changes in the sentencing laws including increasing the term of mandatory imprisonment for a life sentence from 17 to 25 years; increasing the penalties for first, second, third and fourth degree assault and increasing penalties for repeat offenders.

After hearing testimony on S.F. 314, panel members then turned their attention to two measures, authored by Sen. Allan Spear (DFL-Mpls.), that revise the auto theft and theft statutes and increase the penalty for criminal vehicular operation. S.F. 383 provides that theft includes intentionally taking or driving a motor vehicle without the consent of the owner. Under current law, the prosecution must prove that an individual had the intent of depriving the owner permanently of possession of the vehicle. As a result, most auto theft cases have been prosecuted as unauthorized use of a motor vehicle with a lesser penalty. Spear said that S.F. 383 is designed to make it easier to prosecute auto theft, a crime which has become increasingly serious. The measure also specifies felony penalties for auto theft and provides for the sentencing of dealers who receive stolen property. Finally, the bill repeals the unauthorized use of a motor vehicle statute.

The second bill, S.F. 31, increases the penalty for criminal vehicular operation. Under the bill, the penalty for criminal vehicular operation resulting in death is ten years, a fine of up to \$20,000, or both. In addition, the bill specifies that the sentence for criminal vehicular operation resulting in great bodily harm is five years, a fine of up to \$10,000, or both.

## Local and Urban Government

### Municipal annexation bill debated

The Mon., Feb. 27, meeting of the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), centered on discussion of a municipal annexation bill. Committee action on the bill was delayed until Mon., Mar. 6.

S.F. 327, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), changes the procedure for detaching and annexing incorporated land. Knaak explained that the bill corrects a loophole in legislation enacted in 1985 relating to property owners who petition for a concurrent detachment of their property from one municipality and seek annexation to an adjacent municipality. S.F. 327 specifies that the governing body of each municipality must approve the petition before the Minnesota Municipal Board can initiate hearings to decide the issue. The bill also nullifies all concurrent detachments and annexations approved by the municipal board between Aug. 1, 1985, and Dec. 31, 1988, unless all affected municipalities approve, by resolution, that the concurrent detachments and annexations should remain in force.

Witnesses representing various municipalities and the League of Minnesota Cities testified that S.F. 327 will eliminate potential abuse of existing state annexation laws. They argued that present law makes it too easy for land owners to petition for annexation of their property to a different municipality in order to take advantage of possible economic incentives offered by that municipality. The Minnesota Municipal Board and several property owners expressed opposition to the bill because they believe it will limit a land owner's ability to pursue water and sewer service improvements and to obtain commercial development authorization through the municipal concurrent detachment and annexation process.

### Township bill approved

The Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), met Thurs., Mar. 2, and approved a bill granting specified water and sewer powers to townships. S.F. 459, sponsored by Sen. Betty Adkins (DFL-St. Michael), is now headed to the Taxes and Tax Laws Committee.

Adkins said that the bill broadens the definition of a municipality in Minnesota state statutes to include all towns—rather than just towns located in a metropolitan county. S.F. 459 permits municipalities to build waterwork, sewer, and storm sewer systems, and to issue the bonds to pay for these systems. In addition, the bill grants municipalities the power to establish storm sewer improvement districts. Minnesota Association of Townships representative Richard Cox said that the bill gives towns much-needed au-

thority to use financing options to make service improvements.

## Taxes and Tax Laws

### Nonprofit tax exemptions debated

Discussion of sales and property tax exemptions for Minnesota nonprofit organizations dominated the Tues., Feb. 28, meeting of the Taxes and Tax Laws Division on Property Taxes and Local Government Aids. The division is chaired by Sen. Steven Novak (DFL-New Brighton).

Minnesota Citizen's League representative Craig Olson told division members that his organization has issued a report containing recommendations that, if implemented, will create new incentives for nonprofits. He said that because nonprofit organizations are exempt from paying property and sales taxes in Minnesota, the state loses an estimated \$770 million annually in property tax revenues and \$85 million annually in sales tax revenues. In order to partially offset this deficiency, Olson suggested that nonprofits should retain both of their state tax exemptions but pay a "property tax-related fee." He said that the state should base this fee on the actual cost of providing essential public services such as fire and police protection for each nonprofit facility and assess that facility the corresponding amount. Olson added that his organization supports the concept of paying state income tax on profits from unrelated businesses.

Minnesota Council on Foundations President Jackie Reis expressed her group's support for the imposition of property tax service fees instead of repealing all nonprofit organization property tax exemptions. She also suggested that information on Minnesota nonprofit organizations be collected, summarized, and made available through some form of central "clearing house" to other nonprofits throughout the state. Mike Hickey, state director, National Federation of Independent Business, expressed support for many of the recommendations contained in the Minnesota Citizen's League report, particularly the recommendations pertaining to property and sales taxes.

Minnesota Council of Nonprofits representative Jon Pratt detailed findings contained in his organization's report that refute many of the major arguments made by advocates of nonprofit taxing. He said that taxing nonprofit charities will generate an insignificant amount of state revenue while significantly impacting nonprofits' budgets.

## Transportation

### Committee approves two bills

Bills allocating state funds to Minnesota counties for road improvements and to local communities for air service enhancement were approved, Thurs., Mar. 2, by members of the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault). The committee decided to delay action on a bill establishing weight limits on vehicles with pneumatic tires.

S.F. 159, sponsored by Sen. Roger Moe (DFL-Erskine), reapportions funds distributed from the five percent set-aside of the Highway Users Tax Distribution Fund. Moe explained that under the bill's provisions, counties will receive a larger share of funds generated by the set-aside, while the state's share will be reduced. He added that this redistribution is constitutionally permitted only once every six years. Minnesota Association of Townships representative Dave Fricke expressed support for S.F. 159, noting that counties need the additional funds to upgrade roads. The bill was approved by the committee and will now go to the Finance Committee.

A bill providing for the use of state funds to help local communities participate in a federal air service maintenance and enhancement program was approved by panel members and sent to the full Senate. S.F. 499, sponsored by Sen. Jim Vickerman (DFL-Tracy), permits the state transportation commissioner to use money from the state airports fund to provide matching funds for participation in the federal essential air service program. The bill also creates a new class of aircraft called "recreational aircraft," and reduces registration fees for this class of aircraft by one-half.

Richard Stehr, director, Minnesota Dept. of Transportation Freeway Operations Management Office, told committee members that S.F. 469, sponsored by Sen. Gary DeCramer (DFL-Ghent), was drafted in response to department concern that excessive weight on pneumatic-tired vehicles was promoting road pavement deterioration at an alarming rate. He explained that the bill establishes varying maximum weight limits for different types of vehicles with pneumatic tires, and measures these weight limits in terms of pounds per inch of tire width. Stehr added that 28 states have adopted vehicle weight limits similar to those proposed in the bill.

# Committee Capsule

Truck manufacturing representatives argued that S.F. 469, if enacted, will adversely impact their businesses because of the burdensome vehicle conversion costs they must pay to comply with the bill's provisions. The committee delayed action on the bill in order to devote further study to its provisions.

## Veterans and Military Affairs Posttraumatic stress bill gains

A bill requiring pre-sentence investigations to include information on whether the person is a veteran suffering from Posttraumatic stress

syndrome was the sole focus of the Veterans and Military Affairs Committee hearing Tues., Feb. 28. The committee, chaired by Sen. Joe Bertram, Jr., approved the measure and re-referred the bill to the Health and Human Services Committee.

The bill, S.F. 590, authored by Sen. A. W. "Bill" Diessner (DFL-Afton), requires that pre-sentence investigations discover, first, if the offender is a veteran and secondly, if the offender is a veteran, to determine if the veteran is suffering from posttraumatic stress disorder. The bill further requires that corrections facilities provide appropriate medical treatment to veterans suffering from posttraumatic stress disorder.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 6

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** S.F. 138-Hughes: Provides for the Minnesota Career Teacher Act. S.F. 316-Reichgott: Requires reporting of newborns with signs of controlled substance exposure. S.F. 146-Pehler: Authorizes use of health and safety revenue to improve handicapped accessibility to school district facilities.

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

8:30 a.m. Room 125 Capitol

**Agenda:** Budget overviews for the Ombudsman for Mental Health and Mental Retardation, and the Dept. of Finance.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 594-Frederickson, D.J.: Conforms to federal food law provisions. S.F. 655-Frederickson, D.J.: Appropriates money for promotion of ethanol. S.F. 60-DeCramer: Recodification of water laws.

**Finance Division on Agriculture, Transportation and Semi-states**,

Chair: Keith Langseth

10 a.m. Room 123 Capitol

**Agenda:** Budget hearings for the Historical Society, the Safety Council, Pipeline Safety, and the POST Board.

**Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 150-Lessard: State lottery. S.F. 134-Frank: Blind vendors' committee access to private state data. S.F. 210-Reichgott: Condominium purchaser protections. S.F. 621-Berglin: Limits DHS access to a minor's court-supervised settlement funds. S.F. 624-Spear: Parental liability for theft by a minor child.

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

12 noon Room 15 Capitol

**Agenda:** Presentation by the Minnesota Chapter of the National Association of Industrial and Office Parks. S.F. 681-Beckman: Changes terminology in the temporary housing demonstration program. S.F. 522-Pogemiller: Establishes affordable housing programs. S.F. 718-Frank: Authorizes the Minnesota housing finance agency to establish a housing rehabilitation program.

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

12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 327-Knaak: Continues discussion of bill relating to cities removing an annexation provision.

\*The Senate will be in session at 2 p.m.

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** S.F. 212-Reichgott: Requires annual testing by school districts and

\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.

publication of school comparison reports. S.F. 147-Peterson, D.C.: Authorizes transportation aid for transportation to school within different attendance area within school district. S.F. 253-Pehler: Authorizes community education funds to acquire equipment to be used exclusively in community education programs. H.F. 141-Peterson, R.W.: Corrects, clarifies, and changes certain education statutes.

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

3 p.m. Room 123 Capitol

**Agenda:** Budget overviews of the Judicial Standards Board, the Supreme Court, Court of Appeals, and District Courts.

### Tuesday, March 7

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

8 a.m. Room 125 Capitol

**Agenda:** S.F. 704-DeCramer: Appropriates money to establish and expand post-secondary nursing programs and for nursing scholarships.

**Employment Committee**, Chair: Florian Chmielewski

8 a.m. Room 107 Capitol

**Agenda:** S.F. 312-Merriam: Personnel records. S.F. 59-Diessner: Workers' Comp recodification. S.F. 775-Frank: Workers' Comp recodification.

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

8 a.m. Room 118 Capitol

**Agenda:** S.F. 122-Brandl: Dept. of Revenue data privacy.

**Legislative Commission on Pensions and Retirement**, Chair: Rep.

Wayne Simoneau

8 a.m. Room 15 Capitol

**Agenda:** Election of commission officers, and discussion of pension issues facing the 1989 Legislative Session.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 447-DeCramer: Triple trailers.

**Commerce Committee**, Chair: Sam Solon

10 a.m. Room 112 Capitol

**Agenda:** S.F. 699-Johnson, D.J.: Authorizes additional off-sale liquor license for Cook County. S.F. 358-Solon: Various liquor provisions. S.F. XXX-Luther: Regulation of the practice of accountancy. S.F. 784-Belanger: Car renters liable for damages only in certain circumstances.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl

1 p.m. Room 112 Capitol

**Agenda:** S.F. 10-Dahl: Requires volume or weight based pricing of collection of mixed municipal solid waste. S.F. 95-Lessard: Requires counties to provide an opportunity to recycle. S.F. 371-Merriam: Establishes plans and programs to reduce waste generated, recy-

cle waste, develop markets, etc. S.F. 386-Pehler: Requires source separation of recyclable materials by generators of mixed municipal solid waste.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 778-Berglin: Institutions for Mental Diseases. S.F. 486-Berglin: Requires reasonable efforts to prevent placement of children in need of protection services; reunification, classification. S.F. 195-Berglin: Ombudsman for mentally ill and mentally retarded.

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

3 p.m. Room 125 Capitol

**Agenda:** M SPAN 2000 and Technology Task Force reports.

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

3 p.m. Room 123 Capitol

**Agenda:** Budget overviews of the Secretary of State's Office and the Dept. of Administration.

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

3 p.m. Room 15 Capitol

**Agenda:** Presentations on truth in taxation and levy limits.

**Education Division on Education Funding**, Chair: Randolph Peterson

6:30 p.m. Room 15 Capitol

**Agenda:** Presentation on the governor's budget: Access to Excellence programs.

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

7 p.m. Room 112 Capitol

**Agenda:** S.F. 187-Merriam: Provides for notice and first option to purchase a manufactured home park by the residents.

**Joint Senate and House Education Committees, Finance Division on Education and Education Division of House Appropriations**, Chair: James Pehler

7 p.m. Room 123 Capitol

**Agenda:** Interviews with student and 5th District candidates for the U of M Regents positions.

## Wednesday, March 8

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

8 a.m. Room 107 Capitol

**Agenda:** S.F. 506-Purfeerst: Provides for charitable gambling's licensing and auditing; transfers certain powers and duties to the commissioner of revenue.

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** S.F. 273-Beckman: Education district board membership. S.F. 343-Dicklich: Notification of pupil's participation in enrollment options program. S.F. 557-Peterson, R.W.: Requires a pupil to stay in school for one year under open enrollment. S.F. 471-Changes definitions of teachers, supervisory and support personnel for purpose of licensure.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 654-Frederickson, D.J.: Appropriations for county and district agricultural societies. S.F. 737-Berg: Allocates and apportions income from value added processing.

**Finance Division on Agriculture, Transportation and Semi-states**, Chair: Keith Langseth

10 a.m. Room 123 Capitol

**Agenda:** Budget hearing for the Dept. of Agriculture.

**Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 155-Dahl: Penalties for destructive computer programs. S.F. 220-Cohen: CHIPS placement standards; termination of parental rights; juvenile runaway programs not contributing to delinquency of minors. S.F. 222-Merriam: Access to medical examiner, hospital records by deceased person's family. S.F. 260-Merriam: Uniform Statutory Will Act. S.F. 264-Diessner: Timeliness of

patient access to health records. S.F. 331-Moe, D.M.: Elimination of notary public bonding. S.F. 753-Spear: Drug Abuse Prevention Resource Council.

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

11:30 a.m. Room 107 Capitol

**Agenda:** S.F. 556-Ramstad: Provides for handicap access to precinct caucuses and party conventions. S.F. 89-Frank: Clarifies and modifies certain exceptions to multicandidate political party expenditure limitations. S.F. 428-Berglin: Authorizes the distribution of campaign material under certain conditions. Reports from the Secretary of State.

**Commerce Subcommittee on Banking**, Chair: James Metzen

1 p.m. Room 107 Capitol

**Agenda:** Informational presentations of S.F. 188-Freeman: Requires mortgage lenders and brokers to obtain a license from the commissioner of commerce, and S.F. 50-Spear: Regulates the business of mortgage bankers, loan officers, general mortgage brokers, and individual mortgage brokers.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl

1 p.m. Room 112 Capitol

**Agenda:** Continuation of S.F. 10-Dahl: Requires volume or weight based pricing of mixed municipal solid waste. S.F. 95-Lessard: Requires counties to provide an opportunity to recycle. S.F. 371-Merriam: Establishes plans and programs to reduce waste generated, recycle waste, develop markets, etc. S.F. 386-Pehler: Requires source separation of recyclable materials by generators of mixed municipal solid waste.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 468-Chmielewski: Clarifies methods of determining the cost of care rendered at state facilities. S.F. 590-Diessner: Requires a presentence investigation report on a convicted veteran to include information on Posttraumatic Stress Disorder. S.F. 487-Berglin: Clarifies requirements for MSA.

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

3 p.m. Room 123 Capitol

**Agenda:** Presentation of the Task Force on Child Care in Higher Education recommendations.

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

3 p.m. Room 125 Capitol

**Agenda:** Budget overview of the Dept. of Human Services.

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

3 p.m. Room 107 Capitol

**Agenda:** Budget overviews of the Housing Finance Agency, the Dept. of Human Rights, and the State Planning Agency.

**Taxes and Tax Laws Division on Sales Tax**, Chair: LeRoy Stumpf

3 p.m. Room 15 Capitol

**Agenda:** S.F. 473-Johnson, D.J.: Changes the rate and computation of charitable gambling taxes. S.F. 254-Pehler: Makes sales of pull-tabs and tipboards to exempt organizations exempt from state tax. S.F. 352-Lantry: Allows licensed organizations to conduct casino nights under specified conditions.

**Veterans and Military Affairs Committee**, Chair: Joe Bertram, Sr.

3 p.m. Basement Hearing Room SOB

**Agenda:** Presentation on the Dept. of Administration's Veterans Homes Siting Study of Southwest Minnesota.

## Thursday, March 9

**Employment Committee**, Chair: Florian Chmielewski

8 a.m. Room 107 Capitol

**Agenda:** S.F. 82-Stumpf: Workers' Comp location of exams. S.F. 505-Chmielewski: Workers' Comp legal assistance fund. S.F. 287-Chmielewski: Employment application fee prohibition.

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

8 a.m. Room 15 Capitol

**Agenda:** S.F. 435-Bertram: Emergency rulemaking authority for the veter-

ans homes board. S.F. 671-Waldorf: Composition of the Commission on Uniform State Laws. S.F. 596-Freeman: Direct deposit of state employees pay in credit unions.

**Transportation Committee**, Chair: Clarence Purfeerst  
8 a.m. Room 112 Capitol

**Agenda:** S.F. 659-Purfeerst: Dealer plate restrictions. S.F. 579-Moe, D.M.: Slow moving vehicle signs.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich  
10 a.m. Room 15 Capitol

**Agenda:** Confirmation of Cynthia Kitlinski to the Public Utilities Commission. S.F. 133-Frank: Provides free copies of Minnesota Statutes to the Public Utilities Commission.

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

**Agenda:** Tentative: S.F. 657-Morse: Establishes a small business innovation research bridge grant program; S.F. 278-Morse: Renaming Regional Development Commissions and authorizing Area Development Alliances.

**Local and Urban Government Committee**, Chair: Robert Schmitz  
12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 546-Davis: Mora wastewater treatment facility contract negotiation authority. S.F. 500-Brataas: Olmsted County public morgue operation requirement exemption. S.F. 591-Peterson, D.C.: Appointment of certain employees of Minneapolis and School District No. 1.

**\*The Senate will be in Session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson  
3 p.m. Room 15 Capitol

**Agenda:** Presentation on the governor's education budget: special programs, and federal programs regarding special education.

**Finance Division on State Departments**, Chair: Carl Kroening  
3 p.m. Room 123 Capitol

**Agenda:** Budget overviews of the Dept. of Finance and the Pollution Control Agency.

**Joint Senate and House Education Committees, Finance Division on Education, Education Division of House Appropriations**, Chair: James Pehler

7 p.m. Room 123 Capitol

**Agenda:** Interviews with the 5th District and at-large candidates for the U of M Regents positions.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott  
7 p.m. Room 107 Capitol

**Agenda:** S.F. 525-Reichgott: Nonprofit corporation law; recodification and modification.

**Judiciary Division on Criminal Law**, Chair: Donna Peterson  
7 p.m. Room 15 Capitol

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

**Agenda:** S.F. 320-Spear: Sexual assault offender control: increasing penalties; DNA profiling; juvenile sex offender jurisdictions, etc.

## Friday, March 10

**Education Division on Higher Education**, Chair: Gergory Dahl  
8 a.m. Room 123 Capitol

**Agenda:** S.F. 425-Johnson, D.E.: Allows purchase of real property by independent school district No. 347. S.F. 394-Dicklich: Requires post-secondary education and administrative faculty to take certain coursework. S.F. 517-Freeman: Appropriates money to HECB for community service grant program for post-secondary institutions.

**Education Division on Education Funding**, Chair: Randolph Peterson  
8 a.m. Room 15 Capitol

**Agenda:** Presentation on the governor's budget: special programs and federal programs regarding special education.

**General Legislation and Public Gaming Committee**, Chair: Marilyn Lantry  
8 a.m. Room 107 Capitol

**Agenda:** S.F. 532-Morse: Provides for the preservation of land surveys; establishes time for the permanent microfilming of the surveys. S.F. 506-Purfeerst: Charitable gambling.

**Finance Division on Agriculture, Transportation and Semi-states**, Chair: Keith Langseth  
10 a.m. Room 123 Capitol

**Agenda:** Budget hearings for the Dept. of Public Service, Telecommunication Access Communicatively Impaired Persons (TACIP), and the Dept. of Agriculture.

**Finance Division on Health and Human Services**, Chair: Don Samuelson  
10 a.m. Room 112 Capitol

**Agenda:** Continuing Dept. of Human Services budget overview.

**\*Judiciary Division on Criminal Law**, Chair: Donna Peterson  
10 a.m. Room 15 Capitol

**Agenda:** Presentation by Anthony Travisno Executive Director of the American Correctional Association. S.F. 314-Peterson, D.C.: Sentencing bill, implementation and override of sentencing guideline modifications.

**Health and Human Services Committee**, Chair: Linda Berglin  
1 p.m. Room 15 Capitol

**Agenda:** S.F. 748-Spear: Establishes state child mortality review panel; authorizes state to require local reviews. S.F. 745-Brandl: Encourages increased efforts to collect child support for public and nonpublic assistance clients.

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

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# Briefly

The Minnesota Senate Week in Review

March 10, 1989

## Triple trailer bill defeated

Members of the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), met Tues., Mar. 7, and defeated a bill to allow triple trailers to operate in Minnesota. The final committee vote was 6-6.

Sen. Gary DeCramer (DFL-Ghent), author of S.F. 447, explained that the bill permits triple trailers to operate in the state from Aug. 1, 1989, to Aug. 31, 1993, under a demonstration project supervised by the Minnesota Dept. of Transportation (MnDOT). He offered a detailed amendment broadening the commissioner of transportation's authority to: require triple trailer motor carriers to supply reports and data on accidents, operational costs, and safety inspections; ensure that triple trailer drivers complete an aggressive driver training certification program; and guarantee that triple trailer vehicles have additional safety equipment. DeCramer's amendment also granted additional authority to the commissioner of transportation to revoke triple trailer permits for specified driver violations. Two amendments offered by Sen. Marilyn Lantry (DFL-St. Paul), eliminating three MnDOT positions upon completion of the demonstration project and increasing permit fees to make the project fiscally self-sufficient, were also presented. All three amendments were adopted by committee members prior to S.F. 447's defeat.

## Deer feeding bill gains final passage

Final passage of a bill authorizing money for an emergency deer feeding program in northern Minnesota, and the adoption of permanent rules for the legislative session highlighted the Mon., Mar. 6, Senate floor session. Twelve bills on the Senate Calendar and Consent Calendar were also granted final passage.

By a vote of 52-2, the Senate concurred with an amendment adopted by the other body that reduced the funding level for S.F. 574 from \$500,000 to \$300,000. The bill, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), appropriates money from the Game and Fish Fund to help save deer from starvation and predation in the northern part of the state.

The permanent rules of the Senate were adopted by a vote of 62-1. The permanent rules provide for the conduct of Senate business.

Final passage was granted to the following bills appearing on the Senate Calendar: H.F. 29, sponsored by Sen. Ember Reichgott (DFL-New Hope), increasing the number of deputy examiners of title in the second and fourth judicial districts; S.F. 169, authored by Sen. Mel Frederick (IR-Owatonna), allowing a custodial parent of a handicapped minor to obtain special license plates for the handicapped; S.F. 115, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), requiring the adjutant general to furnish flags for deceased members of the national guard regardless of their number of years of service; S.F. 286, sponsored by Sen. Jim Vickerman (DFL-Tracy), clarifying the authority of the adjutant general to establish the pay grade for staff positions; S.F. 363, authored by Sen. John Brandl (DFL-Mpls.), clarifying administrative and judicial review procedures and creating new procedures relating to human services.

In addition, final passage was granted to S.F. 117, sponsored by Vickerman, modifying the method of applying the requirement that at least

50 percent of new intermediate care beds be used for persons transferred from the regional treatment centers, allowing case managers or the commissioner to carry out screening for home and community-based services, and allowing counties to contract for guardianship services in screening for services; S.F. 123, authored by Sen. David Frederickson (DFL-Murdock), providing for the establishment of an audit guide task force by the state auditor; S.F. 206, sponsored by Sen. William Belanger (IR-Bloomington), regulating exempt rules and administrative procedures in state government; S.F. 121, authored by Sen. Betty Adkins (DFL-St. Michael), authorizing town boards to provide for the collection of unpaid service charges; and H.F. 113, sponsored by Adkins, granting powers to towns and setting certain procedures.

Two bills on the Consent Calendar were also granted final passage. S.F. 628, sponsored by Sen. Donna Peterson (DFL-Mpls.), provides for relocation benefits for displaced persons. S.F. 149, authored by Sen. Allan Spear (DFL-Mpls.), authorizes the Mpls. school district to pay health insurance premium subsidies more often than annually.

## Senate processes bills

The Thurs., Mar. 9, Senate floor session was devoted to granting preliminary approval to a number of bills.

Granted preliminary approval were H.F. 267, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), reducing from two years to one year the number of years the adjutant general of the Minnesota National Guard is required to serve as brigadier general before promotion to major general; S.F. 400, authored by Sen. Marilyn Lantry (DFL-St. Paul), regulating the medication of race horses; S.F. 294, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), providing civil and criminal penalties for the unauthorized release of research animals; and H.F. 14, authored by Sen. Allan Spear (DFL-Mpls.), revising current procedures relating to the ordering and collection of restitution.

In addition, preliminary approval was also given to H.F. 68, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), making technical corrections to the property taxation of unmined iron ore, clarifying the corporate franchise tax, retroactively providing a corporate franchise tax modification for mining income or gains, clarifying the computation of mining occupation taxes, and exempting S corporations from business activity report filing requirements; and H.F. 214, also authored by Pogemiller, making technical corrections and clarifications to individual income and corporate franchise taxes, updating references to the Internal Revenue Code, imposing a tax and providing for withholding of certain payments to nonresidents, and requiring surety payment by out-of-state contractors.

In other action S.F. 156, sponsored by Lantry, authorizing the governor to negotiate a tribal-state compact pursuant to the Indian gaming regulatory act, was sent to conference committee.

## Service for hearing-impaired available

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

# Committee Capsule

## Agriculture and Rural Development

### Committee approves three bills

Members of the Agriculture and Rural Development Committee met Mon., Mar. 6, and approved bills promoting ethanol, recodifying state water laws, and revising Minnesota statutes to comply with federal food law provisions. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 655, sponsored by Sen. David Frederickson (DFL-Murdock), appropriates \$200,000 from the ethanol development fund to promote ethanol fuel usage in Minnesota. The funding request is to continue an ethanol promotion program originally started during the 1988-89 biennium. Panel members approved the bill and sent it to the Finance Committee.

S.F. 60, sponsored by Sen. Gary DeCramer (DFL-Ghent), recodifying existing state water statutes, also gained committee approval. DeCramer explained that the bill represents a culmination of three years of effort to rearrange, clarify, and restructure Minnesota's water laws, and that it makes no substantive changes in the laws. The bill is now headed to the full Senate.

S.F. 594, sponsored by Frederickson, revises Minnesota food law statutes in order to maintain uniformity with federal food law provisions. Frederickson noted that the bill was requested by the Minnesota Dept. of Agriculture. The bill was approved by panel members and now goes to the Senate floor.

### Value-added tax bill approved

Bills revising the state's value-added processing tax policy and appropriating funds for county and district agricultural societies were approved Wed., Mar. 8, by members of the Agriculture and Rural Development Committee. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 737, sponsored by Sen. Charles Berg (DFL-Chokio), relates to the allocation and apportionment of income from value-added processing. Berg explained that the bill's intent is to inject a measure of fairness into the state's taxation practices. Ron Sieloff, representing the Sparboe Agricultural Corporation, said that S.F. 737 permits farm income to be apportioned using the three-factor formula currently used in computing state income taxes. He noted that under existing statutes, farm income is 100 percent taxable regardless of a value-added product's sale destination and that Minnesota is the only U.S. state with such a restrictive farm income taxing policy. Sieloff added that under the bill's provisions, the Dept. of Revenue estimates an annual state revenue loss of \$700,000.

Minnesota Commissioner of Agriculture Jim Nichols expressed support for the bill, noting that the Legislature should also examine and revise other agricultural tax policies. Panel members approved S.F. 737 and re-referred it to the Taxes and Tax Laws Committee.

S.F. 654, sponsored by Sen. David Frederickson (DFL-Murdock), requests a \$722,000 General Fund appropriation to support county and district agricultural societies in Minnesota. This funding covers the 1990-91 biennium. The bill received committee approval and is now headed to the Finance Committee.

## Commerce

### Later Sunday serving time for bars approved

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved S.F. 358, authored by Solon, which allows on-sale liquor establishments to serve liquor Sunday evenings until 1 a.m. Monday morning. The later closing date was added to the bill by an amendment proposed by Sen. Allan Spear (DFL-Mpls.).

As originally offered, the bill extended the time on-sale establishments may sell liquor on Sunday night from midnight to 1 a.m. Monday morning if the Monday was New Year's Day. However, an amendment proposed by Solon and later withdrawn would have allowed on-sale establishments to sell liquor until 1 a.m. Monday morning throughout the entire period that daylight savings time is in effect. At that point, Spear offered his amendment and the committee approved it.

In addition, the bill allows off-sale establishments to sell liquor on the Fourth of July; adds malt liquor to the list of things that off-sale licensees

may dispense samples of; and allows a municipality to issue or renew a license to a person who has within five years been convicted of a willful violation of a federal or state law or ordinance governing the manufacture, sale, or distribution of alcoholic beverages.

In other action, the committee approved, as amended, S.F. 784, sponsored by Sen. William Belanger (IR-Bloomington), prohibiting a car rental company from charging a collision damage waiver to any individual renting a vehicle. Further, the bill specifies that a rental company that rents a motor vehicle for less than 30 continuous days may not hold an authorized driver liable for any damage to the vehicle unless certain conditions—such as if the damage is caused intentionally by the driver or by a willful misconduct, or if the driver is driving drunk—are met. A rental company may be fined \$500-\$1000 for each violation.

Also approved as amended was S.F. 917, which makes a number of technical changes in the regulation of accountants. The heart of the bill, according to author Sen. William Luther (DFL-Brooklyn Park), is the section that provides a standard of care for each level of service that an accountant may provide.

The committee also approved S.F. 699, authored by Sen. Douglas Johnson (DFL-Cook), allowing the Cook County Board to issue an off-sale intoxicating liquor license to an exclusive liquor store in Lutsen township, contingent on approval by the Lutsen and Cook boards and the commissioner of public safety.

S.F. 917 was re-referred to the Judiciary Committee. All other bills were sent to the floor.

### Mortgage banking bills discussed

The Commerce Subcommittee on Banking met Wed., Mar. 8, to hear informational presentations on S.F. 188, authored by Sen. Michael Freeman (DFL-Richfield), and S.F. 50, authored by Sen. Allan Spear (DFL-Mpls.). Both bills regulate the mortgage banking industry.

The subcommittee, chaired by Sen. James Metzen (DFL-So. St. Paul), focused on the major differences between the two bills. S.F. 50 calls for both individual and corporate licensure of the industry; S.F. 188 requires only corporate licensure. S.F. 50 also provides education requirements for individuals applying for licensure.

Metzen said that he hoped the two authors could work together to produce one compromise bill.

## Economic Development and Housing

### Affordable housing bill heard

At the Mon., Mar. 6, meeting, the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), began to review a bill to establish affordable housing programs. The bill is sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.).

S.F. 522 incorporates recommendations of the Governor's Commission on Affordable Housing. After Pogemiller gave an overview of the lengthy bill, two significant amendments were brought before the committee. One amendment that was discussed proposes to finance restoration of targeted neighborhoods in Minneapolis, St. Paul and Duluth under Urban Revitalization Action Program (URAP) guidelines. Another amendment, offered by Sen. Ember Reichgott (DFL-New Hope), would extend such financing to suburban and rural neighborhoods that meet certain eligibility requirements. Further consideration of S.F. 522 is scheduled for a later date.

In other action, S.F. 681, which changes the name of the Temporary Housing Demonstration Program to the Transitional Housing Program, was amended and approved by the committee. As amended, the bill extends to 24 months the period of time a homeless person or family can live in transitional housing. S.F. 681 also requires that the commissioner of the Dept. of Jobs and Training make an annual report on the program to the Legislature.

### Manufactured home park bill considered

The Economic Development and Housing Committee met Tues., Mar. 7, to consider S.F. 187, a bill to provide manufactured home park resi-

clents the first option to purchase in the event of a park sale. Several witnesses testified in support and opposition to the bill. Sen. Don Frank (DFL-Spring Lake Park) is chair of the committee.

S.F. 187 requires park owners to give residents 60 days written notice of an intent to sell, and offer a cooperative association of the residents the first option to purchase. During that time, the association would be required to pay a one percent deposit and enter a purchase agreement to maintain its first option. After executing the agreement, the association would have an additional 60 days to obtain financing.

Sen. Gene Merriam (DFL-Coon Rapids), who sponsored the bill, argued that S.F. 187 would not radically change property rights. While not forcing anyone to sell a park, the bill would give residents the first opportunity to buy their park at a fair market price.

Mobile home residents, represented by All Park's Alliance for Change (APAC), maintain that mobile home parks are not sold in an open market, and that S.F. 187 would permit them to apply their park rents toward a collective purchase of the property. Bob Reiner, a Lakeville mobile home resident, cited increases of up to 200 percent in metro area park rents during the past 10 years, and argued that residents could own the park for what they pay in rents.

Opponents of S.F. 187, represented by the Minnesota Manufactured Home Association (MMHA) testified that the bill infringes on park owners' property rights, and discourages mobile home park development. Mary Ives, park owner and MMHA president, said that the holding periods in S.F. 187 make parks unattractive investments and could depress property values. Witnesses also raised questions about complicated financing requirements involved in mobile home park purchases. The committee will continue discussion on the bill at a later date.

## Education

### TI governance bill discussed

Transferring control of the Technical Institutes (TIs) to the State Board of Vocational Technical Education is the main thrust of S.F. 365, sponsored by Sen. James Pehler (DFL-St. Cloud). The bill was discussed Fri., Mar. 3, at the meeting of the Higher Education Division of the Education Committee.

Under the bill, control of the TIs and postsecondary vocational education would be transferred to the board July 1, 1991. Currently, governance of the state's TIs is tied to local school districts.

Some key aspects of the bill, Pehler said, are that it requires a specific legislative act before the closing, merger or reorganization of a TI; it provides for the State Board of Vocational Technical Education to obtain equipment for technical education; and it provides a system for allocation of salary increases negotiated between the state and the TI instructional bargaining unit. In addition, the bill requires that reimbursement be paid to districts for their share of property transferred to the state under the bill.

The bill was laid over.

In addition, Senators heard a report on the governance of the TI System and the Community College System and the Higher Education Coordinating Board (HECB) recommendations regarding the report. The study, conducted by McKinney & Associates of East Lansing, Mich., was criticized by division Chair Gregory Dahl (DFL-Ham Lake), who said that the report seemed short on conclusions.

### Drug education program debated

The Education Committee debated S.F. 316, which bill sponsor Sen. Ember Reichgott (DFL-New Hope) said was to address the problem of "cocaine babies" Mon., Mar. 6. The committee, chaired by Sen. James Pehler (DFL-St. Cloud), concerned itself only with the section of the bill relating to education.

The section, which was deleted, would have established an education program about the effects of controlled substance and alcohol use during pregnancy. In addition, the section would have required the commissioner of education, along with the commissioner of health, to assist school districts in developing programs to prevent and reduce the risk of harm to unborn children exposed to controlled substance and alcohol use by their mother during pregnancy.

Sen. Randolph Peterson (DFL-Wyoming) proposed the amendment to delete the section. Peterson said that it didn't make sense to pass the bill out of the context of a comprehensive health plan and also questioned why the issue couldn't be dealt with in the Dept. of Education. Reichgott indicated that she would pursue the matter through other avenues.

The bill was approved and re-referred to the Health and Human Services Committee.

In other action, the committee approved S.F. 146, authored by Pehler, which adds handicapped accessibility improvements to the purposes for which health and safety revenue may be used. The bill was re-referred to the Education Funding Division.

Senators also heard an overview of S.F. 138, establishing the Minnesota Career Teacher Act. The bill, authored by Sen. Jerome Hughes (DFL-Mapplewood), sets forth a career teacher as one who would establish a learning record and portfolio for a number learners and remain with the same learners for several years. The presentation was merely informational; the bill will be heard by the Education Funding Division.

### Nursing ed bill discussed

The Higher Education Division of the Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Tues., Mar. 7, to discuss and hear testimony on S.F. 704.

The bill provides \$675,000 for FY. 1990 and \$500,000 for FY. 1991 to the Higher Education Coordinating Board (HECB) for nursing education program grants and for nursing scholarships. The purpose is to address the shortage of registered nurses in Minnesota and to promote recruitment and long-term retention of registered nurses by increasing access to nursing education.

The division heard testimony in support of the bill; no vote was taken because of time constraints. Further testimony will be heard at a later date.

### Candidates for regent's positions interviewed

The joint Senate and House Education Committees, the Finance Division on Education and the Education Division of House Appropriations interviewed candidates for the University of Minnesota regents positions Tues., Mar. 7, and Thurs., Mar. 9. The interviews will continue Wed., Mar. 15, and Thurs., Mar. 16.

### Committee approves two bills

The Education Committee approved S.F. 478, authored by Committee Chair James Pehler (DFL-St. Cloud), and S.F. 273, authored by Sen. Tracy Beckman (DFL-Bricelyn), Wed., Mar. 8. Both bills were sent to the Senate floor.

S.F. 478 permits the commissioner of natural resources to accept, for and on behalf of the permanent school fund a donation of lands, interest in lands, or improvements on lands, and that the donation would then become state property and classified as school trust land. In addition, the bill permits the commissioner of education to accept donations of cash, marketable securities, or other personal property for and on behalf of the permanent school fund. The bill further specifies that a noncash donation, other than marketable securities, must be exchanged for cash as soon as the commissioner can obtain fair market value for the donation.

S.F. 273 requires all members of an education district board to be a school board member of one of the participating boards; current law merely requires that an education district board member be a resident of the school district of the appointing school board.

The committee discussed S.F. 343, authored by Sen. Ronald Dicklich (DFL-Hilbbing), regarding open enrollment attendance. However, Sen. Donna Peterson (DFL-Mpls.) raised questions about the bill's requirements in relation to districts that have desegregation plans, and the bill was laid over.

Also laid over was S.F. 557, which author Sen. Randolph Peterson (DFL-Wyoming) said addressed the same problem as S.F. 343.

## Education Funding

### Statewide testing bill debated

The Education Funding Division of the Education Committee, chaired

# Committee Capsule

by Sen. Randolph Peterson (DFL-Wyoming) devoted its entire Mon., Mar. 6, meeting to discussing S.F. 212, which requires statewide examinations for pupils in 6th and 10th grade.

Bill author Sen. Ember Reichgott (DFL-New Hope) outlined the bill for division members. Article I of the bill requires the statewide tests for 6th and 10th graders in the four core curriculum areas of math, science, social studies and communication. Also, the commissioner of education must publish an annual report of testing results for each school. The report must include longitudinal test results so that improvement can be determined.

Article II of the bill requires the State Board of Education to develop and maintain both objective and subjective information about the districts and pupil performance. The objective information, Reichgott said, might be published in a form similar to a college handbook.

The final article allows a school board and, after June 30, 1992, the State Board of Education, to authorize a chartered school. A chartered school, according to the bill, is a public school that provides instruction and educational services in an individualized manner for pupils; it is semi-autonomous from the school board with respect to several issues.

## Access to excellence outlined

The Education Funding Division of the Education Committee continued hearing the governor's budget proposals for Access to Excellence programs during an evening meeting Tues., Mar. 7. Most of the testimony was given by representatives from the Dept. of Education.

The governor is recommending a \$10 million appropriation for FY. 1991 to facilitate schools acquiring computers through lease purchase financing. Revenue to finance lease purchase payments will come from a combination of state aids and levies, using an equalization formula similar to the general education revenue program.

Lani Kawamura, director of State Planning, described the governor's Year of the City initiative under the Access to Excellence program. The governor is recommending an \$8.7 million biennial appropriation to assist the Minneapolis, St. Paul, and Duluth school districts in reversing the trend toward racial isolation and in eliminating the gap that exists among children of different incomes and ethnic backgrounds.

## Elections and Ethics

### Campaign material bill approved

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), approved S.F. 428, authored by Sen. Linda Berglin (DFL-Mpls.), Wed., Mar. 8. The bill makes it a petty misdemeanor to prohibit a person from distributing campaign material within an apartment house, dormitory, nursing home, manufactured home park, or other multiple unit facility used as a residence if the person lives within the facility. A person may still be denied admittance into a particular apartment, room, manufactured home, or personal residential unit; and, in the case of a nursing home, may be denied distribution permission for valid health reasons. Also, the hours during which material may be distributed can be limited to a reasonable time and length. The bill was sent to the Senate floor.

The committee also discussed S.F. 89, which contains some of the Ethical Practices Board's legislative recommendations for 1989. The bill, sponsored by Sen. Don Frank (DFL-Spring Lake Park), will lie over.

In addition, Secretary of State Joan Grove presented a report on mail elections and a report on the effect of voting systems on the total number of persons voting for candidates.

## Employment

### Personnel record review bill advances

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met Tues., Mar. 7, and approved two bills: S.F. 312, extending to private sector employees the right to review their personnel records; and S.F. 775, requiring a study on recodification and simplification of the workers' compensation law.

S.F. 312, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides private sector employees with rights similar to those already granted to

state employees under the Data Practices Act. The committee adopted a major amendment, offered by Sen. Don Frank (DFL-Spring Lake Park), that specifically defines employees, personnel records and the procedures for review. Also agreed upon was an amendment to restrict the measure to businesses with 20 or more employees. The bill was re-referred to the Judiciary Committee.

Committee members also approved S.F. 775, which provides \$150,000 to engage a neutral consultant to study and draft a revision of workers' compensation law. The bill, sponsored by Frank, requires an in-depth discussion process involving organizations affected by workers' compensation law. The consultant, who is chosen by and reports to the Dept. of Labor and Industry commissioner, must complete recommendations and submit a final draft proposal by Jan. 1, 1991. S.F. 775 was approved and sent to the Senate floor.

## Other workers' compensation bills approved

The Thurs., Mar. 9, meeting of the Employment Committee was devoted to consideration of two workers' compensation bills. Both bills, S.F. 82 and S.F. 505, were approved and advanced. Sen. Florian Chmielewski (DFL-Sturgeon Lake) chairs the committee.

S.F. 82 applies to physical examination locations for employees injured on the job. The bill, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), provides that employer-required physical examinations must be scheduled within 150 miles of the injured employee's home. The bill also requires the employer to pay reasonable travel expenses for adverse examinations. S.F. 82 was approved by voice vote and sent to the Senate floor.

S.F. 505 creates a legal assistance pilot project to advise workers' compensation claimants whose meritorious claim is less than \$1,500 and who are unable to obtain private counsel. The bill, sponsored by Chmielewski, also appropriates \$50,000 from the Special Compensation Fund. The bill was approved and sent to the Senate floor.

## Environment and Natural Resources

### Wildlife identification bill okayed

The Environment and Natural Resources Subcommittee on Fish and Wildlife, chaired by Sen. Charles Berg (DFL-Chokio), took action on three measures Thurs., Mar. 2.

The subcommittee reviewed S.F. 271, sponsored by Sen. Gregory Dahl (DFL-Ham Lake). The bill provides that a statewide course in the safe use of firearms will include the identification of wild mammals and birds as part of the course. Dahl explained that students of the firearm course would learn how to identify species of wild mammals and birds by sight and other unique characteristics.

S.F. 332 changes the date for the open season for walleye in the Rainy River from the third Saturday in May to May 15. Sen. LeRoy Stumpf (DFL-Plummer), author of the bill, said that the change in date will make the open season for walleye in the Rainy River the same as other bodies of water in Minnesota.

The subcommittee also debated S.F. 280, authored by Berg. The bill provides that a person may enter nonposted agricultural land on foot to take fox during the months of January and February. S.F. 271, S.F. 332, and S.F. 280 were approved and sent to the full committee.

A bill authored by Sen. Bob Lessard (DFL-Int'l Falls) was laid over for further discussion. S.F. 496 would allow a person hunting bear by archery to carry a handgun to dispatch a bear wounded by archery. However, said Lessard, the carrying of a handgun would not be allowed during the archery deer season.

## Waste reduction measures heard

A bill establishing plans and programs to reduce solid waste was heard by the Environment and Natural Resources Subcommittee on Environmental Protection Tues., Mar. 7.

Sen. Gene Merriam (DFL-Coon Rapids), author of S.F. 371, explained that the measure emanates from recommendations made by the Governor's Select Committee on Recycling and the Environment. Provisions of the bill include requiring counties to recycle 25 percent of all solid waste generated in the county by July 1, 1993, requiring the commissioner of the Pollution Control Agency (PCA) to establish a waste education coal-

tion to help develop public education programs on waste education, authorizing the PCA commissioner to designate recycling centers in the state, requiring the PCA to make grants and loans for recyclable materials market development projects, and prohibiting the disposal of white goods, such as refrigerators, in a solid waste processing facility or landfill after Jan. 1, 1990.

The subcommittee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), also heard a review of a measure requiring source separation of recyclable materials by generators of mixed municipal solid waste. The sponsor of S.F. 286, Sen. James Pehler (DFL-St. Cloud), said the bill deals with two distinct issues, the establishment of waste districts and the establishment of a mandatory waste separation program. The bill provides that some or all solid waste activities of a proposed waste district must have been performed under a joint powers agreement for at least one year. In addition, the measure requires recycling by separation of glass, paper, plastics, and metal materials, said Pehler.

The subcommittee will continue review of S.F. 371 and S.F. 286 at another meeting.

## Recycling bills debated

A bill requiring counties to provide an opportunity to recycle and a bill requiring volume or weight based recycling were heard by the Environment and Natural Resources Subcommittee on Environmental Protection Wed., Mar. 10.

"The time has come that we pass a comprehensive plan to address the problem of solid waste," said Sen. Bob Lessard (DFL-Int'l Falls), author of S.F. 95, before outlining provisions of the bill. S.F. 95 requires that counties in the state provide an opportunity to recycle for all residents. Counties must either provide a local recycling center or, in cities with a population of 5,000 or more, ensure that there is curbside pickup, centralized drop-off, or a local recycling center. Under the bill, counties must promote and provide information on available recycling programs. In addition, the bill establishes a statewide county recycling advisory board to advise the agency board on grants to counties and counties are required to charge a recycling service fee based on the amount of waste generated.

S.F. 10, authored by Chair Gregory Dahl (DFL-Ham Lake), would require volume based pricing of collection of mixed municipal solid waste. The measure requires that municipalities must provide same day curbside pickup of mixed solid waste and recyclable materials, said Dahl. Haulers would not be able to make a direct charge for the collection of recyclable materials. This system would provide the proper incentive for people to recycle, said Dahl. The subcommittee will hear testimony regarding S.F. 95, S.F. 10 and two other waste reduction measures, S.F. 371 and S.F. 386, at a meeting next week.

## Waste bills advance

The Environment and Natural Resources Subcommittee on Environmental Protection, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Thurs., Mar. 9, and advanced two bills to the full committee.

S.F. 376, sponsored by Sen. James Metzen (DFL-So. St. Paul), permits municipalities to impose a fee of up to \$1 per cubic yard of waste on operators of facilities for the disposal of mixed municipal solid waste. Under the bill, revenue from the fee must be credited to the city or town general fund; however, 25 cents of each dollar must be used for landfill abatement purposes.

S.F. 344, authored by Sen. LeRoy Stumpf (DFL-Plummer), provides that a person who generates less than 100 kilograms of hazardous waste per month is exempt from Pollution Control Agency hazardous waste rules relating to transportation, manifesting, storage, and labeling for those wastes that are hazardous because of silver content from photographic fixer and x-ray negatives. The measure further specifies that the generator is not exempt from agency rules relating to on-site accumulation or outdoor storage. Finally, the bill prohibits other units of government from adopting more restrictive management requirements.

## Finance

### Dept. of Natural Resources budget heard

The Finance Division on State Departments, chaired by Sen. Carl

Kroening (DFL-Mpls.), met Thurs., Mar. 2, to hear a budget overview of the Dept. of Natural Resources (DNR).

The budget presentation was introduced by Commissioner Joseph Alexander. Among the DNR's recent accomplishments are expanded fish and wildlife management, completion of Tettegouche State Park, and expanded computer efforts to provide more efficient services. The goal of the DNR is to preserve, conserve and carefully promote resources for current and future citizens, said Alexander.

### Court Budget overviews are presented

The Board on Judicial Standards, the Supreme Court, and the Court of Appeals presented budget overviews to the Finance Division on State Departments Mon., Mar. 6. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

The Board on Judicial Standards investigates, holds hearings, and makes recommendations to the Supreme Court on complaints against judges, explained Richard Aretz, executive secretary. The number of complaints received is projected to rise slightly over the next biennium. The Board on Judicial Standards is not requesting any budget increases.

Sue Dosal, state court administrator for the Supreme Court, began a presentation of the Supreme Court's budget requests. Dosal focused on change level requests relating to the move of judicial branch agencies from four locations to the new judicial building. The Supreme Court is requesting funds for the move, for a data and telecommunications network, and for mail and printing equipment. Funds for additional staff to operate the network, secretaries, and mail clerks are also being requested.

Judge D.D. Wozniak, Court of Appeals, requested funds for hiring five additional judges plus several support staff. When the Court of Appeals was created, the standards by which it was to operate included that there be one judge for every 100 cases filed, explained Wozniak. In 1988 there were 2400 cases filed to be reviewed and disposed of by a permanent staff of 13 judges. Wozniak also noted that filings are rising at a faster rate than dispositions.

### Department completes budget review

The Dept. of Administration completed a presentation of its budget overview at the Tues., Mar. 7, meeting of the Finance Division on State Departments. The division, chaired by Sen. Carl Kroening (DFL-Mpls.), also heard a budget overview of the Secretary of State's office.

Change level requests relating to the Information Policy Office complete the department's budget presentation, said Deputy Commissioner Jeff Zlonis, Dept. of Administration. The Information Policy Office has focused on the area of telecommunications, said Zlonis, and is proposing the creation of a state telecommunications access routing system (STARS) to help meet the communication network needs of all state agencies, county government, municipalities, education, libraries, and various boards and commissions. The proposed STARS network would transport voice, data, and video applications. A budget request of 1.5 million and 9 positions for the biennium is being made for the network.

The Secretary of State's office is requesting funds for positions in the area of voter registration. The funds would be used to staff a help line for county auditors using the statewide Voter Registration Network and to provide polling place rosters to the counties.

### Division hears three budget overviews

The Wed., Mar. 8, meeting of the Finance Division on State Departments was devoted to hearing budget presentations for the Housing Finance Agency, the State Planning Agency, and the Dept. of Human Rights. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

Commissioner Jim Solem, Housing Finance Agency, said that the agency is requesting a funding increase to maintain the activity level for Appropriated Housing Programs. In addition, the agency is purposing a reallocation plan for the appropriation of funds for the biennium which would provide additional fund for the programs, said Solem.

The largest funding requests for the State Planning Agency are for a Human Development/Neighborhood Stability program and for the Information Clearinghouse and Technical Assistance Center, said Commissioner Lani Kawamura.

# Committee Capsule

Commissioner Steve Cooper, Dept. of Human Rights, completed the presentations. He explained that the department is requesting funds to increase investigative staff, increase contract compliance staff, create positions to establish research capacity, and to obtain computer equipment.

## Mental health ombudsman budget reviewed

The Finance Division on Health and Human Services met Mon., Mar. 6, to review the Ombudsman for Mental Health and Mental Retardation budget. Division members also questioned Finance Dept. officials regarding methods used to determine base spending levels for the biennial budget. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

In her budget presentation, Ombudsman Shirley Hokanson outlined the activities of the Office of the Mental Health Ombudsman. Created in 1987, the office responds to client complaints in over 1,000 mental health facilities throughout the state. The proposed biennial budget of \$3.4 million includes an increase of \$134,000 to add 2 positions to the ombudsman's staff of 12. Hokanson explained that additional staff is needed to meet the expanded oversight responsibilities required by the 1988 Legislature, particularly for injury and death review and complaints regarding children and adolescents. The governor, who preferred to recommend increased funding under the regional treatment center negotiations, does not include the request in his budget.

## Several semi-state agency budgets considered

Members of the Finance Division on Agriculture, Transportation and Semi-States met Mon., Mar. 6, to hear budget presentations for the Safety Council, Peace Officer Standards Training Board (POST), Historical Society Fiscal Agents and the Dept. of Public Safety Office of Pipeline Safety. Sen. Keith Langseth (DFL-Glyndon), chairs the division.

The Safety Council's \$142,000 biennial budget includes a \$40,000 change request to develop a Safe Kids Program to reduce childhood accidental injuries and death. The governor did not recommend the request.

The POST Board, which licenses Minnesota peace officers, proposes base level funding of \$7.28 million for 1990-91. The board also requests authority to use \$102,000 in special revenue funds to develop law enforcement recruiting of women and minorities.

In order to receive federal funding for expanded inspections, the Office of Pipeline Safety proposes to transfer pipeline safety inspection financing from the general fund to the special revenue fund, and to create 8 additional positions. A biennial request of \$1.358 million from the special revenue pipeline safety account would be used to inspect 800 additional pipeline operators each year.

Six Historical Society fiscal agents proposed budgets totalling \$1.49 million in 1990-91.

## Dept. of Ag. budget heard

The Finance Division on Agriculture, Transportation and Semi-States met Wed., Mar. 8, to consider the \$52.2 million Dept. of Agriculture biennial budget request. Sen. Keith Langseth (DFL-Glyndon) chairs the division.

In his presentation, Commissioner Jim Nichols noted that the Dept. of Agriculture services are becoming increasingly fee supported, which accounts for a drop in the general fund and an increase in the special revenue fund requests.

Department officials proposed several major change requests for 1990-91: First, the department recommends over \$4 million to develop programs to prevent agricultural contamination of groundwater. Second, a change request of \$402,000 is proposed to meet increasing demands for state food inspections. Third, an additional \$200,000 is requested to improve or replace laboratory equipment.

Two major cuts were also recommended in the Dept. of Agriculture budget: The Reinvest in Minnesota (RIM) conservation reserve program would transfer to the Board of Water and Soil Resources (BWSR), resulting in \$1.8 million agriculture budget cut. A phase-out of the farm interest buydown program is also proposed because there have been no new participants in the program since 1986. The phase-out would cut \$1.3 million from the department's base level budget. The governor included these cuts in his budget.

## Department of Human Services budget review begins

The Finance Division on Health and Human Services met Wed., Mar. 8, to begin consideration of the \$2.3 billion Dept. of Human Services biennial budget. Sen. Don Samuelson (DFL-Brainerd) is chair of the division.

Department officials presented requests for administration and financial management, which comprises 6 percent of the total budget. Major change requests in this area include: \$392,000 to create an internal audit division; and \$5.3 million to integrate the computer systems of the central office and state-operated residential facility staff. The committee will continue the human services budget review on Fri., Mar. 10.

## Higher ed hears two reports

The Higher Education Division of the Finance Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), heard the Higher Education Coordinating Board (HECB) response to the Minnesota Postsecondary Access and Needs (M SPAN) study Tues., Mar. 7. The HECB response had already been presented at a meeting of the full Education Committee Mon., Feb. 20. In addition, the division heard a report from the Instructional Technology Task Force and the HECB's review and recommendations.

The task force report recommends that all legislative proposals for funding interactive television for education, including educational backbone systems meet the following criteria: a full project description is provided; the project has clearly defined educational goals and objectives; the project includes evidence of local and/or institutional financial support of the project; the proposal includes a three-year projection for use, clientele, support and maintenance, training, costs, and revenues; and the project provides the opportunity for cooperation or agreement of neighboring institutions.

## Child care task force report presented

Patricia Gosz, chair of the Task Force on Child Care In Higher Education, presented the final report of the task force at the Wed., Mar. 8, meeting of the Higher Education Division of the Finance Committee.

Gosz outlined a number of recommendations from the task force in the areas of support for students and providers, operations of campus-based child care centers, allocation of postsecondary child care funds, and quality of child care services.

## General Legislation and Public Gaming

### Charitable gambling bill detailed

Discussion of a bill relating to charitable gambling activity in Minnesota dominated the Wed., Mar. 8, meeting of the General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul). The committee will continue deliberation on the bill Fri., Mar. 10.

Lantry said that because she intends to replace Sen. Clarence Purfeerst (DFL-Faribault), as chief author of S.F. 506, she would explain the bill's provisions. As amended, the bill creates a Gaming Enforcement Division within the Dept. of Public Safety; provides the gaming enforcement division with security auditing and investigative powers for lottery, charitable gambling, and racing activities; changes the composition and duties of the Charitable Gambling Control Board; delineates the charitable gambling control director's qualifications and responsibilities; details the license requirements for distributors and manufacturers of charitable gambling equipment and materials; and clarifies language and tightens loopholes in the state's charitable gambling statutes.

## Governmental Operations

### Emergency rulemaking bill okayed

A measure that would establish emergency rulemaking authority for the Veterans Home Board was approved and sent to the Senate floor by the Governmental Operations Committee Thurs., Mar. 9. The committee, chaired by Sen. Donald Moe (DFL-St. Paul), also heard and approved two additional measures.

Sen. Joe Bertram, Sr. (DFL-Paynesville), author of S.F. 435, explained that currently the Veterans Home Board does not have the legal authority to govern veterans homes. As a result, one law suit has occurred which has cost the state \$200,000. Establishing emergency rulemaking authority, said Bertram, would help prevent law suits and prevent money from going to the courts instead of the homes. Steve O'Conner, chair of the Rules Committee and a member of the Veterans Home Board, explained that the emergency rules are needed to govern the homes until the permanent rules are promulgated.

S.F. 596 seeks to permit state employees to make a written request to the state of Minnesota to deposit part or all of an employee's paycheck to a credit union or financial institution, said Sen. Michael Freeman (DFL-Richfield), author of the bill. In addition, an agency head may, upon the written request of an employee, deduct from a paycheck an amount to be paid to the Minnesota benefit association or other benefit program. The measure was approved and re-referred to the Finance Committee.

In final action, the committee approved S.F. 671, sponsored by Sen. Gene Waldorf (DFL-St. Paul). The measure provides that the Commission on Uniform State Laws be composed of four appointed commissioners and any persons who have served as appointed commissioners for 20 or more years. S.F. 671 will be placed on the Consent Calendar.

## Health and Human Services

### Payments for IMD's okayed

A bill authorizing general assistance medical care (GAMC) payments for patients in facilities determined to be institutions for mental diseases gained the approval of the Health and Human Services Committee, Tues., Mar. 7. The bill, S.F. 778, became necessary after the federal government ceased medical assistance payments for persons in institutions for mental diseases, said chief author Linda Berglin (DFL-Mpls.). The bill was re-referred to the Committee on Finance.

In other action, the panel, chaired by Berglin, devoted most of the hearing to a bill requiring reasonable efforts to prevent placement of children in need of protection services outside the home. S.F. 486, sponsored by Berglin, is the product of a multi-disciplinary working committee comprised of representatives of family advocacy organizations, American Indian and minority communities, mentally and physically disabled children and their families, guardians ad litem, the judiciary and public and private social service agencies. The purpose of the committee was to work out what constitutes the "reasonable efforts" required of social services agencies to provide families with placement prevention and family reunification services.

Much of the discussion on the bill centered on a provision that would set a higher standard for the removal of a child from the home by police. Under the bill, the standard specifies that the child must be the subject of suspected physical or sexual abuse or that the child must be found in surroundings or conditions which imminently endanger the child's health or welfare. Berglin stressed that the provision did not apply to removal of a child by any other social agency. Discussion turned on whether "imminently" set too high a standard for the removal of a child by the police. Debate on the issue is scheduled to continue before any action is taken on the bill.

### Posttraumatic stress bill okayed

A bill requiring pre-sentence investigations to include information on whether the person is a veteran suffering from Posttraumatic Stress Disorder cleared a second committee Wed., Mar. 8, when members of the Health and Human Services Committee approved the bill and re-referred the measure to the Judiciary Committee. S.F. 590, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), also requires that corrections facilities provide appropriate medical treatment to veterans suffering from Posttraumatic Stress Disorder. An amendment, offered by Diessner, broadened the application of the measure to all veterans, rather than Vietnam and Korean veterans as originally proposed. Another portion of the Diessner amendment sets forth in statute the clinical definition of Posttraumatic Stress Disorder. Both portions of the amendment were adopted.

In other action, the committee, chaired by Sen. Linda Berglin (DFL-

Mpls.), began discussion of a bill codifying current Minnesota Supplemental Aid (MSA) program policy. S.F. 487, sponsored by Berglin, contains numerous definitions, clarifies provisions relating to negotiated rate payments for MSA recipients, outlines verification and reporting requirements, establishes eligibility criteria and outlines MSA assistance standards. Due to time constraints panel members were not able to complete work on the bill during the afternoon hearing.

### Facilities dispersal bill okayed

The bill establishing requirements to prevent the overconcentration of state licensed residential facilities gained the approval of the Health and Human Services Committee at an evening hearing Wed., Mar. 10. S.F. 235, authored by Sen. Marilyn Lantry (DFL-St. Paul), also requires counties to submit plans for the dispersal and downsizing of facilities in areas that already have an overconcentration of facilities. The panel, which had already devoted several hearings to the measure, quickly adopted three amendments and then sent the bill on to the full Senate. One amendment specifies that the county need not pay the fine for failure to implement the plan for dispersal unless the Legislature has taken action regarding the costs of implementing the plan. A second amendment provides that initial licenses may be issued before the reports and plans are submitted if the municipality does not provide information that shows that the facility would violate the requirements.

In other action, the panel, chaired by Sen. Linda Berglin (DFL-Mpls.), approved a bill to change the method for calculating a nursing home's property-related payment rate upon refinancing. S.F. 644 is necessary to refinance the outstanding debt and will apply to ten or twelve nursing homes, said chief author Lawrence Pogemiller (DFL-Mpls.). The measure was sent to the Senate floor. The committee also approved and re-referred to the Judiciary Committee S.F. 487. The measure, authored by Berglin, is primarily a codification of current Minnesota Supplemental Aid program policy.

The balance of the committee meeting was devoted to testimony and debate on a bill providing for the licensing and regulation of radon testers and mitigators. S.F. 342, authored by Sen. Gregory Dahl (DFL-Ham Lake), also contains provisions appropriating money to the commissioner of health for radon public information purposes and for radon research. The bill was amended by Sen. Duane Benson (IR-Lanesboro), to delete everything except the section of the bill relating to education and research with the corresponding appropriations. The measure was re-referred to the Committee on Finance, however it was indicated that a motion to reconsider the Benson amendment might be offered.

## Judiciary

### Sentencing bill heard

The Judiciary Criminal Law Division, chaired by Sen. Donna Peterson (DFL-Mpls.) met Fri., Mar. 3, to hear a bill eliminating the Sentencing Guidelines Commission and establishing mandatory minimum sentences for violent crimes.

S.F. 19, authored by Sen. Jim Ramstad (IR-Minnetonka), also provides for mandatory treatment programs to be used in sentencing involving violent sexual crime and intoxicated persons. In addition, the bill eliminates supervised release for a person convicted of first degree murder.

Ramstad said that he developed the bill in response to rising crime rates in the state and that "Minnesota is out of step with the rest of the country in sentencing and incarceration practices." The bill sets up a statutory determinant sentencing structure with mandatory minimum sentences, he said. In addition, the measure eliminates prison capacity as a factor in sentencing. The measure also provides for mandatory AIDS testing for all sexual assault offenders.

Division members heard testimony from crime victims, law enforcement personnel and victims advocates. No action was taken on the measure.

### UCC measures debated

The Civil Law Division of the Judiciary Committee, chaired by Sen. Ember Reichgott (DFL-New Hope), met Fri., Mar. 3, to review three bills.

S.F. 391 provides that the Uniform Commercial Code (UCC) four year

# Committee Capsule

statute of limitations of any contract for sale does not apply to actions for breach of a contract for sale of a structure that is an improvement to real property. In addition, a grain storage bin is included as an improvement to real property. Sen. Lyle Mehrkens (R-Red Wing), author of the bill, explained that because of the statute of limitations persons have been unable to seek redress for the collapse of grain storage bins. S.F. 391 would extend the time in which an individual could pursue litigation. The bill was approved and referred to the full committee.

The division also approved S.F. 535, sponsored by Sen. William Luther (DFL-Brooklyn Park). S.F. 535 abolishes marital interests in real property and clarifies that the 40 year limitation on actions affecting title to real estate applies to an action based on an option to repurchase or other restrictions on a surface estate. The measure was referred to the full committee.

Prof. Jack Davies, William Mitchell College of Law, briefly explained S.F. 132, also authored by Luther. The bill would establish a new article of the UCC. The article addresses issues which have arisen since the UCC was drafted in the late 1940s and early 1950s regarding personal property leasing, said Davies. Carol Thacher, UCC Committee chair of the Minnesota Bar Association, said the committee supports the new article. However, Thacher explained, because the UCC Committee is concerned with maintaining uniformity in the article it is making several recommendations for amendments. The division will continue discussion of S.F. 132 at a later date.

## Lottery clears second hurdle

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), devoted all of the Mon., Mar. 6, hearing and most of the Wed., Mar. 8, hearing to fine tuning the penalty and data privacy provisions of the lottery bill. S.F. 150, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), sets forth the procedures for establishing and running a state lottery. One portion of the measure sets forth felony and misdemeanor penalties for various violations such as counterfeiting or altering lottery tickets, attempting to defraud the lottery and making false statements in order to be a lottery retailer. In addition, the bill contains several sections providing for criminal history checks that fall under the category of data privacy issues.

The first hearing was devoted primarily to the parts of the bill outlining the penalty provisions. Panel members adopted one amendment that placed the criminal penalty provisions in a section of the Criminal Code under the heading of state lottery fraud. In addition, the committee adopted an amendment clarifying the penalties for minors and making the penalties consistent with the Juvenile Code. The committee also engaged in extensive debate on a provision concerning the sale of a lottery ticket to a minor. Ultimately the panel adopted an amendment clarifying that the lottery director must cancel the contract of a retailer convicted of violating the misdemeanor or felony provisions. However, the panel also adopted an amendment stating that it is an affirmative defense that the retailer relied upon proof of age provided by a drivers license or Minnesota identification card when making the sale.

The second hearing, Wed., Mar. 8, centered primarily on the criminal history prohibitions for prospective lottery employees and prospective retailers of lottery tickets. As amended by the committee, no one who has been convicted of a felony within the previous five years or who has ever been convicted of any crime involving gambling or fraud may be hired. Committee members added similar amendments for lottery retailers and for major contractors. Panel members also discussed and then deleted a provision that would allow the director to hire necessary persons pending the completion of a background check. An amendment offered by Sen. Gene Merriam (DFL-Coon Rapids) and adopted by the panel, addresses the issue of prizes being paid to persons who owe delinquent taxes or other debts, such as child support, to the state. Under the amendment, the state is required to withhold the delinquent amount from the person's prize for payment to the appropriate agency. Finally, the panel adopted an amendment clarifying that criminal history data compiled by the Bureau of Criminal Apprehension on employees and prospective employees may be released to the lottery director.

A motion to refer the bill to the Governmental Operations Committee with a recommendation for passage was defeated on a 5-11 roll call vote. A second motion to refer the bill to the Governmental Operations Com-

mittee without recommendation was approved on an 11-5 roll call vote.

In other action, the committee discussed a bill eliminating the requirement that notaries public be bonded. The bill, S.F. 331, is authored by Sen. Donald Moe (DFL-St. Paul).

## Local and Urban Government

### Municipal annexation bill defeated

A bill to change the procedure for detaching and annexing incorporated land was defeated Mon., Mar. 6, by members of the Local and Urban Government Committee. The committee is chaired by Sen. Robert Schmitz (DFL-Jordan).

S.F. 327, sponsored by Sen. Fritz Knaak (R-White Bear Lake), relates to property owners who petition for a concurrent detachment of their property from one municipality and seek annexation to an adjacent municipality in order to pursue water and sewer service improvements or obtain commercial development authorization. Knaak explained that the bill requires that the governing bodies of both municipalities approve the property owners' petition before the Minnesota Municipal Board can initiate hearings to resolve the issue. If either municipality fails to approve the petition, the property owner must accept the municipality's decision or attempt to overturn the decision by initiating legal action against that municipality.

Property developer Robert Bell argued that the Legislature shouldn't get involved in settling local annexation disputes and that the Minnesota Municipal Board should be the sole arbitrator in such disputes. Lake Elmo City Councilman Donald Moe agreed, noting that S.F. 327 effectively eliminates a property owner's right to develop his or her property because a municipality is granted the power to veto any concurrent detachment and annexation petition that is filed.

## Public Utilities and Energy

### Statute distribution measure okayed

The Public Utilities and Energy Committee, chaired by Sen. Ronald Dicklich (DFL-Hibbing), reviewed and approved a measure that provides free copies of Minnesota statutes to the Public Utilities Commission. The author of S.F. 133, Sen. Don Frank (DFL-Spring Lake Park), said the bill provides that the commission receive ten copies of the statutes. S.F. 133 was re-referred to the Senate floor.

The committee also reviewed and recommended the confirmation of Cynthia Kitlinski to the Public Utilities Commission. Kitlinski has served as the commissioner of the Public Utilities Commission since 1983.

## Taxes and Tax Laws

### Division approves two bills

Bills exempting leased airport hangars from property taxes and permitting townships to create subordinate service districts were approved Tues., Mar. 7, by members of the Taxes and Tax Laws Division on Property Taxes and Local Government Aids. The division is chaired by Sen. Steven Novak (DFL-New Brighton).

S.F. 46, sponsored by Sen. Jim Vickerman (DFL-Tracy), exempts municipal airport property that is leased to or used by an individual or entity as a hangar for aircraft storage, repair, or for providing aviation goods or services, from state property taxes. Vickerman explained that the exemption does not include property at airports owned by the Metropolitan Airports Commission or cities with populations greater than 50,000. In addition, S.F. 46 does not exempt property leased for use in connection with non-aviation-related business. Division members approved the bill and it now goes to the full Taxes and Tax Laws Committee.

S.F. 119, authored by Sen. Robert Schmitz (DFL-Jordan), enables towns to create subordinate service districts. The subordinate service districts would be similar in function to the special service districts already established by several Minnesota counties and cities. Minnesota Association of Townships representative Richard Cox said that his organization supports the bill, adding that S.F. 119 extends service district creation authority to towns to help them provide for, and finance, various government services.

The bill received division approval and is headed to the full committee.

## Charitable gambling bills discussed

Two bills relating to charitable gambling activity in Minnesota were debated Wed., Mar. 8, by members of the Taxes and Tax Laws Division on Sales Tax. Sen. LeRoy Stumpf (DFL-Plummer), serves as chair of the division.

S.F. 473, sponsored by Sen. Douglas Johnson (DFL-Cook), changes the charitable gambling tax from 10 percent of net receipts, after taxes, to six percent of gross receipts. The Dept. of Revenue estimates that the bill, if enacted, will generate \$79 million in new state revenue during the next biennium. S.F. 473 also increases the maximum amount in the state's Budget Reserve Account from \$550 million to five percent of all nondedicated General Fund receipts forecast for the 1990-91 biennium. Both changes were originally requested by the governor.

S.F. 254, authored by Sen. James Pehler (DFL-St. Cloud), provides a tax exemption for pull-tabs and tipboards sold to organizations that are exempt from licensing and taxation under the charitable gambling tax provision. The exemption applies only to organizations that conduct charitable gambling activity on no more than five days and award no more than \$50,000 in prizes in a calendar year. Pehler estimates that the bill will cost the state a maximum of \$100,000 each biennium in lost tax revenues.

## Transportation

### Light rail system detailed

The Fri., Mar. 3, meeting of the Transportation Subcommittee on Transit, chaired by Sen. Steven Novak (DFL-New Brighton), was devoted to hearing a presentation on the development and implementation of a light rail system in California.

San Diego Metropolitan Transit Development Board (MTDB) Chair Jim Mills provided panel members with an overview on his city's successful light rail program. He explained that in 1974, California voters approved a constitutional amendment earmarking a portion of state highway funds for light rail planning and construction. Soon afterward, San Diego residents formed the MIDB to spearhead an effort establishing light rail transportation in their city.

Mills said that in designing the light rail system, the MTDB quickly determined that extending rail lines to the city's outermost suburban areas would prove more successful than constructing shorter lines in the urban core because the vast majority of riders would be rural-to-urban commuters. He added that the MTDB also placed an emphasis on keeping the

light rail system's design uncomplicated so that both riders and maintainers of the system would find it easy to operate.

## Slow moving vehicle emblem bill defeated

Defeat of a bill relating to slow moving vehicle emblems and passage of a bill concerning dealer plates highlighted the Thurs., Mar. 9, meeting of the Transportation Committee. Sen. Clarence Purfeerst (DFL-Fairbault), serves as chair of the committee.

S.F. 579, sponsored by Sen. Donald Moe (DFL-St. Paul), exempts persons with sincere religious beliefs from displaying the standard slow moving vehicle emblem. Instead, such persons are allowed to use the alternative black triangle with white border emblem on animal-drawn vehicles. The bill also repeals requirements that a person who has an alternative slow moving vehicle emblem also carry a standard emblem for use at night or when visibility is impaired, and that a red reflective strip be attached to the rear of a slow moving vehicle. Moe explained that the bill, as amended, permits persons with sincere religious beliefs to use a minimum of 72 square inches of reflective tape (any color), and display a red lamp or lantern on the rear of their vehicle in lieu of the state's current requirements.

Witnesses explained that this issue has divided the Amish community between forces that except the rigid slow moving vehicle signage requirements imposed by the state, and forces that do not want the government dictating the conduct of any portion of their daily lives.

Proponents of S.F. 579 argued that the bill effects a compromise by allowing the Amish the freedom to operate under less restrictive state laws, while still maintaining public safety.

Sen. Duane Benson (R-Lanesboro), expressed opposition to the bill. He said that because the issue is currently before the State Supreme Court, legislators should not intervene in the court's business. S.F. 579 was defeated on a voice-vote by panel members.

S.F. 659, authored by Purfeerst, increases fees and restricts the use of dealer plates in Minnesota. The bill establishes a \$75 fee for each of the first four dealer plates issued to a motor vehicle dealer, with each additional plate requiring a \$40 fee. S.F. 659 also limits the use of vehicles with dealer plates to the dealer, the dealer's spouse, and the dealer's full-time employees. Other members of the dealer's immediate family and any members of the employees' families will no longer be permitted to use a vehicle with dealer plates for either business or personal activities. Part-time employees' use of the vehicle is restricted to situations directly related to the dealer's business. S.F. 659 received committee approval and will now go to the Finance Committee.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 13

#### Education Committee, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** S.F. 343-Dicklich: Notification of pupil's participation in enrollment options program. S.F. 670-Stumpf: Expands the list of those whose home may be considered the residence of a pupil for transportation aid. S.F. 471-Pehler: Changes definitions of teachers, supervisory and support personnel for purposes of licensure.

#### Joint Senate and House Finance Division on Health and Human Services, Chair: Don Samuelson

8:30 a.m. Room 123 Capitol

**Agenda:** Presentation on veterans nursing home issues.

#### Agriculture and Rural Development Subcommittee on Rural Development, Chair: David Frederickson

10 a.m. Room 112 Capitol

**Agenda:** Presentation on programs available for rural development.

#### Finance Division on Agriculture, Transportation and Semi-states, Chair: Keith Langseth

10 a.m. Room 125 Capitol

**Agenda:** Continuing presentation on Dept. of Transportation.

#### Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 14-Taylor: DWI blood alcohol concentration level. S.F. 735-Taylor: Extend prior offenses that enhance a DWI violation to a gross misdemeanor to include criminal vehicular operation. S.F. 851-Spear: Makes an implied consent refusal by a repeat DWI

offender a gross misdemeanor. S.F. 535-Luther: Limits certain interests in real property; procedures for discharge of judgments. S.F. 624-Spear: Prenatal liability for theft by a minor child.

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

12 noon Room 15 Capitol

**Agenda:** Overview of the Minnesota Trade Office, and S.F. 522-Pogemiller: Establishes affordable housing programs.

**Local and Urban Government Committee**, Chair: Robert Schmitz  
12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 643-Moe, R.D.: Relates to peace officers. S.F. 433-Vickerman: Relates to town cartways.

**\*The Senate will be in session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Presentation on the governor's budget: public libraries and education agency services. S.F. 147-Peterson, D.C.: Authorizes transportation aid for transportation to school within different attendance area within school district. S.F. 253-Pehler: Authorizes community education funds to acquire equipment to be used exclusively in community education programs.

**Finance Division on State Departments**, Chair: Carl Kroening  
3 p.m. Room 123 Capitol

**Agenda:** Overviews of the state takeover of Trial Court costs, the Board of Public Defense and a continuation of the Supreme Court overview.

**Finance Division on State Departments**, chair: Carl Kroening  
7 p.m. Room 123 Capitol

**Agenda:** Continuation of afternoon agenda.

**Joint Agriculture and Environment and Natural Resources Ad Hoc Committee on Water**, Chair: Charles Davis

7:30 p.m. Room 112 Capitol

**Agenda:** S.F. 262-Morse: 1989 Groundwater Protection Act.

## Tuesday, March 14

**Employment Committee**, chair: Florian Chmielewski

8 a.m. Room 107 Capitol

**Agenda:** S.F. 431-Hughes: Elevator safety. S.F. 601-Freeman: Survey for employment. S.F. 844-Freeman: Youth employment opportunity. S.F. 842-Frank: Unemployment compensation.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl

8 a.m. Room 125 Capitol

**Agenda:** S.F. 530-Merriam: Waste Management Act amendments. S.F. 685-Solon: Appropriates money for Western Lake Superior Sanitary District; authorizes sale of state bonds. S.F. 683-Solon: Western Lake Superior Sanitary District; authorizes refunding obligations without redemption of obligations.

**\*Government Operations**, Chair: Donald Moe

8 a.m. Room 15 Capitol

**Agenda:** Teleconference with North Carolina Agency for Public Telecommunications to discuss alternative administrative structures for Minnesota telecommunications systems.

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

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

8 a.m. Room 118 Capitol

**Agenda:** S.F. 122-Brandl: Dept. of Revenue data privacy. S.F. 144-Stumpf: DNR minerals data. S.F. 662-Cohen: Fire department access to criminal history data.

**Transportation Committee**, Chair: Clarence Prufeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 38-Chmielewski: Requires a registration certificate for park trailers. S.F. 852-Langseth: Transportation finance; changes distribution of highway user taxes, provides for gas tax indexing.

**Commerce Committee**, Chair: Sam Solon

10 a.m. Room 112 Capitol

**Agenda:** S.F. 701-Freeman: Coverage for child health supervision and prenatal services. S.F. 916-Merriam: Regulates landscape application contracts. S.F. 94-Marty: Regulates insurance information collection, etc. S.F. 223-Marty: Prohibits vending machine sales of tobacco products.

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

10 a.m. Room 15 Capitol

**Agenda:** S.F. 879-Novak: Relates to the inspection of pipelines. S.F. 322-Piper: Establishes circumstances for certain utility customers to be considered outside municipalities.

**Veterans and Military Affairs Committee**, Chair: Joe Bertram, Sr.

10 a.m. Room 107 Capitol

**Agenda:** S.F. 700-Merriam: Financial incentives for members of the National Guard; creates cash bonus and tuition reimbursement programs. S.F. 125-Metzen: Requires commissioner of veterans affairs to provide certain grave markers; appropriates money.

**Ad Hoc Subcommittee on Information Management**, Chair: Gregory Dahl

12 noon Room 107 Capitol

**Agenda:** Continuing presentation of Intertech revenues and budget, and recommendations for funding the state information system.

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

12:15 p.m. Room 118 Capitol

**Agenda:** S.F. 801-Luther: Clarifies the applicability of the antitrust laws to business of insurance.

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

1 p.m. Room 112 Capitol

**Agenda:** S.F. 470-DeCramer: Regulates municipal wastewater funding. S.F. 271-Dahl: Contents of firearms safety course. S.F. 332-Stumpf: Open season for walleyes on Rainy River. S.F. 476-Berg: Harassment of hunters and anglers. S.F. 280-Berg: Allow counties to authorize predator control. S.F. 281-Berg: Solid waste disposal on agricultural land. S.F. 237-Dahl: Disposal of infectious wastes.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 316-Reichgott: Crack babies; drug/alcohol/toxicology. S.F. 647-Pogemiller: Permits obligors to withdraw from automatic withholding. S.F. 745-Brandl: Child support.

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

3 p.m. Room 112 Capitol

**Agenda:** Continuing Dept. of Human Services budget overview.

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

3 p.m. Room 123 Capitol

**Agenda:** Budget overviews of the Capitol Area Architecture and Planning Board, and the Dept. of Trade and Economic Development.

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

3 p.m. Room 15 Capitol  
**Agenda:** Presentation on levy limits.

**Minnesota Future Resources Commission Executive Committee,**  
Chair: Clarence Purfeerst  
4 p.m. Room 5 SOB  
**Agenda:** Review of applications for administrative assistant position and other miscellaneous matters.

**Education Division on Education Funding,** Chair: Randolph Peterson  
6:30 p.m. Room 15 Capitol  
**Agenda:** Presentation on the governor's education budget: health, safety and nutrition; miscellaneous programs; agency services; and special programs.

**Finance Division on Health and Human Services,** Chair: Don Samuelson  
7 p.m. Room 123 Capitol  
**Agenda:** Continuation of the DNR budget overview.

### Wednesday, March 15

**General Legislation and Public Gaming Committee,** Chair: Marilyn Lantry  
8 a.m. Room 107 Capitol  
**Agenda:** Continuation of S.F. 506-Lantry: Charitable gambling.

**Education Committee,** Chair: James Pehler  
8:30 a.m. Room 15 Capitol  
**Agenda:** S.F. 27-Dalh: Requires student member of the Board of Regents to be a student at the time of election. S.F. 866-Chmielewski: Reduces the Askov School Board from seven to six members. S.F. 695-Pehler: Requires school boards to report certain teacher discharges and resignations to the board of teaching.

**Agriculture and Rural Development Committee,** Chair: Charles Davis  
10 a.m. Room 112 Capitol  
**Agenda:** Presentation on the U of M's Institute of Agriculture, Forestry and Home Economics general budget and S.F. 676-DeCramer: Changes voting rights in certain cooperative associations.

**Finance Division on Agriculture, Transportation and Semi-states,** Chair: Keith Langseth  
10 a.m. Room 125 Capitol  
**Agenda:** Continuing Dept. of Transportation budget overview.

**Judiciary Committee,** Chair: Allan Spear  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 134-Frank: Blind vendors' committee access to state data. S.F. 155-Dahl: Computer viruses. S.F. 210-Reichgott: Condominium purchaser protections. S.F. 220-Cohen: CHIPS termination of parental rights; placement standards; runaway outreach programs. S.F. 260-Merriam: Statutory wills. S.F. 264-Diessner: Timeliness of patient access to health records. S.F. 331-Moe, D.M.: Elimination of notary public bonding. S.F. 391-Mehrkens: UCC statute of limitations. S.F. 621-Berglin: Limitation on availability of a minor's court-supervised settlement funds. S.F. 694-Frank: Limits the bankruptcy exemption for employee benefits. S.F. 222 Merriam: Access to medical examiner, hospital records by a deceased person's family.

**Elections and Ethics Committee,** Chair: Jerome Hughes  
11:30 a.m. Room 107 Capitol  
**Agenda:** Confirmation of William Hearnery to Ethical Practices Board. S.F. 556-Ramstad: Provides for handicap access to precinct caucuses and party conventions. S.F. 553-Peterson, D.C.: Secretary of state's housekeeping bill. S.F. 763-Pariseau: Defines expenses a candidate must pay for an optional recount.

**Environment and Natural Resources Subcommittee on Environmental Protection,** Gregory Dahl  
1 p.m. Room 112 Capitol  
**Agenda:** Continuation of recycling bills.

**Health and Human Services,** Chair: Linda Berglin  
1 p.m. Room 15 Capitol  
**Agenda:** S.F. 489-Berglin: Ombudsman for older Minnesotans. S.F. 747-Berglin: Health care. S.F. 787-Waldorf: Quality assurance CSSA.

**Finance Division on Health and Human Services,** Chair: Don Samuelson  
3 p.m. Room 125 Capitol  
**Agenda:** Continuing Dept. of Human Services budget overview.

**Finance Division on State Departments,** Chair: Carl Kroening  
3 p.m. Room 123 Capitol  
**Agenda:** Budget overviews of the Bureau of Mediation Services and continuing Dept. of Revenue.

**Taxes and Tax Laws Committee,** Chair: Douglas Johnson  
3 p.m. Room 15 Capitol  
**Agenda:** To be announced.

**Taxes and Tax Laws Subcommittee on Income Tax,** Chair: Lawrence Pogemiller  
Immediately following full committee meeting.  
**Agenda:** To be announced.

**Joint Senate and House Education Committees, Finance Division on Education and Education Division of House Appropriations,** Chair: James Pehler  
7 p.m. Room 123 Capitol  
**Agenda:** Interviews for the U of M Regents positions with at-large candidates.

**Joint Agriculture and Environment Ad Hoc Committee on Water,** Chair: Charles Davis  
7:30 p.m. Room 112 Capitol  
**Agenda:** S.F. 262-Morse: 1989 Groundwater Protection Act.

### Thursday, March 16

**Employment Committee,** Chair: Florian Chmielewski  
8 a.m. Room 107 Capitol  
**Agenda:** S.F. 722-Pehler: Railroad project funded with state money. S.F. 652-Reichgott: Workers' Compensation Court of Appeals.

**Governmental Operations,** Chair: Donald Moe  
8 a.m. Room 15 Capitol  
**Agenda:** S.F. 357-Freeman: Legislative Building Commission. S.F. 1-Merriam: Restores powers and duties to the Waste Management Board. Discussion of S.F. 150-Lessard: Establishes a state-run lottery.

**Transportation Committee,** Chair: Clarence Purfeerst  
8 a.m. Room 112 Capitol  
**Agenda:** S.F. 852-Langseth: Continuing hearing on transportation finance bill.

**Environment and Natural Resources Subcommittee on Fish and Wildlife,** Chair: Charles Berg  
10 a.m. Room 125 Capitol  
**Agenda:** S.F. 674-Stumpf: Restricts bear hunting guide licenses to residents only. S.F. 543-Berg: Authorizes the taking of two deer. S.F. 544-Berg: Authorizes the taking of two deer under certain conditions. S.F. 47-Vickerman: Provides an experimental open season for angling in certain areas.

**Public Utilities and Energy Committee,** Chair: Ronald Dicklich  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 901-Dicklich: Relates to the regulation of noncompetitive and competitive telephone services.

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

12 noon Room 15 Capitol

**Agenda:** S.F. 587-Beckman: Exempts relocated residential buildings from certain provisions of the state building code. S.F. 625-Beckman: Establishes a toll free provider referral system for small businesses. Continuation of S.F. 522-Pogemiller: Establishes affordable housing programs.

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

12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 831-DeCramer: Relates to county appropriations for the arts. S.F. 764-Pehler: Relates to Special Service Districts for Sartell, Sauk Rapids, St. Cloud, Isle, Mora, Becker, Waite Park.

**\*The Senate will be in session at 2 p.m.**

**Education Division on Education Funding,** Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Presentation on Faribault residential academies. S.F. 472-Pehler: Outcome-based education initiatives. S.F. 551-Pehler: Youth service program.

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

5 p.m. Room 15 Capitol

**Agenda:** S.F. 504-Berglin: Brain Injured. S.F. 395-Pogemiller: Dual certification. S.F. 723-Berglin: Nurse Practice Act.

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

7 p.m. Room 15 Capitol

**Agenda:** S.F. 3-Luther: Controlled substance penalties. S.F. 849-Reichgott: controlled substance penalties, drug free school zone, drug sales to a minor, drug crimes with an illegal weapon. etc.

**Joint Senate and House Education Committees, Finance Division on Education and Education Division of House Appropriations,**

Chair: James Pehler

7 p.m. Room 123 Capitol

**Agenda:** Interviews for the U of M Regents positions with at-large candidates.

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

## Friday, March 17

**Education Division on Education Funding,** Chair: Randolph Peterson

8 a.m. Room 15 Capitol

**Agenda:** S.F. 582-Reichgott: Children's initiatives. S.F. 897-Knaak: Alters responsibility for textbook and material costs under Post-secondary Enrollment Options Act. H.F. 141-Peterson, RW: Corrects, clarifies and changes certain education statutes.

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

8 a.m. Room 123

**Agenda:** S.F. 365-Pehler: Establishes a state system of post-secondary vocational technical education.

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

8 a.m. Room 107 Capitol

**Agenda:** S.F. 771-DeCramer: Authorizes and regulates the use of video pull-tab devices at certain locations.

**Agriculture and Rural Development Committee,** Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 328-Mehrkens: Eligibility for producer payments for ethyl alcohol. S.F. 653-Frederickson, D.J.: Requires certain containers to be degradable. S.F. 744-Morse: Changes in the seed and dairy inspection laws.

**Finance Division on Agriculture, Transportation and Semi-states,** Chair: Keith Langseth

10 a.m. Room 123 Capitol

**Agenda:** Continuing Dept. of Transportation budget overview.

**Judiciary Division on Civil Law,** Chair: Ember Reichgott

10 a.m. Room 107 Capitol

**Agenda:** S.F. 190-Luther: Corporate takeover. S.F. 221-Reichgott: Corporate takeover. S.F. 516-Reichgott: Corporate takeover.

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

10 a.m. Room 15 Capitol

**Agenda:** To be announced.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 491-Berglin: Health Span.

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

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# Briefly

The Minnesota Senate Week in Review

March 17, 1989

## Nursing home refinancing bill passed

The Mon., Mar. 13, Senate floor session was highlighted by passage of a bill enabling several Minnesota nursing homes to refinance their loans. Six other bills on the Senate Calendar also gained final passage.

S.F. 644, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), was designated a Special Order. Pogemiller explained that the Special Orders designation was necessary so that the ten-to-twelve affected nursing homes would be permitted to sell their bonds and meet an Apr. 1, prepayment deadline. Sen. Fritz Knaak (IR-White Bear Lake), offered an amendment specifying that the commissioner of human services contact all nursing homes that would be affected by passage of the legislation. The amendment was adopted prior to final passage of S.F. 644.

Also granted final passage were H.F. 267, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), reducing from two years to one year the number of years the adjutant general of the Minnesota national guard is required to serve as a brigadier general before promotion to major general; S.F. 400, authored by Sen. Marilyn Lantry (DFL-St. Paul), regulating the medication of racehorses; S.F. 294, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), providing civil and criminal penalties for the unauthorized release of research animals; H.F. 14, authored by Sen. Allan Spear (DFL-Mpls.), revising current procedures relating to the ordering and collection of restitution.

In addition, final passage was granted to H.F. 68, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), making technical corrections to the property taxation of unmined iron ore, making technical corrections and clarifications to the corporate franchise tax, retroactively providing a corporate franchise tax modification for mining income or gains, clarifying the computation of mining occupation taxes, and exempting S corporations from business activity report filing requirements; and H.F. 214, also sponsored by Pogemiller, making technical corrections and clarifications to individual income and corporate franchise taxes.

## Committee approves charitable gambling bill

The Wed., Mar. 15, meeting of the General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul), was devoted to the continued discussion and approval of a bill relating to charitable gambling.

S.F. 506, sponsored by Lantry, creates a Gaming Enforcement Division within the Dept. of Public Safety; provides the gaming enforcement division with security auditing and investigative powers for lottery, charitable gambling, and racing activities; changes the composition and duties of the Charitable Gambling Control Board; delineates the charitable gambling control director's qualifications and responsibilities; details the license requirements for distributors and manufacturers of charitable gambling equipment and materials; and clarifies language and tightens loopholes in the state's charitable gambling statutes.

Lantry offered, and panel members adopted, an amendment permitting the gaming enforcement director to obtain and forward the fingerprints of prospective lottery, charitable gambling, and horse racing licensees, distributors, and employees to the Federal Bureau of Investigation for the purpose of conducting a national criminal history check on those individuals. S.F. 506, as amended, now goes to the Judiciary Committee.

## Dangerous dog bill gains preliminary approval

The Thurs., Mar. 16, Senate floor session was highlighted by debate on a bill clarifying a law relating to dangerous dogs enacted last year.

S.F. 382, sponsored by Sen. Charles Berg (DFL-Chokio), was granted preliminary approval. The bill clarifies regulations pertaining to dangerous dogs and prohibits local ordinances that define specific dog breeds as dangerous. An amendment, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), incorporating the language of S.F. 600, a bill granting powers to animal control officers was adopted onto S.F. 382. In addition, Sen. LeRoy Stumpf (DFL-Plummer), offered an amendment deleting the bill's willful trespass exemption, explaining that a dog should be deemed dangerous if it attacks people who only commit minor trespassing offenses. By a vote of 23-16, Stumpf's amendment was not adopted.

Also granted preliminary approval were H.F. 27, sponsored by Sen. Donna Peterson (DFL-Mpls.), expanding the definition of "bodily harm" in the crime of third degree assault of an unborn child to include premature birth; and S.F. 104, authored by Sen. Tracy Beckman (DFL-Brice lyn), making changes in the rural finance authority loan program.

H.F. 148, a bill sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), permitting Washington and Anoka Counties to establish certain payment procedures, gained final passage on the Senate Calendar. S.F. 671, authored by Sen. Gene Waldorf (DFL-St. Paul), providing for the composition of the Commission on Uniform State Laws, was also granted final passage on the Senate Consent Calendar.

## Cocaine baby reporting bill gains

A bill requiring physicians to test newborn infants for exposure to controlled substances if the physician has reason to believe that the mother used a controlled substance prior to the birth gained the approval of the Health and Human Services Committee Wed., Mar. 14. S.F. 316, sponsored by Sen. Ember Reichgott (DFL-New Hope), also requires that if the test is positive, the physician must report the results as neglect under the Child Abuse Reporting Act. According to Reichgott, the bill was prompted by the dramatic increase in "cocaine babies," newborn infants with withdrawal and other symptoms of cocaine or "crack" exposure. Reichgott said that Hennepin County officials report that four to six infants are born each week with symptoms of exposure to drugs and that similar numbers are being reported in other large hospitals. The bill was re-referred to the Judiciary Committee.

In other action, the panel, chaired by Sen. Linda Berglin (DFL-Mpls.), began consideration of two bills dealing with child support enforcement and withholding. S.F. 647, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides a mechanism to permit obligors to withdraw from the automatic child support withholding program. The second measure, S.F. 745, authored by Sen. John Brandl (DFL-Mpls.), expands the administrative process for obtaining and enforcing support orders. In addition, the measure contains a presumption of paternity when blood tests are 99 percent positive, excludes public assistance from income for maintenance and support determinations and appropriates funds to provide incentives for counties to collect support. Both bills were laid over because of time constraints.

# Committee Capsule

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## Agriculture and Rural Development

### Subcommittee hears presentation

The Mon., Mar. 13, meeting of the Agriculture and Rural Development Subcommittee on Rural Development was devoted to discussing rural economic development programs. The subcommittee is chaired by Sen. David Frederickson (DFL-Murdock).

Minnesota Dept. of Trade and Economic Development representative Robert Benner provided panel members with a brief overview of the department's current community development programs. He said that because of the rapid decline in federal economic development funding that occurred during the early-to-mid 1980's, the state has taken a more active role in supporting economic development activities. Benner explained that Regional Development Commissions (RDC's) were originally created by the department to provide communities with the necessary technical expertise to apply for, and obtain, federal and state economic development funds through a more decentralized, one-on-one approach. He noted that the RDC structure has proven highly successful, and that many Minnesota communities have combined efforts to attract economic development funds that will benefit the entire area—not just one particular community.

Sen. Charles Davis (DFL-Princeton), expressed concern that because of the sheer number and complexity of the state's economic development programs, many communities don't know where to begin when seeking assistance. Benner replied that the department has created a new application form, to be completed by the community's officials and submitted to the Minnesota Dept. of Trade and Economic Development, that will help in assessing each community's economic development needs. He cautioned that communities must determine their service needs before applying for state and federal funds. Benner concluded the presentation by saying that the department will continue to streamline and simplify its economic development assistance process, whenever possible.

### Cooperative association bill approved

Approval of a bill changing voting rights in regional cooperative associations highlighted the Wed., Mar. 15, meeting of the Agriculture and Rural Development Committee. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 676, sponsored by Sen. Gary DeCramer (DFL-Ghent), permits a federated or regional cooperative to base voting shares on the amount of equity held by its members. DeCramer explained that current state law dictates that voting share allocations can be based only on the membership size and business volume of individual cooperatives comprising the federated cooperative. He added that the bill allows, but does not require, individual cooperatives to use the proposed equity formula as a basis for determining voting shares. Committee members approved S.F. 676, and the bill is now headed to the Judiciary Committee.

Gene Allen, acting vice president, University of Minnesota Institute of Agriculture, Forestry, and Home Economics, provided panel members with a brief overview of the Institute's recent activities. He said that the Institute conducts agricultural research projects for the U at experiment stations located throughout Minnesota. Allen emphasized that continued agricultural and environmental cooperation, stronger recognition of the importance of interdisciplinary research, greater awareness of the ever-increasing impact of technology in determining future research methods, and the importance of using research findings as a tool for making informed regulatory decisions as important objectives of the Institute. He added that the Institute needs additional equipment to successfully meet its research goals.

### Groundwater bill deliberated

The Mon., Mar. 13, and the Wed., Mar. 15, meetings of the Joint Agriculture and Rural Development and Environment and Natural Resources Ad Hoc Committee centered on the continued discussion of a groundwater protection bill. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 262, known as the 1989 Groundwater Protection Act and sponsored by Sen. Steven Morse (DFL-Dakota), was amended twice by committee members. Language revisions and technical corrections were made to Articles I and II of the bill. Article I primarily provides definitions and delineates the goals of S.F. 262, while Article II addresses water research, information, and education. Discussion of the bill is scheduled to continue Mon., Mar. 20.

## Commerce

### Tobacco vending bill defeated

The Commerce Committee defeated H.F. 223, sponsored by Sen. John Marty (DFL-Roseville), which prohibited vending machine sales of tobacco products, Tues., Mar. 14. Senators adopted an amendment deleting a purpose section of the bill and spent considerable time hearing testimony on the bill before defeating it.

Members of the medical community and a representative of the Dept. of Health testified in favor of the bill, citing health reasons and studies showing how easily minors can purchase cigarettes from vending machines. Testimony in opposition was mainly from representatives of businesses involved in the vending trade and centered on the loss of jobs that would result if the legislation were approved.

Sen. Carl Kroening (DFL-Mpls.), speaking in opposition to the bill, said that vending machines aren't role models and that parents must provide an example for their children. Sen. Allan Spear (DFL-Mpls.) countered the argument that while it's hard to hear about people losing their jobs, "what we're talking about here is people who are selling a dangerous, addictive drug to children." Spear requested a division after committee Chair Sam Solon (DFL-Duluth) ruled that the bill had been defeated on a voice vote; the bill was defeated 5-10.

In other action, the committee approved three bills. S.F. 94, also authored by Marty, has three main purposes: to allow insureds access to their personal files held with insurance companies and to correct any incorrect information; to protect personal privacy by restricting the manner in which an insurer may disclose personal information regarding insureds; and to require insurers to disclose why insurance was denied. Representatives of the insurance industry had previously expressed concern that, when disclosing why insurance was denied, they might be the "first informant" of a health condition to a patient; however, an amendment proposed by Marty and approved by the committee addressed that concern.

The committee also approved S.F. 701, which author Sen. Michael Freeman (DFL-Richfield) said cleans up a bill approved last year regarding child health supervision. The bill requires that every policy of health insurance issued, renewed, or issued for delivery in Minnesota must provide coverage for child health supervision services and prenatal care services. The bill clarifies that a policy may subject the costs associated with delivery and postpartum care to a deductible, copayment or other coinsurance or dollar limitation.

In addition, the committee approved S.F. 916, authored by Sen. Gene Merriam (DFL-Coon Rapids), which regulates landscape application contracts. The bill requires that any business that applies fertilizer or other chemicals on grass, turf, shrubs, or ornamental plants must enter into a written contract with the property owner or the owner's agent. A key provision of the bill is that the contract must contain an ending date. The contract must also contain an estimate of the total number of regularly scheduled applications to be performed each year and the costs. The bill provides an exception for agricultural commodities.

A representative from the Attorney General's Office testified that the office had received a number of complaints from consumers regarding lawn care service, usually because the consumer either did not believe they had entered into a contract at all, or they believed that the contract ended at the end of a year.

Originally, the bill required that, if a contract was for more than one year, the company must receive written verification each year that the property owner wished to continue service according to the terms of the contract. However, Sen. Mel Frederick (IR-Owatonna) said that the consumer should have some responsibility to the contract, and proposed an

amendment deleting that provision. Senators approved the amendment. All three bills were sent to the Senate floor.

## **Insurance antitrust bill discussed**

The Commerce Subcommittee on Insurance met Tues., Mar. 14, and Thurs., Mar. 16, to hear testimony on S.F. 801, authored by subcommittee Chair William Luther (DFL-Brooklyn Park). The bill removes the antitrust immunity for insurance companies that do business in Minnesota. The immunity is established in the federal McCarron-Ferguson Act, which vests the authority to regulate the insurance industry with the states and provides that federal antitrust laws do not apply to the insurance industry to the extent that it is regulated and supervised by the state.

Representatives of the Attorney General's Office testified in favor of the legislation; representatives of the insurance industry testified in opposition, outlining the case of why the industry is unique and needs this protection.

## **Mortgage banking bills discussed**

The Commerce Subcommittee on Banking met Thurs., Mar. 16, to discuss S.F. 188, authored by Sen. Michael Freeman (DFL-Richfield), and S.F. 50, authored by Sen. Allan Spear (DFL-Mpls.). Both bills regulate the mortgage banking industry.

The major differences between the two bills are that S.F. 50 calls for both individual and corporate licensure of the industry; S.F. 188 requires only corporate licensure. S.F. 50 also provides education requirements for individuals applying for licensure.

Another key difference is that S.F. 188 provides for a private cause of action if a person can show actual damages. Under current law a person can sue under common law fraud, but must meet a "clear and convincing" standard proof, which is difficult.

S.F. 188 also has a provision which prohibits a mortgage lender from charging a fee at closing for any item that was not disclosed in writing 24 hours in advance.

The subcommittee, chaired by Sen. James Metzen (DFL-So. St. Paul), devoted most of the meeting to hearing testimony on the issue of corporate vs. individual licensure. At the close of the meeting, members voted 6-0 that corporate licensure was the most appropriate approach to regulating the industry. Thus, S.F. 188 will be considered by the subcommittee at a future hearing and S.F. 50 will no longer be considered.

# **Economic Development and Housing**

## **Committee approves small business research grants**

The Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Thurs., Mar. 9, and approved a bill authorizing \$1.5 million in general funds for small business innovation research (SBIR) bridge grants. The bill, S.F. 657, was re-referred to the Finance Committee.

S.F. 657, sponsored by Sen. Steven Morse (DFL-Dakota), authorizes Minnesota Project Innovation (MPI) to award SBIR bridge grants to applicants awaiting approval on federal SBIR phase 2 grants. Morse explained that bridge grants would permit small companies to continue developing projects during the 6-month federal review. The state grants could be used only to develop and market products for which federal SBIR phase 1 grants were awarded. The committee adopted two amendments: to limit the grants to \$50,000; and to provide the grants from general funds, instead of economic development loan repayment funds. S.F. 657 also appropriates \$480,000 for MPI to administer the program.

The committee also continued to discuss S.F. 278, sponsored by Morse, which substantially revises current law pertaining to Regional Development Commissions (RDCs). The bill does not affect the seven-county metro area. S.F. 278 changes the name Regional Development Commission to Area Development Alliance (ADA), permits greater flexibility for ADAs to create different geographic boundaries, and provides state equalization aid. Among the many provisions of the bill: newly formed ADAs must

involve at least 3 counties, totalling 50,000 in population; ADAs can establish revolving business loan programs; counties within an ADA can establish county economic development authorities (EDAs) subject to project review by the ADA; and counties, in cooperation with their cities, can exercise levy authority.

The proposed equalization aid formula in S.F. 278, provides state aid to each ADA at three levels: first, \$100,000 minus the one-sixth mill levied by the ADA; second, 50 cents per person up to 100,000 people in the ADA; and third, 30 cents per person over 100,000 people in the ADA, up to \$40,000. Under this new plan, existing RDCs would receive state assistance of \$653,000 in fiscal year (FY.) 1990, an additional \$286,000 over the FY. 1989 appropriation.

Sen. Gregory Dahl (DFL-Ham Lake) suggested that S.F. 278 encourages counties to break into the smallest groups possible for each to receive a maximum amount of state aid. In response, Morse pointed out that the state equalization formula requires a one-sixth mill levy before any state aid is available, and that the most significant state contribution is made on a per capita basis. The incentive, Morse concluded, would be for counties to align according to their development needs. Realistically, Morse believes that 4 or 5 new ADAs could be created under S.F. 278.

Members of the committee raised several other questions about the comprehensive bill. Morse reiterated that S.F. 278 contains many safeguards requiring cooperation between counties and cities; and is intended to provide greater flexibility for statewide economic development. S.F. 278 was laid over for the committee's further consideration at a later date.

## **Affordable housing bill discussed**

The Economic Development and Housing Committee met Mon., Mar. 13, and continued to discuss S.F. 522, a bill to establish affordable housing programs statewide. Sen. Don Frank (DFL-Spring Lake Park) chairs the committee.

Bill sponsor Sen. Lawrence Pogemiller (DFL-Mpls.), continued his presentation of S.F. 522, which contains recommendations of the Governor's Commission on Affordable Housing. The bill establishes affordable housing programs, sets landlord/tenant guidelines, and makes property tax changes regarding some rental and residential non-homestead dwellings. S.F. 522 also creates an emergency mortgage and rental assistance pilot project.

The authority of the Minnesota Housing Finance Agency (MHFA) is also expanded under S.F. 522. As proposed, the MHFA could: provide loans and subsidies for rental housing; make home equity conversion loans for some elderly homeowners; finance targeted neighborhood preservation activities; acquire subsidized housing developments to preserve affordable housing; and establish a revolving loan fund to provide interest-free loans for project pre-development costs to non-profit and local government development organizations. The bill would also provide MHFA with greater flexibility in administering funds for housing programs for the homeless. S.F. 522 was held over for further consideration at a later date.

Committee members also heard a detailed report on the efforts of the Minnesota Trade Office to develop the export potential of Minnesota products to international markets.

# **Education**

## **Student advising bill advanced**

The Higher Education Division of the Education Committee amended and approved S.F. 394, authored by Sen. Ronald Dicklich (DFL-Hibbing), Fri., Mar. 10.

As originally presented, the bill laid out initial coursework requirements and continuing education requirements for administrators and faculty advisors in public postsecondary institutions. The initial requirements for faculty advisors included successfully completing 30 quarter credits or the equivalent in coursework in student counseling, career education, or a comparable program.

The problem, Dicklich said, is that some students have complained that it takes them longer to finish their education because their advisor did not advise them properly.

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In addition, the bill provided that no state funds could be used after June 30, 1993, for any program in a public postsecondary education system if a program administrator or advisor had not complied with the requirements.

In its final state, S.F. 394 appropriates money to the Higher Education Coordinating Board (HECB) for a study of the quality and effectiveness of academic counseling for undergraduate students, and methods to improve it. The report and the HECB's recommendations are due Feb. 1, 1990.

In addition, the division approved S.F. 425, sponsored by Sen. Dean Johnson (R-Willmar). The bill allows the Willmar school district to purchase the Religion in Life Center building, which is located the technical institute campus. The cost, which is not to exceed \$49,000, will be paid from the technical institute debt redemption fund.

Both bills were sent to the full committee.

## Teacher licensure, review bill debated

Members of the Education Committee devoted the entire Mon., Mar. 13, meeting to discussing S.F. 471, authored by committee Chair James Pehler (DFL-St. Cloud).

The bill transfers the authority to license school support personnel, such as counselors, coaches, nurses, etc., from the State Board of Education to the State Board of Teaching. The bill also specifies that the authority to license postsecondary vocational and adult vocational teachers, support personnel, and supervisory personnel in technical institutes is vested in the State Board of Vocational Technical Education.

The key element of the bill, according to Pehler, is a provision requiring each school board and exclusive representative of the teachers to develop a local teacher performance effectiveness plan through a joint agreement. The plan must contain procedures for assistance programs for probationary teachers and for assistance, intervention, or development programs for tenured teachers. In addition, the Board of Teaching must develop a plan for evaluating teacher performance and effectiveness; the board must report its plan to the Legislature by Feb. 1, 1990, and the plan must be used by districts that fail to reach joint agreements.

The bill also expands the Board of Teaching from 15 to 17 members and changes its composition.

Representatives of teacher organizations gave testimony in support of the bill. However, Senators became embroiled in a discussion of the definition of support personnel—as opposed to professional personnel—and the bill was laid over to allow further testimony.

## Licensure bill again discussed

Further discussion of S.F. 471 occupied the entire Wed., Mar. 15, meeting of the Education Committee. The bill's sponsor is committee Chair James Pehler (DFL-St. Cloud).

Originally, the bill transferred licensure authority for support personnel—basically coaches, nurses, and counselors—from the State Board of Education to the Board of Teaching; changed the composition of the Board of Teaching and increased its membership from 15 to 17; and required the local school boards and the exclusive representative of the teachers in that district to develop a local teacher effectiveness plan through joint agreement. Any district that failed to reach a joint agreement would have been required to use a plan developed by the Board of Teaching.

An amendment introduced by Sen. Randolph Peterson (DFL-Wyoming) offered two important changes to the bill. The first change, which was ultimately added to the bill, prohibits the Board of Teaching from developing additional fields of licensure or dividing existing fields of licensure after July 1, 1989, unless approved by specific legislative act. Although the amendment allows the board to establish fields for provisional licensure, it must submit the field to the Legislature for approval. Originally, the amendment required legislative approval by specific legislative act within two years of the field's establishment; however, Sen. Lawrence Pogemiller (DFL-Mpls.) proposed an amendment to the amendment changing the requirement to one year. Pogemiller's motion was approved.

The second important change, which was deleted from the amendment, would have replaced the teacher effectiveness portion of the bill

with a section merely directing the Board of Teaching to develop a plan for evaluating teacher performance and effectiveness, outlining what the plan must contain, and giving the board a Jan. 1, 1990, deadline. However, Sen. LeRoy Stumpf (DFL-Plummer), proposed an amendment, which committee members approved, deleting this section. As approved, the bill was left with no teacher effectiveness plan provisions.

In addition, members approved an amendment offered by Sen. Gregory Dahl (DFL-Ham Lake). The amendment transfers the authority for administering exams for the transferred licensure areas to the Board of Teaching, if the board wishes to administer the exams, Dahl said.

No final vote was taken on the bill due to time constraints.

## Education Funding

### Budget presentation continues

Representatives from the Dept. of Education continued their presentation of the governor's budget recommendations at the Thurs., Mar. 9, meeting of the Education Funding Division of the Education Committee. The division is chaired by Sen. Randolph Peterson (DFL-Wyoming).

Norena Hale from the department gave an overview of various activities within the Unique Learner Needs Section of the department, including the Chapter 1 Unit, the Limited English Proficient (LEP) Unit and the Migrant Education Unit.

Chapter 1 of the Education Consolidation and Improvement Act is a federally funded program to provide supplemental remedial assistance in basic skills to educationally disadvantaged children. Chapter 1 state staff distribute the funds, approve applications, conduct an annual evaluation of student progress, and provide technical assistance and inservice training for program improvement and project management, Hale said. Migrant Education, which is part of Chapter 1, provides educational opportunities to the children of migrant agricultural workers while they are in Minnesota.

The Limited English Proficient (LEP) Unit provides support for school district personnel working with students whose first language is not English. The activity is funded through state and federal aid.

Jessie Montano from the department provided more detail on the programs and outlined a number of other federal programs.

In addition, the division discussed Special Education. Hale reminded Senators that two criteria must be met: a student must have a handicapping condition and must be in need of special education services. Some of the classifications under Special Education are speech handicapped; emotionally/behaviorally disordered; and learning disabled. Barbara Burke from the department presented more specific information on Special Education, and the discussion evolved into one about the eligibility criteria for special education, the difficulties involved in serving some specific areas of Special Education, including some of the problems regarding personnel.

### Special education programs outlined

The Education Division on Education Funding, chaired by Sen. Randolph Peterson (DFL-Wyoming), devoted the Fri., Mar. 10, meeting to a discussion of federal programs regarding special education.

Among the federal special education programs Minnesota receives funding for are the handicapped, preschool incentive, deaf/blind, teacher training/leadership, handicapped in resident facilities, and handicapped neglected/delinquent in resident facilities programs, explained Norena Hale, Dept. of Education. Hale described how funding is distributed for the handicapped program. Minnesota receives an annual grant based on an unduplicated child count for the handicapped program. A minimum of 75 percent of the funds are allocated to local school districts while 20 percent may be used as discretionary funds for state-initiated projects. Minnesota uses 15 percent of the discretionary funds for several projects including regional low incidence projects and development of a Regional Comprehensive System of Personnel Development, said Hale. The remaining five percent is incorporated into the main entitlement to local districts.

Barbara Burke, also from the Dept. of Education, outlined general trends in educational programs for handicapped children and youth.

While many of the objectives for providing educational programs have been met, some growth of special education services will be needed because children will have more severe handicaps than in the past, there is a growth of general public and nonpublic school population, and staff are needed to provide transition services for students moving into the community, said Burke.

## **Bills, budget discussed**

The Education Funding Division of the Education Committee, chaired by Sen. Randolph Peterson (DFL-Wyoming), discussed S.F. 147, authored by Sen. Donna Peterson (DFL-Mpls.), and S.F. 253, authored by Sen. James Pehler (DFL-St. Cloud), Mon., Mar. 13. The division also continued an overview of the governor's budget recommendations.

S.F. 147 defines a "mobility zone" within a school district and authorizes transportation aid for transporting students who move during the school year within a mobility zone.

The intent of the bill is to allow students in an area of St. Paul to remain at one school, even if their family moves, according to Sen. Donna Peterson. The area is a section of East St. Paul with a high mobility rate.

Tom Melcher, Dept. of Education, told division members that the bill was carefully written so that it would only apply to that area of St. Paul, and that he did not believe any other areas of the state would be affected.

S.F. 253 authorizes a district to use up to ten percent of its community education revenue for equipment that is used exclusively in community education programs, as long as the revenue is used to purchase or lease computers and related materials; to purchase or lease equipment for instructional programs; and to purchase textbooks and library books. Sen. Randolph Peterson raised questions about whether the bill would cause problems in keeping track of funds, and Pehler said that he would look into the question.

In addition, representatives of the Dept. of Education continued their overview of the governor's budget and concluded their presentation on the Special Education Budget. The governor recommends that the Special Education formula for FY. 1990 be changed from 66 percent of salaries up to a maximum of \$18,400 for full-time equivalent staff to 59 percent of salaries up to a maximum of \$16,450, according to department representative Susan Job. However, discussion centered on the governor's proposal to transfer funding for Speech Handicapped staff, Learning Disabled staff and Other Essential Personnel into a new component of General Education Revenue called the Special Programs Reserve beginning in FY. 1991. The governor's budget also outlines how districts will obtain Special Programs Reserve revenue. In FY. 1991, the governor recommends that the Special Education aid in the remaining staff categories be returned to 66 percent of salaries, but with no cap and no levy. Mike Landers, Dept. of Education, helped clarify the proposal and the funding formula for division members.

After the conclusion of the Special Education budget, the division heard explanations of the governor's budget in the areas of Public Libraries, Professional Development, and Expectations, Effectiveness and Technology. Dale Rapp, chair of the Board of Teaching, presented the Professional Development activities of Teacher Assessment, Teacher Education, Teacher Centers, and the Board of Teaching.

## **Elections and Ethics**

### **Handicapped access bill discussed**

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes, spent the majority of its Wed., Mar. 15, meeting discussing S.F. 556, regarding handicapped access.

The bill, sponsored by Sen. Jim Ramstad (IR-Minnetonka), requires the major political parties to secure and pay for interpreter services if available for communicatively impaired individuals at precinct caucuses and at county, legislative district, or congressional conventions and precinct caucuses upon the request of an individual. A written request must be given to the party 30 days in advance. In addition, the bill requires that precinct caucuses be held at places that meet accessibility standards for the disabled and provides for alternatives if there are not enough accessible places within a precinct.

An author's amendment approved by the committee added the requirement that the major political parties provide, upon request by a visually impaired delegate or alternate to a county, legislative district, or congressional district convention, all official convention materials as soon as they are available, so that the individual may have them converted to audio tape, Braille, or large print format. The same requirement applies for all official precinct caucus materials if a visually impaired individual notifies the party of an intent to attend the precinct caucus.

A number of representatives of the handicapped community spoke in support of the bill. Representatives of the DFL and IR parties spoke in support of the measure, but raised concerns over cost and other issues. The bill was laid over to allow the interested parties to work out a compromise.

In other action, members recommended the confirmation of the appointment of William Heaney to the Ethical Practices Board.

Members also heard an explanation of S.F. 763, authored by Sen. Patricia Pariseau (IR-Farmington). The bill specifies what recount expenses a legislative, judicial county, school district, or municipal candidate must pay if the candidate requests an optional recount. No action was taken on the bill; Hughes suggested that it might be amended onto the secretary of state's housekeeping bill, S.F. 553, which the committee also discussed. S.F. 553 is authored by Sen. Donna Peterson (DFL-Mpls.); a representative of the secretary of state's office outlined the bill, which will lie over.

## **Employment**

### **Elevator safety and unemployment bills approved**

The Employment Committee met Tues., Mar. 14, and approved two bills: S.F. 431, sponsored by Sen. Jerome Hughes (DFL-Maplewood); and S.F. 601, sponsored by Sen. Michael Freeman (DFL-Richfield). Sen. Florian Chmielewski (DFL-Sturgeon Lake) chairs the committee.

S.F. 431 requires regulation and periodic inspection of passenger and freight elevators throughout the state. Under S.F. 431, the commissioner of the Dept. of Labor and Industry must establish an elevator inspection program and set inspection fees. The bill also provides for penalties up to \$1,000 for elevator safety violations.

Jim Berg, Dept. of Labor and Industry, testified in support of S.F. 431. While the cities of Minneapolis and St. Paul have elevator inspection programs, current state law requires that only new and substantially remodeled elevators be inspected. Berg said that S.F. 431 would pertain to some elevators that are very old and may never have been inspected. Approved by voice vote, S.F. 431 was re-referred to the Governmental Operations Committee.

S.F. 601 contains three separate employment provisions. First, the bill creates a semi-annual unemployment survey to identify underemployed and discouraged workers. Second, S.F. 601 establishes the governor's initiative for at-risk youth, which provides training and remedial education services to help youth find meaningful employment. Two appropriations are made for youth employment: \$750,000 per year to link basic training and remedial education with job training programs for youth, ages 14-22; and \$260,000 per year to offset an increase in the state minimum wage. Third, the bill restores \$18 million in base level funding for the Minnesota Employment and Economic Development (MEED) Program, which was phased out of the governor's 1990-91 budget. MEED provides limited wage subsidies to employers hiring persons who have exhausted unemployment benefits. Under the MEED program, up to 10 percent of the funds can be used to help applicants develop job skills for permanent employment.

Grover Jones, representing a computer-aided design and drafting company, spoke in support of the MEED provisions of S.F. 601. Jones said that his company uses the wage subsidies to help new employees develop drafting and design skills necessary for the permanent job. The committee approved S.F. 601; and the bill was re-referred to the Finance Committee.

### **Committee advances prevailing wage bill**

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake) advanced two bills Thurs., Mar. 16: S.F. 722, a bill to

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ensure that equitable wages are paid on state rail projects; and S.F. 466, making numerous changes in laws regulating workers' compensation self-insurance.

S.F. 722, sponsored by Sen. James Pehler (DFL-ST. Cloud), requires that contract workers on Minnesota Rail Service Improvement Projects must be paid the prevailing wage rate in the area. Pehler clarified that S.F. 722 applies only to Minnesota Rail Service Improvement Projects, which are 45 percent state-funded. In addition, the bill only affects outside companies using contract labor; not rail companies which use in-house labor for rail maintenance.

Brad Flugh, speaking for railroad workers, testified to wide fluctuation, \$3.50 to \$12.50 per hour, in wages paid to contract laborers doing rail rehabilitation work. Flugh added that the lower wages are typically paid by contractors from outside Minnesota. S.F. 722 was approved by voice vote, and re-referred to the Transportation Committee.

Committee members also voted to approve S.F. 466, which revises workers' compensation law regarding self-insurance. While committee members found the changes to be non-controversial, they devoted considerable time discussing reporting requirements of the Advisory Council on Workers' Compensation. S.F. 466, approved by voice vote, was sent to the Senate floor.

The committee also began to consider S.F. 652, sponsored by Sen. Emmer Reichgott (DFL-New Hope), making administrative changes to the Workers' Compensation Court of Appeals. S.F. 652 requires the governor to appoint a chief judge from the court, who is given increased oversight responsibility for court administration. The bill also provides that six additional judges be appointed, as well as support staff, to address the workers' compensation case backlog. S.F. 652 was laid over for further consideration at a later date.

## Environment and Natural Resources

### Waste management bill debated

Members of the Environment and Natural Resources Subcommittee on Environmental Protection devoted the Fri., Mar. 10, meeting to a bill that amends the Waste Management Act.

Sen. Gene Merriam (DFL-Coon Rapids), author of S.F. 530, began a review of the bill. Provisions of the measure include defining waste reduction, extending the allotted time for the Waste Management Advisory Council and the hazardous Waste Management Planning Council, and expanding the designation of facilities from resource recovery facility to solid waste processing or disposal facility. Under the bill, said Merriam, the commissioner of the Pollution Control Agency may take emergency action to abate a waste tire nuisance if the commissioner determines that there is a clear and immediate danger to the public health and welfare or the environment.

The measure also provides that a political subdivision may not enter into a binding agreement governing a solid waste management activity that is inconsistent with a county plan without the consent of the county. Dave Weirens, Association of Minnesota Counties, said that the intent of the provision is to resolve future situations that could arise between counties and cities regarding solid waste management activity. The provision reaffirms that counties are in charge of solid waste policy, added Merriam. Tom Slaggie, mayor of Winona, requested members to consider deleting the language prohibiting cities from implementing programs without the consent of the county. The city of Winona is currently in the process of implementing a solid waste management activity that is not part of the county's plan. Slaggie explained that the plan developed by the city of Winona makes economic sense and that the provision in the bill could prevent the implementation of their plan.

Chair Gregory Dahl (DFL-Ham Lake) recommended continuing the review of S.F. 530 at the subcommittee's Tues., Mar. 14, meeting.

### Review of waste management bill continues

The Environment and Natural Resources Subcommittee on Environmental Protection, chaired by Sen. Gregory Dahl (DFL-Ham Lake), com-

pleted a review of a measure relating to waste management.

Before continuing a review of S.F. 530, sponsored by Sen. Gene Merriam, testimony was heard in favor of a provision that prevents a political subdivision from entering a binding agreement governing a solid waste management activity that is inconsistent with a county plan without the consent of the county. Gene Mossing, director of Winona County Solid Waste, said the bill would not affect the city of Winona whose plans differ from the county but would ensure a county's plan to provide safe and effective solid waste management.

Merriam then continued review of the bill. S.F. 530 changes the name of the Hazardous Substance Injury Compensation Board to the Harmful Substance Compensation Board which is more descriptive of the board's expanding involvement in compensation cases, said Merriam. Furthermore, the bill provides that the Harmful Substance Compensation Board has the authority to request a transfer of funds from the petroleum tank release cleanup fund to the funds granted for claims relating to petroleum releases. Other provisions relating to the metropolitan area include setting up a solid waste disposal site selection process, authorizing the Metropolitan Council to require counties to amend their master plans when they fail to meet the Council's waste abatement objectives, and increasing tipping fees from 50 cents to 2 dollars per cubic foot.

### Wildlife identification bill gains

Five measures were reviewed and approved in the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls), Tues., Mar. 14.

The committee approved S.F. 271, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), providing that the identification of wild mammals and birds be included as part of the state firearms safety training course for young hunters. The course is administered by the Dept. of Natural Resources. Young hunters would learn how to identify species of wild mammals and birds by sight and other unique characteristics, said Dahl.

S.F. 332 makes the open season date for walleyed pike on the Rainy River the same as Rainy Lake. Currently the opening date is one week later than Rainy Lake and causes confusion, explained the author of the bill Sen. LeRoy Stumpf (DFL-Plummer).

Sen. Charles Berg (DFL-Chokio), author of S.F. 476, outlined the goals of the measure. The bill prohibits an individual from disturbing or interfering with another person who is hunting or fishing. Under the bill, a person who harasses a hunter or angler must obey the order of a peace or enforcement officer to stop the harassment.

S.F. 280 and 281 are also authored by Berg. S.F. 280 suspends trespass laws so that a person may enter nonposted agricultural land on foot to take fox during the months of January and February. S.F. 281 allows for nuisance free, pollution free, aesthetic disposal of solid waste on agricultural land by an individual engaged in farming unless there is a regularly scheduled pickup of solid waste available at the individual's farm.

S.F. 271, S.F. 332, S.F. 476, and S.F. 280 were sent to the Senate floor. S.F. 281 was re-referred to the Agriculture and Rural Development Committee.

### Recycling bill discussed

Testimony regarding a recycling bill was heard by the Environment and Natural Resources Subcommittee on Environmental Protection Wed., Mar. 14. S.F. 371, authored by Sen. Gene Merriam, establishes plans and programs to reduce solid waste and is the result of recommendations made by the Governor's Select Committee on Recycling and the Environment.

Several individuals spoke regarding S.F. 371. Martha Keller, executive director of the Minnesota Project, said the bill is the best opportunity in 15 years to initiate a comprehensive recycling effort and offers the broadest possible perspective. Steve Keefe, chair of the Metropolitan Council, also supported the bill and testified on several specific areas of the bill. Keefe strongly favors the problem material tax because it focuses public attention on the problem of toxics in the waste stream. He also stressed the importance of market development in dealing with waste reduction. Greg Fontaine, representing Waldorf Paper Company, expressed concern over the bill's funding mechanism relating to the tax placed on recyclers and the definition of problem materials. Fontaine said he supports an exemption for a recycler depending on the rate of waste reduction

achieved. The definition of problem materials is so broad it could mean paper products or batteries, he said.

The subcommittee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), will continue to hear testimony on recycling measures at a future meeting.

### **Wastewater treatment funding bill approved**

The Environmental Protection Subcommittee of the Environment and Natural Resources Committee again approved S.F. 470, authored by Sen. Gary DeCramer (DFL-Ghent), Thurs., Mar. 16. The measure had been acted upon by the subcommittee at an earlier date, however, the measure was sent back to the panel for further work. The bill requires each municipal wastewater treatment facility permittee to annually set aside a minimum of five cents per 1,000 gallons of wastewater flow through the facility to be deposited in a dedicated fund administered by the municipality for future capital improvements or replacement of the facility. The provision is effective Jan. 1, 1991.

The bill outlines who is responsible for collecting the fees and sets forth reporting requirements. In addition, subcommittee members, chaired by Sen. Gregory Dahl (DFL-Ham Lake), added an amendment exempting the Metropolitan Waste Control Commission from setting aside the funds. The bill was sent to full committee.

In other action, the subcommittee laid over S.F. 685, authored by Sen. Sam Solon (DFL-Duluth), authorizing \$3 million in bond sales for the Western Lake Superior Sanitary District to be used to pay costs associated with a rupture in a pipeline between Cloquet and Duluth.

In addition, the subcommittee sent S.F. 683, also authored by Solon, to the full committee without recommendation. The bill involves Western Lake Superior Sanitary District restructuring its capital debt service; subcommittee members agreed the bill should be re-referred to another committee.

### **Experimental open season bill okayed**

A measure providing for an experimental open season for angling was approved by the Environment and Natural Resources Subcommittee on Fish and Wildlife Thurs., Mar. 16. S.F. 47, sponsored by Sen. Jim Vickerman (DFL-Tracy), establishes an open season for walleye, sauger, and northern pike in the prairie lake zone in 1990 and 1991 beginning the first Sat. of May. Discussion on the bill focused on the open season date which is earlier than the fishing open season date of May 15. A representative from the Dept. of Natural Resources said the department opposes the bill. An earlier open season date could hurt the department's catch and release program and put pressure on the state's fish resource. Members of the subcommittee approved the bill since the change of date is proposed for an experimental period.

In other action, the subcommittee reviewed and laid over three bills. S.F. 674, authored by Sen. LeRoy Stumpf (DFL-Plummer), restricts bear hunting guide licenses to residents only. Both S.F. 543 and S.F. 544, sponsored by Chair Charles Berg (DFL-Chokio), authorize the taking of two deer. S.F. 543 authorizes the taking of one deer by firearm and one deer by muzzle loading firearm. S.F. 544, allows for the taking of one deer by firearm and one deer by archery or muzzle loading firearm.

## **Finance**

### **Agency budget requests heard**

Members of the Agriculture, Transportation, and Semi-states Division of Finance met Fri., Mar. 10, to hear budget presentations by two state agencies. Sen. Keith Langseth (DFL-Glyndon), serves as the division's chair.

Telecommunications Access for Communicatively Impaired Persons Board (TACIP) Director Herb Pickell explained that his organization's mission is to improve telephone system accessibility for Minnesotans with hearing or speech impairments. The TACIP, created in Oct., 1987, is currently operating two programs to assist hearing or speech impaired individuals. The first program supplies eligible communicatively impaired residents with special telephone access equipment. The second program enables direct communication between people who use Telecommunication Devices for the Deaf (TDD's) and people in the hearing community through the operation of a centralized telephone message relay service.

The TACIP is requesting approximately \$5 million to fund its activities during the 1990-91 biennium. The governor supports the board's budget request.

Tony Perpich, commissioner, the Dept. of Public Service, said that the department is requesting no increase in its 1988-89 biennial funding level of \$21 million for the next biennium. The Dept. of Public Service is charged with regulating utility rates and services, commercial weighing and measuring devices, and energy conservation in Minnesota.

### **Human services budget review continues**

The Finance Division on Health and Human Services met Fri., Mar. 10, to continue consideration of the Dept. of Human Services biennial budget request. Members reviewed Legal and Intergovernmental Programs and Social Services Programs. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Julie Brunner, Dept. of Human Services assistant commissioner, presented a biennial change request of \$4.4 million for Legal and Intergovernmental programs. Among the change requests, the department proposes \$696,000 and four additional positions to monitor and evaluate county-administered social services, particularly child protection services. Instead, the governor recommended base level funding and an additional \$287,000 for administrative costs that federal funds no longer cover. Citing an increasing number of licensed human service programs, Brunner also requested \$715,000 and 14 additional positions to increase inspection of licensed child care, developmental disability, mental health and chemical dependency programs. The governor also did not recommend this proposal. As part of the Initiative on Children, the governor's budget provides \$455,000 to increase licensing staff for child care facilities.

Under Social Services programs, the department requests \$4.6 million to provide children's services grants including: foster care and adoption services; child protection training; permanency planning; child care subsidies; and services for adolescent parents and homeless adolescents. These requests are budgeted under the governor's Initiative on Children. The department also proposes \$2.6 million for 1990-91 to develop and implement a social services reporting system. The governor's budget does not include this proposal. The division will meet Tues., Mar. 14, to continue reviewing the human services budget.

### **Veterans nursing homes discussed**

The Senate Finance and House Appropriations Divisions on Health and Human Services held a joint meeting, Mon., Mar. 13, to question several witnesses regarding veterans nursing homes issues. Sen. Don Samuelson (DFL-Brainerd) and Rep. Lee Greenfield (DFL-Mpls.) are the respective chairs.

The hearing focused on an Interagency Board for Quality Assurance report on the moratorium on new nursing home beds, and comparisons of services and costs of veterans and community nursing home care. Legislators also heard testimony from Tom Mullon, director of the Veterans Administration Medical Center, on the federal limitations and declining federal support of community nursing home care for veterans.

### **Committee hears transportation budget overview**

The Finance Division on Agriculture, Transportation and Semi-States, chaired by Sen. Keith Langseth (DFL-Glyndon), met Mon., Mar. 13, to hear an overview of the Dept. of Transportation (MnDOT) budget.

The department's \$2.68 billion budget request for 1990-91 represents a five percent increase over the previous biennium. In his overview, Deputy Commissioner Douglas Differt highlighted department change requests of \$31 million for trunk highway construction and \$50 million for public transit funding. Included in the public transit request are the governor's proposals to provide \$4.2 million for light rail transit; and to transfer the functions of the Regional Transit Board to other state and metropolitan agencies, and provide the agencies with \$47.3 million for metro transit assistance. The division will continue the MnDOT budget review Wed., Mar. 15.

### **Human Services budget review proceeds**

The Tues., Mar. 14, and Wed., Mar. 15, meetings of the Finance Division

# Committee Capsule

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on Health and Human Services were devoted to continued review of the Dept. of Human Services budget. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Department officials presented biennial budget requests for Social Services, Mental Health and Family Support Programs. Under Social Services, a substantial change request of \$2.2 million was made for Semi-Independent Living (SILS) grants to relocate persons with mental retardation from regional treatment centers to community-based intermediate care facilities. The governor's budget included this increase in the \$9.5 million SILS proposal.

The department made three substantial change requests for Mental Health Programs. First, the Children's Mental Health Initiative would receive funding of \$1.3 million. Second, an increase of \$3.5 million is proposed to provide community support services to adults with mental illness. The governor also recommended a 3 percent cost-of-living adjustment, increasing funding of the program by \$1.6 million for the biennium. Third, \$3 million is requested to implement the Nursing Home Reform Act. Under this proposal, the department expects to reduce state medical assistance grants by \$1.3 million for the biennium.

Biennial change requests totalling \$76.5 million were proposed for several Family Support Programs, including: food stamps programs; Aid to Families with Dependent Children (AFDC) programs; Priority Access to Human Services (PATHS) case management and employment and training services; child support enforcement; and implementation of the MAXIS computer system. The division will continue its review on Mon., Mar. 20.

## Transportation budget reviewed

Members of the Finance Division on Agriculture, Transportation and Semi-States met Wed., Mar. 15, to review the Dept. of Transportation (MnDOT) Operations and Technical Services Divisions budget requests. Sen. Keith Langseth (DFL-Glyndon) chairs the division.

The MnDOT Operations Division proposes a biennial increase of \$19 million for health and safety, maintenance, and construction support programs. Asst. Commissioner Larry McNamara explained that the change request is proposed to respond to increasing traffic and service demands on state roadways. Operations Division personnel comprise 75 percent of the department workforce and provide a wide range of services, including snow and ice removal, road and bridge repair, traffic services, roadside and rest area management, and health and safety initiatives. The governor's budget proposes a \$12 million increase for Operations Division activities.

The Technical Services Division represents four percent of the MnDOT budget. Technical Services provides the department with program delivery and technical guidance services in engineering, state aid and electronic communications. A \$10.3 million change request for research, electronic maintenance and a wildflower roadside program increases the Technical Services budget proposal to \$114.6 million for the biennium. Consideration of the MnDOT budget will continue Fri., Mar. 17.

## Dept. of Finance budget heard

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met Thurs., Mar. 9, to hear budget reviews of the Dept. of Finance and the Pollution Control Agency.

The Dept. of Finance plans, analyzes and manages the budget, financial operations, some agricultural loan participations and the debt of the state, explained Commissioner Tom Triplett. The budget requests consist of funds to provide internal audit functions for the department and small agencies that do not have their own internal audit staffs; to hire staff for local government program reporting; and for support to complete the new Biennial Budget System.

Commissioner Gerald Willet, Pollution Control Agency (PCA), outlined the agency's programs and activities while Deputy Commissioner Michael Robertson focused on budget requests for the Water Pollution Control Program. Robertson explained that appropriations for the PCA's budget is almost evenly divided between general revenue, federal funds, and fees. The governor is recommending consolidation of money from the water pollution control and public health funds with the general fund in order to ensure stable funding sources. One change level request is for funds to

provide the fiscal year 1988 level service in water pollution control areas because the federal government is withdrawing funding support. In addition, the PCA is requesting funds to assess the impact on ground water of proposed and existing wastewater treatment facilities, for permitting and enforcement relating to the discharge of toxic pollutants, and for local water assistance in efforts and activities to control sources of pollution. The PCA will continue its budget presentation at another meeting.

## State reviews takeover of trial court costs

The Mon., Mar. 13, meeting of the Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), was devoted to hearing recommendations on the state takeover of trial court costs.

Retired Chief Justice Douglas Amdahl outlined the state's judicial court system and reported on the recommendations of the Supreme Court Task Force on Financing and Control of the Trial Courts. In the past 20 years, the judicial courts system has been consolidated into three courts with the Chief Justice of the Supreme Court having administrative control over all courts. In addition, the state became responsible for judges and the 10 district court administrators salaries. Also, the state's lower court system has been administratively unified through consolidation of the 87 county courts into a 10 District Court system. Since the shift from county to the state has led to a conflict over administration of budgets, said Amdahl, the task force is recommending that the District Courts and public defense system be financed and administered by the state.

Commissioner Tom Triplett, Dept. of Finance, reported similar recommendations from the Governor's Advisory Council on State-Local Relations which studied county and state financing of District Courts and public defense services.

Judge Kevin Burke spoke specifically on the public defense system. State administration of the system would provide a more efficient and equitable service to the state, said Burke.

The division continued discussion of the Judicial and Trial Court budgets during an evening meeting. Sue Dosal, State Court Administrator, listed budget requests for several positions to provide trial court technical assistance and a half-time position to design and implement programs for permanency planning for children residing outside their home by court order. The largest funding request is for the implementation and upgrade of the trial court information system.

The Trial Court, said Judge Bruce Douglas, is requesting funds for travel expenses and office equipment for judges.

## Information management hearings continue

The Ad Hoc Subcommittee on Information Management, chaired by Sen. Gregory Dahl (DFL-Ham Lake), continued a series of hearings Tues., Mar. 14. The panel discussed recommendations for funding the state information system and heard representatives of Intertech explain the divisions revenues and budget process.

## CAAP Board, Dept. of Trade budgets heard

Members of the Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met Tues., Mar. 14, to review the budget requests of the Capitol Area Architectural and Planning Board and the Dept. of Trade and Economic Development.

Gary Grefenburg, executive secretary of the Capitol Area Architectural Board (CAAP), stressed the fact that the CAAP Board is the only state agency to review all of the various components of building and development in the Capitol Area. The board is requesting an additional \$160,000 for the biennium to fund three additional positions. The governor's budget proposal recommends an additional \$80,000 for the biennium.

Commissioner David Speer of the Dept. of Trade and Economic Development provided an overview of the department as an introduction to the budget review process. The Dept. of Trade and Economic Development is organized into seven divisions to serve communities, local units of government, the commercial, industrial and agricultural sectors and consumers in promoting economic growth and development. The Office of Tourism is perhaps the most visible division, however, the Minnesota Trade Division, the Business Promotion Division, the Administrative Division, The Community Development Division, the Office of Science and Technology and the Policy Analysis Office, are also engaged in the devel-

opment of a balanced and competitive state-wide economy. The budget presentation will continue at a later hearing.

## Dept. of Revenue completes budget review

The Wed., Mar. 15, meeting of the Finance Division on State Departments was devoted to the completion of the Dept. of Revenue budget review. The division, chaired by Sen. Carl Kroening (DFL-Mpls.), also heard budget presentations on the Bureau of Mediation Services and the Indian Affairs Council.

The Dept. of Revenue is requesting an increase in funding in the area of information systems, said Assistant Commissioner Connie Nelson. Funds would be used to complete the taxpayer account portion of the department's taxpayer accounts database. The individual income tax registration and business tax registration portion of the database is complete, said Nelson. Other funding requests are for a sales tax processing module and for taxpayer information services. The department is also asking for an exemption from paying for attorney general costs.

One request for additional funds is being made by the Bureau of Mediation Services, explained Commissioner Paul Goldberg. Funds are needed to in order to complete the automation of case file and history information.

Roger Head, executive director of the Indian Affairs Council, completed the budget presentations. No change level requests are being made by the council.

## General Legislation and Public Gaming

### Charitable gambling bill debate continues

The Fri., Mar. 10, meeting of the General Legislation and Public Gaming Committee was devoted to the further examination of a charitable gambling bill and approval of a bill preserving state land surveys. The committee is chaired by Sen. Marilyn Lantry (DFL-St. Paul).

Panel members continued discussion on SE 506, charitable gambling enforcement legislation sponsored by Lantry. Lantry detailed provisions in the bill regarding charitable gambling accounting and auditing requirements. An amendment offered by Sen. Patrick McGowan (R-Maple Grove), specifying that no more than three members of the Charitable Gambling Control Board may belong to the same political party and making S.F. 506's penalty provisions consistent with those contained in S.F. 150—lottery enabling legislation sponsored by Sen. Bob Lessard (DFL-Int'l Falls)—was adopted by committee members. Lantry offered, and the committee adopted, two technical amendments clarifying the bill's language. Action on S.F. 506 will be taken Wed., Mar. 15.

S.F. 532, sponsored by Sen. Steven Morse (DFL-Dakota), provides for the preservation of land surveys and establishes June 30, 1991, as the deadline for the permanent microfilming of the surveys. Morse said that the bill appropriates funds to the Minnesota Historical Society to conserve, rehabilitate, and maintain official government survey documents. The bill also provides funding for the secretary of state to prepare, catalogue, and microfilm the surveys. Morse estimates the program's total cost at \$119,000. S.F. 532 received committee approval and now goes to the Finance Committee.

## Governmental Operations

### Hearing on telecommunications held

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), held a teleconference with the North Carolina Agency for Public Telecommunications Tues., Mar. 14, to discuss alternative administrative structures for Minnesota telecommunications systems. The live televised conference was the first time a Senate Committee had participated in the evolving technology of telecommunications. The committee heard an overview of North Carolina's telecommunications systems and a description of its Public Events Network, as well as an overview of the North Carolina States Services Network. The meeting concluded with a presentation and discussion of telecommunications policy for Minnesota.

## Legislative building commission bill gains

A bill creating a legislative building commission was approved by the Governmental Operations Committee Thurs., Mar. 16. S.F. 357, sponsored by Sen. Michael Freeman (DFL-Richfield), specifies that the Senate and House membership of the commission must be proportional to the majority and minority membership of the Legislature, requires a six-year plan for capital improvements in the state, and establishes dates for recommendations to the Legislature to be submitted. The goal of the bill, said Freeman, is to provide a better forum for capital improvement. S.F. 356 was re-referred to the Finance Committee.

The committee, chaired by Sen. Donald Moe (DFL-St. Paul), also approved S.F. 1. The bill, authored by Sen. Gene Merriam (DFL-Coon Rapids), transfers the responsibilities of the Waste Management Board from the Pollution Control Agency (PCA) to the Office of Waste Management. The Waste Management Board's responsibilities were transferred to the PCA by executive order last fall. The board's duties in promotion and planning of waste management should remain separate, as originally intended, from the duties of the PCA, explained Merriam. Commissioner Gerald Willet, PCA, spoke in opposition to the bill. Willet said there is no conflict between the responsibilities of the Waste Management Board and the PCA, and that there has been positive feedback regarding the merging of the PCA and the board. S.F. 1 was sent to the Senate floor.

## Health and Human Services

### "Reasonable efforts" bill gains

The bill requiring that social service agencies make reasonable efforts to avoid placing children in need of protection or services outside the home and to reunite the family gained the endorsement of the Health and Human Services Committee Fri., Mar. 10. The bill, S.F. 486, authored by Committee Chair Linda Berglin (DFL-Mpls.), also contains provisions to strengthen the role of Indian tribes in court proceedings involving Indian children and to require that social service agencies, in making reasonable efforts, include culturally appropriate services to avoid removing the child from the home while remaining consistent with the best interests of the child. The measure also clarifies several definitions relating to Indian children and requires court hearings involving Indian children to be conducted in accordance with the federal Indian Child Welfare Act.

A provision detailing circumstances permitting police officers to take a child into custody had generated considerable debate at an earlier hearing. Berglin said that parties on both sides of the issue were negotiating language for an amendment but had not yet reached agreement. The measure was re-referred to the Judiciary Committee.

S.F. 748, authored by Sen. Allan Spear, establishing a state child mortality review panel, was also approved and re-referred to the Judiciary Committee. The bill authorizes the commissioner of human services to appoint the review panel to review the deaths of children in the state and to make recommendations for improving the child protection system. In addition, the bill creates the crime of child endangerment and sets a penalty. An author's amendment requiring the commissioner of health to develop uniform guidelines and protocols to be used by coroners and medical examiners investigating the deaths of children under the age of two who die suddenly under circumstances that might be attributed to sudden infant death syndrome was also approved. The amendment also requires a complete autopsy to be conducted on children under the age of two who die suddenly under circumstances indicating that the death may have been caused by sudden infant death syndrome.

In other action, the panel advanced two additional bills. S.F. 195, authored by Berglin, clarifies the duties of the Ombudsman for Mental Health and Mental Retardation; grants subpoena power to the ombudsman; and requires that the ombudsman be notified of the death or serious injury of a client. S.F. 468, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), clarifies the procedures used by the Dept. of Human Services to determine the rates for services to clients in state facilities.

Finally, committee members reconsidered the vote on S.F. 342 and brought the measure back before the committee. The bill, authored by Sen. Gregory Dahl (DFL-Ham Lake), had been amended to provide for public information and research on radon. Sen. Marilyn Lantry (DFL-St.

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Paul) offered an amendment containing provisions for radon education and radon research with the corresponding appropriations. In addition, the amendment authorizes the adoption of changes in the state plumbing code and the state building code to minimize the infiltration and accumulation of radon in buildings within six months of federal standards adoption. The amendment also requires reporting of radon test data and provides for mandatory testing in public and private schools and licensed day care centers by July 1, 1991. Finally, the amendment provides for a study on the necessity of consumer protection legislation in the area of radon testing and mitigation. The amendment was adopted and the bill was approved and re-referred to the Committee on Finance.

## **Ombudsman for Older Minnesotans bill okayed**

A bill clarifying and expanding the duties of the Ombudsman for Older Minnesotans was approved at the Wed., Mar. 15, meeting of the Health and Human Services Committee. S.F. 489, authored by Committee Chair Linda Berglin (DFL-Mpls.), includes home care service providers in the scope of the ombudsman's information gathering and evaluation duties. The bill sets forth the training requirements for local ombudsman representatives; delineates ombudsman's access to long-term care, acute care facility, or home care service provider records; and prohibits discrimination or retaliation for filing a complaint with or providing information to the ombudsman. The bill was re-referred to the Governmental Operations Committee.

The committee also began reviewing a bill that makes numerous changes in the Medical Assistance, General Assistance Medical Care and Children's health plan programs. The measure, S.F. 747, authored by Berglin, was laid over because of time constraints.

## **Judiciary**

### **Sex offender penalty bill gains**

Members of the Judiciary Criminal Law Division, chaired by Sen. Donna Peterson (DFL-Mpls.), held an evening meeting Thurs., Mar. 9, to consider a bill toughening the penalties for criminal sexual offenders and providing for establishment of a state wide treatment system. The bill, as amended by chief author Sen. Allan Spear (DFL-Mpls.), also contains provisions for treatment programs for juvenile sexual offenders, for the extension of court jurisdiction over juvenile sexual offenders, and for the establishment of a centralized system for juvenile court records. In addition, the bill requires the Bureau of Criminal Apprehension to develop procedures and protocols for use in DNA profiling and provides that the results of DNA profiling are admissible as evidence in civil and criminal trials. The bill also increases the statutory maximum penalties for criminal sexual conduct and provides for a special sentencing departure for repeat sex offenders.

The measure also contains a section that requires the court, when sentencing a person for a criminal sexual conduct offense, to determine whether a petition for indeterminate civil commitment under the psychopathic personality statute is appropriate. If the court determines that a petition for civil commitment is appropriate the court is directed to forward the determination to the county attorney. The measure also extends the criminal statute of limitations for criminal sexual conduct if the victim was under the age of 18 at the time the offense was committed and did not report the crime, for two years from the time of the report of the crime, up until the victim reaches the age of 25. Finally, the bill provides for a child protection study to help find ways in which the child protection system can provide more effective intervention and prevention services.

Debate on the bill centered primarily on the wording of specific sentences in order to clarify the various provisions of the bill. In addition, the division considered several amendments. The first amendment, offered by Sen. Patrick McGowan (IR-Maple Grove), required the registration of sex offenders after discharge from prison or the state hospital. A second amendment, offered by Sen. Jim Ramstad (IR-Minnetonka), required mandatory minimum sentences for criminal sexual conduct offenses. A third amendment, also sponsored by Ramstad, required that treatment for per-

sons convicted of criminal sexual conduct be mandatory. All three amendments failed to be adopted. A final Ramstad amendment, requiring mandatory AIDS testing, was withdrawn.

The bill was approved and sent to the full committee.

### **Nonprofit corporation act reviewed**

The Judiciary Division on Civil Law met Thurs., Mar. 9, to begin discussing a measure that modifies and recodifies nonprofit corporation law. S.F. 525, authored by Chair Ember Reichgott (DFL-New Hope), provides for the organization, operation, and dissolution of nonprofit corporations.

The last major revision of current nonprofit corporation law was in 1951, said Kathleen Pontius, Senate counsel. The measure is a comprehensive technical and substantive revision of the Nonprofit Corporation Act and follows the organizational format and coding in the Minnesota Business Corporation Act. Some of the substantive provisions are derived from the current Nonprofit Corporation Act, explained Pontius. Before beginning a detailed review of the bill, Pontius outlined major issues of the bill. Under the bill, nonelecting nonprofit corporations would automatically come under the nonprofit corporation law, corporation directors who hold assets for a public or charitable purpose could not be divided into classes, and proxy voting would not be allowed unless authorized in the bylaws or articles. The measure also provides that a corporation that plans to dissolve must notify the attorney general and that an initial corporate registration as well as an annual registration with the secretary of state is required. The division will complete a review of S.F. 525 and take testimony at a later meeting.

### **Crime bill gains**

A bill increasing sentences for a variety of crimes and increasing the mandatory imprisonment for first degree murder from 17 to 25 years was advanced to the full committee by members of the Judiciary Criminal Law Division Fri., Mar. 10. S.F. 314, authored by Division Chair Donna Peterson (DFL-Mpls.), also authorizes departures from the sentencing guidelines for habitual offenders.

Under the bill, the judge may impose a sentence longer than the presumptive sentence and up to the statutory maximum if the judge determines that the person is a danger to public safety and that the person is a career criminal. The bill further specifies the criteria for the judge's determination, primarily on the basis of prior convictions.

The bill increases penalties for numerous crimes including criminal vehicular operation resulting in death; assault in the first, second, third and fourth degree; unreasonable restraint of a child; manslaughter of an unborn child in the second and first degree; malicious punishment of a child resulting in substantial bodily harm; and fleeing a peace officer resulting in great bodily harm or substantial bodily harm.

In addition, the bill alters several theft penalties and includes intentionally taking or driving a motor vehicle without the consent of the owner in the theft statutes.

Panel members also heard a presentation from Anthony Trivisono, executive director of the American Correctional Association, on various corrections systems throughout the country.

### **DWI limit bill debated**

A bill lowering the legal blood alcohol limit from .10 to .08 was the sole focus of the Mon., Mar. 13, Judiciary Committee meeting. S.F. 14, authored by Sen. Glen Taylor (IR-Mankato), lowers the maximum allowable alcohol concentration to .08 for crimes involving driving while intoxicated.

Proponents of the measure argued that lowering the legal limit would aid in the prosecution of drunk drivers and cited research indicating that the ability to operate a motor vehicle is impaired at a blood alcohol concentration of .05 and above. Proponents also indicated that the lower limit would help ease the numbers of alcohol related fatalities. Opponents of the bill argued that lowering the limit would not target the minority of drunk drivers who routinely drive with concentrations above .10 and that lowering the limit would cause confusion among people who are used to the .10 limits and have adjusted their behavior accordingly. No action was taken on the measure because of time limitations.

## Tax data privacy bill advances

Members of the Judiciary Subcommittee on Privacy, chaired by Sen. Richard Cohen (DFL-St. Paul), met Tues., Mar. 14, and advanced three bills to the full committee. S.F. 122, authored by Sen. John Brandl (DFL-Mpls.), recodifies information and disclosure provisions relating to the Dept. of Revenue to increase the uniformity of treatment and to comply with the Data Privacy Act. The bill provides definitions, specifies the classification of data and details the specifications for protection and disclosure of data. In addition, the measure reorganizes the exceptions to the general rule that tax data is protected data by specifying the type of disclosure such as disclosure to the taxpayer, disclosure to the IRS and other states, or disclosure for purposes other than tax administration.

S.F. 144, authored by Sen. LeRoy Stumpf (DFL-Plummer), defines mineral data supplied to the commissioner of natural resources that relate to private mineral exploration and private analysis of state-owned or controlled drill cores as nonpublic data. S.F. 622, authored by Cohen, authorizes fire department access to criminal history data and specifies the criteria to be considered in determining if criminal history data directly relate to a position being sought by a job applicant.

## Computer virus bill okayed

A bill prohibiting the distribution of destructive computer programs was one of nine bills acted upon by members of the Judiciary Committee Wed., Mar. 15. The committee, chaired by Sen. Allan Spear, sent the computer virus bill, S.F. 155, directly to the Senate floor. The measure, authored by Sen. Gregory Dahl (DFL-Ham Lake), defines "destructive computer program" as a computer program that produces a destructive product or performs a destructive function and imposes penalties.

Eight additional bills were approved by the committee and sent on to the full Senate. S.F. 331, authored by Sen. Don Moe (DFL-St. Paul), eliminates the requirement that notaries public be bonded. S.F. 391, sponsored by Sen. Lyle Mehrkens (R-Red Wing), excludes structures that are an improvement to real property, including grain storage bins, from the statute of limitations in the Uniform Commercial Code for actions for the breach of contract for sale. S.F. 210, authored by Sen. Ember Reichgott (DFL-New Hope), provides that a purchaser's right to cancel applies to condominiums created before Aug. 1, 1980 and provides that a lien on real estate added in expansion of flexible condominiums does not affect existing condominiums. S.F. 220, authored by Sen. Richard Cohen (DFL-St. Paul), prohibits the court from transferring legal custody of a child solely because the parent is unable to provide treatment or care; clarifies the grounds for terminating parental rights to a child and eliminates criminal liability for social service and outreach workers who provide services to runaway or homeless children.

S.F. 260, authored by Sen. Gene Merriam (DFL-Coon Rapids), enacts the Uniform Statutory Will Act, provides for execution of statutory wills and provides for the distribution of estates in accordance with the Uniform Statutory Will Act. S.F. 134, authored by Sen. Don Frank (DFL-Spring Lake Park), provides that the state committee of blind vendors may have access to data on blind vendors in the Dept. of Jobs and Training to the extent necessary for the committee to complete its duties. S.F. 264, authored by Sen. A. W. "Bill" Diessner (DFL-Afton), requires health care provider to furnish patient health records promptly. S.F. 264 was recommended for placement on the Consent Calendar. S.F. 621, authored by Sen. Linda Berglin (DFL-Mpls.), specifies that money or assets in an account established by the court are not available to a minor child or the child's parent or guardian until released by the court.

## Nonprofit corporation bill gains

A bill recodifying and modifying nonprofit corporation law was approved by the Judiciary Division on Civil Law Wed., Mar. 15. S.F. 525, sponsored by the Division Chair Ember Reichgott (DFL-New Hope), outlines the organization, operation, and dissolution of nonprofit corporations. Among the bill's provisions are a clarification and expansion of current law dealing with members such as the transfer of membership, termination, delegates, and special meetings of voting members. The measure also outlines methods of dissolution, proxy voting, loans, and annual corporate registration. S.F. 525 was re-referred to the full committee.

## Local and Urban Government

### Municipal bills approved

The Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), met Thurs., Mar. 9, and approved two municipal government bills.

S.F. 546, sponsored by Sen. Charles Davis (DFL-Princeton), permits the city of Mora to negotiate contracts to acquire and improve the Mora municipal wastewater treatment facility if the city council determines that the acquisition and improvement would prove economically advantageous. The bill requires that the contracts be entered into by Jan. 1, 1991. The bill now goes to the Senate floor.

S.F. 591, authored by Sen. Donna Peterson (DFL-Mpls.), authorizes the Minneapolis city coordinator, or the coordinator's designee, to appoint employees for the new convention center. In addition, the bill permits the Minneapolis school district superintendent to appoint an executive secretary. S.F. 591 provides for local approval of the appropriate sections by the Minneapolis city council and the Minneapolis school board. The bill is headed to the full Senate.

### Bullet-proof vest bill approved

The Local and Urban Government Committee met Mon., Mar. 13, and approved bills relating to bullet-proof vests and town cartways. The committee is chaired by Sen. Robert Schmitz (DFL-Jordan).

S.F. 643, sponsored by Sen. Roger Moe (DFL-Erskine), provides for a General Fund appropriation to the commissioner of public safety to implement a bullet-proof vest reimbursement program. Moe explained that under the program, law enforcement officials who purchase vests for peace officers are permitted to apply to the commissioner of public safety for partial reimbursement of their expenses. He added that because many municipalities do not currently supply bullet-proof vests to peace officers due to the high cost involved, the bill is designed to defray a portion of this cost and therefore make the vests more affordable and consequently, more accessible, to peace officers throughout the state.

Dennis Flaherty, director, Minnesota Peace and Police Officer Association, told panel members that the increasing availability of bullet-proof vests for peace officers will not only provide the officers with greater protection, but will also save the state money because of decreased workers' compensation and deceased officer death benefit payouts. The committee approved the bill and sent it to the Finance Committee.

H.F. 512, authored by Sen. Jim Vickerman (DFL-Tracy), authorizes town boards to require that a cartway petitioner post a bond or other security for potential damage charges assessed prior to board action on the petition. Vickerman said that under current law, town boards are required to establish a cartway when petitioned by the owner of a land tract who has no access to the land except over the land of others. He noted that the petitioner is required to pay for the cartway's costs before it is opened—including land and any professional service assistance costs incurred by the town in connection with the cartway's establishment. Vickerman concluded that the reason for the proposed legislation is to tighten loopholes so that towns will not get saddled with paying cartway costs if a land owner fails to meet his or her financial obligation. Committee members approved H.F. 512, and it is now headed to the full Senate.

### Art appropriation bill approved

Approval of a bill relating to the arts highlighted the Thurs., Mar. 16, meeting of the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan). Committee members delayed action on a second bill relating to special service districts.

As amended, S.F. 831, sponsored by Sen. Gary DeCramer (DFL-Ghent), authorizes counties, cities, and towns to appropriate money to support artistic organizations that operate primarily within their jurisdictions. The bill defines "artistic organizations" to include a broad range of artistic activities including music, dance, drama, folk art, architecture, and sculpture. Panel members approved S.F. 831, and it now goes to the full Senate.

S.F. 764, sponsored by Sen. James Pehler (DFL-St. Cloud), changes the conditions for the establishment and operation of special service districts in the city of St. Cloud. Pehler explained that the bill increases the num-

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ber of property owners required to file an objection to the establishment or actions of a special service district. He added that the bill also broadens the petitioning process to establish a special service district or to impose an ad valorem tax or service charge. Various St. Cloud representatives testified that the bill is needed to facilitate service improvements in the downtown area of the city. Committee action on S.F. 764 is scheduled for Mon., Mar. 20.

## Public Utilities and Energy Pipeline inspection bill okayed

The Public Utilities and Energy Committee, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Tues., Mar. 14, to review two measures. S.F. 879 makes statutory changes which enable the state to seek certification to become a federal agent for pipeline inspection. S.F. 322 establishes circumstances for particular utility customers to be considered outside municipalities.

The state has been carrying out pipeline inspection through the Office of Pipeline Safety which was established when the Pipeline Safety Act was passed in 1987, explained Sen. Steven Novak (DFL-New Brighton), sponsor of S.F. 879. Currently the state has intrastate status and has total jurisdiction over pipeline inspection, said Novak. However, statutory changes are necessary in order to comply with federal law in pipeline inspection and in order to seek federal agent status. Director William Barbeau, Office of Pipeline Safety, also added that by becoming a federal agent the state can determine the best way to review pipeline safety. Under the bill, public utility pipelines can be excluded from the definition of pipeline, a civil penalty is imposed for a person engaged in excavation for pay or an operator who violates the one-call excavation notice chapter, and adopts federal standards as the state minimum for hazardous liquid pipelines. S.F. 879 was approved and re-referred to the Transportation Committee.

Sen. Pat Piper (DFL-Austin) in outlining S.F. 322 explained current law regarding service extensions. Currently, customers located outside municipalities who require electric service with a connected load of 2,000 kilowatts or more may petition the Public Utilities Commissioner (PUC) to obtain electric service from a electric utility other than the assigned service area utility. Farmstead Foods, said Henry Savelkoul an attorney representing Farmstead Foods, fits the law's requirement except that while most of the company lies outside the municipality of Albert Lea part of the company lies within the city limits. Farmstead Foods needs to cut costs in order to remain competitive in the meat processing market and wants to switch service from Interstate Power Company to Freeborn Mower, which is unregulated, explained Savelkoul. S.F. 322 would allow the company to make a request to the PUC to switch utility service. Kent Ragsdale, an attorney for Interstate Power Company, opposes the bill. Farmstead Foods should not be able to petition the PUC because the company consumes electricity within the city limits, said Ragsdale. In addition, the company is Interstate Power Company's largest customer and there would be a significant economic impact on the utility. The committee will continue discussion of S.F. 322.

## Phone regulation bill debated

A bill making changes to the three tier regulatory structure for non-competitive and competitive telephone services was the focus of the Public Utilities and Energy Committee meeting Thurs., Mar. 16. S.F. 901, authored by Sen. Ronald Dicklich (DFL-Hibbing), fine tunes the law enacted two years ago that established the three tier structure for non-competitive, emerging competitive and competitive telephone services. The committee, chaired by Dicklich, devoted the meeting to hearing testimony on the bill but took no formal action. The highly technical bill has the support of most parties however, two persons representing private shared telecommunications services spoke in opposition to the measure because of provisions which might cause their businesses to be classified as telephone companies.

## Taxes and Tax Laws Levy limits discussed

Members of the Taxes and Tax Laws Division on Property Taxes and

Local Government Aids, chaired by Sen. Steven Novak (DFL-New Brighton), devoted the entire Tues., Mar. 14, meeting to a discussion of levy limits. According to Novak, the hearing was called in response to complaints that even though local government aids were increased last year in an attempt to provide property tax relief, many local units of government have raised property taxes. Division members heard representatives from the Minnesota Association of Realtors, the Minnesota Multi Housing Association, and the Commercial Industrial Tax Equity Group called for strict levy limits after reviewing a report released by the Dept. of Revenue detailing the aids and levy increases in various communities throughout the state. Representatives from various local units of government, such as the League of Minnesota Cities and the Association of Minnesota Counties countered by saying that local government costs increased more than the local government aids provided by the state. Discussion on the issue will continue at a later date.

## Committee approves three bills

Members of the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Wed., Mar. 15, and approved bills relating to sales taxes, airport hangars, and subordinate service districts.

Committee members approved a Dept. of Revenue sales tax bill sponsored by Sen. LeRoy Stumpf (DFL-Plummer), that earlier had received full committee approval and was scheduled for floor action. However, it was returned to the committee for language corrections. The bill, S.F. 205, strengthens enforcement of the Unfair Cigarette Sales Act, revises Indian reservation cigarette tax collection procedures, and authorizes the Dept. of Revenue to use unmarked cars for tax collection purposes. Two amendments were adopted changing the method of assessing cigarette distributor fees to a two-tiered flat fee approach, and denying a department request for the creation of three positions to enforce the bill's provisions. S.F. 205 now returns to the full Senate.

S.F. 46, sponsored by Sen. Jim Vickerman (DFL-Tracy), exempts municipal airport property that is leased to or used by an individual or entity as a hangar for aircraft storage, repair, or for providing aviation goods or services, from state property taxes. The exemption does not include property at airports owned by the Metropolitan Airports Commission or in cities with populations greater than 50,000. In addition, the bill does not exempt property leased for use in connection with non-aviation-related business. Committee members approved S.F. 46 by a vote of 16-4, and the bill is now headed to the full Senate.

S.F. 119, authored by Sen. Robert Schmitz (DFL-Jordan), enables towns to create subordinate service districts. The subordinate service districts would be similar in function to the special service districts already established by several Minnesota counties and cities. The bill is designed to help towns provide for, and finance, various government services. Panel members approved S.F. 119 and re-referred it to the Economic Development and Housing Committee.

## Transportation

### Transportation funding bill okayed

A comprehensive highway funding bill gained the endorsement of the Transportation Committee, Tues., Mar. 14. Committee members, chaired by Sen. Clarence Purfeerst (DFL-Faribault), re-referred the bill, S.F. 852, to the Committee on Taxes and Tax Laws.

The bill, authored by Sen. Keith Langseth, transfers an addition 10 percent of the motor vehicle excise tax for trunk highways and transit for the 1990-91 biennium and increases from 30 to 40 percent the motor vehicle excise tax transfer after fiscal year 1991. The measure increases authorization of transportation bonds by \$32 million, from \$52 million to \$84 million. In addition the bill changes the distribution of the five percent highway user tax distribution fund by apportioning 40 percent to the trunk highway fund, 52 percent to the county turnback account and continuing the 8 percent to the municipal turnback account. In addition the bill requires that of 66 percent of the county turnback account, 23 percent be used for town bridges and 43 percent for town roads. The bill also expands eligibility for money from the state park road account to town roads.

Two or the more controversial sections of the bill provide for the indexing the state gasoline tax and for changing the fee schedule for vehicle registrations. Under the bill, the vehicle registrations would be changed to reflect longer vehicle lives and would generate \$67.8 million over the biennium. The indexing section provides that the gasoline excise tax rate is to be annually adjusted to reflect that national highway maintenance cost index and state consumption of motor and special fuels.

A number of witnesses, including the commissioner of transportation and a representative of Minnesota Good Roads spoke in favor of the bill. Opposition to the bill centered on the gasoline index tax provision. Sen. Steven Novak (DFL-New Brighton) offered an amendment to eliminate the provision on indexing and simply increase the gasoline tax by one cent. The amendment failed. An amendment offered by Sen. Mel Frederick (IR-Owatonna) to eliminate the sections of the bill concerning gasoline tax indexing was also defeated.

In other action, the panel approved a bill, S.F.38, requiring a registration certificate for park trailers and imposing a motor vehicle tax on park trailers. The bill, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), was approved and sent to the full Senate.

## Veterans and Military Affairs

### Siting presentations heard

Members of the Veterans and Military Affairs Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), met with their counterparts in the other body to hear presentations by community representatives from several Southeastern Minnesota cities. The cities of Worthington, Willmar, St.

Peter, Luverne, Windom, Waseca and Fairmont were all selected by the Dept. of Administration as possible sites for a veterans home in Southeastern Minnesota. Representatives of veterans groups made presentations outlining the positive aspects of each of the various communities as the best site for the veterans home.

### National Guard bonus plan gained

Members of the Veterans and Military Affairs Committee met Tues., Mar. 14, and approved a bill extending the state cash bonus and tuition reimbursement programs for National Guard members into the 1989-91 biennium. Under the bill, S.F. 700, authored by Sen. Gene Merriam (DFL-Coon Rapids), any member of the guard who had served satisfactorily during the preceding federal fiscal year would get \$100. In addition tuition reimbursement of \$100 upon completion of course work would also be paid. Committee Chair Joe Bertram, Sr. (DFL-Paynesville), offered an amendment increasing the amount to \$300 for both the bonus and tuition reimbursement. The amendment was adopted and the bill was re-referred to the Committee on Finance.

In other action, the panel also approved and re-referred to the Finance Committee a bill authorizing the commissioner of Veterans Affairs to provide, upon the request of a County Veterans Service Officer, grave markers to mark the grave of a veteran in that county. The bill, S.F. 128, sponsored by Sen. James Metzen (DFL-So. Saint Paul), also eliminates the current funding formula for the grave markers and specifies a direct appropriation to the fund. According to Metzen, the bill would cost approximately \$35,000 and would provide about 5,000 markers. The issue of providing grave markers is a high priority with veterans groups around the state, Metzen said.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 20

**Legislative Commission on Pensions and Retirement**, Chair: Don Moe

8 a.m. Room 112 Capitol

**Agenda:** S.F. 305-Pogemiller/H.F. 549-Sarna: Minneapolis Police and Fire; automatic post retirement adjustments. S.F. 843-Kroening/H.F. 861-O'Connor: Police and Paid Fire funds; automatic post retirement adjustments. S.F. XXX: Police and paid fire funds; phase-out of Amortization state aid.

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** S.F. 471-Pehler: Changes definitions of teachers, supervisory and support personnel for purpose of licensure. S.F. 27-Dahl: Requires the student member of the Board of Regents to be a student at the time of election. S.F. 866-Chmielewski: Reduces the Askov School Board from seven to six members. S.F.695-Pehler: Requires school boards to report certain teacher discharges and resignations to the Board of Teaching.

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

8:30 a.m. Room 125 Capitol

**Agenda:** Continuing Dept. of Human Services budget overview.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** Presentation of budget requests for U of M Extension. S.F. 754-Peterson, R.W.: Cancellation of certain ditch assessments.

**Finance Division on Agriculture, Transportation and Semi-states**,

Chair: Keith Langseth

10 a.m. Room 123 Capitol

**Agenda:** Completion of budget overview for the Dept. of Transportation.

**Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 14-Taylor: DWI blood alcohol concentration level. S.F. 735-Taylor: Extends prior offenses that enhance a DWI violation to a gross misdemeanor to include criminal vehicular operation. S.F. 851-Spear: Makes an implied consent refusal by a repeat DWI offender a gross misdemeanor.

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

12 noon Room 15 Capitol

**Agenda:** S.F. 187-Merriam: Relates to manufactured homes; provides for notice and first option to purchase park by residents. S.F. 613-Morse: Regulates the powers and duties of the Housing Finance Agency.

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

12:15 p.m. Room 107 Capitol

**Agenda:** H.F. 279-Freeman: Permits bank letters of credit instead of performance bonds. S.F. 711-Hughes: Relates to Ramsey County; certain property for public purposes. S.F. 663-Schmitz: Relates to municipal planning; fire service.

**\*The Senate will be in session at 2 p.m.**

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

3 p.m. Room 123 Capitol

\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.

**Agenda:** Budget overviews of the Black Minnesotans Council, the Spanish-Speaking Affairs Council, the Asian-Pacific Council, the Disability Council, and the Public Employees Relations Board.

**Education Division on Education Funding**, Chair: Randolph Peterson

3:30 p.m. St. Paul District Office, 360 Colborne St., St. Paul

**Agenda:** Discussion of current operations of ESV Regions.

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

7 p.m. Room 123 Capitol

**Agenda:** Continuation of the Pollution Control Agency budget overview.

**Joint Agriculture and Environment Ad Hoc Committee on Water**, Chair: Charles Davis

7:30 p.m. Room 112 Capitol

**Agenda:** S.F. 262-Morse: 1989 Groundwater Protection Act.

## Tuesday, March 21

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

8 a.m. Room 123 Capitol

**Agenda:** S.F. 704-DeCramer: Appropriates money to establish and expand post-secondary nursing programs and nursing scholarship. S.F. 607-Pehler: Provides for notice of vacancies on Board of Regents of U of M. S.F. 696-Reichgott: Expands the definition of resident student for purposes of financial assistance.

**Employment Committee**, Chair: Florian Chmielewski

8 a.m. Room 107 Capitol

**Agenda:** Confirmation of Kent Peterson, Commissioner of Minnesota Dept. of Labor and Industry. S.F. 756-Brandl: Workers' Compensation; eliminates supplementary benefits for new claimants. S.F. 839-Chmielewski: Workers' Compensation; coverage for preventive rabies treatment. S.F. 109-Diessner: Employment; requires breaks during work day. S.F. XXX-Chmielewski: Workers' Compensation; limits payments of temporary partial payments.

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

8 a.m. Room 15 Capitol

**Agenda:** S.F. 161-Bertram: Provides benefits to good samaritans who assist peace officers. S.F. 666-Frederickson, D.R.: Resolution regarding congressional pay raises. S.F. 827-Cohen: Increases membership on advisory council for Children's Trust Fund. S.F. 588-Lantry: Emergency rulemaking authority for the Minnesota racing commission, televised racing.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 1011-Purfeerst: Redesignates AMVETS Memorial highway. S.F. 878-Morse: Removes legislative route 249 from trunk highway system. S.F. 707-Belanger: Requires a notice of motor vehicle title transfer procedures to be included with annual motor vehicle registrations. S.F. 665-Diessner: Allows second set of handicapped license plates to be issued to physically handicapped person. S.F. 738-Stumpf: Provides for special permit for special vehicles.

**Commerce Committee**, Chair: Sam Solon

10 a.m. Room 112 Capitol

**Agenda:** S.F. 184-Pehler: Regulates charitable solicitations and professional fund raisers. S.F. 313-Luther: Requires the licensing of interior designers. S.F. 521-Bertram: Provides for a uniform electrical violation ticket. S.F. 886-Frederickson, D.J.: Township mutuals; permits the directors to choose a manager who need not be a member of the board.

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

10 a.m. Room 15 Capitol

**Agenda:** S.F. 901-Dicklich: Relates to the regulation of noncompetitive and competitive telephone services. S.F. 322-Piper: Establishes circumstances for certain utility customers to be considered outside municipalities.

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

1 p.m. Room 112 Capitol

**Agenda:** S.F. 237-Dahl: Regulates disposal of infectious waste. S.F. 470-DeCramer: Regulates municipal wastewater treatment funding. S.F. 683-Solon: Western Lake Superior Sanitary District refunding obligations. S.F. 376-Metzen: Inver Grove Heights; imposes a fee on waste facilities. S.F. 344-Stumpf: Exempts generators of small amounts of hazardous waste from administration regulation.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 664-Berglin: Retrospective budgeting AFDC. S.F. 946-Brandl: Welfare reform, family investment plan. S.F. 595-Samuelsen: Post-adoption services. S.F. 779-Berglin: Child welfare, minority permanency planning.

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

3 p.m. Room 107 Capitol

**Agenda:** Continuing Dept. of Human Services budget overview.

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

3 p.m. Room 123 Capitol

**Agenda:** Budget overviews of the Minnesota Zoo, World Trade Center, Legislative Coordinating Commission, and the Minnesota Future Resources Commission.

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

3 p.m. Room 15 Capitol

**Agenda:** Continuing testimony on levy limits, and truth-in-taxation.

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

5 p.m. Room 112 Capitol

**Agenda:** S.F. 745-Brandl: Child support. S.F. 647-Pogemiller: Child support. S.F. 747-Berglin: Health care. S.F. 787-Waldorf: Quality Assurance CSSA. S.F. 17-Ramstad: Corrections, double bunking. S.F. 494-Ramstad: Corrections, double bunking.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl

6 p.m. Room 125 Capitol

**Agenda:** Continuation of S.F. 530-Merriam: Waste Management Act amendments.

**Education Division on Education Funding**, Chair: Randolph Peterson

6:30 p.m. Room 15 Capitol

**Agenda:** Presentation on the governor's budget: Education organization and cooperation; expectations, effectiveness and technology.

**Environment and Natural Resources Subcommittee on Public Lands and Water**, Chair: Steven Novak

7 p.m. Room 107 Capitol

**Agenda:** S.F. 749-Olson: Directs inventory of, education on and assistance in control of certain aquatic weeds. S.F. 124-Vickerman: Regulates all-terrain vehicles. H.F. 578/S.F. 518-Purfeerst: Grants power to road authorities to mow or till rights-of-way of certain highways.

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

7 p.m. Room 123 Capitol

**Agenda:** Continuing DNR budget overview.

## Wednesday, March 22

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

8 a.m. Room 107 Capitol

**Agenda:** S.F. 771-DeCramer: Authorizes and regulates the use of video pull-tab devices at certain locations.

**Education Division on Education Funding**, Chair: Randolph Peterson

8:30 a.m. Room 15 Capitol

**Agenda:** Discussion of governor's special education proposal by department of education.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 947-Davis: Replanting of trees. S.F. 547-Davis: Farm and small business management programs. S.F. 976-Morse: Renaming the department of agriculture/expansion of WIC coupon program.

**Finance Division on Agriculture, Transportation and Semi-states**, Chair: Keith Langseth

10 a.m. Room 123 Capitol

**Agenda:** Budget overview of the Regional Transit Board.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott

10 a.m. Room 107 Capitol

**Agenda:** S.F. 462-Stumpf: Tax Court amendments. S.F. 289-Peterson, R.W.: Trust and estate regulation.

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

10 a.m. Room 15 Capitol

**Agenda:** S.F. 483-Freeman: "RICO" statute, criminal and civil penalties for racketeering, drug and other gang-related crimes.

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

11:30 a.m. Room 107 Capitol

**Agenda:** S.F. 1074-Hughes: Changes laws applicable to school district elections. S.F. 922-Olson: Permits one levy referendum each year by a school board. S.F. 790-Schmitz: Clarifies certain procedures for adoption of town optional plans of government. S.F. 553-Peterson, D.C.: Changes or clarifies provisions governing absentee voting, mail elections, etc.

**\*The Senate will be in session at 12 noon.**

**Environment and Natural Resources Subcommittee on Public Lands and Water**, Chair: Steven Novak

12 noon Room 112 Capitol

**Agenda:** S.F. 84-Diessner: Watercraft titling and licensing. S.F. 564-DeCramer: Increase amount of levy for Kanaranzi-Little Rock watershed district. S.F. 452-Frank: Provides urban drought relief.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl

1 p.m. Room 123 Capitol

**Agenda:** Continuation of recycling bills.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 619-Freeman: Hunger Reduction Act. S.F. 730-Peterson, D.C.: Head Start. S.F. 650-Piper: Sets minimum level, AFDC.

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

3 p.m. Room 123 Capitol

**Agenda:** Continuation of the Dept. of Trade and Economic Development budget overview.

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

## Information Office services profiled

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

## How a bill becomes law

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

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

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

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

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

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

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body on the General Orders Calendar. The entire body then resolves itself into a Committee of the Whole to consider the bill and discuss the merits of the proposal. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least 24 hours before being placed on the Senate Calendar and considered for final passage. The bill is given a third reading prior to the vote for final passage. After final passage, the bill is sent to the other body.

In the Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If one body makes a change to the bill and the other body does not accept that change, a conference committee is established to work out a compromise version. The compromise version must then be repassed by both bodies.

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

## Television coverage of hearings, sessions offered

Senate Media Services plans to begin live gavel-to-gavel television coverage of committee hearings originating in Room 15 of the Capitol. The hearings will run on the cable Twin Cities Regional Channel 6. Currently, Media Services broadcasts gavel-to-gavel coverage of all Senate floor sessions on the Twin Cities Regional Channel 6.

In addition, Media Services produces a variety of television programs for both broadcast and cable stations. Senate Journal, in its fifth season, is a one-half hour public affairs program that examines legislative issues through a moderated discussion format. Senate Journal is co-hosted by Majority Leader Roger Moe and Minority Leader Duane Benson and is broadcast throughout the state. Capitol Call-In, in its second year, is a live program broadcast over the Twin Cities Regional Cable Channel 6 that enables viewers to call-in questions for featured lawmakers. The office also produces several cable television programs for individual Senators. Check your local programming guide for the times and dates of Media Services television shows.

# MINNESOTA STATE SENATE

## Senate Members—1989 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	DFL	4136	Lessard, Bob	111 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William	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	2159	McGowan, Patrick D.	132B SOB	48
IR	3903	Benson, Duane D.	109 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	309 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	IR	5252	Pariseau, Patricia	151 SOB	37
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4241	Pehler, James C.	G-9 Cap.	17
IR	0415	Decker, Bob	109 SOB	4	DFL	4274	Peterson, Donna C.	G-27 Cap.	61
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	9248	Piper, Pat	325 Cap.	31
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	105 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	121 SOB	38	IR	9457	Taylor, Glen	147 SOB	24
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	5650	Vickerman, Jim	G-29 Cap.	28
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	3809	Waldorf, Gene	124 Cap.	66
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

March 24, 1989

## Senate recesses for Easter

At the close of legislative activity Wed., Mar. 22, the Senate recessed until Tues., Mar. 28, for a long Easter weekend. As a result, no committee meetings are scheduled for Mar. 23 through Mar. 27. Senators will hold an evening floor session Tues., Mar. 28, and there will be a few committee hearings earlier in the day. A full schedule of committee hearings will resume Wed., Mar. 29.

## Lower alcohol limit approved

A bill lowering the legal blood alcohol limit to .08 was narrowly approved by the Judiciary Committee Mon., Mar. 20. The panel, chaired by Sen. Allan Spear (DFL-Mpls.), devoted most of the meeting to hearing testimony in opposition to S.F. 14. The measure, sponsored by Sen. Glen Taylor (IR-Mankato), lowers the legal blood alcohol limit from .10 to .08 in DWI offenses.

Opponents of the measure said that the bill would dilute law enforcement efforts by requiring peace officers to expend time and effort on cases where convictions are unlikely. Representatives of the hospitality industry also argued that the measure would intimidate the responsible consumer, thus creating a substantial economic impact, but would not alter the behavior of the problem drinker.

However, Taylor said that the bill is consistent with other public policy decisions made by the Legislature. "What we are trying to say is that if you are going to drink and if you are going to drive you must not affect other people by your behavior," Taylor concluded. The bill was approved on a 9-8 roll call vote and was sent to the full Senate.

## Senate processes bills

Senators granted final approval to five bills during the Mon., Mar. 20, floor session. In addition, Senators approved a resolution sponsored by Sen. Charles Davis (DFL-Princeton) declaring Mar. 20, 1989, Agriculture Day.

H.F. 512 from the Consent Calendar was granted final approval. The bill, sponsored by Sen. Jim Vickerman (DFL-Tracy), authorizes towns to require a bond or other security in establishing cartways.

Granted final approval on the Senate Calendar were H.F. 27, sponsored by Sen. Donna Peterson (DFL-Mpls.), which expands the definition of "bodily harm" in the crime of third degree assault of an unborn child to include premature birth; S.F. 104, authored by Sen. Tracy Beckman (DFL-Bricelyn), which makes changes in the Rural Finance Authority Loan Program; and S.F. 382, authored by Sen. Charles Berg (DFL-Chokio), which clarifies regulations pertaining to dangerous dogs, grants certain powers to animal control officers, and prohibits local ordinances that define specific breeds of dogs as dangerous. In addition, Senators granted concurrence and repassage to S.F. 121, authored by Sen. Betty Adkins (DFL-St. Michael), which authorizes town boards to provide for the collection of unpaid service charges.

Preliminary approval was given to a number of bills on the General Orders Calendar. H.F. 95, sponsored by Peterson, authorizes the deposit of unclaimed and abandoned restitution payments in the Crime Victim and Witness Account, increases the maximum amount of reparations payable for funeral, burial, or cremation expenses, authorizes the payment of reparations to Minnesota residents injured by crimes committed elsewhere, clarifies the authority of the board to deny reparations on the basis of the claimant's contributory misconduct, and clarifies criminal fine provisions.

Also given preliminary approval were S.F. 218, authored by Sen. Linda Berglin (DFL-Mpls.), amending the bill of rights for patients and residents of health facilities and requiring health facilities to notify family members of the admission of a patient or resident if the patient or resident is unconscious or comatose or physically unable to communicate; S.F. 126, authored by Sen. AW "Bill" Diessner (DFL-Afton), providing for suspension of driver's licenses of persons failing to appear in court and setting a fee; H.F. 509, sponsored by Sen. Dennis Frederickson (IR-New Ulm), providing for a seven-member municipal hospital board and a nine-member economic development authority in St. Peter; and H.F. 410, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), defining high pressure piping and regulating the practice of pipefitting.

In addition, H.F. 387, sponsored by Lantry, was approved after the Rule 49 amendment was stricken. Striking the Rule 49 amendment means that the Senate adopted the House language for the bill. S.F. 387 exempts state patrol troopers from the requirement of a security barrier in marked state patrol vehicles and provides that a state patrol vehicle be equipped with a security barrier at the option of the officer assigned the vehicle.

Senators also gave preliminary approval to S.F. 203, authored by Sen. Allan Spear (DFL-Mpls.), authorizing an on-sale liquor license for the Minneapolis Convention Center. An amendment, offered by Spear and subsequently adopted, added a provision allowing Minneapolis to issue an on-sale liquor license authorizing liquor sales on all days of the week to the Orpheum Theatre and the State Theatre.

## Healthspan clears committee

A bill establishing a program of affordable health care coverage for uninsured Minnesotans cleared its first hurdle at the evening portion of the Tues., Mar. 21, Health and Human Services Committee meeting. The bill, S.F. 491, was re-referred to the Commerce Committee without recommendation. The measure, sponsored by Committee Chair Linda Berglin (DFL-Mpls.), also establishes a Health Care Access Commission to implement and administer the program and establishes a payroll tax on employers and employees to partially finance the program.

Most of the hearing was devoted to testimony on the bill. Proponents argued that the measure would address the need of affordable health care for all Minnesotans. Currently, according to the bill's advocates, 342,000 Minnesotans have no health insurance and are not able to afford preventive or acute medical care. Opponents of the measure objected primarily to the imposition of the payroll tax, arguing that the tax would fall most heavily on small businesses and employers least able to afford the additional tax.

Committee members, in their discussion of the bill, felt that a number of important points, particularly in the areas of benefits and of the payroll tax, had yet to be clarified. Thus, members re-referred the measure to the next committee but withheld a recommendation for passage.

## Senate approves bills

The Senate granted final approval Wed., Mar. 22, to all of the bills given preliminary approval Mon., Mar. 20, with the exception of S.F. 218, authored by Sen. Linda Berglin (DFL-Mpls.), which was stricken from the calendar for purposes of amendment. In addition, Senators gave final approval to S.F. 264, authored by Sen. AW "Bill" Diessner (DFL-Afton), requiring that health care providers promptly furnish patient health records and reports.

# Committee Capsule

## Agriculture and Rural Development

### Cheese issue examined

The Thurs., Mar. 16, meeting of the Joint Senate and House Agriculture and Rural Development Committee was devoted to hearing testimony from major cheese purchasers and processors on the recent pricing activities of the National Cheese Exchange. Committee Chair Charles Davis (DFL-Princeton), said that the panel intends to conduct additional hearings before drafting legislation to address the issue.

Lund O'Lakes representative Paul Christ expressed dissatisfaction with a statement made by Minnesota Agriculture Commissioner Jim Nichols that cheese processors are manipulating prices. He said that the Wisconsin attorney general, at the request of Wisconsin legislators, conducted an investigation of the National Cheese Exchange and concluded that there was no evidence to substantiate the price-fixing allegation. Christ noted that large cheese processors lose money when market prices are depressed because their inventories are less valuable. Kraft representative Dennis Brown denied that his organization is involved in any cheese price manipulation. He said that the recent cheese price decline can be attributed to increased cheese production and seasonal changes in cheese demand. Mid-America representative Irv Kilcher also denied the charge that price-fixing activity is occurring among the major cheese processors.

### Committee approves ethanol bill

Approval of a bill relating to an ethyl alcohol payment program and discussion of a measure revising the state's seed and dairy inspection laws dominated the Fri., Mar. 17, meeting of the Agriculture and Rural Development Committee. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 328, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), clarifies producer payment eligibility requirements for ethanol producers in Minnesota. The Ethanol Development Fund, created in 1986 by state legislators, provides subsidies to ethanol producers based upon the volume of agriculturally-derived ethyl alcohol created. An author's amendment permitting payments for lesser-grade ethanol and making technical corrections to the bill was also adopted. Kathleen Graf, chair, Minnesota Ethanol Commission, expressed support for the bill, saying that the broader eligibility requirements will help four or five idle ethanol production plants get back into operation. S.F. 328 now goes to the Finance Committee.

Panel members delayed action on S.F. 744, a department bill sponsored by Sen. Steven Morse (DFL-Dakota), that changes provisions in Minnesota's seed and dairy inspection statutes. As amended, the measure requires that labelers who sell more than 50,000 pounds of agricultural seed for use in Minnesota must pay fees on all seeds sold during the calendar year. The bill also provides dairy inspectors with the authority to suspend an operator's permit if he or she physically threatens an inspector or disobeys orders. Morse withdrew an amendment creating an arbitration council for farmers seeking damages from labelers who sell seeds that do not produce or perform as described on the labels.

### Extension Service makes presentation

Members of the Agriculture and Rural Development Committee met Mon., Mar. 20, to hear an extension service representative address budget concerns and to approve a measure relating to ditch tax assessments. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

Pat Borich, director, the University of Minnesota Extension Service (MES), explained that the MES is an outreach arm of the U that offers research-based information and education to interested state citizens. He informed panel members that the MES needs additional funding to improve county agent salaries and to fill a number of vacancies within the organization in order to meet increased service demands. Borich specifically mentioned a request for \$740,000 from the Legislature to help the MES obtain a federal matching grant for farmer-lender mediation activities. He noted that the funding is essential for the MES to adequately respond to a recent sharp increase in demand for mediation assistance from Minnesota residents. Borich also expressed concern that as it becomes in-

creasingly necessary to assess user fees to support programs offered by the MES, program content will shift from what is needed to what market forces dictate.

In addition, panel members approved S.F. 754, sponsored by Sen. Randolph Peterson (DFL-Wyoming), permitting the Chisago County Board to cancel specified ditch assessments imposed in the county before Jan. 1, 1987, and to satisfy corresponding drainage liens. S.F. 754 is now headed to the full Senate.

### Committee reviews groundwater bill

Members of the Joint Agriculture and Rural Development and Environment and Natural Resources Ad Hoc Committee met Mon., Mar. 20, and continued their discussion of a groundwater protection bill. Sen. Charles Davis (DFL-Princeton), serves as chair of the committee.

Panel members adopted an author's delete-everything amendment to S.F. 262, proposed legislation known as the 1989 Groundwater Protection Act sponsored by Sen. Steven Morse (DFL-Dakota). The amendment revises Article III of the bill, a section relating to groundwater wells, borings, and underground uses. In addition Morse offered, and committee members adopted, an amendment changing current safe drinking water supply funding and water conservation statutory provisions. These changes are contained in Articles IV and V of the bill. Discussion of S.F. 262 is scheduled to continue Wed., Mar. 22.

### Committee approves three bills

Approval of bills funding adult farm management programs, establishing a tree replacement cost-share program, and renaming the state Dept. of Agriculture and expanding a food coupon program highlighted the Wed., Mar. 22, meeting of the Agriculture and Rural Development Committee. Sen. Charles Davis (DFL-Princeton), serves as chair of the committee.

S.F. 547, sponsored by Davis, appropriates a total of \$2,650,000 during fiscal years 1990 and 1991 to the State Board of Vocational Technical Education to reduce tuition costs for existing farm business management and small business management programs; to sponsor workshops to assist farm business management instructors in providing farmers' assistance for FmHA emergency drought loan processing and farm mediation activities; to fund additional staff for farm, small business management, beginning farmer programs, and enterprise classes specific to community needs; and to evaluate computerized farm business analysis system options. In addition Davis offered, and panel members adopted, an amendment providing \$73,000 to the University of Minnesota's Center for Farm Financial Management for fiscal years 1990 and 1991. S.F. 547 received committee approval and the bill is now headed to the Finance Committee.

S.F. 947, also sponsored by Davis, specifies that Minnesota landowners who planted tree seedlings after Jan. 1, 1986, and whose land is enrolled in the federal conservation reserve program, are eligible for state cost-share funds to replant tree seedlings that died as a result of the drought. The bill appropriates \$500,000 to the Board of Water and Soil Resources for the cost-share program. In addition, the measure increases the amount of money in the Dept. of Natural Resources' forest management fund nurseries account to purchase, grow, and distribute the tree seedlings. S.F. 947 now goes to the Finance Committee.

S.F. 976, sponsored by Sen. Steven Morse (DFL-Dakota), renames the Minnesota Dept. of Agriculture the Minnesota Dept. of Agriculture and Food, and expands the Women, Infants, and Children (WIC) Farmers Market Coupon Program. Under the bill's provisions, \$450,000 is appropriated to the commissioner of agriculture for the 1990-91 biennium for the continuation of a demonstration project that provides redeemable Minnesota grown food coupons to WIC program recipients. Committee members approved the measure and re-referred it to the Finance Committee.

## Commerce

### Interior design licensing approved

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), amended and approved S.F. 313, requiring interior designers to be licensed by the Board of Architecture, Engineering, Land Surveying, and Landscape Architecture.

The bill outlines who would be considered a practicing interior designer for the purposes of licensure. Persons licensed as architects or professional engineers would be exempt from the bill, as would persons offering interior decorating services or residential interior design services.

Michael Ehrlichmann, Minnesota Council on Disability, spoke in support of the legislation. Under the bill, examinations given by the board for interior designers would have to include questions about the design needs of people with physical disabilities.

An interior design educator from the Alexandria Technical Institute expressed concern that the bill would require a minimum of four years of education and exclude two year programs. Sen. Mel Frederick (R-Owatonna) offered, and the committee approved, an amendment addressing those concerns. The bill would also have changed the name of the board to the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, and Interior Design. However, Sen. Allan Spear (DFL-Mpls.), offered an amendment changing the name of the board to the Board of Design Professionals. Spear's motion was adopted. The bill was approved and re-referred to the Governmental Operations Committee.

The committee also amended and approved S.F. 184, authored by Sen. James Pehler (DFL-St. Cloud), regulating charitable associations and professional fundraisers.

Most of the discussion revolved around a provision in the bill that allows a charitable organization soliciting support to disclose required information through subsequent written materials, if the solicitation was not made by direct contact. Under current law, if the solicitation is not made by direct contact, but takes place through the telephone, radio, television, etc., the required information must be clearly disclosed in the solicitation. The required information under current statute includes the name, address, and telephone number of the charitable organization and the percentage of the contribution that may be deducted from federal and state income taxes.

However, Spear pointed out that S.F. 184 does not even require a telephone solicitor to give the name of the soliciting organization. Spear offered an amendment requires solicitors to disclose all the required information before orally requesting a contribution and contemporaneously with a written request. The bill was approved and sent to the floor.

In addition, the committee approved S.F. 886, authored by Sen. David Frederickson (DFL-Murdock), which allows a township mutual fire insurance company to hire a manager who is not a member of the board or company and limits the liability of their directors. The bill also allows the companies to provide coverage for a person's secondary property if the company also covers the person's qualified property. Qualified property includes the person's dwelling, household goods, pertinent structures, farm buildings, and other specified property; secondary property is anything not considered qualified property. The bill was sent to the floor.

Also approved was S.F. 521, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville). The bill provides for a uniform ticket, similar to a traffic ticket, to be used throughout Minnesota by the Board of Electricity and by political subdivisions performing electrical inspections for any person who has violated a provision of the electrical code. An amendment offered by Sen. Phyllis McQuaid (R-St. Louis Park) added that the ticket must state that if the defendant fails to appear in court, an arrest warrant may be issued.

The bill was sent to the floor.

## **Economic Development and Housing**

### **Affordable housing bill discussion continues**

At the Thurs., Mar. 16 meeting of the Committee on Economic Development and Housing, members approved S.F. 587, exempting relocated residential buildings from certain provisions of the state building code. The bill, authored by Sen. Tracy Beckman (DFL-Bricelyn), was advanced to the full Senate. Sen. Don Frank (DFL-Spring Lake Park) chairs the committee.

The committee also resumed consideration of S.F. 522, a bill to establish statewide affordable housing programs. Discussion on S.F. 522, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), centered on concerns

regarding accessible housing information grants, home equity conversion loans, tenant reporting requirements and a statewide rent escrow program.

Committee members heard testimony from several witnesses, and adopted an amendment providing for a home equity conversion loan counseling program for senior homeowners. The amendment, offered by Beckman, requires the Minnesota Housing Finance Agency (MHFA) to select a non-profit corporation to conduct a review of reverse mortgage programs and administer the counseling program. The administrator would counsel clients on the lending process and the impact such a mortgage would have on a client's estate, public benefits and supplemental income needs. S.F. 522 was laid over until Wed., Mar. 29.

### **Manufactured home park bill advances**

The Economic Development and Housing Committee met Mon., Mar. 20, and devoted the entire meeting to discussion on S.F. 187, a bill to provide manufactured home park residents the first option to purchase in the event of a park sale. After adopting several amendments, the committee approved S.F. 187 on a close voice vote. Vice Chair Tracy Beckman (DFL-Bricelyn) conducted the meeting.

As amended, S.F. 187 requires park owners to give residents 30 days written notice of intent to sell, and offer a cooperative association of the residents the first option to purchase. During that time, the association would be required to pay a one percent non-refundable deposit and enter a purchase agreement to maintain its first option. After executing the agreement, the association would have an additional 60 days to obtain financing.

S.F. 187, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), was re-referred to the Judiciary Committee.

## **Education**

### **Opposition to TI governance change heard**

Senators in the Higher Education Division of the Education Committee heard opposition to S.F. 365, changing the governance system of the Technical Institutes (TIs), Fri., Mar. 17.

The bill, authored by Sen. James Pehler (DFL-St. Cloud) transfers control of the Technical Institutes and postsecondary vocational education to the State Board of Vocational Technical Education. Currently, governance of the state's TIs is linked to local school district boards.

In addition, the bill requires a specific legislative act before the closing, merger, or reorganization of a TI and requires that reimbursement be paid to districts for their share of property transferred to the state under the bill. Since teachers at state TIs are currently represented by either the Minnesota Federation of Teachers (MFT) or the Minnesota Education Association (MEA), the bill sets out a method of allowing representatives of both organizations to jointly represent the TI instructional unit until July 1, 1996, or until an exclusive representative of the TI instructional employees has been elected, whichever occurs later.

Concerns expressed by opponents centered on losing local control of the TIs, the problems with collective bargaining, and whether there is a need to change the governance system at all.

### **Mandatory reporting bill advanced**

A bill requiring a school board to file a report when a teacher resigns or is discharged was amended and approved by the Education Committee Mon., Mar. 21. The intent of the bill, according to Board of Teaching Chair Dale Rapp, is to avoid the situation in which a teacher accused of child abuse is given the option of leaving without the charges appearing on the teacher's record.

S.F. 695, authored by Committee Chair James Pehler (DFL-St. Cloud), outlines instances in which a school board must report a discharge or resignation to the Board of Teaching, the State Board of Education, or the State Board of Vocational Technical Education, whichever has jurisdiction over a teacher's license.

The report must be made within ten days after the discharge or resignation; the board to which the report is made must investigate and the

# Committee Capsule

reporting school board must cooperate in the investigation.

An amendment, proposed by Sen. Fritz Knaak (R-White Bear Lake) and approved by the committee, addressed concerns expressed by Senators that reports would be filed in cases in which the charges were dismissed.

Although Rapp testified in support of the legislation, Dale Swanson, Minnesota Elementary School Principals' Association, said that the reporting requirements were too broad. For example, the bill requires that, in the Minneapolis, St. Paul, or Duluth school districts, a report be filed if a teacher is discharged because of a discontinuance of position or lack of pupils.

The bill also provides immunity for a school board, its members, and employees of the school district from civil or criminal liability for the reporting or cooperating if their actions were in good faith. In addition, Pehler offered an amendment allowing any person or school board that prevailed in a civil action arising from the report or cooperation to recover attorney fees and costs. The amendment was approved; Senators also approved the bill and re-referred it to the Judiciary Committee.

In other action, the committee approved S.F. 27, authored by Sen. Gregory Dahl (DFL-Ham Lake), which requires the student member of the Board of Regents to be a student enrolled in a degree program at the time of election to the board. Currently, the student member must either be a student at the time of election or have graduated from the University within five years of elections. The bill was sent to the Senate floor.

Senators also discussed S.F. 471, also authored by Pehler. The bill transfers the authority to license support personnel—coaches, nurses, and counselors—from the State Board of Education to the Board of Teaching and changes the number of members and the composition of the Board of Teaching. An amendment, offered by Sen. Randolph Peterson (DFL-Wyoming), further clarifies the question of the board's authority regarding licensure by prohibiting the board, after July 1, 1989, from developing additional fields of licensure; from dividing existing fields of licensure; and from extending any licensure requirements to any duties that could be performed on March 15, 1989, without a license. The amendment was adopted. Final action on the bill was not taken.

## Nursing bill approved

The Higher Education Division of the Education Committee approved S.F. 704, authored by Sen. Gary DeCramer (DFL-Ghent), Tues., Mar. 21. The bill was sent to the full committee.

The bill provides \$675,000 for FY. 1990 and \$500,000 for FY. 1991 to the Higher Education Coordinating Board (HECB) for nursing education program grants and for nursing scholarships.

The bill specifies that up to \$175,000 of the FY. 1990 appropriation is for grants to establish or expand baccalaureate or masters completion programs for currently licensed registered nurses.

The bill also specifies that up to \$250,000 of the appropriation for each fiscal year is for scholarships for part-time or full-time students enrolled in programs designed to prepare individuals to become registered nurses; and up to \$250,000 of the appropriation for each fiscal year is for scholarships for part-time or full-time students enrolled in baccalaureate, masters, or doctorate degree programs in nursing.

In addition, the bill directs the HECB to appoint an advisory task force to review applications and make recommendations about the grants for nursing education programs, and to recommend eligibility requirements for scholarship recipients.

An amendment proposed by DeCramer and approved by the division appropriates additional money to the HECB for FY. 1990 to study the educational needs of health care professions. The board must determine where the shortages are occurring and study shortages resulting from changes in educational requirements for health practitioners other than nurses. The study and recommendations are due Jan. 1, 1990.

In other action, the division laid over S.F. 607, authored by Sen. James Pehler (DFL-St. Cloud). The bill requires the Regent Candidate Advisory Council to submit a list of all persons who applied for an open seat on the Board of Regents when submitting its recommendations to fill the seat to the President of the Senate and the Speaker of the House. Under the bill, the names of persons who did not apply but were nominated are considered private data.

In addition, the bill requires the chairs of the Senate and House Educa-

tion Committees to notify, by Oct. 15 of each even-numbered year, the secretary of state and the Regent Candidate Advisory Council of the vacancies on the board that will occur in the following year. The chairs must also notify each member of the Legislature and any one who will be a member of the Legislature the following January.

The bill also outlines the duties of the Regent Candidate Advisory Council for informing the public of the vacancies and requires the secretary of state to proceed under the open appointments law regarding the vacancies.

Sen. Ember Reichgott (DFL-New Hope) said that requiring the council to submit to the Legislature the names of everyone who applied, rather than only those that the council was recommending, falsely raised applicants' hopes. Her motion to delete that portion of the bill was defeated.

The bill was laid over because Division Chair Gregory Dahl (DFL-Ham Lake) expressed an interest in discussing the portion regarding the secretary of state and the open appointments law with the secretary of state's office.

The division took no action on S.F. 696, authored by Reichgott. The bill is intended to expand the class of people eligible for postsecondary financial aid; however, questions arose about the issue of residency and the HECB's rules regarding eligibility for financial aid.

## Education Funding

### Outcome based education discussed

The Education Funding Division of the Education Committee, chaired by Sen. Randolph Peterson (DFL-Wyoming), heard brief overviews of two bills Thurs., Mar. 16. Both bills were authored by Sen. James Pehler (DFL-St. Cloud).

S.F. 472 begins a movement toward outcome based education and away from education based on "seat time," or the amount of time a student spends in various classes, Pehler said.

The majority of the presentation involved witnesses giving testimony in support of various components of the bill. The bill contains a purpose statement that declares that Minnesota high school graduates will be "work ready." The measure defines "work ready" as having the appropriate skills, information, experience, and attitudes to pursue a productive work life in a rapidly changing society and economy.

In addition, the bill also requires that, in order to receive general revenue aid for an alternative program, the commissioner of education must have approved the program. Any independent study component of an alternative program must meet specific requirements, such as the district having developed a continual learning plan for a pupil involved in the independent study and identified the requirements for satisfactory credit for the year and for graduation.

The bill also appropriates money to the commissioner of education to implement a restructured model for secondary vocational education. The process must involve selection of five model sites in FY. 1990 and ten model sites in FY. 1991, as well as staff development for model site staff.

Other sections of the bill address statewide testing, instructional leadership and restructuring, and higher-order thinking demonstration sites.

In addition, Pehler spoke briefly about S.F. 551. The bill allows a school board, as part of a community education program with a youth development program, to offer a youth service program for credit. The bill also outlines revenue available for youth service and provides for a postsecondary tuition waiver and student loan forgiveness for students participating in youth service.

Both bills will be discussed again at a later meeting.

The division also heard brief presentations on the Resource Center for the Hearing Impaired and the Resource Center for the Blind and Visually Handicapped.

### Children's Initiatives bill heard

Members of the Education Funding Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), devoted the Fri., Mar. 17 hearing to consideration of two bills. S.F. 582, authored by Sen. Ember Reichgott (DFL-New Hope), contains several of the governor's proposed Children's Initiatives. Reichgott explained that the initiatives fall under several broad categories:

early childhood screening programs; early childhood family education programs; and community education programs. Included in the children's initiative bill are provisions for extended day programs and prekindergarten development grants.

Division members heard testimony from several individuals who have experience in administering the types of programs envisioned in the bill. However, time limitations did not allow for the completion of public testimony and no formal action was taken on the bill.

A bill altering the responsibility for textbook costs under the Postsecondary Enrollment Options Act was also discussed by the division. S.F. 897, authored by Sen. Fritz Knaak (R-White Bear Lake), specifies that the costs of textbooks and materials are eliminated from the reimbursement made by the state to the postsecondary institutions and requires the institutions to provide the textbooks free of charge to the students for use during the course. Again, time constraints prevented the division from taking action on the bill.

## Program review continues

The Education Funding Division, chaired by Sen. Randolph Peterson (D-L-Wyoming), continued hearing an overview of education programs from Dept. of Education representatives at an evening meeting Tues., Mar. 21.

A great deal of the evening's discussion focused on the related activities of Regional Management Information Centers and Education Data Systems. Information about both areas, including the governor's budget recommendations, were presented by Charles Coskran.

The purpose of the Regional Management Information Centers is to provide a stable environment in which school districts will have adequate and appropriate computer based management information, will be able to provide required data to state level decision makers, and will begin implementation of the Integrated Data Base (IDB). The IDB was discussed under the Education Data Systems program.

Currently, school districts are required to gather certain data and submit it to one of the Elementary Secondary Vocation (ESV) Regional Computer Centers, where it is edited, summarized, and sent to the Dept. of Education.

Coskran also discussed the IDB, which is an expanded capability to link comparable level student data to existing staff and financial data at the district and state level. The intent is to provide quantitative and qualitative information reflecting the operation of the state's educational system.

Sen. Lawrence Pogemiller (D-L-Mpls.) questioned Coskran extensively on the use of the ESV Regions and the IDB. Pogemiller said that he favors the IDB, but believes it will effect how educational services are delivered in Minnesota, and wants to ensure that it is done right.

In addition, Gilbert Valdez from the department presented an overview including budget recommendations, for Curriculum and Technology Integration Services. Valdez explained that the department is recommending a significant change in the delivery system of the regional technology coordinators component. Rather than having one specific contact person for each region, the department is recommending contracting with many different teachers to provide services.

Other areas and budgets discussed included Indian Education; Nonpublic Pupils; the State Board of Education; the School/Resource Center for the Arts, and Educational Cooperative Service Unit (ECSU) Administration.

## Division hears testimony on special ed

The Education Funding Division of the Education Committee, chaired by Sen. Randolph Peterson (D-L-Wyoming), heard testimony from representatives of various organizations regarding the governor's special education proposal Wed., Mar. 22.

A number of representatives expressed concerns about the governor's suggestion to transfer funding for three special education categories to a new component of General Education revenue called the Special Program Reserve.

Dan Sullivan, special education director of Intermediate School District No. 917, outlined the effects of the Special Program Reserve on funding. The purpose of the Special Program Reserve is not clear, Sullivan said,

and will shift the burden for severely handicapped students to the local level.

## Elections and Ethics

### Bill sent to Consent Calendar

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (D-L-Maplewood), approved one bill and amended another Wed., Mar. 22.

H.F. 897, sponsored by Sen. Robert Schmitz (D-L-Jordan), authorizes a town board to submit the question of adopting a town optional plan of government to the electors at an annual town election, instead of at an annual town meeting. In addition, the bill requires a town exercising urban town powers to submit the adoption of town option plan A to the electors at an annual town election; current law requires submission of the adoption at the annual town meeting. The bill was sent to the Consent Calendar.

In addition, committee members amended S.F. 922, authored by Sen. Gen Olson (R-Mound). The bill reduces the number of levy referendums a school district may conduct in a year, that will commence in a specified school year, from two to one.

The amendment, offered by Sen. Phyllis McQuaid (R-St. Louis Park), deletes a portion of the bill providing for recounts of referendums to approve levy increases and school district bonds, as well as portions pertaining to canvassing returns for school board elections and levy and bond referendums. Olson said that she had talked to representatives of the secretary of state's office about including those provisions in the secretary of state's housekeeping bill.

The McQuaid amendment was approved. No further action was taken because of time constraints.

## Employment

### Dept. of Labor and Industry commissioner confirmed

The confirmation of Kenneth Peterson as commissioner of the Dept. of Labor and Industry highlighted the Tues., Mar. 21, meeting of the Employment Committee. Sen. Florian Chmielewski (D-L-Sturgeon Lake) chairs the committee.

Before being confirmed, Peterson was questioned about the workers' compensation system and the status of sexual harassment claims against two department officials.

Several committee members raised concerns about sharply increasing workers' compensation premiums for some small Minnesota businesses. Peterson agreed that such problems existed and discussed the difficulty in making needed improvements in the workers' compensation law. However, he said that the department plans to assess the effects of the 1983 changes before presenting another workers' compensation revision proposal.

Regarding sexual harassment, Peterson told committee members of the department's Sexual Harassment Task Force, which conducted investigations on three recent claims. The investigations resulted in the resignation of one department official and the demotion of another. Lawsuits are pending in these cases. The task force is also developing a mandatory department-wide training program on sexual harassment issues. The committee confirmed Peterson on a unanimous voice vote.

The committee also approved S.F. 839, sponsored by Chmielewski, requiring employers to provide preventive rabies treatment for workers exposed to the disease in the course of their employment. S.F. 839 was approved by voice vote, and advanced to the full Senate.

In other action, Sen. Nancy Brataas (R-Rochester) presented S.F. 756, a bill to phase out supplemental workers' compensation benefits for new recipients. Brataas argued that the escalating supplemental benefits should be discontinued because they are too costly and inequitably distributed. Committee members raised several questions about S.F. 756, particularly regarding its financial effect on permanently-disabled workers and the welfare system. The bill was laid over for further discussion.

# Committee Capsule

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## Environment and Natural Resources

### Recycling bills discussed

Testimony regarding several recycling bills was heard by the Environment and Natural Resources Subcommittee on Environmental Protection Fri., Mar. 17. S.F. 95, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), requires counties to provide an opportunity to recycle for all residents. S.F. 371, authored by Sen. Gene Merriam (DFL-Coon Rapids), establishes plans and programs to reduce solid waste and is the result of recommendations made by the Governor's Select Committee on Recycling and the Environment. S.F. 386, authored by Sen. James Pehler (DFL-St. Cloud), requires source separation of recyclable materials by generators of mixed municipal solid waste and S.F. 10, sponsored by Division Chair Gregory Dahl (DFL-Ham Lake), establishes volume based pricing for the collection of municipal solid waste.

Guse Hardware owner Marion Anderson is supportive of S.F. 371 but expressed concern over the labeling of hazardous waste and the problem materials tax. Anderson said that for a small business it would be difficult to tag and identify items. Judy Bellairs, Sierra Club, outlined aspects she supports regarding all four bills. She supports the 25 percent goal, shelf labeling, and the sales tax on problem materials required in S.F. 371. Bellairs also favors the requirement for material to be purchased by the state, the school recycling and waste reduction program and the prohibition of problem materials in solid waste outlined in S.F. 95, as well as the incentive provided by volume based pricing in S.F. 10 and the mandatory separation requirements in S.F. 386. Minneapolis City Councilmember Steve Cramer outlined the city's recycling program and noted how important it is for cities to have the flexibility to establish a plan appropriate to the community in reaching recycling goals. The variable fee plan in S.F. 371 and S.F. 95 should not be narrowly defined, said Cramer, who supports provisions in both bills. He also expressed concern with the funding formula in S.F. 371. Vern Peterson, Association of Metro Municipalities, supports the goals set in the bills but does not want the goals to be too rigid. The positive features of S.F. 371 are the marketing development and goals set for county and city recycling, said Peterson. Peterson also supports the raising of funds through fees by the local units of government to be used for state grants as outlined in S.F. 95. While Peterson favors the concept of volume based pricing, he said that S.F. 10 is too rigid.

### Subcommittee approves measures

Members of the Environment and Natural Resources Subcommittee on Public Lands and Water met Fri., Mar. 17, and approved seven bills relating to state lands and a measure creating a legislative minerals commission. Sen. Steven Novak (DFL-New Brighton), serves as the subcommittee's chair.

Panel members approved, without recommendation, S.F. 145, a bill authorizing the establishment of High Falls State Park in northeastern Minnesota. William Morrissey, Dept. of Natural Resources, explained that the bill represents a culmination of five years of complex state-Indian negotiations. The bill, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), now goes to the full Committee.

Also receiving subcommittee approval were S.F. 710, sponsored by Sen. Charles Berg (DFL-Chokio), allowing the commissioner of transportation to convey surplus state property to Stevens County officials so that they can, in turn, sell the property for other than public purposes through a negotiated sale; S.F. 575, authored by Sen. Ronald Dicklich (DFL-Hibbing), establishing a legislative commission on minerals; S.F. 740, sponsored by Stumpf, directing conveyance of state land in Beltrami County; S.F.'s 661 and 712, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizing the sale of tax-forfeited land bordering public water in Aitkin and Pine Counties, respectively; and S.F. 453, sponsored by Sen. Don Frank (DFL-Spring Lake Park), permitting the sale of tax-forfeited land bordering public water in Anoka County. All bills now go to the full committee.

S.F. 440, authorizing the private conveyance of 18 acres of tax-forfeited land bordering public water in Washington County, sponsored by Sen. Gary Ludwig (DR-Stillwater), was approved, without recommendation, by

subcommittee members and was sent to the full committee. In addition, panel members delayed action on S.F. 291, a bill allowing counties to recover costs related to tax-forfeited lands bordering public water, pending a financial impact assessment. The measure is sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton).

### Exemption measure okayed

A bill exempting generators of small amounts of hazardous waste from administrative regulation was approved and sent to the Senate floor by the Environment and Natural Resources Committee, Tues., Mar. 21. The committee is chaired by Sen. Bob Lessard (DFL-Int'l. Falls). S.F. 344, authored by Sen. LeRoy Stumpf (DFL-Plummer), provides that a person who generates less than 100 kilograms of hazardous waste per month is exempt from Pollution Control Agency (PCA) hazardous waste rules for photographic fixer and x-ray negative wastes that are hazardous solely because of silver content. However, a generator is not exempt from PCA rules relating to on-site accumulation or outdoor storage. In addition, management requirements that are more restrictive may not be adopted by a political subdivision or other local unit of government.

In other action, the committee began a discussion of S.F. 237. The bill, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), regulates the disposal of infectious and pathological wastes. Dahl explained that the bill provides for infectious waste management including handling, decontamination, transportation, and disposal. In addition, the bill requires that facility that handles infectious or pathological waste prepare a management plan and comply with the plan. Management plans must be updated and resubmitted to the PCA at least once every two years. S.F. 237 was laid over for further discussion.

S.F. 683, authored by Sen. Sam Solon (DFL-Duluth), authorizes the Western Lake Superior Sanitary District to issue refunding obligations without redemption of outstanding obligations prior to maturity. The bill was re-referred to the Committee on Taxes and Tax Laws without recommendation.

### Aquatic weed bill gains

Three bills were advanced to the full committee by the Environment and Natural Resources Subcommittee on Public Lands and Water Tues., Mar. 21. S.F. 749, authored by Sen. Gen Olson (DR-Mound), provides for inventory of, education on, and assistance in control of Eurasian watermilfoil. Eurasian watermilfoil, explained Olson, is a rapid growing aquatic weed that forms a thick brown mat and can make the top portion of lake water nearly useless for boating, fishing and swimming. Marty Jessen, Freshwater Foundation, showed slides of Lake Minnetonka, one of a number of lakes that has been identified as having an infestation of Eurasian watermilfoil. Because the weed grows very rapidly, education, monitoring, harvesting and herbicide application, and research for biological control are needed in order to prevent the spread of the weed, said Jessen. John Strypek, Dept. of Natural Resources, said the department supports the bill. The DNR first became aware of the problem in late 1987, Strypek said. It is very important to try to prevent the spread of the plant, said Strypek.

S.F. 124, sponsored by Sen. Jim Vickerman (DFL-Tracy), was outlined by Mike Grupa of the DNR. The bill regulates all-terrain vehicles by setting fees, revising liability provisions, and imposing a penalty. The bill provides for a two tiered private use registration process that requires fees, places prohibitions on youthful operators, and allows a city or town to prohibit the operation of all-terrain vehicles on city streets or town roads by ordinance.

The subcommittee, chaired by Sen. Steven Novak (DFL-New Brighton), also heard H.F. 578, carried by Sen. Clarence Purfeerst (DFL-Faribault). The bill provides that a right-of-way may be mowed as necessary to maintain sight distance for safety and may be mowed at other times under the rules of the commissioner of the Dept. of Transportation or by ordinance of a local road authority.

## Finance

### Division continues MnDOT budget overview

The Fri., Mar. 17, meeting of the Finance Division on Agriculture, Trans-

portation and Semi-States was devoted to budget overviews of the Department of Transportation (MnDOT) Road Equipment and Program Management Divisions. Sen. Keith Langseth (DFL-Glyndon) chairs the division.

MnDOT Asst. Commissioner Rod Pletan briefed committee members on the department's plan to "catch up" on its 12-year road equipment replacement schedule during the next six bienniums. According to Pletan, MnDOT budgets over the past 10 years have not permitted a cost-effective replacement plan. As a result, the \$147 million road equipment fleet is deteriorating. Under the proposal, a biennial increase of \$10.4 million would accelerate purchases of multi-use road equipment to replace aging equipment. The department also requested an increase of \$1.2 million to replace outdated scientific equipment.

Under Program Management, MnDOT proposes a change request of \$967,000 for studies to enable effective design and management of the state's transportation systems. The division will meet Mon., Mar. 20, to complete the MnDOT budget overview.

## Human Services family support programs considered

The Finance Division on Health and Human Services met Mon., Mar. 20, to consider Dept. of Human Services budget requests for Family Support and Health Care Programs. Sen. Don Samuelson (DFL-Brainerd) chairs the division.

The Dept. of Human Services made several biennial change requests in its continuing presentation of Family Support Programs. Substantial change requests included increases in General Assistance (GA), Work Readiness (WR) and Minnesota Supplemental Aid (MSA) grants. First, department officials cited the eroding purchasing power of GA and WR grants, and requested a three percent increase for each program. The governor's budget does not include this \$5.2 million proposal. Second, the governor endorsed a department request for \$514,000 to simplify the Minnesota Supplemental Aid (MSA) program, and make MSA grants uniform statewide. Third, the department proposes to provide MSA funds to residents of Institutions for Mental Disease (IMDs) who are no longer eligible for Medical Assistance benefits (MA) under federal law. A department official explained that the \$5 million change request will permit IMD residents to remain in the facilities. The governor proposed \$3.5 million for these MSA payments.

Asst. Commissioner Maria Gomez highlighted two major change requests for Health Care Programs. The department requested \$5.7 million to prepare a statewide health insurance plan for uninsured Minnesotans, which was not included in the governor's budget. The department also requested \$9.4 million to increase reimbursement rates and restructure the MA/General Assistance Medical Care (GAMC) reimbursement system for persons needing ambulatory care. The governor's budget recommended \$260,000 for restructuring the MA/GAMC reimbursement system, but did not include funding for higher reimbursement rates. The division will continue reviewing the Dept. of Human Services budget Tues., Mar. 20.

## Transportation budget review completed

Members of the Finance Division on Agriculture, Transportation and Semi-States, chaired by Sen. Keith Langseth (DFL-Glyndon), met Mon., Mar. 20, to complete consideration of the Dept. of Transportation (MnDOT) budget. The division heard budget requests for the Office of Railroads and Waterways, the Office of Transit and General Support Services.

The department made no change requests for the Rail Office or the Transit Office. However, the governor's budget provides \$12.6 million for metropolitan light rail transit grants for the biennium. Langseth noted that the governor's proposed \$4.2 million increase for light rail in 1991 would double base level spending for the program in the next biennium.

Under General Support Services, the governor approved a \$3.8 million department change request to improve MnDOT data processing services. The department also requested \$800,000 to develop an emergency plan to assure continued MnDOT operations in the event of a disaster. The governor's budget includes \$200,000 for the disaster recovery proposal.

## Division hears budget overviews

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), heard five budget overviews Mon., Mar. 20.

The Public Employment Relations Board serves as an appellate body which promotes consistent and orderly labor relations between public employers and employee organizations, explained Director Jermaine Foshien. The board is not requesting any change levels in its budget.

One change level request is being made by the Council on Asian-Pacific Minnesotans. The request, said Executive Director Dr. Albert DeLeon, is for one position to establish a resource development unit. The intent of the unit is to obtain additional funds to increase program activities.

Victor Propes, executive director of the Council on Black Minnesotans, explained a change level request for a full-time data research analyst and for clerical support. Propes also reviewed a proposed budget for a minority data network demonstration project.

Director Mike Ehrlichmann, the Council on Disability, said the council is not making any change level requests. Ehrlichmann did note that the council will have a closer working closer relationship with the Office on Technology for People with Disabilities.

The meeting concluded with a budget overview of the Council on Affairs of Spanish Speaking People. The council is requesting funds for one position to establish a resource development unit as well as a research and fund raising position, said Director Jose Trejo.

## PCA continues budget overview presentation

The Pollution Control Agency (PCA) continued a review of change level requests at a night meeting of the Finance Division on State Departments Mon., Mar. 20. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

Deputy Commissioner Michael Robertson said the PCA is making a change level request to continue administering municipal wastewater treatment grant and loan programs. The PCA is also requesting funds in order to develop operation procedures and to review contract implementation for the vehicle emissions inspection and maintenance program. Other funding requests are for the evaluation of toxic air pollutants released by incineration of medical wastes and for the regulation of emissions of toxic air pollutants. The PCA also outlined funding requests related to an environmental initiative dealing with solid waste management and to a water resources protection initiative dealing with a groundwater protection program. The PCA will continue presenting budget change level requests at a future meeting of the division.

## Division finishes human services budget review

The Tues., Mar. 21, meeting of the Finance Division on Health and Human Services was devoted to completing the Dept. of Human Services budget overview. Change requests for Health Care and State Residential Facilities Programs were presented. Division members also reviewed budget proposals regarding the Regional Treatment Center Negotiations. Sen. Don Samuelson (DFL-Brainerd) is division chair.

In a continuing presentation of Health Care Programs, Asst. Commissioner Maria Gomez explained that several change requests were made in efforts to comply with new federal laws. These proposals included \$3 million for federally required changes in asset limits for Medical Assistance (MA) eligibility; and \$2.9 million to comply with rate adjustments and training requirements of the federal Nursing Home Reform Act.

Due to projected growth in eligible recipients and expenditures for home care services, the department requested a biennial increase of \$6.4 million for the Alternative Care Grants (ACG) Program. The governor's budget includes \$2.5 million to cover increased costs for care of current recipients.

The department also proposed \$7.3 million to extend Children's Health Plan (CHP) services to children up to age 18. Currently, CHIP services are provided to certain children ages 1 through 8. The governor's Initiative on Children proposes \$3.5 million to provide expanded services in the second year of the biennium.

## Budget overviews presented

The Minnesota Zoological Garden, the World Trade Center, and the

# Committee Capsule

Legislative Commissions presented budget overviews to the Finance Division on State Departments Tues., Mar. 21. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

The Minnesota Zoological Garden, said General Director Kathryn Roberts, has requested funds for 23 new positions. Of the 23 positions, the governor has recommended 10. These positions include a zookeeper for the new koala exhibit, a horticulturist to assist in "greening the zoo," an animal health technician for the expanded animal collection, and three zookeeper positions which will be converted from seasonal to permanent for the expanded activities in Zoolab/Children's Zoo.

Richard Nolan, World Trade Center, explained that the goal of the center is to help stimulate state economic growth by providing services and programs. The governor approved continuation of special revenue funding but did not approve the center's request for supplemental funding. The supplemental funding would be used to pay off furnishings and a lease line of credit.

Janet Lund, director of the Legislative Coordinating Commission, completed the budget overview presentations. The Legislative Coordinating Commission is requesting funds for a general support position. Some of the change level requests being made are for a research assistant for the Commission on Waste Management, for fringe benefits for a current position for the Commission on Economic Status of Women, and for hearings and study meetings for the Commission on Public Education Task Force on Education Organization. Jim Nobles, Office of the Legislative Auditor, presented a request for funds to fill seven vacant positions and for computer equipment.

## DNR budget overview continues

The Finance Division on State Departments continued hearing the Dept. of Natural Resources (DNR) budget overview at an evening meeting Tues., Mar. 21. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

The DNR is requesting change levels in the area of water resources management. Funds for two positions are being requested in order to begin development of safe harbors and public access on Lake Superior. Other requests are for funds to continue building a comprehensive DNR management information system. Panel members also heard explanations of the DNR budget request for the Mineral Management and Water Resources Management Programs.

## Regional Transit Board budget heard

The Finance Division on Agriculture, Transportation and Semi-States met Wed., Mar. 22, to hear an overview of the Regional Transit Board (RTB) 1990-91 budget. Sen. Keith Langseth (DFL-Glyndon) chairs the division.

The Regional Transit Board proposes base level state funding of \$54.9 million to plan, coordinate and administer transit services in the Twin Cities metropolitan area. While the RTB did not increase its agency-wide funding request, change requests were made to shift state funds to programs not supported by property tax levies. The governor's budget eliminates the RTB, and provides \$47.3 million to administer metropolitan transit activities through other state and metropolitan agencies, including the Dept. of Transportation Transit Assistance Program.

## General Legislation and Public Gaming

### Committee debates video pull-tab bill

A bill authorizing and regulating the use of video pull-tab devices was discussed Fri., Mar. 17, by members of the General Legislation and Public Gaming Committee. Sen. Marilyn Lantry (DFL-St. Paul), serves as the committee's chair.

As amended, S.F. 771, sponsored by Sen. Gary DeCramer (DFL-Ghent), permits nonprofit organizations licensed to conduct charitable gambling to also use video pull-tab machines. The bill licenses video pull-tab manufacturers, wholesalers, and distributors, and establishes regulatory standards for video pull-tab machines. The bill also requires that video pull-tab machines may be placed only at on-sale liquor establishments. The measure is scheduled to take effect Jan. 1, 1990.

Minnesota Operators of Music and Amusements representative Robert Lutz explained that video pull-tab machines are not designed to expand charitable gambling in the state. Instead, the machines will provide nonprofit organizations with an additional choice when determining what types of games to offer. Continued discussion of, and committee action on, S.F. 771 is scheduled for Wed., Mar. 22.

### Video pull-tab bill postponed

Members of the General Legislation and Public Gaming Committee met Wed., Mar. 22, and discussed a bill authorizing and regulating the use of video pull-tab machines. Sen. Marilyn Lantry (DFL-St. Paul), serves as chair of the committee.

S.F. 771, sponsored by Sen. Gary DeCramer (DFL-Ghent), permits nonprofit organizations licensed by the state to conduct charitable gambling to use video pull-tab machines as a gaming option. The bill also regulates manufacturers, wholesalers, and distributors of video pull-tab devices. Amendments designed to ensure that persons under 18 years of age do not play the video pull-tab machines, to strengthen machine tampering safeguards, and to increase nonprofit organization accountability in operating the machines, were adopted by panel members.

Roger Franke, executive secretary, Charitable Gambling Control Board, urged committee members to delay the bill's effective date in order to allow sufficient time for the proposed enforcement department to get "up and running" and hire and train its personnel. Opponents of the measure argued that the video pull-tab issue needs to be studied further before enabling legislation is drafted and approved, while proponents countered that the bill provides charitable organizations with a potentially-profitable, and much-needed, fundraising option.

Committee members delayed action on the bill in order to allow the bill's author more time to provide answers to specific questions about the bill. Lantry indicated that the bill will be heard again late in the session.

## Governmental Operations

### Peace officer benefits bill okayed

The Governmental Operations Committee, chaired by Sen. Donald Moe (St. Paul), advanced four bills Tues., Mar. 21. Sen. Joe Bertram, Sr. (DFL-Paynesville) outlined provisions of S.F. 161. The bill provides eligibility for death benefits for fire and rescue unit members, and for first responders. Under the bill, the definition of "peace officer" is extended to include fire and rescue unit members who are killed while giving aid at the scene of a traffic accident. Also included in the definition are individuals who are certified by the commissioner of health to perform basic emergency skills and who are members of an organized service recognized by a local political subdivision. S.F. 161 was re-referred to the Finance Committee.

S.F. 666 is a resolution memorializing to Congress to ratify a proposed amendment to the U.S. Constitution, explained the author Sen. Dennis Frederickson (IR-New Ulm). The amendment provides for a delay in an increase in compensation to members of Congress until an intervening election of Representatives has taken place.

Sen. Richard Cohen (DFL-St. Paul) explained to the panel that S.F. 871 increases the membership on an advisory council for the Children's Trust Fund from 15 to 18.

The final bill heard by the committee was S.F. 588, sponsored by Sen. Marilyn Lantry (DFL-St. Paul). The bill provides emergency rulemaking authority for the Minnesota Racing Commission in order to allow a licensed racetrack to conduct pari-mutuel betting on televised races. Races would only be televised during the winter when racing is not conducted at the racetrack, said Lantry. S.F. 666, S.F. 871, and S.F. 588 were sent to the Senate floor.

## Health and Human Services

### Nurse Practice Act changes okayed

Members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Thurs., Mar. 16, and advanced two

bills. The first, S.F. 723, authored by Berglin, makes numerous technical changes to streamline the laws providing for the regulation of registered nurses and licensed practical nurses. The bill also makes several changes to strengthen the disciplinary sections of the Nurse Practice Act. The disciplinary changes closely parallel the statutes governing the Medical Practice Board, said Joyce Showalter of the Minnesota Board of Nursing. The bill also describes the powers and responsibilities of the board of nursing. The bill was sent to the full Senate.

A second bill gaining committee endorsement, S.F. 504, authorizes the commissioner of human services to establish case management for persons with brain injury. The bill, also sponsored by Berglin, specifies that case management be provided as a Medical Assistance administrative function. Under the bill, the services are primarily for the brain injured, however, other persons are included. An amendment, offered by Berglin, specifying that the commissioner designate a coordinator to supervise services for persons with brain injuries, was adopted. The bill was re-referred to the Committee on Finance.

### **Committee hears Healthspan bill**

The Fri., Mar. 17, meeting of the Committee on Health and Human Services was devoted to consideration of S.F. 491, which establishes the Health Care Access Program (also known as Healthspan) to provide basic health insurance coverage for uninsured Minnesotans. Committee Chair Linda Berglin (DFL-Mpls.) is sponsor of the bill.

In her opening remarks, Berglin characterized S.F. 491 as an effort to put an emphasis on cost-effective preventive care, and to provide a minimum standard of health coverage for Minnesota residents. According to a Dept. of Health survey, Minnesota has 342,000 uninsured residents at any given time, and three-fourths of these are working people. Berglin also noted that insured Minnesotans already pay for the most expensive kinds of emergency care of the uninsured in doctor and hospital cost pass-throughs that increase personal insurance premiums and property taxes.

Major provisions of S.F. 491 create a commission to implement Healthspan, outline eligibility criteria and benefit levels, and establish a payroll tax on employers and employees to fund the Healthspan account. S.F. 491 also provides a maximum of \$150 million in general revenues to supplement the Healthspan account in paying claims and other costs.

S.F. 491 requires that by July 1990, every state resident must have health coverage equal to minimum core standards, including: limited hospital care; physician and preventive health services, excluding dental care; diagnostic x-rays and lab tests; prenatal and well-child care; licensed ambulance service; and prescription drugs up to \$500 per year. The bill establishes a maximum lifetime benefit of \$50,000 for the minimum core plan. In addition, S.F. 491 directs the commission to establish co-payment requirements; to establish a limit on the total annual out-of-pocket costs; and to offer optional coverages to enrollees. Regarding premiums, the enrollee's share is determined by a sliding fee schedule, with the remainder paid by the Healthspan account.

Under the bill, residents with no coverage or inadequate coverage are eligible for Healthspan insurance, and are considered enrolled when they first seek medical treatment. Employers are also allowed to participate in the program if they meet certain requirements.

Several witnesses testified in support of the Healthspan bill. Throughout the hearing, committee members raised several questions, particularly regarding the mode and extent of financing for the insurance program. In response, Berglin said that three balances in the bill: taxes, premiums and services provided, are all subject to adjustment should the Healthspan program prove more costly than anticipated. S.F. 491 is scheduled for further consideration Tues., Mar. 21.

### **County reporting bill okayed**

Members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), advanced four bills to the Committee on Finance and one measure to the full Senate at the Tues., Mar. 21, meeting.

S.F. 787, authored by Sen. Gene Waldorf (DFL-St. Paul), establishes uniform reporting requirements under the Community Social Services Act

(CSSA) and refines the responsibility of the commissioner of human services in supervising and monitoring the counties. The measure, said Waldorf, is an attempt to provide for more uniform and timely procedures for the counties' required reports to the department. An amendment, offered by Waldorf and subsequently adopted, provides that the commissioner must evaluate all reports to determine if the reports can be simplified or the number of reports can be reduced. A second amendment, offered by Sen. Duane Benson (IR-Lanesboro), specifies that the department cannot delay or withhold funds if the county demonstrates that the department failed to provide the appropriate forms, guidelines and assistance necessary for meeting the reporting requirements. The amendment was also adopted. The bill was sent directly to the full Senate.

S.F. 664, authored by Berglin, provides for a supplementary payment for families who are adversely affected by the budgeting methods under the AFDC program. The bill is aimed, said Berglin, at a situation in which a person on AFDC takes a job, then loses the job without being at fault, and subsequently returns to AFDC but receives a lower grant because of the recalculation process. The bill insures that the subsequent grant will be equal to the first grant unless the total decrease is less than \$25.

S.F. 779, also sponsored by Berglin, makes several changes in provisions concerning child welfare services. The bill allows for the allocation of federal fiscal disallowances; extends the date for rule adoption for family and group family foster care; permits the department to charge a fee for searches involving original birth certificate information; creates a grant program for placement prevention and family reunification programs for Indian and minority children; and permits the department to be reimbursed for post adoption services.

S.F. 747, a third bill authored by Berglin, makes numerous changes in provisions concerning the Medical Assistance, General Assistance Medical Care and Children's Health Plan programs. The measure clarifies eligibility requirements, provides for changes in the administration of the Medical Assistance demonstration project and provides for coordination of benefits with the Children's Health Plan.

S.F. 595, authored by Sen. Don Samuelson (DFL-Brainerd), creates a post adoption grants program for children with special needs who would have been eligible for subsidized adoption if their condition had been diagnosed at the time of adoption and whose parents have exhausted all other available resources. Under the bill, the grant would be based on the severity of the child's disability and the effect of the disability on the family, and would be limited to \$10,000 annually. The latter four bills were all re-referred to the Committee on Finance.

### **Child support bill advances**

In addition to considering the Healthspan bill, members of the Health and Human Services Committee also took action on a child support bill at the evening portion of the Tues., Mar. 21 hearing. S.F. 745, authored by Sen. John Brandl (DFL-Mpls.), expands the administrative process for obtaining and enforcing support orders, excludes public assistance from income for maintenance and support determinations and appropriates funds to provide incentives for counties to collect support. In addition, the bill contains a presumption of paternity when blood tests are 99 percent positive. An amendment, containing the language of S.F. 647, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), was also adopted by the committee. The amendment provides a mechanism to permit obligors to withdraw from the automatic child support withholding program upon agreement of all parties and upon meeting other specific conditions. Committee members, chaired by Sen. Linda Berglin (DFL-Mpls.), approved the bill and re-referred the measure to the Judiciary Committee.

### **"Hunger Reduction Act" gains**

Members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), approved and advanced to the Committee on Finance a bill cited as the Hunger Reduction Act of 1989. The measure, S.F. 619, authored by Sen. Michael Freeman (DFL-Richfield), requires that the first \$50 of child support collected by the support enforcement agency be disregarded when determining income for purposes of the food stamp program, and expands the food stamp community outreach program to

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focus efforts on all categories of eligible low-income households. In addition, the bill includes appropriations totalling \$3.6 million for home-delivered meals, the food stamp outreach program and for the WIC program.

In other action at the Wed., Mar. 22, meeting the committee approved and advanced to the Finance Committee two additional bills. S.F. 730, authored by Sen. Donna Peterson (DFL-Mpls.), provides for the distribution of money for Head Start Programs to expand services to additional children from low income families. S.F. 650, authored by Sen. Pat Piper (DFL-Austin), increases the grant standards for the AFDC program, the General Assistance (GA) program and the Work Readiness Program by three percent effective July 1, 1989 and an additional three percent effective July 1, 1990.

## Judiciary

### Drug penalty bill debated

A bill providing a graduated penalty structure for the possession and sale of controlled substances was the focus of the Judiciary Criminal Law Division meeting Thurs., Mar. 16. Sen. William Luther (DFL-Brooklyn Park), chief author of the bill, S.F. 3, said that the measure recognizes that a new era of crime has begun by establishing a graduated structure for penalties keyed to the weight of the controlled substance. For instance, Luther said, a controlled substance crime in the first degree under the bill has a maximum sentence of 30 years. If the person has a previous drug conviction, the sentence is a mandatory minimum of four years and a maximum of 40 years. A controlled substance crime in the first degree occurs if the person is convicted of possessing or selling a large amount of controlled substances. The bill contains graduated penalties for convictions of controlled substance crime in the second, third, fourth and fifth degree.

In addition, the bill contains two provisions that allow for "permissive inference of knowing possession." The first provision allows the fact finder, either a judge or a jury, to infer that all persons in a room are knowingly in possession of controlled substances found in the room if it is proved that the controlled substances were in open view under circumstances evincing an intent by one or more of the persons present to unlawfully mix, compound, package, or prepare for sale the controlled substance. The bill also allows the permissive inference of knowing possession for all occupants in an automobile. Exceptions to the inference occur if one of the persons has legal possession of the controlled substance or the controlled substance is on the person of one of the occupants.

Most of the debate on the bill centered on several amendments offered to the measure. The first amendment, offered by Sen. Ember Reichgott (DFL-New Hope), provides severe penalties for the possession or sale of drugs in a school zone. The amendment provides a comprehensive definition of school zone that includes the area surrounding a school property up to a distance of 1,000 feet and any location where school activities are conducted. An amendment to the amendment added areas designated by a state or local government as a public park as another zone in which the sale or possession of drugs would lead to a doubling of the penalties. The Reichgott amendment also specifies that if the court finds after a conviction for a controlled substance crime that property is subject to forfeiture, the court must order property forfeited. The amendment was adopted.

The language from two additional bills was also considered for inclusion in S.F. 3. Both bills deal with the identification and reporting, under the Child Abuse Act, of cocaine or "crack" babies. Elements of both S.F. 18, authored by Sen. Jim Ramsdahl (R-Minnetonka) and S.F. 316, authored by Reichgott, were in the process of being combined into one amendment during the hearing. No formal action was taken on the proposal. Division members, chaired by Sen. Donna Peterson (DFL-Mpls.), did hear testimony on the amendment. Under the amendment, prenatal exposure to a controlled substance used by the mother as evidenced by withdrawal symptoms in a child at birth, results of a toxicology test performed on the mother or medical effects or developmental delays during the child's first year that indicate exposure would be included in the definition of neglect. The amendment also requires the reporting under the Child Abuse Re-

porting Act and provides a mechanism to require the mother to undergo chemical dependency treatment.

The proposed amendment and the bill will be considered further at a later date.

### Disorderly house evidence bill okayed

Three bills were advanced to the full committee at the Fri., Mar. 17, meeting of the Judiciary Criminal Law Division. S.F. 682, authored by Sen. Linda Berglin (DFL-Mpls.), specifies that evidence of unlawful possession or sale of controlled substances is prima facie evidence of the existence of a disorderly house. Current law specifies that unlawful liquor sales, prostitution and gambling or related activities are prima facie evidence of a disorderly house. S.F. 321, also sponsored by Berglin, extends the public nuisance abatement law to liquor or controlled substance crimes. The public nuisance abatement law allows an injunction to be obtained when a building is a public nuisance and specifies that the order direct the closing of the building, or part of the building for one year.

S.F. 572, authored by Sen. Jim Ramsdahl (R-Minnetonka), increases the penalty for making a false allegation of child abuse in order to influence a child custody hearing from a misdemeanor to a gross misdemeanor.

The division is chaired by Sen. Donna Peterson (DFL-Mpls.).

### Corporate takeover bill gains

A measure modifying corporate takeover law was approved by the Judiciary Division on Civil Law Fri., Mar. 17. S.F. 190, authored by Sen. William Luther (DFL-Brooklyn Park), clarifies the definition of "beneficial owner" and reduces the restrictions on business combinations from five years to four years. In addition, the bill repeals law providing for a committee of disinterested persons to be used in order to pursue derivative suits. However, the bill amends a section of law that provides for the establishment of committees, which have the authority of the board in managing the business of the corporation, to include the establishment of an independent special litigation committee. A special litigation committee can be established to consider legal rights or remedies of the corporation and whether the rights and remedies should be pursued. The change in law emphasizes the court's role in determining the significance of a special litigation committee's decisions. The division, chaired by Sen. Ember Reichgott (DFL-New Hope), sent S.F. 190 to the full committee.

### Tax court bill advances

The Wed., Mar. 22, meeting of the Judiciary Division on Civil Law, chaired by Sen. Ember Reichgott (DFL-New Hope), was devoted to discussing a bill that makes changes to laws dealing with the Tax Court.

S.F. 462 eliminates obsolete language, clarifies language and recodifies several provisions dealing with Tax Court powers and procedures, said Sen. LeRoy Stumpf (DFL-Plummer), author of the bill. Under the bill, former employees and officers of the Dept. of Revenue may not represent taxpayers whose claims are before the department for one year after they have left the employment of the department. Also, the bill specifies that the commissioner of revenue is the filing officer and custodian of records of the department. In addition, in matters that are appealed to the Tax Court, the commissioner of the Dept. of Revenue may not use powers of examination, investigation, and subpoena, or the power to administer oaths and take testimony. The bill also eliminates the duties of the administrative judge and transfers the duties to the chief judge. The bill was approved and sent to the full committee.

### Racketeering bill discussed

The Judiciary Division on Criminal Law, chaired by Sen. Donna Peterson (DFL-Mpls.), devoted the entire Wed., Mar. 22, meeting to discussion of a bill that creates the crime of racketeering and sets penalties for the new crime. S.F. 483, authored by Sen. Michael Freeman (DFL-Richfield), sets both criminal felony penalties and civil penalties for racketeering, money laundering and other drug gang-related crimes. According to Freeman, the bill is designed to provide an additional tool for law enforcement officials and prosecutors in their attempt to curb the rising rate of

drug related crimes. The bill is patterned after the New York Racketeer Influenced and Corrupt Organization Act (RICO), Freeman said. The federal government and 28 other states have similar laws, he said.

The panel spent most of the hearing going through the bill on a section by section basis. The measure creates the new crimes of concealing criminal proceeds and of engaging in a business of concealing criminal proceeds. The new crime of racketeering is defined and a 20 year felony penalty is set. In addition, the bill deals extensively with the forfeiture of property after conviction and specifies that injunctive relief is available from the court to protect the interests of the prosecuting authority in collecting the money or forfeited property. The court also may enter a restraining order or injunction to preserve the reachability of property subject to criminal forfeiture when an indictment or complaint is filed. However, the court is required to hold a hearing after giving notice to all affected persons. Discussion on the bill will continue at the Fri., Mar. 31, vision meeting.

## Local and Urban Government

### Contractor bonding option bill approved

A bill that provides public works contractors with an alternative bonding method and a special measure that removes a land-use restriction in Ramsey County were approved Mon., Mar. 20, by members of the Local and Urban Government Committee. Sen. Robert Schmitz (DFL-Jordan), presides as the committee's chair.

H.F. 279, sponsored by Sen. Michael Freeman (DFL-Richfield), permits a contractor providing public work for any local governmental unit to offer an irrevocable bank letter of credit, in lieu of a performance bond, to assure the timely and satisfactory completion of a public work project. Sen. Jim Vickerman (DFL-Tracy) offered, and panel members adopted, an amendment limiting the use of the letter of credit option to projects totaling \$50,000 or less. H.F. 279 now goes to the full Senate.

City of Bloomington representative Lyle Olsen said that under present state law, smaller contractors find it very difficult to participate in the competitive bidding process because many are unable to obtain the necessary performance bonds. He noted that irrevocable letters of credit are more easily obtainable because contractors can pledge their assets to guarantee that the public work will be completed. Opponents argued that the measure is unnecessary because small contractors do have access to performance bonds. They cautioned that letters of credit do not represent a satisfactory substitute for traditional bonding methods because municipalities run a risk of failing to include proven bonding safeguards in their letter of credit contracts.

In other action S.F. 711, sponsored by Sen. Jerome Hughes (DFL-Macwood), authorizes Ramsey County to use a parcel of land originally required for parks and open space purposes for construction of a public library. Present statutes restrict such usage. The bill received committee approval and is now headed to the Senate floor.

## Public Utilities and Energy

### Phone regulation bill okayed

Members of the Public Utilities and Energy Committee, chaired by Sen. Donald Dicklich (DFL-Hibbing), approved a bill, Tues., Mar. 21, that makes numerous changes to the three tier regulatory structure for telephone services. S.F. 901, authored by Dicklich, fine tunes the law enacted two years ago that established the tiered regulatory structure on the basis of whether a telephone service is a competitive, a noncompetitive, or an emerging competitive service. The bill was sent directly to the full Senate.

The bulk of the committee hearing was devoted to a discussion of a bill that would allow Farmland Foods in Albert Lea to petition the Public Utilities Commission (PUC) for a waiver from the requirement that the company buy power from the utility assigned to its service area. S.F. 322, authored by Sen. Pat Piper (DFL-Austin), specifies that a food processor with land partly in and partly out of a municipality be considered outside of a municipality. According to Piper, Farmland Foods would then be au-

thorized to petition the PUC for a waiver. The PUC would then decide whether or not to grant the waiver.

Most of the debate centered on a series of amendments offered by Sen. Don Frank (DFL-Spring Lake Park). The amendments, which included prohibiting the city of Albert Lea from charging Farmland Foods for a franchise fee and requiring that a cooperative electric association be regulated by the PUC, all failed to be adopted. The bill was approved and sent to the full Senate.

## Taxes and Tax Laws

### Division debates levy limits

The Tues., Mar. 21, meeting of the Taxes and Tax Laws Division on Property Taxes and Local Government Aids was devoted to the continued discussion of levy limits. Sen. Steven Novak (DFL-New Brighton), serves as the division's chair.

Roger Peterson of the Association of Metropolitan Municipalities expressed opposition to the principle of levy limits and suggested that if they must be used, the levy limit base should be indexed to cost-of-living increases. Association of Minnesota Counties representative Peggy Addicks said that the association generally supports levy limits as a mechanism to control county levies, except in circumstances where county boards have little control over costs. She emphasized that the major factors likely to force an increase in 1990 county expenditures—and consequently put pressure on counties to increase property tax levies to meet those expenditures—include sharply higher district court, landfill closure, corrections services, and social services costs. Addicks added that greater state funding will enable counties to control property tax levy increases in the future. Novak informed division members that levy limit testimony is tentatively scheduled to resume Tues., Mar. 28.

## Transportation

### Committee approves bills

Members of the Transportation Committee met Tues., Mar. 21, and approved several highway and motor vehicle measures. Sen. Clarence Purfeerst (DFL-Faribault), serves as the committee's chair.

S.F. 878, sponsored by Sen. Steven Morse (DFL-Dakota), removes Legislative Route No. 249 from the trunk highway system. The bill specifies that a jurisdictional agreement must be reached between the commissioner of transportation and Houston County officials prior to implementation of the measure's provisions. Morse said that Houston County plans to upgrade the road once the transfer is completed. The bill received committee approval and now goes to the Senate floor.

S.F. 707, authored by Sen. William Belanger (IR-Bloomington), requires the registrar to include a notice explaining proper motor vehicle title transfer procedures with annual motor vehicle registration renewal materials. The Revenue Dept. estimates that the bill, if enacted, will cost the state \$85,375 annually in additional printing and mailing charges. Panel members approved the measure and re-referred it to the Finance Committee.

As amended, S.F. 665, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), permits motor vehicle owners to obtain a second set of handicapped license plates for use by physically handicapped employees. In addition, the bill allows a handicapped person to use a photograph showing the handicap in lieu of a physician's or chiropractor's statement when applying for the handicapped plates. Committee members approved S.F. 665 and sent the bill to the full Senate.

In addition, two bills are headed to the full Senate after receiving committee approval. S.F. 738, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), allows the commissioner of transportation to issue annual permits for six-axle vehicles or vehicle combinations weighing 82,000 pounds or less and carrying pole-length pulpwood. The bill specifies that these vehicles may not travel on interstate highways and must comply with posted weight restrictions. S.F. 1011, sponsored by Purfeerst, renames the AMVETS Memorial Highway the American Veterans Memorial Highway.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 27

There are no meetings scheduled.

### Tuesday, March 28

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

8 a.m. Room 125 Capitol

**Agenda:** S.F. 312-Merriam: EMPL Private sector employee access to personnel records. S.F. 854-Merriam: Access to juvenile records relating to delinquent acts. S.F. 487-Berglin: HHS AFDC, MSA bill; including provision relating to welfare data. S.F. 302-Belanger: Government licensing financial data privacy.

**Legislative Task Force on Education Organization**

9 a.m. Sibley Room, Holiday Inn Capitol

**Agenda:** Update by member organizations. Learner Outcomes presentations. Presentation on the integrated data base, and group discussions.

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

3 p.m. Room 112 Capitol

**Agenda:** S.F. 749-Olson: Control of aquatic weeds. S.F. 237-Dahl: Disposal of infectious waste. S.F. 710-Berg: Conveyance of Stevens County land. S.F. 740-Stumpf: Conveyance of Beltrami County land. H.F. 450-Stumpf: Additions and deletions/state powers. S.F. 124-Vickerman: Regulates all-terrain vehicles.

**Taxes and Tax Laws Division on Property Taxes and Local**

**Government Aids**, Chair: Steven Novak

4 p.m. Room 15 Capitol

**Agenda:** Continuing testimony on levy limits. Presentation by the Municipal Legislative Commission.

**Conference Committee**

5 p.m. Room 330 Capitol

**Agenda:** S.F. 156/H.F. 79-Indian Gambling Compacts.

The Senate will be in session at 6:30 p.m.

### Wednesday, March 29

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

8 a.m. Room 107 Capitol

**Agenda:** S.F. 1005-Mehrkens: Appropriates money for grant-in-aid assistance to the Red Wing port authority to acquire lands for historic preservation and educational purposes. S.F. 1019-Chmielewski: Establishes a state program for spaying and neutering certain animals. S.F. 1039-Merriam: Charitable gambling; permits organizations to treat legal expenses as an allowable expense.

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** S.F. 471-Pehler: Changes definitions of teachers, supervisory and support personnel for purpose of licensure. S.F. 783-Solon: Proposes a fifth year incentive plan for teachers in the Duluth school district. S.F. 796-Laidig: Prohibits certain punishment in certain schools; provides for civil liability.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 239-Benson: Grant for study of shiitake mushrooms. S.F. 909-Bernhagen: Urban reforestation. S.F. 92-Moe, R.D.: Appropriation for the agriculture interpretive center. S.F. 862-Bertram: Funding for

pseudorabies research and control.

**Finance Division on Agriculture, Transportation and Semi-state**,

Chair: Keith Langseth

10 a.m. Room 123 Capitol

**Agenda:** Presentations on the capital budget, the Dept. of Transportation, and Public Safety.

**Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 735-Taylor: Expands DWI gross misdemeanor enhancement priors. S.F. 851-Spear: Gross misdemeanor for implied consent refusal by repeat DWI offenders. S.F. 321-Berglin: Public nuisance abatement law expansion to drug and liquor law violations. S.F. 525-Reichgott: Nonprofit corporation law recodification and reform. S.F. 535-Luther: Property interest limitations; discharge of bankruptcy judgments. S.F. 624-Spear: Parental liability for theft by a minor child. S.F. 676-DeCramer: Agricultural cooperative association voting rights. S.F. 682-Berglin: Controlled substance evidence of disorderly house crime. S.F. 694-Frank: Limits bankruptcy judgment exemption for employee benefits. S.F. 869-DeCramer: Court administrator fee increases. S.F. 917-Luther: Standard of care regulation of accountants.

**Environment and Natural Resources Subcommittee on Public Lands and Water**, Chair: Steven Novak

12:30 p.m. Room 112 Capitol

**Agenda:** S.F. 84-Diessner: Watercraft titling and licensing. S.F. 564-DeCramer: Increases amount of levy for Kanaranzi-Little Rock watershed district. S.F. 452-Frank: Provides urban drought relief.

**Commerce Subcommittee on Banking**, Chair: James Metzen

1 p.m. Room 107 Capitol

**Agenda:** S.F. 188-Freeman: Mortgage banking regulations.

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

1 p.m. Room 15 Capitol

**Agenda:** Report on the state plan for federal alcohol drug abuse, and mental health block grant. S.F. 1002-Vickerman: Ambulance licensure. S.F. 789-Vickerman: Day care fund revision. S.F. 503-Solon: Year of Cities.

**Legislative Coordinating Commission Subcommittee on the Revisor**, Chair: Rep. David Bishop

1 p.m. Room 400S SOB

**Agenda:** Reviews of computer development proposals and budget.

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

3 p.m. Room 125 Capitol

**Agenda:** Public testimony on the Human Resources budget.

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

3 p.m. Room 123 Capitol

**Agenda:** Continuation of budget overviews.

**Taxes and Tax Laws Committee**, Chair: Douglas Johnson

3 p.m. Room 15 Capitol

**Agenda:** Presentations on revenue forecast.

**Taxes and Tax Laws Division on Income Tax**, Chair: Lawrence Pogemiller

Immediately following full committee. Room 15 Capitol

**Agenda:** S.F. 737-Berg: Provides allocation and apportionment of income derived by certain corporations from material value added to agricultural products by processing, packaging, or other high technology procedures. S.F. 157-Pogemiller: Individual income; modifying computation of the dependent care credit.

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

6 p.m. Room 15 Capitol

**Agenda:** S.F. 522-Pogemiller: Establishes affordable housing programs.

**Joint Agriculture and Environment Ad Hoc Committee on Water**,

Chair: Charles Davis

7:30 p.m. Room 112 Capitol

**Agenda:** S.F. 262-Morse: 1989 Groundwater Protection Act.

## Thursday, March 30

**Environment and Natural Resources Subcommittee on**

**Environmental Protection**, Chair: Gregory Dahl

8 a.m. Room 123 Capitol

**Agenda:** S.F. 685-Solon: Appropriates money for the Western Lake Superior Sanitary District, authorizes sale of state bonds. H.F. 545/S.F. 593-Dicklich: Provides for Disposal of certain low-grade state-owned iron-bearing materials for construction or maintenance purposes. S.F. 997-Novak: Authorizes the PCA to assist in reviewing real property for petroleum tank releases and to be paid for such assistance.

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

8 a.m. Room 15 Capitol

**Agenda:** S.F. 150-Lessard: Relates to the establishment of a state-run lottery.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 1051-Novak: Coal slurry resolution. S.F. 892-Stumpf: Railroad funding and crossings. S.F. 911-Metzen: Makes explicit that laws and rules of deputy registrars of motor vehicles also apply to county license bureaus. S.F. 1018-Frank: Dedicates seat belt violation fines to emergency medical services relief account. S.F. 807-Frank: Repeals provisions on non-recording of certain speeding violations on driving records.

**Commerce Committee**, Chair: Sam Solon

10 a.m. Room 112 Capitol

**Agenda:** S.F. 1071-Schmitz: Relates to trade practice in farm implement industry. S.F. 986-Pehler: Defines fire wood cord for purposes of sales and advertising. S.F. 308-Berglin: Regulates layaway retail sales. S.F. 829-Freeman: Prohibits insurance company from subrogating against own insured. H.F. 937/S.F. 1066-Solon: Provides 20 day notice period for certain filing referenced in Uniform Commercial Code. S.F. 870-Metzen: Allows for early payment of benefits for certain long term care policies. S.F. 342-Dahl: Radon Research and Remediation Act.

**Environment and Natural Resources Subcommittee on Fish and**

**Wildlife**, Chair: Charles Berg

10 a.m. Room 123 Capitol

**Agenda:** S.F. 970-Marty: Removes authority to offer a bounty on rattlesnakes. S.F. 1085-Berg: Changes certain provisions relating to the taking of turtles. S.F. 1008-Bernhagen: Authorizes the taking of muskrats. S.F. 34-Benson: Requires nonresidents to possess a firearms safety certificate to hunt with firearms.

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

10 a.m. Room 15 Capitol

**Agenda:** S.F. 631-Dicklich: Clarifies authority of public utilities commission to change boundaries of electric utility service areas.

**Veterans and Military Affairs Committee**, Chair: Joe Bertram, Sr.

10:30 a.m. Room 107 Capitol

**Agenda:** Southwestern veterans homes siting discussion.

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

2:15 p.m. Room 107 Capitol

**Agenda:** S.F. 764-Pehler: Relates to St. Cloud as a special service district. S.F. 811-Laidig: Relates to Municipal Planning Law. S.F. 786-Bertram:

Allows county boards to set Sheriff's fees. H.F. 508-Adkins: Permits cities to have seven member councils.

**\*The Senate will be in session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph

Peterson

3 p.m. Room 15 Capitol

**Agenda:** Presentation on desegregation in the Duluth, Minneapolis and St. Paul public schools.

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

3 p.m. Room 123 Capitol

**Agenda:** Continuation of budget overviews.

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

5 p.m. Room 107 Capitol

**Agenda:** S.F. 637-Berglin: Nursing Home Bill. S.F. 794-Berglin: Capital replacement fund. S.F. 952-Berglin: Nursing home adjustment care related costs.

**Environment and Natural Resources Subcommittee on**

**Environmental Protection**, Chair: Gregory Dahl

6 p.m. Room 123 Capitol

**Agenda:** S.F. 530-Merriam: Waste Management Act amendments.

**Judiciary Committee**, Chair: Allan Spear

7 p.m. Room 15 Capitol

**Agenda:** S.F. 314-Peterson, D.C.: Miscellaneous, omnibus sentencing bill: habitual offenders, auto theft, criminal vehicular operation, first degree murder, implementation and override of guidelines modifications. S.F. 320-Spear: Sexual assault offender control: criminal sexual conduct penalties, special sentencing for patterned offenders, treatment, DNA evidence, juvenile records, prevention programs.

**Joint Agriculture and Environment Ad Hoc Committee on Water**,

Chair: Charles Davis

7:30 p.m. Room 112 Capitol

**Agenda:** S.F. 262-Morse: 1989 Groundwater Protection Act.

## Friday, March 31

**Legislative Commission on Pensions and Retirement**, Chair:

Donald Moe

7:30 a.m. Room 112 Capitol

**Agenda:** Specific agenda pertaining to police, salaried firefighters and volunteer firefighter bills to be announced.

**Education Division on Education Funding**, Chair: Randolph

Peterson

8 a.m. Room 15 Capitol

**Agenda:** S.F. 702-DeCramer: School breakfast program. S.F. 1228-DeCramer: Rural initiatives. S.F. 1075-Beckman: Allows school districts to be considered providers under state medical assistance plan. S.F. 972-Hughes: Establishes task force on coordinated childcare.

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

Lantry

8 a.m. Room 107 Capitol

**Agenda:** S.F. 1016-Decker: Authorizes the Beltrami county board to regulate dogs and cats within the county by ordinance. S.F. 1037-Lantry: Regulates using animals for certain purposes; provides a penalty.

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

8:30 a.m. Room 123 Capitol

**Agenda:** S.F. 1010-Hughes: Appropriates money for study of educational facilities. S.F. 782-Hughes: Enters into the Midwestern Education Compact, proposes coding for new law in MN statutes.

**Agriculture and Rural Development Subcommittee on Rural**

**Development**, Chair: David Frederickson

10 a.m. Room 112 Capitol

**Agenda:** S.F. 957-Frank: Abolishes the MN Agriculture and Economic De-

velopment Board; transfer programs to the Dept. of Trade and Economic Development. S.F. 135-Johnson, D.E.: Creates the Kandiyohi County RDA.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott  
10 a.m. Room 107 Capitol

**Agenda:** S.F. 180-Beckman: Establishes a procedure for the contesting of registered trademarks. S.F. 289-Peterson, RW: Trust and estate regulation. S.F. 848-DeCramer: Recodifies and clarifies provisions on cooperative business. S.F. 1040-Reichgott: Mechanics' liens.

**Judiciary Division on Criminal Law**, Chair: Donna Peterson  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 483-Freeman: RICO: Criminal and civil penalties for racketeering, drug and other gang-related crimes.

**Health and Human Services Committee**, Chair: Linda Berglin  
1 p.m. Room 15 Capitol

**Agenda:** S.F. 836-Piper: Licensing. S.F. 746-Berglin: Mental health. S.F. 1233-Berglin: General assistance and work readiness.

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 112 Capitol

**Agenda:** Completion of the governor's education budget.

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

## How a bill becomes law

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

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

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

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

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

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

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body on the General Orders Calendar. The entire body then resolves itself into a Committee of the Whole to consider the bill and discuss the merits of the proposal. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least 24 hours before being placed on the Senate Calendar and considered for final passage. The bill is given a third reading prior to the vote for final passage. After final passage, the bill is sent to the other body.

In the Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If one body makes a change to the bill and the other body does not accept that change, a conference committee is established to work out a compromise version. The compromise version must then be repassed by both bodies.

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

## Information Office services profiled

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

## Facts about the Minnesota Legislature

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

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

## Briefly subscription procedures

Briefly is published weekly during legislative sessions by the Senate Publications Office, Room 95 State Office Building, St. Paul, MN 55155. Briefly is mailed free of charge to interested citizens and news media. To be placed on the mailing list, write or call (612) 296-0504.

## Branches of government outlined

Government at the state and federal levels consists 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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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.

## Service for hearing-impaired available

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

# SENATE COMMITTEE ASSIGNMENTS

## AGRICULTURE AND RURAL DEVELOPMENT (15)

CHAIR: Davis  
OFFICE NO: G-24  
MEETS: M, W; Room 112; 10-12 noon  
MEMBERS:

Anderson	Brandl	Frederickson, D.J.	Morse
Beckman	Davis	Frederickson, D.R.	Renneke
Berg	Decker	Freeman	Vickerman
Bertram	DeCramer	Larson	

## GOVERNMENTAL OPERATIONS (13)

CHAIR: Moe, D.M.  
OFFICE NO: 309  
MEETS: T, Th; Room 15; 8-10 a.m.  
MEMBERS:

Brandl	Freeman	Pariseau	Waldorf
Decker	Marty	Pogemiller	
Frederickson, D.J.	Moe, D.M.	Renneke	
Frederickson, D.R.	Morse	Taylor	

## COMMERCE (17)

CHAIR: 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	
Cohen	Luther	Samuelson	
Dahl	McQuaid	Solon	

## HEALTH AND HUMAN SERVICES (15)

CHAIR: 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 (13)

CHAIR: Frank  
OFFICE NO: G-10  
MEETS: M, Th; Room 15; 12-2 p.m.  
MEMBERS:

Beckman	Decker	Kroening	Reichgott
Bernhagen	Dicklich	McGowan	Storm
Cohen	Frank	Morse	
Dahl	Gustafson		

## JUDICIARY (17)

CHAIR: Spear  
OFFICE NO: G-27  
MEETS: M, W, F; Room 15; 10-12 noon  
MEMBERS:

Belanger	Luther	Peterson, D.C.	Spear
Berglin	Marty	Peterson, R.W.	Stumpf
Cohen	McGowan	Pogemiller	
Knaak	Merriam	Ramstad	
Laidig	Moe, D.M.	Reichgott	

## EDUCATION (21)

CHAIR: Pehler  
OFFICE NO: G-9  
MEETS: M, W, F; Room 15; 8-10 a.m.  
MEMBERS:

Beckman	Hughes	Morse	Ramstad
Dahl	Knaak	Olson	Reichgott
Decker	Knutson	Pehler	Stumpf
DeCramer	Langseth	Peterson, D.C.	
Dicklich	Larson	Peterson, R.W.	
Frederickson, D.J.	Mehrkens	Pogemiller	

## LOCAL AND URBAN GOVERNMENT (11)

CHAIR: Schmitz  
OFFICE NO: 235  
MEETS: M, Th; Room 107; 12-2 p.m.  
MEMBERS:

Adkins	Lessard	Olson	Schmitz
Bertram	McQuaid	Pariseau	Vickerman
Frederickson, D.J.	Metzen	Renneke	

## EDUCATION AIDS DIVISION (14)

CHAIR: 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 (12)

CHAIR: Dicklich  
OFFICE NO: 235  
MEETS: T, Th; Room 15; 10-12 noon  
MEMBERS:

Dicklich	Johnson, D.E.	Novak	Piper
Frank	Johnson, D.J.	Olson	Storm
Gustafson	Marty	Pehler	Waldorf

## RULES AND ADMINISTRATION (31)

CHAIR: Moe, R.D.  
OFFICE NO: 208  
MEETS: On Call  
MEMBERS:

Belanger	Frank	Lessard	Purfeerst
Benson	Frederick	Luther	Renneke
Berglin	Hughes	Merriam	Schmitz
Bernhagen	Johnson, D.E.	Moe, D.M.	Solon
Bertram	Johnson, D.J.	Moe, R.D.	Spear
Davis	Knutson	Novak	Storm
Dicklich	Laidig	Pehler	Taylor
	Lantry	Peterson, R.W.	

## ELECTIONS AND ETHICS (12)

CHAIR: Hughes  
OFFICE NO: 328  
MEETS: W; Room 107; 11:30 a.m.-1:00 p.m.  
MEMBERS:

Cohen	Johnson, D.J.	McGowan	Moe, R.D.
Hughes	Laidig	McQuaid	Peterson, D.C.
Johnson, D.E.	Luther	Metzen	Samuelson

## EMPLOYMENT (11)

CHAIR: 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 (25)

CHAIR: Johnson, D.J.  
OFFICE NO: 205  
MEETS: T, W, F; Room 15; 3-5 p.m.  
MEMBERS:

Anderson	Chmielewski	Knaak	Pogemiller
Belanger	Cohen	Laidig	Reichgott
Benson	Davis	Larson	Schmitz
Berglin	Diessner	Novak	Stumpf
Bernhagen	Frank	Pehler	
Bertram	Gustafson	Peterson, D.C.	
Brandl	Johnson, D.J.	Peterson, R.W.	

## ENVIRONMENT AND NATURAL RESOURCES (16)

CHAIR: Lessard  
OFFICE NO: 111  
MEETS: T, W, F; Room 112; 1-3 p.m.  
MEMBERS:

Berg	Frederickson, D.R.	Marty	Olson
Bernhagen	Knaak	Merriam	Pariseau
Dahl	Laidig	Morse	Peterson, R.W.
Davis	Lessard	Novak	Stumpf

## TRANSPORTATION (12)

CHAIR: 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

## FINANCE (30)

CHAIR: Merriam  
OFFICE NO: 122  
MEETS: T, W, F; Room 123; 3-5 p.m.  
MEMBERS:

Berg	Hughes	Mehrkens	Samuelson
Brataas	Johnson, D.E.	Merriam	Solon
Dahl	Knutson	Metzen	Spear
DeCramer	Kroening	Moe, D.M.	Storm
Dicklich	Langseth	Piper	Taylor
Frederick	Lantry	Purfeerst	Waldorf
Frederickson, D.R.	Lessard	Ramstad	
Freeman	Luther	Renneke	

## VETERANS AND MILITARY AFFAIRS (11)

CHAIR: Bertram  
OFFICE NO: 323  
MEETS: T, Th; Room 107; 10-12 noon  
MEMBERS:

Beckman	Laidig	Lessard	Schmitz
Bertram	Langseth	Mehrkens	Vickerman
Diessner	Larson	Pariseau	

## GENERAL LEGISLATION AND PUBLIC GAMING (9)

CHAIR: Lantry  
OFFICE NO: 328  
MEETS: W, F; Room 107; 8-10 a.m.  
MEMBERS:

Berg	Diessner	McGowan
Bertram	Johnson, D.E.	McQuaid
Davis	Lant	Samuelson

# MINNESOTA STATE SENATE

## Senate Members—1989 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	DFL	4136	Lessard, Bob	111 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William	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	2159	McGowan, Patrick D.	132B SOB	48
IR	3903	Benson, Duane D.	109 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	309 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	IR	5252	Pariseau, Patricia	151 SOB	37
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4241	Pehler, James C.	G-9 Cap.	17
IR	0415	Decker, Bob	109 SOB	4	DFL	4274	Peterson, Donna C.	G-27 Cap.	61
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	9248	Piper, Pat	325 Cap.	31
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	105 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	121 SOB	38	IR	9457	Taylor, Glen	147 SOB	24
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	5650	Vickerman, Jim	G-29 Cap.	28
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	3809	Waldorf, Gene	124 Cap.	66
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

March 31, 1989

## Community resource program bill gains

One component of the three part "Year of the Cities" legislative package, that deals with community resource programs, was approved by members of the Health and Human Services Committee at the Wed., Mar. 29, meeting. S.F. 503, sponsored by Sen. Sam Solon (DFL-Duluth), establishes community resources programs for Minneapolis, St. Paul, and Duluth to deal with the inner-city neighborhood problems of crime, poverty and hopelessness. The bill, which also provides an appropriation to the commissioner of state planning for grants to cities with approved programs, was approved by the panel and re-referred to the Committee on Finance.

Specifically, the bill defines community resources services to include community planning and organizing; employment and training services; assisted housing; services to stabilize neighborhoods, families, or individuals; child care; housing assistance; chemical dependency services; health services; parenting skills; and crime prevention. In addition, the measure defines the target neighborhoods as those areas in which two specified criteria are met. The criteria include areas where unemployment is at least double the Twin Cities metropolitan area rate; where median household income is half or less of the Twin Cities median; or where 25 percent or more of the residential units are substandard or 70 percent were built before 1940. The bill also outlines the objectives for the community resources programs, details the cities' responsibilities and provides for accountability.

Committee members, chaired by Sen. Linda Berglin (DFL-Mpls.), viewed a video presentation on the problems of the cities and heard testimony from city representatives on specific language in the bill. Debate on the measure was limited to discussion of an amendment, offered by Sen. A. W. "Bill" Diessner, that would have made the bill apply statewide. The amendment failed on a lopsided voice vote.

In other action, the panel heard a report on the state plan for the Federal Alcohol, Drug Abuse and Mental Health Block Grant. In addition, the committee approved a bill establishing new licensing requirements for ambulance services. The bill, S.F. 1002, sponsored by Sen. Jim Vickerman (DFL-Tracy), was sent to the full Senate.

## Gas tax indexing bill approved

Members of the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Wed., Mar. 22, and approved a measure revising the state's gas tax policy.

S.F. 852, sponsored by Sen. Keith Langseth (DFL-Glyndon), bases Minnesota's gasoline tax on a complex formula involving state consumption rates and federal highway construction costs. Langseth explained that the proposed legislation will stabilize highway construction and maintenance funding during the next several years, consequently enabling the state to develop and implement longer-range transportation improvement plans. He said that a similar gas tax indexing policy instituted in Wisconsin has helped the state to successfully meet its highway improvement financial obligations. Langseth added that the bill also changes the method of calculating the motor vehicle license tax, and transfers an additional ten percent of motor vehicle excise tax revenues from the General Fund to various state highway and transit accounts.

Sen. Duane Benson (IR-Lanesboro), offered an amendment to remove the tax indexing portion of the bill, saying that the provision "is the sort

of automatic tax increase that started the Boston Tea Party." Sen. John Brandl (DFL-Mpls.), also expressed opposition to the indexing proposal. He said that the measure gives the state a false sense of having addressed and solved the highway funding problem. Panel members failed to adopt Benson's amendment on a tie vote of 11-11. S.F. 852 was then approved by voice vote and sent to the Finance Committee.

## Speed violation bill defeated

The defeat of a bill that repeals the so called Dimler amendment provided the focal point for the Thurs., Mar. 30, meeting of the Transportation Committee. The "Dimler amendment" prohibits the recording of speeding violations unless the violation is more than 10 mph over the speed limit.

S.F. 807, sponsored by Sen. Don Frank (DFL-Spring Lake Park), revises state statutes mandating that any speed limit violation, determined by executive order to conserve fuel, not be recorded on a driving record unless the violation is in excess of 10 mph over the limit.

Major Ralph Church, State Patrol, testified that Minnesota ranks first in the nation for the number of drivers who exceed the 55 mph speed limit. Frank said that the legislation's intent is to decrease traffic speed and increase public safety. He added that the judicial system is often too lenient on violators, and that the bill attempts to tighten a loophole that encourages lenient decision-making by judges and other law enforcement officials. Purfeerst and Sen. Mel Frederick (IR-Owatonna), questioned whether the bill would solve the leniency problem. They suggested that increased oversight of the judicial system would prove more successful in reducing the number of speed violators because it would promote better enforcement of existing laws and penalties. An amendment offered by Purfeerst prohibiting insurance companies from raising rates for speed violations of less than 10 mph was defeated on a voice vote of the committee. S.F. 807 was then defeated by panel members by a vote of 5-6.

The panel, chaired by Sen. Clarence Purfeerst (DFL-Faribault), did approve measures dealing with seat belt fines and deputy registrars. Frank's second bill, S.F. 1018, dedicating fines collected from seat belt violations to the emergency medical services relief account and removing the account's \$750,000 cap, was approved and sent to the Senate floor.

S.F. 911, sponsored by Sen. James Metzen (DFL-S.St. Paul), clarifies that the laws and rules pertaining to deputy registrars also apply to the director of a county license bureau if the director is a deputy registrar. Panel members approved the measure and sent it to the full Senate where it will be placed on the Consent Calendar.

S.F. 1051, authored by Sen. Steven Novak (DFL-New Brighton), memorializes the U.S. Congress to reject pending legislation that would authorize the use of Minnesota waters for the transportation of coal by slurry pipeline. The resolution also asks the Congress to grant coal slurry pipeline consortiums the right of eminent domain for the transportation of coal. The resolution was adopted and now goes to the Senate floor.

Action on S.F. 892, a bill that extends and clarifies funding for rail improvements and alternatives sponsored by Sen. LeRoy Stumpf (DFL-Plummer), was delayed pending further clarification by Transportation Dept. representatives.

# Committee Capsule

## Agriculture and Rural Development

### Ag appropriation bills approved

Four funding measures pertaining to a wide variety of agricultural concerns were approved Wed., Mar. 29, by members of the Agriculture and Rural Development Committee. Panel members, chaired by Sen. Charles Davis (DFL-Princeton), re-referred the bills to the Finance Committee.

S.F. 92, sponsored by Sen. Roger Moe (DFL-Erskine), appropriates \$604,000 from the General Fund to the Minnesota Agricultural Interpretative Center for the operation of its FarmAmerica program in Waseca County. Minnesota Agricultural Interpretative Center representative Bob Rupp explained that the measure attempts to put the center on an "equal footing" with the mining and forestry industries in terms of receiving state funding.

S.F. 239, sponsored by Sen. Duane Benson (IR-Lanesboro), appropriates \$240,000 from the General Fund to further study shiitake mushroom growing and marketing activities in Minnesota. S.F. 969, authored by Sen. John Bernhagen (IR-Hutchinson), commissions the Minnesota Shade Tree Advisory Committee, in conjunction with the University of Minnesota and the Minnesota Dept. of Agriculture, to conduct a study of problems facing community and urban forests. The bill directs the committee to examine the possible energy savings, pollution emissions, and noise reduction aspects of forestation. Under the measure's provisions, the study would be funded by a \$25,000 appropriation from the General Fund. S.F. 862, sponsored by Sen. Joe Bertram, Sr., (DFL-Paynesville), appropriates \$500,000 from the General Fund to the commissioner of agriculture for the purpose of further researching pseudorabies in the state. In addition, the bill provides the Minnesota Board of Animal Health with a \$1.296 million General Fund appropriation to continue and expand a swine pseudorabies control program.

### Groundwater bill debate continues

The Wed., Mar. 22, and Wed., Mar. 29, meetings of the Joint Agriculture and Rural Development and Environment and Natural Resources Ad Hoc Committee continued the discussion of the groundwater protection bill. Sen. Charles Davis (DFL-Princeton), serves as the committee's chair.

S.F. 262, known as the 1989 Groundwater Protection Act sponsored by Sen. Steven Morse (DFL-Dakota), was addressed by several witnesses. Brian Gulbranson, Minnesota Geophysical Associates, said that the state, through the Minnesota Dept. of Health, The Minnesota Geological Survey, and the Dept. of Natural Resources Division of Waters, is providing geophysical and downhole video services to the benefit of some municipalities and private landowners. He said that the services are available to the beneficiaries through private geophysical and water well contractors. Consequently, the state is using tax dollars to take business away from tax-paying private concerns, he said. Gulbranson recommended establishing a clear, equitable policy stating exactly which types of projects would be handled by the state, as well as explicit reasons for state involvement. He added that if the state cannot provide these services uniformly according to an explicit policy, it should refrain from using the equipment altogether.

Minnesota Plant Food and Chemicals Association representative Craig Sallstrom suggested several technical corrections to the bill's provisions. Among his numerous suggestions, Sallstrom said that contamination investigative costs should be paid for by the state through a portion of the licensing fees it collects—not directly by potential violators. He said that if an entity is proven to be in violation of the contamination provisions, then it should bear all necessary clean-up costs. Jeff Peterson, ECOLAB, said that disinfectants and sanitizers should be eligible for diminished pesticide and incidence response fund fees because the products are used by consumers to clean facilities, and are therefore not nearly as likely as commercial farming pesticides to contaminate groundwater supplies.

An author's amendment making technical corrections to Articles VII and VIII of the bill was adopted by panel members.

## Commerce

### Mortgage banking bill approved

The Commerce Subcommittee on Banking, chaired by Sen. James Metzen (DFL-So. St. Paul), amended and approved S.F. 188, the "Home Buyers' Bill of Rights," Wed., Mar. 29. The bill was sent to full committee.

The bill regulates the mortgage banking industry. The bill includes provisions for corporate licensure for mortgage lenders and mortgage brokers and a requirement that any applicant for a license provide evidence of, and continuously maintain, a net worth of \$250,000. In addition, the bill mandates that mortgage lenders provide loan applicants with a "borrower information document," outlines what the document must contain, specifies that it must be in plain language, and requires that it be provided before the borrower signs the application or pays any consideration to the lender.

A controversial provision in the bill, authored by Sen. Michael Freeman (DFL-Richfield), prohibits a mortgage lender from charging a fee at settlement for any item that was not disclosed to the borrower in writing at least 24 hours in advance of the settlement.

The bill also provides for a private cause of action if a person can show actual damages.

The subcommittee adopted an author's amendment that made a number of changes in the bill, including deleting a portion of the bill allowing the commissioner of commerce to waive requirements for applicants for mortgage lender licenses.

Subcommittee members also discussed various amendments suggested by members of the mortgage banking industry. Some changes gaining approval include exempting a mortgage lender from a requirement to refund any fee paid by the borrower in connection with an interest rate or discount point agreement if the borrower fails to qualify for the mortgage loan and the fee negotiated is for a period of price protection in excess of 90 days; and altering the definition of referral fee to concur with the definition provided by the federal Real Estate Settlement Procedures Act.

### Radon bill approved

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved S.F. 342, the Radon Research and Remediation Act, Thurs., Mar. 30. The bill is authored by Sen. Gregory Dahl (DFL-Ham Lake).

The bill requires the Commissioner of Health to undertake research relating to radon mitigation techniques; soil gas testing to determine radon source levels; radon testing procedures for schools, day care centers, and publicly owned residential facilities; and estimation of long-term radon levels, among other things. The commissioner of health is also mandated to set up a toll-free radon information number.

The bill also requires the commissioner of administration to amend the applicable state building and plumbing codes to minimize the accumulation of excess levels of radon. The commissioner of administration is also required to study the feasibility and necessity of consumer protection measures in the area of radon testing and mitigation.

The bill appropriates money to the commissioners of health and administration to implement the act.

Senators approved an author's amendment to the bill. The amendment requires that any one conducting radon testing or radon mitigation work after Oct. 1, 1989, must be registered with the Dept. of Administration and provides exceptions for persons performing testing on their own property or persons performing preventive measures during new construction or remodeling. A person violating the law may be fined up to \$5,000.

The bill was re-referred to the Governmental Operations Committee.

Committee members also approved S.F. 986, authored by Sen.

James Pehler (DFL-St. Cloud), relating to the sale of fire wood. The bill defines "cord" and requires that wood for domestic heating or fireplace fuel may only be sold by cubic measurements or cords. No terms other than cord, cubic feet, or cubic meter may be used for the sale of fire wood except for packages of wood containing four cubic feet or less.

Also approved was S.F. 1071, authored by Sen. Robert Schmitz (DFL-Jordan), clarifying some of the procedures relating to the repurchase of farm implements and repair parts upon termination of any contract between a retailer and a wholesaler, manufacturer, or distributor of farm implements. The bill clarifies that the obligation to repurchase farm implements and repair parts applies to oral, as well as written, contracts entered into by a retailer and a wholesaler manufacturer, or distributor of farm implements. The bill also outlines provisions for repurchase of parts not listed in the current price list or catalog and sets out a procedure by which the retailer may advise the wholesaler, manufacturer, or distributor that the retailer intends to return implements, machinery, attachments or repair parts.

In other action, the committee approved S.F. 829, authored by Sen. Michael Freeman (DFL-Richfield.) The bill requires that an insurance company or a company providing reinsurance for the coverage may not proceed against its insured in a subrogation action where the loss was caused by the nonintentional acts of the insured; and provides that an insurance company or a company providing reinsurance for the coverage may not subrogate itself to the rights of its insured to proceed against another person insured by the same company to recover a loss caused by the nonintentional acts of that insured.

All three bills were sent to the floor.

H.F. 937, carried by Solon, was approved and sent to the Consent Calendar. The bill changes the notice period for certain fixture filings under the Uniform Commercial Code.

Committee members also discussed, amended, and laid over S.F. 870, authored by Sen. James Metzen (DFL-So. St. Paul), relating to early payment of benefits for some insurance policies, and discussed S.F. 308, authored by Sen. Linda Berglin (DFL-Mpls.), regulating lay-away retail sales. Because of time constraints, S.F. 308 will be discussed at a future meeting.

## Economic Development and Housing

### Affordable Housing bill considered

At the Thurs., Mar. 30 meeting, members of the Economic Development and Housing Committee resumed consideration of S.F. 522, a bill to establish statewide housing programs. S.F. 522 is sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.). Sen. Don Frank (DFL-Spring Lake Park) chairs the committee.

After Pogemiller completed a review of landlord-tenant, property tax and miscellaneous provisions, committee members began to consider amendments to the \$24 million housing bill. The committee adopted four major amendments. The first amendment, offered by Pogemiller, restricts emergency mortgage and rental assistance to persons in imminent danger of losing their homes. The second amendment, sponsored by Sen. Ronald Dickich (DFL-Hibbing), establishes housing initiative programs. The third amendment requires the Minnesota Housing Finance Agency (MHFA) to provide grants to cities for preservation of residential buildings in targeted areas. This amendment, offered by Sen. Ember Reichgott (DFL-New Hope), is intended to aid suburban cities, and offers rehabilitation assistance for housing projects ineligible under other programs. Finally, an amendment, sponsored by Pogemiller, provides an appropriation for capacity building grants.

The committee also began to consider an amendment to change rent escrow procedures in the event of a dispute between tenant and landlord regarding a building code violation. The amendment, offered by Sen. John Bernhagen (IR-Hutchinson), will be discussed further when the committee continues consideration of S.F. 522 at a later hearing.

## Education

### Corporal punishment bill discussed

Members of the Education Committee met Wed., Mar. 29, and discussed S.F. 796, prohibiting corporal punishment in public schools. The bill is sponsored by Sen. Gary Laidig (IR-Stillwater).

S.F. 796 defines punishment as conduct involving physical force and the infliction of bodily pain, or conduct involving cruelty or unreasonable physical force that causes substantial emotional harm. The bill prohibits employees or agents of a public school district from inflicting punishment on pupils. The bill gives specific exceptions for when reasonable physical force may be used, and provides that a person who violates the law may be held civilly liable for actual and punitive damages. In addition, a violation of the provisions is added to the list of grounds for which a teacher may be dismissed.

The committee, chaired by Sen. James Pehler (DFL-St. Cloud), heard testimony in support of the legislation from representatives of the National Coalition to Abolish Corporal Punishment in Schools and the Minnesota School Psychologists Association. Tim Newton, an administrator for a private school in Cambridge, spoke in opposition to the bill. Newton said that controlled, evaluated, structured corporal punishment can be an appropriate tool for setting limits with children.

No action was taken on the bill due to time constraints.

In addition, the committee discussed S.F. 783, authored by Sen. Sam Solon (DFL-Duluth), which outlines a Fifth Year Incentive Plan for teachers in the Duluth School District. A Fifth Year Incentive Plan contract basically allows teachers to receive 80 percent of their salary for four years and take a paid leave of absence during the fifth year. Any tenured elementary, secondary, or technical institute teacher is eligible to participate.

The bill was laid over when Pehler questioned whether the district needed special legislation to implement the plan.

The committee also approved S.F. 471, authored by Pehler, which transfers licensure authority for some support personnel from the State Board of Education to the Board of Teaching and changes the number of members and the composition of the Board of Teaching. The bill was re-referred to the Governmental Operations Committee.

## Elections and Ethics

### Handicapped access bill approved

The Elections and Ethics Committee amended and approved S.F. 556, authored by Sen. Jim Ramstad (IR-Minnetonka), Wed., Mar. 29. The bill requires the major political parties to secure and pay for interpreter services if available for communicatively impaired individuals at precinct caucuses and at county, legislative district, or congressional conventions upon the request of an individual. A written request must be given to the party 30 days in advance. In addition, the bill requires that precinct caucuses be held at places that meet accessibility standards for the disabled and provides for alternatives if there are not enough accessible places within a precinct.

The bill also requires that the major political parties provide, upon request by a visually impaired delegate or alternate to a convention, all official convention materials as soon as they are available, so that the individual may have them converted to audio tape, Braille, or large print format. The same requirement applies for all official precinct caucus materials if a visually impaired individual notifies the party of an intent to attend the precinct caucus.

Senators adopted a number of amendments answering concerns that had been discussed at an earlier meeting. One amendment exempts the parties from the requirement regarding interpreter services for conventions and precinct caucuses and from the requirement regarding accessible precinct caucus locations if the parties make documented good faith efforts to meet the requirements but are unable to do so. Another amendment requires that communicatively impaired individuals requesting interpreter services at conventions or precinct caucuses provide notice to the appropriate political party by

# Committee Capsule

certified mail. A third amendment appropriates money to reimburse the political parties for the costs of providing interpreter services.

The bill was re-referred to the Finance Committee.

Senators also discussed and heard testimony on S.F. 922, authored by Sen. Gen Olson (IR-Mound), which reduces the number of levy referendums school districts may hold to one per year. The bill was re-referred to the Education Committee without recommendation.

In addition, the committee began discussion of S.F. 1074, authored by Committee Chair Jerome Hughes (DFL-Maplewood). Tom Deans, School Board Association, outlined the bill, which contains mainly noncontroversial changes relating to school district elections. Most of the discussion focused on one controversial section changing the law regarding special elections. Currently, a school district may not hold a special election during the 20 days before and the 30 days after any regularly scheduled statewide election or election of a municipality partly or wholly within the school district. The bill provides an exception to the law if the school district election is the result of a voter petition and must be held within a specified period of time after receipt of the petition. In addition, the bill further limits the prohibition by altering the language regarding elections in municipalities to include only regularly scheduled elections of a city or county located wholly or partially within the school district.

No action was taken on the bill due to time constraints.

## Employment

### Employee right-to-know bill considered

The Thurs., Mar. 30, meeting of the Employment Committee was devoted to consideration of S.F. 442, amending state occupational safety and health (OSHA) law to repeal the technically qualified individual (TQI) exemption from the Minnesota Right-to-Know Standards for employees dealing with hazardous substances, infectious agents or harmful physical agents. Sen. Pat Piper (DFL-Austin) sponsored the bill. The committee is chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake).

Under current law, TQI employees of research and medical labs and health care facilities are exempted from required training on hazardous agents in the workplace. However, S.F. 442 requires that at least once each year, all employees receive training and updated information on the harmful agents to which they are exposed.

Acting OSHA director Jim Parent testified in support of S.F. 442. Parent said that it is unrealistic to expect that highly trained TQI employees are always abreast of rapidly developing technological information on hazardous and infectious agents.

Controversy surrounds the discrimination penalty provisions of the S.F. 442, which provide for triple compensatory damages, court costs and fees to be awarded to an employee or the state in a successful discrimination suit. Sen. Nancy Brataas (IR-Rochester) argued that the triple damages represent an extreme penalty, particularly for small businesses. In addition, Brataas said that these penalties would invite more litigation.

In support of S.F. 442, Nancy Leppink, of the attorney general's office, explained that the penalty provisions apply only when an employee can prove that an employer took a negative action, such as firing, because the employee registered a health or safety risk complaint.

The committee was unable to complete consideration of S.F. 442 at the meeting. The bill will be discussed further at a later hearing.

## Environment and Natural Resources

### Recycling measure debated

The Environment and Natural Resources Subcommittee on Environmental Protection, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Wed., Mar. 22, to discuss a bill mandating recycling.

S.F. 95, authored by Sen. Bob Lessard (DFL-Int'l. Falls), requires

counties to provide the opportunity to recycle by offering curbside pickup, centralized dropoff, or a local recycling center for at least three recyclable materials for cities with a population of 5,000 or more, and by offering a local recycling center in the county and sites for collecting recyclable materials that is located in areas convenient for persons to use. An opportunity to recycle must also include a monthly pickup of at least three recyclable materials in the metropolitan area.

Discussion focused on funding for county waste reduction and recycling. The bill provides for a distribution formula requiring 60 percent of the funds to be equally distributed among eligible counties and 40 percent to be distributed based on each county's proportion of the total state population. Revenue would be raised through a county landfill abatement fee of at least one dollar for mixed municipal solid waste measured by the cubic yard or its equivalent. Revenue from the fee, collected by operators of disposal facilities, would be used to provide county residents methods for recycling. In addition, an excise tax rate of four percent for solid waste collection and disposal services would be imposed until December 31, 1990, when it would then decrease to three percent.

Several amendments to S.F. 95 were offered and approved by the subcommittee. Counties outside the metropolitan area must reach a minimum 25 percent goal and counties within the metropolitan area must reach a minimum 40 percent goal for the recycling of solid waste by July 1, 1993. Counties who fail to meet the goal must notify county residents of the failure and must provide residents with information on county recycling programs offered. Other amendments included provisions requiring uniform labeling and packaging, the designation of recycling centers, and the purchase and return of lead acid batteries. The subcommittee will continue discussing S.F. 95 at a future meeting.

### Infectious waste bill gains

A bill regulating the disposal of infectious and pathological wastes was approved by the Environment and Natural Resources Committee Tues., Mar. 28. S.F. 237, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), sets forth definitions of infectious and pathological wastes, outlines procedures and plans for disposal and provides for the transportation of infectious waste. The bill also requires that a management plan be prepared by a person in charge of a facility that handles infectious or pathological waste and that local units of government may not adopt a definition of infectious or pathological waste that is different from the state definition. Appropriations for the preparation of educational materials to be distributed to infectious and pathological waste generators and transporters, facility operators, and the general public are also provided for in the bill, explained Dahl. The bill was approved and re-referred to the Health and Human Services Committee.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), also approved three additional measures, all of which were sent to the Senate floor. Sen. Gen Olson (IR-Mound) explained the goal of S.F. 749, to control the spread of an aquatic weed called Eurasian Watermilfoil. The weed grows rapidly and forms a thick brown mat that makes the water nearly impassable for boating. Eurasian Watermilfoil was first identified in Minnesota in 1987 and spreads predominately by fragments. The purpose of the bill, said Olson, is to give direction to the Dept. of Natural Resources to inventory and monitor the growth of the weed, to provide education to the public on the control problems of the weed, and to coordinate a control program to manage the growth of the weed.

S.F. 710, authored by Sen. Charles Berg (DFL-Chokio), authorizes the commissioner of the Dept. of Transportation to transfer land to Stevens County for other than public purposes. The bill, explained Berg, also authorizes Stevens County to sell the property for other than public purposes by public sale.

Sen. LeRoy Stumpf (DFL-Plummer), outlined the purpose of S.F. 740. The bill provides for the conveyance of property located in Beltrami County to the Fourtown Mission Society. The Fourtown Mission Society purchased the land in 1951 from an independent school dis-

trict by quitclaim deed when the district was not the legal owner.

## Watercraft measure okayed

A watercraft titling and licensing bill was approved by the Environment and Natural Resources Subcommittee on Public Lands and Waters Wed., Mar. 29. The subcommittee, chaired by Sen. Steven Novak (DFL-New Brighton), also approved five additional bills. The bills were sent to the full committee.

Sen. A. W. "Bill" Diessner said that S.F. 84 makes the titling and licensing of watercraft similar to that of automobiles. Under the bill, a watercraft is defined as a device greater than 14 feet that is used or designed for navigation on water. Not included in the definition of watercraft is a canoe, a ship's lifeboat, or a seaplane. The bill also provides that certain watercraft are exempt from obtaining a certificate of title. Included in the exemption provision are watercraft owned by a manufacturer or dealer and held for sale, watercraft used by a manufacturer solely for testing, and a duck boat used only during duck hunting season.

The subcommittee also approved several land transfer bills. S.F. 598, authored by Sen. Gene Merriam (DFL-Coon Rapids), changes provisions for the acquisition, disposition, and exchange of state lands. S.F. 936, sponsored by Sen. James Pehler (DFL-St. Cloud), authorizes the exchange of state property with the city of St. Cloud. Pehler also outlined S.F. 1080 which provides for St. Cloud State University to convey a title of state land to a private owner.

Sen. Jerome Hughes (DFL-Maplewood), author of S.F. 983, said the bill provides money from the state building fund for a grant to the city of Maplewood to acquire about 40 acres of land for park and open space protection. S.F. 564, authored by Sen. Gary DeCramer (DFL-Ghent), increases the amount of tax levy for the Kanaranzi-Little Rock watershed district administrative fund.

The meeting concluded with a review of S.F. 452, authored by Sen. Don Frank (DFL-Spring Lake Park). The goal of the bill, said Frank, is to provide for urban drought relief. Under the bill, a program of low-interest loans for repairs to drought-damaged homes would be established.

## Petroleum Tank Release Fund bill gains

Members of the Environmental and Natural Resources Subcommittee on Environmental Protection, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Thurs., Mar. 30, and advanced three bills to the full committee. S.F. 997, authored by Sen. Steven Novak (DFL-New Brighton), authorizes the Pollution Control Agency (PCA) to assist in reviewing real property for petroleum tank releases and to be paid for such assistance from the Petroleum Tank Release Fund. In addition, the bill sets forth the costs that are to be considered reimbursable and outlines responsible person eligibility. The bill also requires the owners of above ground storage tanks to notify the PCA of the tanks existence. The bill builds on the frame work enacted to take care of underground storage tank releases in previous legislation. According to Novak, the recently enacted law has worked better than anyone anticipated and the changes proposed in S.F. 997 are designed to further encourage the cooperation of the industry and the regulators.

H.F. 545, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), provides for the disposal of low-grade state-owned iron-bearing materials containing less than 45 percent dried iron by authorizing the use of the materials for construction or maintenance purposes. S.F. 685, authored by Sen. Sam Solon (DFL-Duluth), authorizes the sale of bonds to pay costs associated with the rupture in the Cloquet to Duluth pipeline of the Western Lake Superior Sanitary District. The measure was amended by the subcommittee to require that proceeds from a lawsuit entered into by the district be used to pay back the appropriation.

## Rattlesnake bill gains

The Environment and Natural Resources Subcommittee on Fish and Wildlife met Thurs., Mar. 30, and approved a bill that removes

authority to offer a bounty on rattlesnakes. The reason for S.F. 970, explained Sen. John Marty (DFL-Roseville), is due to a decline in the rattlesnake population. Roger Holmes, representing the Dept. of Natural Resources, also explained that there have been no deaths relating to rattlesnakes for almost 100 years.

In addition to S.F. 970, the subcommittee approved several other bills. H.F. 827, authored by Sen. John Bernhagen (R-Hutchinson), authorizes a person to take muskrat on land owned or occupied by the person where the animal is causing damage. In addition, the bill provides that a taxidermist is not required to have a license to buy raw furs from a person who has a license to sell and buy furs.

The Subcommittee Chair Charles Berg (DFL-Chokio) outlined provisions of S.F. 1085. The goal of the bill, said Berg, is to restrict the taking of turtles. The bill also reduces the number of turtles a person who does not have a turtle seller's license may possess from ten to three.

## Finance

### Department reviews budget

The Wed., Mar. 22, meeting of the Finance Division on State Departments was devoted to hearing a budget overview of the Dept. of Trade and Economic Development. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

Three budget requests are being made by the department to fund the tourism program. The funds would go toward making the Joint Venture Tourism Marketing Program more competitive in out-of-state markets, explained Bonnie Richter of the department. Funds would also be used to increase tourism marketing and for the operation of travel information centers. In addition, the governor is recommending \$1 million for the biennium for a public television grant.

Robert Benner, deputy commissioner of the Community Development Division, explained that the department is requesting funding and positions for program costs, such as the Public Facilities Authority and the Rural Development Board, to be funded through the general fund. During the previous biennium the funds came from the Economic Development Fund. Benner also outlined a request for an increase in grant funds to provide an ongoing fund source and to continue the Celebrate Minnesota 1990 grant program. A request for funds and positions is also being made to provide the required state match for the small cities portion of the federally funded Small Cities Development Block Grant Program.

The meeting concluded with a review of the Science and Technology Program. The agency is requesting Economic Development Fund base reauthorization to provide a stable funding source for Science and Technology Program activities.

### DNR continues budget presentation

The Wed., Mar. 28, meeting of the Finance Division on State Departments focused on a budget review of the Department of Natural Resources (DNR). Sen. Carl Kroening (DFL-Mpls.) chairs the division.

Jim Brooks, assistant director of the Forest Division, outlined change level requests in the area of Forest Management. Included in the change level requests are funds to replace Boundary Water Canoe Area federal funds that will end Sept. 30, 1990 and to implement environmental mediation research and operations. Brooks also explained that the governor is recommending the continuation of an "open appropriation" to deal with emergencies in the area of wildfire protection.

A change level request is also being made for Forest Management grants. Funds are being requested for pulp and paper science and related forestry grants which would be used to expand the U of M Paper Science and Engineering Program.

Director Bill Morrissey, Parks and Recreation Division, presented a change level request for funds and positions to implement maintenance and operations standards. The funds would also go towards the development of statewide park unit plans.

The meeting concluded with a review of Trails and Waterways

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Management. Paul Swenson outlined funding requests to increase maintenance and operation of water access sites, to develop a state-wide River Clean-Up Program, and for grants to local units of government in order to implement the All-Terrain Vehicle Program.

Discussion of the DNR budget will continue at a future meeting.

## MnDOT capital budget discussed

The Wed., Mar. 29, meeting of the Finance Division on Agriculture, Transportation and Semi-States was devoted to consideration of the Dept. of Transportation (MnDOT) capital budget proposal. Sen. Keith Langseth (DFL-Glyndon) chairs the division.

MnDOT officials presented a priority list of capital projects totaling \$98.5 million. Deputy Commissioner Doug Differt pointed out that only \$28.5 million of the request would be drawn from the Trunk Highway Fund. Members discussed other methods of funding the additional department proposals.

Considerable discussion focused on the department's proposal to combine funds already approved for an asbestos removal project with a new request to renovate the 30-year-old Transportation Building. The Legislature has appropriated \$5.5 million for asbestos removal and installation of life safety equipment. MnDOT proposes to spend an additional \$14 million for internal remodeling of the Transportation Building. Senators discussed the feasibility of building a new structure rather than approving the proposed \$20 million, four-year renovation project.

MnDOT officials also explained department efforts to comply with new federal law requiring that all underground storage tanks be tested by the end of 1989, and upgraded, removed or replaced within 10 years. MnDOT owns 523 underground tanks, and requests \$1.5 million for 1990-91 to begin the testing and clean-up process. Building engineer Paul Jensen said that over the next 10 years, MnDOT expects to remove 100 leaking tanks and replace or upgrade the remaining 423 tanks. The division will meet on Fri., Mar. 31, to continue reviewing the MnDOT capital budget.

## Testimony heard on human resources budget

At the Wed., Mar. 29 meeting, the Finance Division on Health and Human Services heard public testimony on the 1990-91 human resources budget. Numerous witnesses spoke in support of funding for a wide variety of human resources programs. Sen. Don Samuelson (DFL-Brainerd) chairs the division.

Among the budget requests the division heard were: \$18.7 million for development, implementation and operating costs of the Dept. of Human Services MAXIS computer system; \$2 million for emergency and transitional housing programs; 3 percent increases in 1990 and in 1991 for Aid to Families With Dependent Children (AFDC) and General Assistance (GA) grants; a rebasing of Medical Assistance (MA) reimbursement levels; and \$18 million for wage subsidies under the Minnesota Employment and Economic Development (MEED) Program. Further public testimony will continue Mon., April 3.

## General Legislation and Public Gaming

### Committee approves two measures

The General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul), met Wed., Mar. 29, and approved bills relating to archeological funding and charitable gambling. Action on a third bill establishing a state animal spaying and neutering program was delayed pending further study.

S.F. 1005, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), appropriates \$140,000 in grant-in-aid assistance to the Minnesota Historical Society and the Goodhue County Board. The funding enables the board—with the society acting as fiscal agent—to acquire archeological lands and resources in the City of Red Wing for historic preservation and educational purposes. Panel members approved the measure

on a voice vote and re-referred it to the Finance Committee.

S.F. 1039, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), allows organizations that conduct charitable gambling to treat reasonable legal fees and damages relating to the conduct of their lawful gambling activities as allowable expenses. Committee members adopted an amendment specifying that the allowable expense provision does not apply when organizations are defending their actions before the Charitable Gambling Control Board, the Revenue Dept., or county or city attorneys. The amendment, offered by Merriam, was originally requested by Charitable Gambling Control Board Executive Secretary Roger Franke.

S.F. 1019, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), establishes a state program for the spaying and neutering of dogs and cats by subsidizing the procedure's cost for low-income animal owners. Chmielewski explained that the purpose of the animal population control program is to reduce the number of unwanted and stray dogs or cats by encouraging owners to have them sterilized. He added that a similar program instituted in New Jersey has proven successful in achieving this goal. Sen. Don Samuelson (DFL-Brainerd) offered, and panel members adopted, an amendment that reduces the reimbursement level for veterinarians participating in the program. An amendment proposed by Sen. Phyllis McQuaid (IR-St. Louis Park), that increases the additional license fee for owners who have not spayed or neutered their pets was also adopted. Lantry informed the committee that S.F. 1019 would be laid-over until Wed., Apr. 5, so that panel members could research the feasibility of expanding the program's scope to include all animal owners and to clarify the measure's reimbursement component.

## Governmental Operations

### Statewide lottery bill discussed

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), met Thurs., Mar. 30, to begin discussion of a bill that outlines the establishment of a state-run lottery.

Before hearing a review of S.F. 150, authored by Sen. Bob Lessard (DFL-Int'l. Falls), members heard testimony given by Bill Flynn, executive director of the Wisconsin State Lottery. Flynn outlined personnel and budget issues related to starting up a state-run lottery.

The meeting continued with a review of the provisions outlined in S.F. 150. Under the bill, the state lottery would be established as a state agency and would be under the control of a director appointed by the governor. In addition, the bill provides that the director of the state lottery would have the power to recommend rules and game procedures to a lottery board which consists of seven members also appointed by the governor. The bill, said Lessard, also authorizes the director to enter into contracts with lottery retailers for the selling of tickets for a particular game. The director would be required to request the Bureau of Criminal Apprehension to investigate lottery retailers and applicants. Restrictions and requirements for the sale of tickets and disbursement of prizes, and requirements for advertising lottery games are also outlined in the bill. Discussion of S.F. 150 will continue at a future meeting.

In final action, the committee decided to lay over S.F. 488 for further study during the interim. S.F. 488, authored by Sen. Linda Berglin (DFL-Mpls.), defines equitable compensation relationships.

## Judiciary

### Privacy bills discussed

Members of the Judiciary Privacy Subcommittee met Tues., Mar. 28, to discuss the data privacy provisions of three bills. S.F. 854, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides that the responsible authority or its designee of a parole or probation authority or correctional agency may release private or confidential court services data related to criminal acts to any law enforcement agency if the data are necessary for law enforcement purposes or to the victims of a criminal or delinquent act to the extent that the data are necessary for the victim

to assert the victim's legal right to restitution. The measure was approved and advanced to the full committee.

S.F. 312, also sponsored by Merriam, establishing standards for maintaining personnel records and providing access to the records by employees in the private sector, was held over for purposes of further discussion. S.F. 302, authored by Sen. William Belanger (IR-Bloomington), classifying financial information submitted by applicants to licensing agencies as private was not acted upon.

## DWI bills approved

The members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Wed., Mar. 29, and approved two bills designed to further toughen the states DWI laws. S.F. 735, authored by Sen. Glen Taylor (IR-Mankato), expands the prior convictions that increase the penalty for a current DWI offense. In addition to the current list of offenses that can be used to enhance DWI penalties, the bill specifies prior convictions of a DWI in a snowmobile or all-terrain vehicle; prior convictions of criminal vehicular operation provisions relating to operation under the influence of alcohol; and a prior juvenile adjudication that would have been a prior impaired driving conviction if committed by an adult. An amendment, offered by Sen. Patrick McGowan (IR-Maple Grove), and adopted by the committee, added prior conviction of a boating while intoxicated to the list of priors that could be used to enhance a current penalty. The second bill, S.F. 851, sponsored by Spear, makes it a crime for repeat DWI offenders to refuse to submit to a chemical test under the implied consent law. The bill specifies a gross misdemeanor penalty.

The committee also took action on seven additional bills. S.F. 624, authored by Spear, clarifies that a parent or guardian is liable for the full amount of all damages for thefts by minors. S.F. 676, sponsored by Sen. Gary DeCramer (DFL-Ghent), changes the voting rights of affiliated cooperative members who are part of another cooperative by allowing the voting rights to be based on a certain stipulated amount of equity allocated to or held by the association in the central association in addition to other methods. S.F. 869, also sponsored by DeCramer, increases the fees collected by the court administrator. S.F. 694, authored by Sen. Don Frank (DFL-Spring Lake Park), limits the bankruptcy judgement exemption for employee pension benefits to the value of \$30,000 at age 65 using a discount rate of 8 percent per year.

S.F. 535, authored by Sen. William Luther (DFL-Brooklyn Park), abolishes residual marital interests in real property, clarifies that the 40 year limitation on actions affecting title to real estate applies to an action based on an option to repurchase or other restrictions on a surface estate and changes effective dates for provisions relating to validation of foreclosure sales. S.F. 321, authored by Sen. Linda Berglin (DFL-Mpls.), extends the public nuisance abatement law to liquor or controlled substance crimes. (The public nuisance abatement law allows an injunction to be obtained when a building is a public nuisance and specifies that the order direct the closing of the building, or part of the building, for one year.) S.F. 682, also sponsored by Berglin, specifies that evidence of unlawful possession or sale of controlled substances is prima facie evidence of a disorderly house.

## Local and Urban Government

### Panel approves three measures

The Local and Urban Government Committee met Thurs., Mar. 30, and approved bills relating to special service districts, sheriff fees, and city councils. Also, committee members postponed action on a municipal financing measure. Sen. Robert Schmitz (DFL-Jordan), serves as the committee's chair.

S.F. 764, sponsored by Sen. James Pehler (DFL-St. Cloud), changes the conditions for the establishment and operation of special service districts in the city of St. Cloud. The bill, originally presented during the Thurs., Mar. 16, meeting, is designed to facilitate service improve-

ments in the downtown area of the city. The measure was re-referred to the Economic Development and Housing Committee.

S.F. 786, sponsored by Sen. Joe Bertram, Sr., (DFL-Paynesville), permits county boards to set sheriffs' fees. Under existing law, counties with populations of 80,000 people or less are required to adhere to statutorily defined fee schedules. The proposed legislation allows all Minnesota county boards, in consultation with the local sheriffs, to determine the fees. The bill now goes to the Senate floor.

H.F. 508, sponsored by Sen. Betty Adkins (DFL-St. Michael), permits statutory cities to have seven-member city councils if the change is approved by voters through the local referendum process. In addition, the bill contains a provision permitting voters to reduce the size of the city council to five members if the seven-member option proves unworkable. Panel members approved the measure and sent it to the Senate where it will be placed on the Consent Calendar.

Sen. Gary Laidig (IR-Stillwater), author of S.F. 811, explained that current law requires that a municipality's subdivision regulations include provisions setting aside a portion of a proposed subdivision for public use as streets, utilities, and parks and open space, or making a cash payment in lieu of the land dedication. S.F. 811 specifies that if the cash payment option is chosen, the money can be used for roadside improvements, tree planting, wetland conservation, and for procurement of easements for these purposes. Laidig noted that current law does not permit such a broad use of the cash payments. The bill was laid-over in order for further discussion.

## Taxes and Tax Laws

### Levy limits addressed

The Tues., Mar. 28, meeting of the Taxes and Tax Laws Division on Property Taxes and Local Government Aids was devoted to the continued discussion of levy limits. Sen. Steven Novak (DFL-New Brighton), serves as the division's chair.

Municipal Legislative Commission representative Bob Renner said that since the 1980-81 biennium, metropolitan school districts have become increasingly funded by property tax revenues instead of by traditional state aids. Consequently, property taxes have increased at double-digit rates since 1987, with 91 percent of the increase falling on metropolitan area taxpayers. Richard Wedell, mayor, city of Shoreview, emphasized that suburban school districts are raising property taxes and sharply restricting spending in an effort to fund their activities. He added that the state has not adequately funded Shoreview's school district during the 1980's.

### Value-added tax bill debated

A bill revising the state's value-added processing tax policy was discussed Wed., Mar. 29, by members of the Taxes and Tax Laws Division on Income Tax. The division is chaired by Sen. Lawrence Pogemiller (DFL-Mpls.).

S.F. 737, sponsored by Sen. Charles Berg (DFL-Chokio), relates to the allocation and apportionment of income derived from value-added processing. Berg noted that the legislation's intent is to inject an element of fairness into the state's taxing policies. Ron Sieloff, representing the Sparboe Agricultural Corporation, reiterated comments he made at an Agriculture Committee meeting conducted Mar. 8. He said that S.F. 737 permits farm income to be apportioned using the three-factor formula currently used in computing state income taxes. Sieloff pointed out that under existing state statutes, farm income is 100 percent taxable regardless of a value-added product's sale destination and that Minnesota is the only U.S. state with such restrictive farm income taxing policies.

Commissioner of Revenue John James expressed strong opposition to S.F. 737, saying that such an apportionment would "carve out an unprincipled exception to Minnesota's method of taxing our residents that would be grossly unfair to shareholders of S corporations not engaged in farming." The division decided to delay action on the measure in order to further examine its provisions.

# Committee Capsule

## Revenue forecast detailed

The Wed., Mar. 29, meeting of the Taxes and Tax Laws Committee was devoted to hearing a brief presentation on anticipated state revenue collections during the next 28 months. Sen. Douglas Johnson (DFL-Cook), serves as the committee's chair.

Dept. of Finance Commissioner Tom Triplett informed panel members that the Mar., 1989, forecast projects \$219.9 million in additional 1990-91 biennial budget revenues. The figure represents a 1.3 percent increase over budget revenue projections made in the department's Nov., 1988, forecast. He said that while the current forecast does not call for an economic recession in Minnesota during the next biennium, it does indicate continued but slower growth. Triplett concluded by reiterating his earlier recommendation to increase the Budget Reserve to five percent of total state revenues, noting that it would provide greater protection in the event of an economic downturn.

## Veterans and Military Affairs

### Vets home siting discussed

The Veterans and Military Affairs Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), met Thurs., Mar. 30, to continue the debate on the site selection process for a veterans home in Southwestern Minnesota. In an unusual move, the committee approved a motion, offered by Sen. Tracy Beckman (DFL-Bricelyn), that the Commanders' Task Force make a recommendation for a site based on all the information that has been gathered thus far. The Commanders' Task Force is comprised of representatives of eight nationally chartered veterans organizations. Beckman's motion included a request that the task force report back to the committee by Apr. 10 so that the panel would have the opportunity to act on a legislative proposal before the Apr. 14 committee deadline.

## Floor action

### Preliminary passage granted

Senators ended their Easter break by holding an evening session Tues., Mar. 28, and working systematically through the General Orders Calendar. Bills on the General Orders Calendar are considered by the Senate acting as one large committee known as "the Committee of the Whole." Each bill on General Orders has had two readings and has been reported out of one or more standing committees. In addition, bills on General Orders may be amended and debated before a vote is taken to grant the bills preliminary approval. Senators granted preliminary approval to 37 bills on the General Orders Calendar at the Tues. evening session.

S.F. 218, authored by Sen. Linda Berglin (DFL-Mpls.), amends the bill of rights for patients and residents of health facilities by requiring the facilities to notify family members of the admission of a patient if the patient is comatose or unable to communicate. H.F. 210, sponsored by Sen. A. W. "Bill" Diessner (DFL-Afton), permits counties to rent county-owned residences subject to conditions set by the county board. S.F. 163, authored by Sen. Don Frank (DFL-Spring Lake Park), specifies color and equipment requirements on school buses carrying ten or more persons, specifies conditions under which school bus drivers must activate flashing amber lights and applies federal bumper requirements to trucks weighing under 12,000 pounds. S.F. 388, sponsored by Berglin, is a resolution memorializing the President and Congress to enact legislation to all the use of flexible highway design standards in the I 35W corridor. S.F. 493, also sponsored by Berglin, expands the definition of "child in need of protection or services" to include a child who has resided with a victim of domestic child abuse or who resides with or has resided with a perpetrator of domestic child abuse, expands the authority of the court to order temporary removal of a child if the child would reside with a perpetrator of domestic child abuse and expands the "child hearsay exceptions" to include statements about the abuse or

neglect of another child witnessed by the child making the statement in court proceedings.

S.F. 200, authored by Sen. Sam Solon (DFL-Duluth), regulates continuing insurance education, reduces the number of hours that an agent must take each year from 20 to 15, and requires that the continuing insurance education advisory task force recommend approval or disapproval of professional designation examinations to the commissioner. S.F. 618, authored by Sen. Richard Cohen (DFL-St. Paul), alters the criminal offenders rehabilitation law to exempt employment by a school district from requirements relating to employment of rehabilitated criminal offenders. S.F. 560, authored by Sen. John Marty (DFL-Roseville), provides for the Ramsey County attorney to prosecute gross misdemeanor violations or unreasonable restraint of children, malicious punishment of a child and child neglect. H.F. 702, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), expands the crime of failure to appear for a criminal court appearance by including failure to appear for misdemeanor and gross misdemeanor charges, sets a misdemeanor penalty for failure to appear and specifies that violations are to be prosecuted by the authority responsible for prosecuting the original offense. H.F. 322, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), clarifies an exemption from the used car lemon law relating to lessors of motor vehicles who sell used cars and exempts cars driven for demonstration purposes if the car is covered by a manufacturer's express warranty, provided that the manufacturer's warranty provides better coverage than the used car lemon law.

H.F. 323, carried by Sen. Michael Freeman (DFL-Richfield), specifies that the hourly rate paid to a dealer for warranty services may not be less than the rate charged by the dealer for similar services non-warranty services and repairs. S.F. 114, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), authorizes the establishment of a detached banking facility in the town of St. Augusta. H.F. 321, carried by Dahl, clarifies provisions of the new car lemon law by limiting a dealer's liability due to the manufacturer's failure to repair, refund, or replace nonconforming vehicles. S.F. 108, sponsored by Bertram, authorizes the commissioner of the Dept. of Natural Resources to charge a fee for special hunt permits and applications. S.F. 390, authored by Sen. Don Anderson (R-Wadena), authorizes the sale of tax-forfeited land that borders public water in Todd County.

S.F. 192, carried by Bertram, increases limits on security in lieu of bond for forestry development projects. S.F. 681, authored by Sen. Tracy Beckman (DFL-Bricelyn), changes the terminology in the temporary housing demonstration program to the transitional housing program, extends the authorized duration of transitional housing from 6 to 24 months and provides for an annual report to the legislature. S.F. 60, authored by Sen. Gary DeCramer (DFL-Ghent), is a massive re-codification of the laws relating to water that makes little substantive change in the statutes. S.F. 478, authored by Sen. James Pehler (DFL-St. Cloud), permits the commissioner of natural resources to accept, on behalf of the permanent school fund, a donation of lands, interest in lands, or improvements on lands. S.F. 273, sponsored by Beckman, requires all members of an education district board to be a school board member, or a retired member, of one of the participating boards.

S.F. 699, sponsored by Sen. Douglas Johnson (DFL-Cook), authorizes Cook County to issue an off-sale liquor license. S.F. 358, authored by Solon, clarifies liquor license eligibility, allows on-sale establishments to serve liquor Sunday evenings until 1 a.m. Monday morning, allows off-sale establishments to sell liquor on the Fourth of July and allows the dispensing of samples of malt liquor. S.F. 428, sponsored by Berglin, authorizes a resident of an apartment house, dormitory, nursing home or other multiple unity facility to distribute campaign material within the complex. S.F. 82, authored by Sen. LeRoy Stumpf (DFL-Plummer), prohibits requiring a person to travel more than 150 miles for a physical examination for workers' compensation purposes. H.F. 664, sponsored by Sen. Donna Peterson (DFL-Mpls.), provides for the appointment of specific employees of the city of Minneapolis.

H.F. 481, carried by Sen. Charles Davis (DFL-Princeton), authorizes

the city of Mora to negotiate contracts to acquire and improve the Mora municipal wastewater treatment facility. S.F. 435, sponsored by Bertram, changes admissions, discharge, and utilization review procedures for veterans homes and grants rulemaking authority to the Veterans Home Board. S.F. 435 was amended to specify that the emergency rules are not effective until Dec. 1, 1989. S.F. 133, authored by Frank, specifies that free copies of the Minnesota Statutes be distributed to the Public Utilities Commission. S.F. 701, sponsored by Freeman, requires health insurance policies to provide coverage for child health supervision and prenatal services and clarifies that a policy may subject the costs associated with delivery and postpartum care to a deductible, copayment or other coinsurance or dollar limitation. S.F. 916, authored by Sen. Gene Merriam (DFL-Coon Rapids), regulates landscape application contracts by requiring written contracts and requiring the contracts to contain an ending date for the lawn care services and to specify the number of applications.

S.F. 332, authored by Stumpf, makes the dates for open season for walleyed pike on the Rainy River the same as the dates for the season on Lake of the Woods. S.F. 271, authored by Dahl, requires that firearms safety courses for young hunters contain a section on the identification of wild birds and animals. S.F. 331, authored by Sen. Donald Moe (DFL-St. Paul), eliminates the requirement that notaries public post a bond. S.F. 46, authored by Sen. Jim Vickerman (DFL-Tracy),

exempts leased hangars at airports in small cities from property taxation. S.F. 260, sponsored by Merriam, enacts the Uniform Statutory Will Act, provides for the execution of statutory wills and provides for the distribution of estates in accordance with the Uniform Statutory Will Act.

S.F. 134, authored by Frank, provides that the state committee of blind vendors may have access to data on blind vendors in the Dept. of Jobs and Training to the extent necessary for the committee to complete its duties. S.F. 831, authored by DeCramer, permits local government appropriations for the arts.

Senators also gave final passage to one bill on the Consent Calendar. S.F. 1011, authored by Sen. Clarence Purfeerst (DFL-Faribault), redesignates the AMVETS Memorial Highway as the American Veterans Memorial Highway.

### Final passage granted

The Thurs., Mar. 30, floor session was devoted to consideration for final passage of all the bills given preliminary passage earlier in the week. As a result all 37 bills were granted final passage. In addition, the Senate granted final passage to one measure on the Consent Calendar. H.F. 897, sponsored by Sen. Robert Schmitz (DFL-Jordon), clarifies procedures for adoption of town optional plans of government.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, April 3

**Legislative Commission on Pensions and Retirement, Chair:** Donald Moe

7:30 a.m. Room 112 Capitol

**Agenda:** S.F. 153-Waldorf/H.F. 118-Simoneau: Pre-73 Retiree Post Retirement Adjustment. S.F. 307-Moe, D.M.: Age 62 and Level Benefit Formula. H.F. 1302-Simoneau: Various benefit modifications. S.F. 949-Moe, D.M.: Interest assumption change, ad hoc benefit increase. S.F. 1091-Pogemiller/H.F. 1250-Rukavina: Partial post retirement fund increases for short period of receipt benefit recipients.

**Education Committee, Chair:** James Pehler

8 a.m. Room 15 Capitol

**Agenda:** S.F. 783-Solon: Proposes a fifth year incentive plan for teachers in the Duluth school district. S.F. 796-Laidig: Prohibits certain punishment in certain schools; provides for civil liability. S.F. 1145-Peterson, R.W.: Revises the text of certain chapters of the code without changing their meaning. S.F. 1075-Beckman: Allows school districts to be considered providers under the state medical assistance plan.

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

8 a.m. Room 125 Capitol

**Agenda:** Completion of public testimony. Forecast update by the Dept. of Finance. S.F. 778-Berglin: Authorizes general assistance medical care payments for patients in facilities determined to be institutions for mental diseases.

**Agriculture and Rural Development Committee, Chair:** Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 49-Vickerman: Grazing or haying of land under conservation prior easements. S.F. 583-Bertram: Regulates manufacture of cultured dairy foods. S.F. 965-Stumpf: Crop management specialist. S.F. 744-Morse: Changes in feed and dairy inspection laws.

**Judiciary Committee, Chair:** Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 695-Pehler: Teacher discharge reporting liability. S.F. 1106-Piper: Adoptee access to birth records. S.F. 506-Lantry: Gambling regulation. S.F. 525-Reichgott: Nonprofit corporation recodification. S.F. 462-Stumpf: Tax court amendments.

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

12 noon Room 15 Capitol

**Agenda:** S.F. 119-Schmitz: Town subordinate service districts. S.F. 856-Frank: Home sharing programs for handicapped or developmentally disabled persons. H.F. 819/S.F. 714-Reichgott: Hennepin County HRA commissioners increase. S.F. 526-Reichgott: Home equity conversion loan counseling for seniors. S.F. 625-Beckman: Small business bureau referrals to quality service providers.

**Rules and Administration Subcommittee on Bill Referral,**

**Chair:** William Luther

12 noon Room 237 Capitol

**Agenda:** S.F. 605-Marty, S.F. 641-Dahl, S.F. 243-Chmielewski, S.F. 505-Chmielewski, S.F. 1025-Dicklich, S.F. 14-Taylor, S.F. 711-Hughes, and S.F. 476-Berg.

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

12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 500-Brataas: Olmsted County Public Morgue. S.F. 1144-Frank: Appointment of auditor, recorder and treasurer in Anoka County. S.F. 773-Marty: Roseville; taxes to establish and operate a sports and recreation facility. S.F. 663-Schmitz: Municipal planning requiring a portion of a subdivision for fire service.

**\*The Senate will be in session at 2 p.m.**

**Education Division on Education Funding, Chair:** Randolph Peterson

3 p.m. Room 15 Capitol

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

**Agenda:** Presentations on the Status and Future of Educational Media Services, and Training and Experience Proposal.

**Finance Division on State Departments, Chair:** Carl Kroening  
3 p.m. Room 123 Capitol

**Agenda:** Continuation of DNR budget overview.

## Tuesday, April 4

**Education Division on Higher Education, Chair:** Gregory Dahl  
8 a.m. Room 123 Capitol

**Agenda:** S.F. 365-Pehler: Establishes a state system of post-secondary vocational technical education.

**Employment Committee, Chair:** Florian Chmielewski  
8 a.m. Room 107 Capitol

**Agenda:** S.F. 442-Piper: Employee Right-To-Know Act revisions. S.F. 329-Diessner: Limits employment hours of certain minors during the school year. S.F. 832-Dicklich: Hospitality hosts programs. S.F. 1270-Frank: Unemployment insurance department housekeeping bill. S.F. 1244-Chmielewski: Requires break during the work day. S.F. 1245-Chmielewski: Workers' compensation; regulates reimbursements and costs paid out of the special compensation fund. S.F. 1122-Chmielewski: Workers' compensation; limits the payment of temporary partial benefits. S.F. 510-Chmielewski: Plant closings.

**Governmental Operations Committee, Chair:** Donald Moe  
8 a.m. Room 15 Capitol

**Agenda:** S.F. 489-Berglin: Ombudsman for older Minnesotans. S.F. 855-Dicklich: Donation of vacation time for non-reimbursed medical expenses. S.F. 1082-Brandl: Relates to administrative procedures. S.F. 1242-Pogemiller: Extends the expiration date for certain advisory councils. S.F. 1189-Moe, R.D.: Barrier-free environments for state-owned and leased buildings.

**Judiciary Subcommittee on Privacy, Chair:** Richard Cohen  
8 a.m. Room 125 Capitol

**Agenda:** S.F. 312-Merriam: Private sector employee access to personnel records. S.F. 1237-Peterson, R.W.: Wiretap law modifications.

**Transportation Committee, Chair:** Clarence Purfeerst  
8 a.m. Room 112 Capitol

**Agenda:** S.F. 143-DeCramer: Appropriates fees charged by state patrol and capitol complex security for escort and contracted security services. S.F. 879-Novak: Provides for authority to regulate pipelines. S.F. 1202-Novak: Restructures the Regional Transit Board, Metropolitan Transit Commission and light rail planning.

**Commerce Committee, Chair:** Sam Solon  
10 a.m. Room 112 Capitol

**Agenda:** S.F. 870-Metzen: Early payment of benefits for certain long-term care policies. S.F. 863-Spear: State bank subsidiary activities. S.F. 1302-Solon: Resolution to Federal Reserve Board regarding proposed changes to regulation. S.F. 808-Cohen: Limits credit union board member liability. S.F. 632-Samuelson: Credit union reserves and insurance of deposits.

**Public Utilities and Energy Committee, Chair:** Ronald Dicklich  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 1060-Marty: Provides for assessment of costs related to certain certificate of need applications. S.F. 631-Dicklich: Clarifies authority of public utilities commission to change boundaries of electric utility service areas.

**Environment and Natural Resources Committee, Chair:** Bob Lessard  
1 p.m. Room 112 Capitol

**Agenda:** S.F. 661-Chmielewski: Sale of Aitkin County land. S.F. 712-Chmielewski: Sale of Pine County land. S.F. 376-Metzen: Inver Grove Heights/fee on waste facilities. S.F. 575-Dicklich: Establishes legislative commission on minerals. S.F. 453-Frank: Sale of

Anoka County land. S.F. 1271-Stumpf: Resolution solid waste-/packaging. S.F. 124-Vickerman: ATV regulation.

**Health and Human Services Committee, Chair:** Linda Berglin  
1 p.m. Room 15 Capitol

**Agenda:** S.F. 457-Dicklich: EMS transfer from Dept. of Health to the Dept. of Safety. S.F. 1099-Merriam: Right-to-know for hazardous substances. S.F. 1154-Berglin: Home Care Provider Licenses; requires public members in the mortuary science advisory council; establishes a hearing instrument security fund. S.F. 1031-Lantry: EMS first response; provides safeguards for first responders against infectious diseases.

**Finance Division on State Departments, Chair:** Carl Kroening  
2:30 p.m. Room 123 Capitol

**Agenda:** Budget overview on the Information Policy Office.

**Taxes and Tax Laws Division on Property Taxes and Local Government Aids, Chair:** Steven Novak  
3 p.m. Room 15 Capitol

**Agenda:** S.F. 648-Novak: Agricultural property tax classification. Testimony on truth-in-taxation.

**Finance Committee, Chair:** Gene Merriam  
4:30 p.m. Room 123 Capitol

**Agenda:** S.F. 778-Berglin: Authorizes General Assistance Medical Care payments for patients in facilities determined to be institutions for mental diseases.

**Health and Human Services Committee, Chair:** Linda Berglin  
5 p.m. Room 112 Capitol

**Agenda:** S.F. 971-Pogemiller: Establishes a grant for a prenatal care media campaign. S.F. 858-Renneke: Establishes health promotion teams. S.F. 464-Pehler: Requires high school equivalency programs available to inmates. S.F. 422-Reichgott: Establishment of a grant to support a statewide coalition of sexual assault programs. S.F. 864-Berglin: Authorizes a grant to support a statewide coalition of sexual assault programs. S.F. 840-Piper: Defines persons with related conditions to include person with prader-willi syndrome. S.F. 802-Piper: Establishes a state board of physical therapy; provides for licensing of physical therapists. S.F. 1139-Vickerman: Psychologists; marriage and family therapy.

**Judiciary Subcommittee on Privacy, Chair:** Richard Cohen  
5 p.m. Room 125 Capitol

**Agenda:** S.F. 748-Spear: Child mortality review panels. S.F. 1237-Peterson, R.W.: Wiretap law modifications.

**Education Division on Higher Education, Chair:** Gregory Dahl  
6 p.m. Room 107 Capitol

**Agenda:** S.F. 607-Pehler: Provides for notice of vacancies on the board of regents of the U of M. S.F. 365-Pehler: Establishes a state system of post-secondary vocational technical education. S.F. 415-Dahl: Appropriates money for "2 + 2" programs at all metro community colleges.

**Education Division on Education Funding, Chair:** Randolph Peterson  
6:30 p.m. Room 15 Capitol

**Agenda:** Presentation by the Minnesota Rural Education Association. S.F. 472-Pehler: Outcome-based education initiatives. S.F. 212-Reichgott: Requires annual testing by school districts and publication of school comparison reports. S.F. 138-Hughes: Minnesota Career Teacher Act. H.F. 141-Peterson, R.W.: Corrects, clarifies and changes certain education statutes. S.F. 703-Benson: Reauthorizes program improvement grants; provides an exception to consolidation timelines.

## Wednesday, April 5

**Education Committee, Chair:** James Pehler  
8 a.m. Room 15 Capitol

**Agenda:** S.F. 704-DeCramer: Appropriates money to establish and expand post-secondary nursing programs and for nursing schol-

arships. S.F. 1020-Pehler: Authorizes MECC to sell or offer for sale all or substantially all of the assets of any of the ownership of the MECC. S.F. 347-Vickerman: Requires post-secondary students to submit a statement of immunization.

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

8 a.m. Room 107 Capitol

**Agenda:** S.F. 1019-Chmielewski: Establishes a state program for spaying and neutering certain animals. S.F. 1269-Diessner: Relates to gambling; video games of chance; prohibits cash awards.

**Agriculture and Rural Development Committee, Chair:** Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 281-Berg: Solid waste disposal on agricultural land. S.F. 1047-Frederickson, D.J.: Resolution to raise CCC loan rate. Subcommittee report on S.F. 957-Frank: Abolishes the Agricultural and Economic Development Board; transferring programs to the Dept. of Trade and Economic Development. S.F. 135-Johnson, D.E.: Creates the Kandiyohi County RDA.

**Judiciary Committee, Chair:** Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 187-Merriam: Residents first option to purchase mobile home parks. S.F. 190-Luther: Corporate takeover modifications. S.F. 486-Berglin: Reasonable efforts standards for placement of CHIPS juveniles by the court and human services agencies. S.F. 805-Luther: Public defender law update. S.F. 809-Spear: CHIPS extension to emotional maltreatment. S.F. 854-Merriam: Access to juvenile delinquency records. S.F. 1001-Merriam: Community dispute resolution program administration and standards.

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

11:30 a.m. Room 107 Capitol

**Agenda:** S.F. 1074-Hughes: Changes laws applicable to school district elections. S.F. 553-Peterson, D.C.: Secretary of state's housekeeping bill. S.F. 89-Frank: Exceptions to multi-candidate political party expenditure limitations.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 490-Berglin: CSSA plans to address development of supported employment services. S.F. 531-Berglin: Jobs and Training, community conversion incentive grant program for disabled. S.F. 727-Berglin: Establishes a resource center on caregiver support; creates a grant program of respite care services. S.F. 497-Lantry: Establishes a resource center for care giver support; respite care. S.F. 716-Lantry: Foster care maintenance and respite care. S.F. 734-Berglin: Creates a subsidy program for community clinics; provides planning grants.

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

3 p.m. Room 107 Capitol

**Agenda:** Public testimony on State Department's budget items.

**Education Committee, Chair:** James Pehler

5 p.m. Room 15 Capitol

**Agenda:** S.F. 394-Dicklich: Requires post-secondary education administrators and faculty members to take certain coursework. S.F. 343-Dicklich: Provides a resident district with notice of a pupil's participation in the enrollment options program. S.F. 898-Knaak: Delays the start of the pilot interdisciplinary academic and arts program at the school and resource center for the arts. S.F. 926-Storm: Requires the state board of education to require school districts to recycle paper.

**Judiciary Division on Civil Law, Chair:** Ember Reichgott

5:30 p.m. Room 107 Capitol

**Agenda:** S.F. 573-Spear: Child custody and visitation. S.F. 1050-Mehrkens: Grandparent visitation rights. S.F. 1034-Laidig: Procedures for probate notice to creditors. S.F. 1032-Peterson, R.W.: Reciprocal access to transboundary pollution remedies.

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

6 p.m. Room 107 Capitol

**Agenda:** S.F. 816-Merriam: Designates a medical enterprise park opportunity zone in the city of Coon Rapids. S.F. 48-Vickerman: Authorizes counties to establish economic development authorities. S.F. 613-Morse: Regulates the powers and duties of the Housing Finance Agency. S.F. 977-Frank: Establishing the community and neighborhood development organization program. S.F. 938-Reichgott: Provides for funding of grants to nonprofit economic development organizations.

## Thursday, April 6

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

8 a.m. Room 15 Capitol

**Agenda:** S.F. 352-Lantry: Casino nights. S.F. 1260-Freeman: Bureau of Mediation Services housekeeping bill.

**Transportation Committee, Chair:** Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 612-Moe, D.M.: Transportation museum bonds. S.F. 1044-Luther: Insurance ID cards. S.F. 847-Samuelson: Deregulating persons who provide transportation service under contract to and with assistance from DOT. S.F. 722-Pehler: Requires prevailing wages to be paid on certain railroad projects assisted with state money. S.F. 944-Purfeerst: Transfers motor carrier regulatory responsibilities from the Dept. of Transportation to the Dept. of Public Safety.

**Commerce Committee, Chair:** Sam Solon

10 a.m. Room 112 Capitol

**Agenda:** S.F. 1169-Luther: Prohibits termination of insurance agents who contact Dept. of Commerce. S.F. 1191-Luther: Permits ical subdivision to participate in risk retention groups. S.F. 1014-Diessner: Medicare supplement bill. S.F. 188-Freeman: Mortgage banking bill. S.F. 834-Lantry: Consumer protection; new motor vehicle damage disclosures.

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

10 a.m. Room 15 Capitol

**Agenda:** To be announced.

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

12 noon Room 15 Capitol

**Agenda:** To be announced.

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

12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 933-Chmielewski: Board membership of Moose Lake and Windemere Sanitary Sewer District. S.F. 1221-McQuaid: Special Service District for Hopkins. S.F. 477-Kroening: Regional railroad authorities. S.F. 937-Peterson, D.C.: Public Safety Building for Hennepin County.

**\*The Senate will be in session at 2 p.m.**

**Education Division on Education Funding, Chair:** Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** To be announced.

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

3 p.m. Room 123 Capitol

**Agenda:** Capital budget.

**Education Committee, Chair:** James Pehler

6 p.m. Room 15 Capitol

**Agenda:** S.F. 365-Pehler: Establishes a state system of post-secondary vocational technical education. S.F. 988-Novak: Imposing conditions on enrolling in, and getting a certificate for, public school driver's training courses and on certain driving privileges.

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

**Judiciary Division on Criminal Law**, Chair: Donna Peterson  
7:30 p.m. Room 107 Capitol

**Agenda:** S.F. 3-Luther: Controlled substance penalties. S.F. 18-Ramstad: Extends child abuse to include the use of a controlled substance by a pregnant woman. S.F. 316-Reichgott: Identification of and services for newborns with prenatal exposure to controlled substances.

## Friday, April 7

**Legislative Commission on Pensions and Retirement**, Chair: Donald Moe

7:30 a.m. Room 500 N SOB

**Agenda:** Major administrative bills, specific bills for consideration to be announced.

**Education Division on Education Funding**, Chair: Randolph Peterson

8 a.m. Room 15 Capitol

**Agenda:** To be announced.

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

Marilyn Lantry

8 a.m. Room 107 Capitol

**Agenda:** S.F. 1255-Kroening: Creates the Minnesota advisory council on fire protection systems; requires licensing and certifying of the fire protection industry.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 1028-Morse: Requires labeling of dairy products from cows that have been administered bovine somatotropin. S.F. 542-Davis: Changes in agricultural land preservation law. S.F. 1125-Davis: Portable system adapting fertilizer rates. S.F. 1042-Vickerman: Soy bean ink.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott

10 a.m. Room 107 Capitol

**Agenda:** S.F. 991-Cohen: Revisor's bill. S.F. 130-Reichgott: Comparable worth. S.F. 446-Reichgott: Human rights bill, disability. S.F. 132-Luther: UCC leases. S.F. 1150-Luther: Creditors' remedies, execution and punishment. H.F. 862/S.F. 821-Cohen: Revisors' bill.

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

10 a.m. Room 15 Capitol

**Agenda:** S.F. 590-Diessner: Presentence investigation report inclusion of and corrections institution services for post-traumatic

stress disorder for Vietnam and Korean veteran war felony offenders.

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

1 p.m. Room 112 Capitol

**Agenda:** To be announced.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 946-Brandl: Welfare reform; family investment plan. S.F. 17-Ramstad: Double bunking in correctional facilities. S.F. 494-Ramstad: Double bunking in correctional facilities.

**Environment and Natural Resources Subcommittee on**

**Environmental Protection**, Chair: Gregory Dahl

6 p.m. Room 123 Capitol

**Agenda:** S.F. 1083-Brandl: Provides an exemption process from power plant siting requirements for certain generating plants. S.F. 812-Mehrkens: Provides for compensation to local governmental units affected by unlawful wastewater discharge. S.F. 824-Dahl: Requires labeling of CFC-processed materials.

## Saturday, April 8

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

9 a.m. Room 112 Capitol

**Agenda:** Tentative meeting scheduled.

**Legislative Commission on Pensions and Retirement**, Chair:

Donald Moe

9 a.m. Room 123 Capitol

**Agenda:** Various administrative bills, specific bills for consideration to be announced.

**Education Division on Education Funding**, Chair: Randolph Peterson

10 a.m. Room 15 Capitol

**Agenda:** To be announced.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10:30 a.m. Room 107 Capitol

**Agenda:** Bills from Friday's agenda, and other bills to be announced.

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

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# Briefly

## The Minnesota Senate Week in Review

April 7, 1989

### Senate debates school absence policy

Discussion of a measure that clarifies a student's right to be absent from school for religious purposes dominated the Mon., Apr. 3, Senate floor session.

S.F. 69, sponsored by Sen. Richard Cohen (DFL-St. Paul), prohibits school administrators or teachers from penalizing students who, for religious observance reasons, are parentally excused from class. In addition, the bill stipulates that if a student is penalized, an administrative conference must be held to address and resolve the issue. Sen. Fritz Knaak (IR-White Bear Lake), offered an amendment mandating that each Minnesota school district adopt a religious observance absence policy by Sept. 1, 1989, and adding language specifying that "reasonable efforts must be made to accommodate religious practices" when implementing the policy. Knaak said that each school district should retain the right of self-determination when addressing its school absence policy. Sen. Randolph Peterson (DFL-Wyoming) offered, and members adopted, a verbal amendment eliminating the school district policy adoption requirement from Knaak's amendment. The full Senate then adopted the revised Knaak amendment just prior to granting preliminary approval to S.F. 69.

Two other bills received preliminary approval. S.F. 717, authored by Cohen, permits banks to perform clerical services at off-premises data processing and storage centers, and H.F. 106, sponsored by Sen. Duane Benson (IR-Lanesboro), revises the selection process for wild turkey license holders in Minnesota. In other action, members adopted the conference committee report and granted final passage to H.F. 214. The bill, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), is a highly technical individual and corporate income tax bill.

### Vets home siting bill okayed

Members of the Veterans and Military Affairs Committee met Thurs., Apr. 6, and approved a bill naming a site for a new veterans home in Southwest Minnesota. The committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), had requested the Commanders Task Force to make a recommendation on a site by Apr. 10. As a result, the Commanders Task Force unanimously recommended a site in Luverne, Minnesota. The site recommendation was approved by the committee. Members then approved a bill S.F. 678, incorporating the recommendation of the task force. The measure, authored by Sen. Gary DeCramer (DFL-Ghent) requires the board to establish a veterans home in Luverne to provide at least 60 beds for skilled nursing care.

Bertram congratulated the Commanders Task Force on their prompt report and indicated that the numerous supporters of other sites would work diligently to support the selection. The bill was re-referred to the Health and Human Services Committee.

### Corporal punishment bill approved

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), amended and approved S.F. 796, prohibiting corporal punishment in schools, Wed., Apr. 5. The bill is sponsored by Sen. Gary Laidig (IR-Stillwater).

An amendment proposed by Sen. Randolph Peterson (DFL-Wyoming) deletes the section of the bill defining punishment and prohibiting employees of public school districts from inflicting punishment on a pupil. Instead, the amendment defines corporal punishment as conduct involving hitting or spanking a person with or without an object or unreasonable physical force that causes bodily harm or substantial emotional harm. The amendment prohibits a public school district employee from inflicting corporal punishment upon a pupil to reform unacceptable con-

duct or as a penalty for unacceptable conduct. In addition, the amendment deletes a provision of the bill that provides that a person in violation of the prohibition may be held civilly liable for actual or punitive damages. The amendment was adopted.

The bill also adds violation of the prohibition to the list of grounds for which a teacher may be discharged.

Senators also approved S.F. 1075, sponsored by Sen. Tracy Beckman (DFL-Bricelyn). The bill authorizes school districts to enroll as providers in the Medical Assistance (MA) program and receive M.A. payments for covered special education services that the districts provide to people eligible for M.A. In addition, the bill provides that the district is entitled to receive the portion of the payment that will subsequently be reimbursed by the federal government in the same manner as other providers.

The committee discussed and laid over S.F. 704, authored by Sen. Gary DeCramer (DFL-Ghent), appropriating money to establish and expand postsecondary nursing programs and for nursing scholarships. Senators voiced a number of concerns about the bill, including how the scholarship program would work and when money would be made available to the Higher Education Coordinating Board (HECB) under the bill.

The committee approved S.F. 1145, authored by Sen. Randolph Peterson (DFL-Wyoming), which recodifies and revises the Education Code without intending to make any substantive changes.

The three bills gaining committee approval were sent to the floor.

### Gaming compact bill returned to conference

The Senate held a brief floor session the Thurs., Apr. 6, in order to process bills and committee reports in anticipation of the first committee deadline Apr. 14. Senators returned the conference committee report establishing an Indian gambling compact to conference committee and granted final passage to six bills.

S.F. 156, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), authorizes the governor to negotiate a tribal-state compact pursuant to the Indian gaming regulatory act. Lantry moved adoption of the conference committee report, noting that the General Legislation and Public Gaming Committee had been added to the list of those permitted to negotiate the compact. Sen. Gene Merriam (DFL-Coon Rapids), objected to the inclusion of the committee in the negotiating process, saying that it violated a State Constitution provision requiring a separation of executive and legislative branch powers. Merriam's motion to return S.F. 156 to conference committee was adopted by Senate members.

Granted final passage on the Senate Calendar were S.F. 717, sponsored by Sen. Richard Cohen (DFL-St. Paul), permitting banks to perform clerical services at off-premises data processing and storage centers; S.F. 69, authored by Cohen, requiring a school district to make reasonable efforts to accommodate a pupil who wishes to be absent from school for religious observances; and H.F. 106, sponsored by Sen. Duane Benson (IR-Lanesboro), revising the selection process for wild turkey license holders.

Consent Calendar bills gaining final passage were S.F. 911, sponsored by Sen. James Metzen (DFL-S.St.Paul), making explicit that the laws and rules that pertain to deputy registrars of motor vehicles also apply to county license bureaus; H.F. 508, authored by Sen. Betty Adkins (DFL-St. Michael), permitting statutory cities to have seven-member councils; and H.F. 937, sponsored by Sen. Sam Solon (DFL-Duluth), providing a two-day notice period for specified fixture filings under the Uniform Commercial Code.

# Committee Capsule

## Agriculture and Rural Development

### Economic development bills advance

Approval of a bill to consolidate state economic development activities and a measure to establish an economic development financing entity in Kandiyohi County highlighted the Fri., Mar. 31, meeting of the Agriculture and Rural Development Subcommittee on Rural Development. Sen. David Frederickson (DFL-Murdock), serves as the subcommittee's chair.

S.F. 957, sponsored by Sen. Don Frank (DFL-Spring Lake Park), abolishes the Minnesota Agricultural and Economic Development Board and transfers the administration of its programs to the Minnesota Dept. of Trade and Economic Development. Frank said that the bill is designed to take scattered federal and state-sponsored economic development programs and centralize them within one agency.

S.F. 135, sponsored by Sen. Dean Johnson (IR-Willmar), creates the Kandiyohi County Rural Development Finance Authority. Johnson explained that among other things, the authority will enable Kandiyohi County to generate and respond to economic development opportunities by offering loans to retain existing business and attract new business to the area. Panel members adopted an author's amendment limiting the authority's powers to those granted by existing statute to economic development and rural development financing authorities. The amendment also prohibits the Kandiyohi County Rural Development Finance Authority from issuing general obligation bonds.

Both measures now go to the full Agriculture and Rural Development Committee.

### Committee reviews two measures

The Mon., Apr. 3, meeting of the Agriculture and Rural Development Committee was devoted to examining bills establishing a crop management specialist position and revising the state's seed and dairy inspection laws. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 965, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), provides for a 1990-91 biennial appropriation of \$300,000 to the University of Minnesota to fund a crop management specialist services. The bill provides for research about forage and turf species' seed production in northern Minnesota. Sen. Gary DeCramer (DFL-Ghent), offered, and panel members adopted, an amendment specifying that the crop management specialist be based at the U's Crookston campus. The committee agreed to delay action on the bill in order to give panel members an opportunity to further examine the issue.

Committee members also delayed action on S.F. 744, authored by Sen. Steven Morse (DFL-Dakota), changing provisions in Minnesota's seed and dairy inspection statutes.

### Four measures gain

Approval of bills permitting solid waste disposal on agricultural land, consolidating state economic development activities, and creating a county rural development finance authority, along with approval of a resolution urging the federal government to raise an important agricultural loan rate dominated the Wed., Apr. 5, meeting of the Agriculture and Rural Development Committee. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 281, sponsored by Sen. Charles Berg (DFL-Chokio), specifies that a permit is not required from a state agency for farmers who bury, or burn and bury, solid waste generated from the farmer's household or as part of the farming operation. The burying must be done in a nuisance free, pollution free, and aesthetic manner on the farming land, and is prohibited if there is regularly scheduled solid waste pickup at the farm. In addition, the measure requires that the Pollution Control Agency (PCA) provide the commissioner of agriculture with a copy of proposed farming operation rule changes and conduct public meetings on the proposed changes in agricultural areas of the state. Davis offered, and panel members adopted, an amendment directing the PCA to include land application of solid waste in its planning policies. The committee

approved the bill and sent it to the Senate floor.

S.F. 957, authored by Sen. Don Frank (DFL-Spring Lake Park), eliminates the Agricultural and Economic Development Board and transfers its programs to the Dept. of Trade and Economic Development; changes the governing structure of the Certified Development Company; removes the requirement that tax increment plans be filed with the Dept. of Trade and Economic Development; transfers the allocation of industrial development bonds from the Dept. of Trade and Economic Development to the Dept. of Finance; shifts program responsibilities from the Agricultural and Economic Development Board to the Dept. of Trade and Economic Development; and transfers bond issuance authority from the Agricultural and Economic Development Board to the Dept. of Finance. Committee members approved S.F. 957 and re-referred it to the Economic Development and Housing Committee.

S.F. 135, sponsored by Sen. Dean Johnson (IR-Willmar), creating the Kandiyohi County Rural Development Finance Authority, and S.F. 1047, a resolution authored by Sen. David Frederickson (DFL-Murdock), urging the President and U.S. Congress to raise the Commodity Credit Corporation loan rate to target price levels, both received committee approval. S.F. 135 now goes to the Economic Development and Housing Committee, while S.F. 1047 is headed to the full Senate.

### Committee approves groundwater bill

The Thurs., Mar. 30, meeting of the Joint Agriculture and Rural Development and Environment and Natural Resources Ad Hoc Committee was devoted to amending and approving a groundwater protection bill. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 262, known as the 1989 Groundwater Protection Act sponsored by Sen. Steven Morse (DFL-Dakota), underwent numerous revisions. Six author's amendments were adopted that, among other things, make substantive changes in the groundwater protection powers and duties of the commissioner of agriculture; the construction permit requirements for fertilizer facilities; the license application fee parameters for fertilizer handlers; the duties of a proposed environmental agriculturalist specialist; the components of a prospective land buyer well disclosure policy; the determination of water use processing fees; and the inspection powers of pesticide regulators. Numerous language clarifications and technical corrections were contained in the amendments offered by Morse.

Sen. Gary DeCramer (DFL-Ghent), offered, and panel members adopted, three amendments delineating priorities for a proposed local water resource protection and management program; specifying reimbursement procedures for pesticide and fertilizer incidents; and clarifying language for the recovery of legal expenses by parties that successfully appeal a regulator's orders. An amendment offered by Sen. Earl Renneke (IR-LeSueur), permitting the use of pesticide at less than labeled rates, allowing for the independent analysis of vegetation suspected to be in violation of acceptable pesticide levels, and requiring 30-day notification of a pesticide analysis decision by state inspectors, was also adopted by committee members.

S.F. 262 was re-referred to the Environment and Natural Resources Committee.

## Commerce

### Antitrust legislation heard

The Commerce Subcommittee on Insurance met Thurs., Mar. 30, and discussed S.F. 801, which clarifies the applicability of the antitrust laws to the business of insurance, and S.F. 1168, regarding payment of deductibles. No action was taken on either bill.

### State bank activities expansion okayed

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), met Tues., Apr. 4, and advanced five bills to the full Senate. A measure, S.F. 863, authored by Sen. Allan Spear (DFL-Mpls.), that allows state banks to organize, acquire, or invest in a subsidiary generated the most discussion. The measure also clarifies that a state bank may establish a transaction account service charge. In addition to allowing a state bank to purchase subsidiaries, the bill outlines the activities permitted by the

subsidiary and specifies that the subsidiary may not receive deposits, lend money, or pay checks. The bill also provides that the subsidiary may engage in any other activity approved by the commissioner by rule. The authority of the commissioner provided the central point for debate on the bill. Sen. Mel Frederick (IR-Owatonna), argued that the language of the bill gives too much authority to the commissioner and that the Legislature is the proper body to review proposed activities of subsidiaries. Frederick proposed an amendment eliminating the language providing for the commissioner's approval of an activity by rule that committee members subsequently adopted.

In other action, the panel also finished work on S.F. 870. The bill, authored by Sen. James Metzen (DFL-So. St. Paul), allows a life insurance company to sell a policy that contains a rider allowing earlier payment of benefits to insureds who are receiving medically prescribed long-term care. The bill was amended to address the concerns of several senior citizens groups by specifying that the policies could not be sold to persons 65 or older and by specifying the provisions such as minimum benefits and effective date of coverage that must be included in the contract. Both amendments were adopted.

A third bill gaining committee approval, S.F. 632, authored by Sen. Don Samuelson (DFL-Brainerd), clarifies the requirements for credit unions to maintain reserve funds and allow private insurance of members share and deposit accounts. The bill was amended by the author to outline procedures to provide credit union members with written notice regarding proposed bylaw amendments. Another bill relating to credit unions S.F. 808, authored by Sen. Richard Cohen (DFL-St. Paul), also was approved. The bill authorizes the elimination or limitation of a credit union director's liability. The measure, said Cohen, is similar to the provisions regarding directors of non-profit corporations liability already in the law.

The final bill gaining approval, S.F. 1302, is a resolution urging the Federal Reserve Board to reject amendments to its rules that would govern permissible activities of state-chartered banks. The resolution is sponsored by Solon.

## Subcommittee approves two bills

The Commerce Subcommittee on Insurance, chaired by Sen. William Luther (DFL-Brooklyn Park), approved S.F. 1168 and S.F. 960 Wed., Apr. 5.

S.F. 960, authored by Sen. Donna Peterson (DFL-Mpls.), relates to underinsurance and uninsured motorist coverage. The bill provides that underinsured and uninsured will be separate coverages with each having the minimum limits of \$25,000 for injury or death to one person in an accident and \$50,000 for two or more persons that are injured.

The bill also changes the way underinsured motorist coverage is calculated to provide that a person could recover underinsurance motorist coverage if they have not been fully compensated by the at-fault party's liability insurance. The limit of the amount they can recover from their company is their underinsurance motorist coverage limit.

In addition, the bill provides that in calculating underinsurance motorist benefits an insurer's maximum liability is the amount of damages sustained by the insured but not recovered from the insurance policy of the driver of the at-fault vehicle, provided that the insurer will not have to pay more than the amount of its underinsurance motorist coverage limits with that individual.

Senators also adopted an amendment making the bill apply to all cases brought on or after July 1, 1985.

In addition, the subcommittee approved S.F. 1168, also authored by Luther. The bill requires an insurer who is attempting to collect under a subrogation right from an uninsured third party to return to the insured the insured's full deductible share as soon as that amount is collected.

Both bills were sent to full committee.

## Five bills approved

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), amended and approved five bills Thurs., Apr. 7.

S.F. 188, the "Home Buyers' Bill of Rights," authored by Sen. Michael Freeman (DFL-Richfield), regulates the mortgage banking industry. Freeman first outlined an amendment which had been drafted as a response

to some concerns expressed by the mortgage banking industry. The amendment was adopted.

Most of the discussion, however, revolved around a provision in the bill which prohibits mortgage lenders from charging any fee at settlement for an item not previously disclosed in writing to the borrower at least 24 hours prior to the settlement. Sen. Donna Peterson (DFL-Mpls.) pointed out that the provision does not prohibit lenders from raising a previously discussed fee; it only prohibits introduction of new items. She proposed an amendment which prohibited lenders from charging any fees at settlement that were not disclosed in writing at least 24 hours in advance. The amendment was defeated.

Senators then discussed an amendment proposed by Sen. Glen Taylor (IR-Mankato). The amendment deletes the requirement of written disclosure of any fees 24 hours before settlement and changes provisions that the borrower receive a completed uniform settlement statement required under the Real Estate Settlement Procedures Act 24 hours before settlement to requiring it one business day before settlement. Sen. Allan Spear (DFL-Mpls.) proposed dividing the amendment. Members accepted the provisions changing the 24 hour requirement to one business day and rejected the deletion of the written disclosure of fees. As approved, the bill prohibits charging a fee at settlement for any item not disclosed in writing one business day prior to settlement.

The bill was approved and re-referred to the Finance Committee.

Members also approved S.F. 1169, authored by Sen. William Luther (DFL-Brooklyn Park). The bill prohibits insurance companies from terminating or penalizing an insurance agent because the agent contacted any government department or agency regarding a problem with an insurance company. Senators approved an author's amendment adding provisions relating to cancellation of insurance agency contracts and agent commissions.

S.F. 1014, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), was also approved. The bill requires an insurance agent, when recommending purchase of a life, endowment, long-term care, annuity, life endowment, or Medicare supplement insurance policy, to have reasonable grounds to believe that the policy is suitable to the customer.

The bill also changes the four current categories of Medicare supplement policies to two categories, a basic Medicare supplement plan and an extended basic Medicare supplement plan, and requires that agents offer both categories before selling a Medicare supplement policy to persons 65 or older covered by Medicare. Members approved an amendment adding hospital indemnity policies to the policies not prohibited.

Senators approved, as amended, S.F. 1191, also authored by Luther. The bill permits political subdivisions or groups of political subdivisions in a self-insurance pool to purchase environmental protection insurance coverage from a risk retention group operating under the authority of federal law, and to purchase stock of the group if stock ownership is a requirement of participation.

Also approved was S.F. 834, authored by Sen. Marilyn Lantry (DFL-St. Paul), which requires that various disclosures be made to consumers when they are sold motor vehicles that have been damaged and rebuilt. The main means of disclosure is branding the title of the vehicle to indicate that it has been damaged and rebuilt. Most of the provisions apply to vehicles which have been damaged in excess of 70 percent of their value.

The latter four bills were sent to the floor.

## Education

### Bills approved, sent to committee

The Higher Education Division of Education, chaired by Sen. Gregory Dahl (DFL-Ham Lake), approved two bills Fri., Mar. 31. Both were sent to full committee.

S.F. 782, authored by Sen. Jerome Hughes (DFL-Maplewood), sets forth a Midwestern Education Compact. The compact will be effective if it is approved by five midwestern states before Dec. 31, 1993, and will provide coordinated programs and services relating to higher education, postsecondary education, and vocational education.

# Committee Capsule

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In addition, the bill establishes a Midwestern Education Board and establishes membership and powers of the board. The bill also outlines how the board will be financed.

Also approved was S.F. 1010, authored by Hughes, which appropriates money to study the extent to which existing facilities for education programming at all levels are being maximized.

## Corporal punishment bill debated

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), devoted its entire Mon., Apr. 3, meeting to discussing and hearing testimony on S.F. 796, prohibiting corporal punishment in public schools. The bill is authored by Sen. Gary Laidig (IR-Stillwater).

The bill defines punishment as "conduct involving physical force and infliction of bodily pain," as well as conduct "involving cruelty or unreasonable physical force that causes substantial emotional harm." The bill then prohibits an employee of a public school district from inflicting punishment upon a pupil. S.F. 796 also outlines instances in which reasonable physical force may be used and provides that a person in violation of the prohibition may be held civilly liable for actual and punitive damages. Violation of the prohibition is added to the list of grounds for which a teacher may be dismissed. No final action was taken due to time constraints.

## Testimony given on TI bill

The Higher Education Division of the Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), heard further testimony on S.F. 365 Tues., Apr. 4.

The bill, authored by Sen. James Pehler (DFL-St. Cloud) transfers control of the Technical Institutes (TIs) and postsecondary vocational education to the State Board of Vocational Technical Education. Currently, governance of the state's TIs is linked to local school district boards.

No action was taken on the bill.

## Division approves five bills

The Education Committee's Higher Education Division, chaired by Sen. Gregory Dahl (DFL-Ham Lake), approved five bills at its evening meeting Tues., Apr. 4. All bills were sent to the full committee.

S.F. 607, authored by Sen. James Pehler (DFL-St. Cloud), requires the Regent Candidate Advisory Council to submit a list of all persons who applied for an open seat on the Board of Regents when submitting its recommendations to the President of the Senate and the Speaker of the House. Under the bill, the names of persons who did not apply but were nominated are considered private data.

In addition, the bill requires the chairs of the Senate and House Education Committees to provide notification to various parties of the vacancies on the board that will occur in the following year.

The bill also outlines the duties of the Regent Candidate Advisory Council for informing the public of the vacancies. In other action, Senators heard further testimony on S.F. 365, also authored by Pehler, transferring control of the state Technical Institutes (TIs) and postsecondary vocational education to the State Board of Vocational Technical Education. No new amendments were added to the bill before it was sent to full committee.

Division members also heard testimony and approved S.F. 882, sponsored by Sen. Steven Morse (DFL-Dakota). The bill appropriates money in FY. 1990 to the State University Board for Winona State University to lease space and operate on the campus of the College of St. Teresa in Winona. Speakers said that Winona State University is badly overcrowded and the imminent closure of the College of St. Teresa, only nine blocks from Winona State University, provides a unique opportunity.

Also approved was S.F. 415, authored by Dahl. The bill appropriates money to the Higher Education Coordinating Board (HECB) for a number of studies, including: a study of 2 + 2 programs in the Metropolitan Area; a study of the higher education needs of minority people in Minnesota; a study of the delivery of practitioner-oriented graduate programs in the Metropolitan Area; and a feasibility study for acquiring a site in the western Metropolitan Area to provide baccalaureate educa-

tion. The bill also appropriates money for FY. 1990 and FY. 1991 to the State University Board for two specified pilot 2 + 2 projects and appropriates money to the Community College Board to operate a specified reverse 2 + 2 program.

Finally, Senators approved S.F. 1229, authored by Sen. Gary DeCramer (DFL-Ghent), which also appropriates money to the State University Board for various studies, including a study of the feasibility of acquiring a site in the western Metropolitan Area to provide baccalaureate education and a study of the delivery of practitioner-oriented graduate programs in the Metropolitan Area. The bill appropriates money to both the State University Board and the Community College Board to study the feasibility of St. Cloud, Mankato, and Metropolitan state universities providing upper division instruction at various community colleges; and the feasibility of agreements that would allow students enrolling in Metropolitan Area community colleges the option of concurrent enrollment in Metropolitan State University. Dahl and DeCramer discussed the fact that there were similarities in the two bills.

## MECC bill approved

The Education Committee met briefly the evening of Wed., Apr. 5, and approved S.F. 1020, authored by Committee Chair James Pehler (DFL-St. Cloud). The bill removes the prohibition against the sale of the Minnesota Education Computing Corporation (MECC). MECC provides instructional computing products for students grades K-12 in Minnesota and elsewhere. The corporation is wholly owned by the State of Minnesota.

The bill permits the board of directors of MECC to sell all, substantially all, or part of MECC and outlines the division of the proceeds resulting from the sale of all or substantially all of the corporation. S.F. 1020 also outlines procedures and conditions of sale of MECC and sets forth factors upon which proposals from bidders will be evaluated. One condition of sale is that the buyer and all subsequent buyers must continue to provide products developed by MECC to Minnesota educational institutions at one-half of the lowest price the products are sold to non-Minnesota institutions.

The bill was re-referred to the Governmental Operations Committee.

## Higher ed approves five bills

The Education Committee Division on Higher Education, chaired by Sen. Gregory Dahl (DFL-Ham Lake), approved five bills Thurs., Apr. 6.

S.F. 517, sponsored by Sen. Michael Freeman (DFL-Richfield), appropriates money to the Higher Education Coordinating Board (HECB) to provide matching grants to postsecondary institutions for campus community service projects emphasizing students performing as tutors or mentors to their younger peers. An author's amendment approved by the division specifies that \$50,000 of the appropriation is for HECB administrative, coordination, training, consultation, and evaluation of programs.

Also approved was S.F. 1261, authored by Sen. Gene Waldorf (DFL-St. Paul). The bill specifically adds technical institutes and school districts operating technical institutes to the statutes requiring public institutions of higher education to cooperate with and supply information requested by the HECB.

In addition, members approved S.F. 1175 and S.F. 1157, both authored by Sen. Gary DeCramer (DFL-Ghent). S.F. 1175 makes mostly technical changes in statutes regarding the bonding authority of the State University System. S.F. 1157 changes the name of technical institutes to technical colleges.

Dahl moved for reconsideration of S.F. 415, which the division had previously approved. He then proposed an amendment to the bill which division members approved. As approved, S.F. 415 appropriates money to the HECB for a study of the educational needs of minority people in Minnesota and a study of 2 + 2 programs in the Metropolitan Area. It also appropriates money to the State University Board for two specific pilot 2 + 2 projects and to the Community College Board to operate a specific reverse 2 + 2 program. Dahl is also author of the bill.

All bills were sent to full committee.

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## Education Funding

### Desegregation in three cities discussed

Representatives of the Minneapolis, St. Paul, and Duluth school districts gave presentations on desegregation in the districts at the Thurs., Mar. 30, meeting of the Education Funding Division of the Education Committee. The division is chaired by Sen. Randolph Peterson (DFL-Wyoming.)

The districts' representatives outlined the programs and budgets in their respective districts. Senators asked general questions about the effectiveness of desegregation, as well as specific questions about the programs and budgets.

### Special ed bill approved

The Education Funding Division of the Education Committee amended and approved S.F. 1075, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), Fri., Mar. 31. The bill was sent to full committee.

The bill authorizes school districts to enroll as providers in the Medical Assistance (MA) program and receive MA payments for covered special education services that the districts provide to people eligible for M.A. In addition, the bill provides that the district is entitled to receive the portion of the payment that will subsequently be reimbursed by the federal government in the same manner as other providers.

In addition, Senators discussed S.F. 702, authored by Sen. Gary DeCramer (DFL-Ghent), although they took no action on the bill. The bill requires school districts to offer a school breakfast program in every school building in which at least 40 percent of the lunches served during the 1989-1990 school year were served free or at a reduced price; and in every school building in which at least 35 percent of the parents responding to a survey conducted by the district indicated an interest in having their children participate in the program. The bill requires districts to conduct a survey unless they already have a breakfast program or would be required to provide one because at least 40 percent of the lunches served were served free or at a reduced price.

The bill exempts schools from providing a breakfast program if fewer than 25 pupils would be expected to participate. In addition, it outlines provisions for the survey and requires that each district mandated to conduct a survey report the results to the commissioner of education by Sept. 3, 1990; the commissioner must then report to the Legislature.

Division members, chaired by Sen. Randolph Peterson (DFL-Wyoming), also discussed but took no action on S.F. 1228. DeCramer, the bill's author, briefly outlined the bill, which establishes revenue for cooperating school districts, both for long-term cooperation and for short-term cooperation and combination.

### Division hears presentations

Representatives of the Dept. of Education completed their presentations of the governor's budget to the Education Funding Division of the Education Committee, Fri., Mar. 31. In addition, the division, chaired by Sen. Randolph Peterson (DFL-Wyoming), heard presentations from Richfield Public Schools and from the Minnesota Educational Media Organization (MEMO) Mon., Apr. 3.

Tim Eklund, president of MEMO, said that the group is comprised mainly of practicing library and media professionals. Some areas that need to be explored, Eklund said, are the availability of media resources in school districts; the continuing support of information networking and technology; and the strengthening of Minnesota statutes relating to the provision of library facilities and programs at the district level.

In addition, Lowell Larson, superintendent of Richfield Public Schools, gave a presentation on the rising costs of education. Larson outlined some of the reasons education costs have risen over the past two decades. The reasons include the decreased ratio of students to teachers; new and expanded programs; and extraordinary inflation in certain areas. Larson said that Richfield, in particular, has costs associated with its teachers' high level of training and experience.

### Bill approved; testing bill discussed

The Education Division on Education Funding approved S.F. 703,

authored by Sen. Duane Benson (R-Lanesboro), during its evening meeting Tues., Apr. 4. The division is chaired by Sen. Randolph Peterson (DFL-Wyoming).

As approved, the bill allows the consolidation of school districts to take effect July 1 of an even-numbered year if all of the school districts and all of the exclusive representatives of the teachers agree to the effective date. Current law allows consolidation only during odd numbered years because of contract considerations.

A section deleted by an amendment proposed by Sen. LeRoy Stumpf (DFL-Plummer) would have stricken language in current statute regarding the eligibility requirements for grants given to groups of districts that submit plans to the state board to improve education. The amendment was approved, so the language stricken under the bill was left intact. However, the bill adds new language allowing the grants to be used to retire operating debt if the group's plan meets the requirements to receive a grant. Senators also approved an amendment, proposed by Sen. Jerome Hughes (DFL-Maplewood), to delete a section appropriating money for the grants.

The bill was sent to full committee.

In addition, Senators heard testimony on S.F. 212, authored by Sen. Ember Reichgott (DFL-New Hope). Article I of the bill requires statewide tests for 6th and 10th graders in the four core curriculum areas of math, science, social studies and communication. Also, the commissioner of education must publish an annual report of testing results for each school. The report must include longitudinal test results so that improvement can be determined.

Representatives of various education organizations testified about their concerns regarding the bill. No action was taken.

In addition, Senators also heard a presentation on rural education.

## Employment

### Committee advances three bills

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake) approved three bills at the Tues., Apr. 4, meeting.

S.F. 109 provides a mandatory meal break for employees working eight hours or more. The bill, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), was sent to the Senate floor.

S.F. 832, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), establishes a statewide program to train older, low-income workers for full- and part-time jobs in the tourism industry. The bill was re-referred to the Finance Committee.

S.F. 1270, sponsored by Sen. Don Frank (DFL-Spring Lake Park) makes technical and administrative changes in state workers' compensation law. Among changes provided in the bill, Special Workers' Compensation Fund officials are enabled to pursue uninsured employers to recover liabilities for benefits paid through the fund. S.F. 1270 was sent to the Senate floor.

In other action, the committee continued consideration of S.F. 442, a bill amending state occupational safety and health (OSHA) law to repeal the technically qualified individual (TQI) exemption from the Minnesota Right-to-Know Standards for employees dealing with hazardous substances, infectious agents or harmful physical agents. S.F. 442 is sponsored by Sen. Pat Piper (DFL-Austin).

The committee adopted two major amendments to S.F. 442. One amendment, offered by Piper and amended by Sen. James Pehler (DFL-St. Cloud), limits the TQI exemption to physicians, lead research individuals and pharmacists. The second amendment, sponsored by Sen. Betty Adkins (DFL-St. Michael) and amended by Pehler, eliminates triple compensatory damages from the discrimination penalty provisions of the bill. S.F. 442 was laid over for further consideration at a later date.

### Employee right-to-know bill advances

The Employment Committee met Thurs., Apr. 6 and approved H.F. 300, offered by Sen. Pat Piper (DFL-Austin), amending the Minnesota Employee Right-to-Know Standards to limit the technically qualified individual (TQI) exemption for employees dealing with hazardous substances, infectious agents or harmful physical agents. Before approval,

# Committee Capsule

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H.F. 300 was amended to reflect S.F. 442, Piper's original right-to-know bill, which was under consideration by the committee.

Under the bill, physicians, lead research individuals, pharmacists and other statewide classes of professionals or technicians that petition are exempt from required training and yearly information updates regarding hazardous agents in the workplace. H.F. 300 was re-referred to the Committee on Health and Human Services.

In other action, the committee resumed consideration of S.F. 756. The bill, which originally eliminated supplemental worker's compensation benefits for new recipients, was amended to reduce the benefits by establishing an offset for recipients also receiving Social Security benefits. S.F. 756, authored by Sen. Nancy Brataas (IR-Rochester), was laid over.

## Environment and Natural Resources

### Waste Management bill okayed

A comprehensive waste management bill was approved and sent to the full committee by the Environment and Natural Resources Subcommittee on Environmental Protection Thurs., Mar. 30. The subcommittee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), devoted the meeting to offering and approving amendments to S.F. 530.

Provisions of the bill, authored by Sen. Gene Merriam (DFL-Coon Rapids), include defining waste reduction, extending the expiration date of waste advisory councils, authorizing counties to designate mixed municipal solid waste to a processing or disposal facility, and authorizing the commissioner of the Pollution Control Agency to take emergency action to abate a waste tire nuisance. The bill authorizes the transfer of funds from the petroleum tank release cleanup fund to the funds granted for claims relating to petroleum releases and clarifies the 1990 ban on disposal of unprocessed waste in the metropolitan area.

The bill was amended to delete a provision that prevents a political subdivision from entering a binding agreement governing a solid waste management activity that is inconsistent with a county plan without the consent of the county. A provision was added to S.F. 530 requiring permits for new or additional capacity for solid waste facilities to be issued only if each county using the facility has a solid waste management plan in place. An amendment establishing a non-metropolitan fund was also approved by the subcommittee. S.F. 530 was advanced to the full committee.

### Recycling bill gains

A bill mandating statewide recycling was approved by the Environment and Natural Resources Subcommittee on Environmental Protection Fri., Mar. 31. The subcommittee is chaired by Sen. Gregory Dahl (DFL-Ham Lake).

S.F. 95, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), requires counties to provide an opportunity to recycle and sets recycling goals of a minimum of 25 percent for greater Minnesota and a minimum of 40 percent for counties within the Metropolitan Area to be reached by July 1, 1993. Counties who fail to meet the goal are required to notify county residents and to provide information on recycling programs offered by the county. S.F. 95 also establishes a procedure for funding recycling programs, outlines solid waste collection and disposal, provides for public education on waste management, and provides a plan for processing and disposing of solid waste problem materials.

A number of amendments were offered and approved during the meeting. The formula for the distribution of funds to counties was amended to be distributed based on population. Under the new formula, a county may not receive less than \$50,000 nor more than \$1,800,000 annually. Previously, the distribution formula was 60 percent to be equally distributed among all eligible counties and 40 percent to be distributed based on each county's proportion of the total state population. A provision requiring waste reduction education to include information about and promotion of a model procurement program was also added to the bill. In addition the bill was amended to provide for civil penalties and damages for the unlawful disposal of solid waste. S.F. 95 was advanced to the full committee.

### Groundwater protection bill gains

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), approved a groundwater protection bill Tues., Apr. 4. The bill was re-referred to the Agricultural and Rural Development Committee.

Sen. Steven Morse (DFL-Dakota), author of S.F. 262, presented a brief overview of the bill's provisions. The bill is broken into sections that cover groundwater protection, water research information and education, wells, borings, and underground uses, safe drinking water supply funding, water conservation, amendments to pesticide law, recodification of provisions on fertilizers, soil amendments, and plant amendments, agricultural chemical incident response funding, and appropriations.

Discussion of the bill focused on the degradation prevention goal, and the definitions of adopted long-term risk measurement and pollution. The bill sets a goal that the state maintain groundwater in its natural condition, free from degradation caused by human activity. Sen. Charles Berg (DFL-Chokio) said that the definition is too broad and is extremely difficult to accomplish. In response, Morse said the definition is critical to understanding and accomplishing the bill's provisions. The committee also discussed and left as is the definitions of adopted long-term risk measurement and pollution.

The committee adopted an amendment requiring the incident response fee for each agricultural chemical registered to not be less than \$25 and not more than \$3,000 except for agricultural chemicals containing a substance for which the U.S. Environmental Protection Agency has announced a health advisory. Also amended to the bill is a provision that shoreland management grants will be allocated to counties based on the length of shoreland in the county. A provision giving authority to watershed districts to require water appropriation permits for nonessential uses was approved as well. The provision protects watercourses that have a drainage area less than 25 square miles.

### Bill amending RIM okayed

The Environment and Natural Resources Subcommittee on Public Lands and Water met Wed., Apr. 7, and approved a bill that amends provisions of the Reinvest in Minnesota (RIM) resources conservation reserve program and changes funding appropriations. The chair of the subcommittee, Sen. Steven Novak (DFL-New Brighton), is sponsor of S.F. 895. Novak said the bill provides for the transfer of the conservation reserve program from the Dept. of Agriculture to the Board of Water and Soil Resources, expands the eligibility requirement for cropland in sensitive areas or adjacent to public waters, and makes estates and testamentary trusts eligible landowners. In addition, the bill provides for the appropriation of \$8.1 million from the General Fund and \$21 million from bond funds for the conservation reserve program and the implementation of a comprehensive fish and wildlife plan.

The subcommittee also approved two additional bills. S.F. 846, sponsored by Sen. Dennis Frederickson (IR-New Ulm), authorizes the commissioner of the Dept. of Administration to convey state land to the Leo A. Hoffman Center, Inc. of St. Peter. H.F. 526, authored by Sen. Tracy Beckman (DFL-Bricelyn), requires State Parks to provide recycling facilities. The bills will be heard in the full committee.

The subcommittee laid over S.F. 921, sponsored by Frederickson. The bill authorizes state land to be transferred to the city of St. Peter. St. Peter is required to use the land for highway and watermain construction, as well as for the construction of a trail system.

### All-terrain vehicle bill gains

A bill regulating all-terrain vehicles (ATVs) was approved by the Environment and Natural Resources Committee Wed., Apr. 5. Sen. Bob Lessard (DFL-Int'l. Falls) is chair of the committee.

Mike Gruppa, representing the Dept. of Natural Resources, explained that S.F. 124, authored by Sen. Jim Vickerman (DFL-Tracy) regulates ATVs by limiting state liability, by requiring persons between age 12 and 16 who are operating an ATV to be accompanied by an adult, and by prohibiting persons under the age of 12 from operating an ATV on a public road right-of-way, public lands, or public water. The bill also provides for the registration of ATVs. The committee adopted an amend-

ment deleting a 10 mile per hour speed limit on frozen water, within 100 feet of a person not on an ATV, and within 100 feet of a fishing shelter. The bill was re-referred to the Judiciary Committee.

Six land transfer bills were approved by the committee. S.F. 661, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes the sale of tax-forfeited land that borders public waters in Aitkin County. S.F. 712, also sponsored by Chmielewski, authorizes the sale of tax-forfeited lands that border public waters in Pine County. S.F. 453, authored by Sen. Don Frank (DFL-Spring Lake Park), provides for the sale of tax-forfeited lands bordering public waters in Anoka county. Sen. James Pehler (DFL-St. Cloud), explained two bills he is sponsoring. S.F. 936, provides for the exchange of state land to the city of St. Peter and S.F. 1080 allows St. Cloud State University to convey a title of state land to a private owner. The first four bills were sent to the Senate floor and the latter two bills were placed on the Consent Calendar.

S.F. 575, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), establishes a legislative commission on minerals and appropriates funds for the commission. S.F. 575 was approved and re-referred to the Governmental Operations Committee. S.F. 1271, sponsored by Sen. LeRoy Stumpf (DFL-Plummer) was approved and sent to the Senate floor. S.F. 1271 memorializes to Congress to address problems in the solid waste stream caused by materials used to package consumer products.

In final action, the committee laid over S.F. 452. The bill, authored by Frank, establishes a low-interest loan program for repairs to drought-damaged homes.

## Finance

### PCA completes budget review

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met Thurs., Mar. 30, to hear budget reviews of the Minnesota Amateur Sports Commission and the Pollution Control Agency (PCA).

The Amateur Sports Commission, said Executive Director Paul Erickson, is requesting an additional \$234,000 for the biennium. The change level request is being made for an additional clerical position, for development programs, and for computer equipment. The Amateur Sports Commission completes the budget review of the Dept. of Trade and Economic Development.

Deputy Commissioner Mike Robertson continued a review of change level requests being made by the PCA. In the area of hazardous waste pollution control, the PCA is requesting funds to develop and implement a comprehensive Medical Waste Management Program, to provide additional services regarding hazardous waste, and to develop and implement a project to examine management options for household batteries. Robertson also outlined funding requests for the Waste Management Grants and Assistance Program. Funding requests for solid waste low tech grants, education, and planning support are included as part of a comprehensive waste reduction and recycling initiative. The PCA completed the budget review with a request for funds in order to continue and expand the operation of the Waste Tire Management Program.

### Division hears budget reviews

The Mon., Apr. 3, meeting of the Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), was devoted to discussing the budgets of the Minnesota Cooperation Office, the Women's Economic Development Company, and the Dept. of Natural Resources (DNR).

The Minnesota Cooperation Office was established to create jobs in Minnesota by helping to start innovative, high-growth companies. The office is requesting \$100,00 to help expand activities.

The Women's Economic Development Corporation's goal is to increase women's access to and participation in the economy. The organization is requesting \$150,000 for operation costs.

The DNR then continued its budget review. Among the change level requests is funding for the Fish and Wildlife Management Program to improve trout and salmon fishing, to improve pheasant habitat, and to provide special hunts. Funds are also being requested to increase over-

time hours available to Conservation Officers, to administer the sale of lakeshore lease lots, and to establish a Water Information and Education Committee. Deputy Commissioner Steve Thorne also reviewed the Reinvest in Minnesota fund allocations.

On Tues., Apr. 4, the division discussed how the Department of Administration's Information Policy Office (IPO) reviews and approves agency requests for appropriations for the development or purchase of information systems equipment or software. Assistant Commissioner Larry Grant reviewed IPO's method for evaluating and setting priorities for projects requested by agencies.

The division met Wed., Apr. 5, to hear public testimony on State Departments budget items. Public testimony focused on the Dept. of Natural Resources' change level requests. Among the budget items witnesses supported funds for the operation, planning and maintenance for the State Park system and funds for trail maintenance.

### MnDOT capital budget review continues

The Finance Division on Agriculture, Transportation and Semi-States met Fri., Mar. 31, to continue hearing Dept. of Transportation (MnDOT) requests for several capital budget projects. Sen. Keith Langseth (DFL-Glyndon) is division chair.

Division members resumed discussion on the \$20 million Transportation Building renovation proposal. Under the four-year plan, funds already appropriated to remove asbestos and to install a sprinkler system and other life safety equipment would be combined with an additional \$14 million request for general remodeling of the 30-year-old building. MnDOT officials said that the simultaneous projects would save money and cause minimal disruption of MnDOT activities. Several senators questioned whether a new facility would be more cost-effective than remodeling the existing building. Langseth directed the department to investigate alternatives to the renovation proposal.

Among other capital projects presented, MnDOT made building requests totalling \$12 million for construction and renovation of MnDOT facilities in Marshall, Brainerd and Duluth. Consideration of the MnDOT capital budget will continue at a future meeting.

### Division hears forecast adjustments

The Dept. of Finance forecast adjustments for health and human services budgets were the focus of the Finance Division on Health and Human Services hearing Mon., Apr. 3. Sen. Don Samuelson (DFL-Brainerd) chairs the division.

According to the Dept. of Finance March forecast, human resources program expenditures for 1990-91 will total \$2.785 billion, a \$1.69 million decrease from the January forecast.

Although the overall March forecast adjustment is small for human resources budgets, significant shifts are predicted within Dept. of Human Services (DHS) income maintenance programs. DHS spokesman George Hoffman told division members that this is "a riskier budget than you've seen in a long time," and described substantial decreases in forecasted expenditures for Medical Assistance (MA) and Aid to Families With Dependent Children (AFDC) programs, with contrasting expenditure increases in General Assistance Medical Care (GAMC) and Minnesota Supplemental Aid (MSA) programs.

Hoffman said that the large reduction in the MA expenditures forecast is probably offset by increasing federal Medicare coverage for nursing home residents. Nursing home providers, he said, are raising financial concerns because MA reimburses nursing home care at a higher rate than does Medicare.

Regarding the substantially higher GAMC forecast, Hoffman said that there may be increased use of GAMC services due to a new automated eligibility verification process, and increased chemical dependency treatment expenditures because more GAMC recipients are being treated in non-MA facilities.

In other action, the division approved S.F. 778, which provides temporary GAMC and MSA reimbursement to counties for patients who would be eligible for MA except that they reside in facilities determined to be institutions for mental disease (IMDs). The bill, sponsored by Sen. Linda Berglin (DFL-Mpls.), expands GAMC-reimbursable services for IMD patients to include case management and psychological services. In addi-

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tion, MA-certified IMDs would be exempt from the maximum negotiated rate limits for residential facilities during the period Jan. 1 through June 30, 1989. Reimbursements could not exceed the state MSA share expended for each person at the appropriate MA rate. S.F. 778 was approved and advanced to the full Finance Committee.

The division also completed hearing public testimony on a wide variety of programs in the 1990-91 human resources budget.

## Committee advances IMD reimbursement bill

The Finance Committee met Tues., Apr. 6 to consider S.F. 778, a bill to make temporary reimbursement to counties for care of persons in institutions for mental disease (IMDs). The bill was approved and sent to the Senate floor. Sen. Gene Merriam (DFL-Coon Rapids) chairs the committee.

Bill sponsor Sen. Linda Berglin (DFL-Mpls.) explained that S.F. 778 is intended to prevent disruption of medical treatment for individuals residing in facilities that have recently been declared IMDs in order to comply with federal law. State expenditures are expected to total \$957,000 for the six-month period provided in the bill.

## Capital budgets request heard

The Finance Division on Agriculture, Transportation and Semi-States completed consideration of biennial capital budget requests for the Department of Transportation (MnDOT) and the Department of Public Safety. Sen. Keith Langseth chairs the division.

Department officials presented a capital budget request of \$285,000 for construction of three vehicle inspection facilities in the Twin Cities metro area. The buildings in Arden Hills, Eagan, Plymouth would be used for inspection of rebuilt salvage vehicles as required by state law on Jan. 1, 1989. The department also proposes to establish a \$20 fee to recover vehicle inspection costs.

Division members also finished hearing MnDOT capital requests, which included: trunk highway funds of \$400,000 for construction and improvements on MnDOT wayside rest sites; state airport funds of \$400,000 to purchase an airport hangar at the St. Paul Downtown Airport; \$5.6 million in general funds to match federal funding for six highway demonstration projects; and \$62 million for replacement and rehabilitation of bridges statewide.

## General Legislation and Public Gaming

### Animal bills gain

The General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul), met Fri., Mar. 31, and approved two measures relating to animal regulations. Both bills now go to the full Senate.

S.F. 1016, sponsored by Sen. Bob Decker (R-Bemidji), permits the Beltrami County Board to control dogs and cats without establishing a licensing system. Under the measure's provisions, the county can declare specified dog and cat activities a nuisance, establish procedures to quarantine dogs or cats that have bitten more than one person, impound animals that are abandoned or are creating a nuisance, assess dog and cat owners misdemeanor penalties, and require that the owner or person in possession of the animal be held responsible for confinement costs if the animal is impounded.

Sen. A.W. "Bill" Diessner (DFL-Afton) offered, and panel members adopted, amendments broadening the proposed legislation's scope to include all Minnesota counties and providing for notice to owners when animals are scheduled to be destroyed as a result of biting more than one person. Diessner emphasized that the bill provides counties with the option of whether to adhere to its provisions.

As amended, S.F. 1037, sponsored by Lantry, prohibits for-profit fairs and carnivals from awarding live animals as prizes or as an inducement to enter a contest, to enter a place of amusement, or to enter into a business agreement. The bill does not apply to non-profit enterprises, carnivals, street shows, street fairs, sideshows, or circuses.

## Video games of chance bill advances

Approval of a measure regulating video games of chance and postponement of a bill establishing a state-wide animal spaying and neutering program highlighted the Wed., Apr. 5, meeting of the General Legislation and Public Gaming Committee. Sen. Marilyn Lantry (DFL-St. Paul), serves as the committee's chair.

As originally proposed, S.F. 1269, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), requires that notices describing the legal consequences of awarding cash instead of game credits or replays be placed where video games of chance are located, and provides for a gross misdemeanor penalty for illegally paying out cash on those games. In addition, the bill contains a provision mandating that violators are ineligible to obtain or hold an operator's license for video games of chance.

Panel members adopted an author's amendment eliminating the mandatory one-year prison term for violators, reducing the violation penalty from a gross misdemeanor to a misdemeanor, and providing for a \$700 fine for both operators and players who violate the bill's provisions. Committee members approved the measure and sent it to the full Senate.

S.F. 1019, establishing a state-wide program for the spaying and neutering of dogs and cats by subsidizing the procedure's cost for low-income animal owners, was laid-over by panel members. The committee decided to delay action on the bill because its chief author, Sen. Florian Chmielewski (DFL-Sturgeon Lake), was not available to address concerns regarding the scope and cost of the proposed program.

## Governmental Operations

### Ombudsman for older Minnesotans bill gains

A bill clarifying and expanding the duties of the ombudsman for older Minnesotans was approved by the Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), Tues., Apr. 7.

Sen. Linda Berglin (DFL-Mpls.), author of S.F. 489, explained that the bill amends state law to conform with changes in the federal Older Americans Act and related federal rules. Provisions of the bill include adding a definition of home care service, authorizing the Board on Aging to make grants, contracts, and rules relating to programs it administers, and designating local ombudsman representatives. S.F. 489 was re-referred to the Finance Committee.

In other action the committee approved four additional bills. Sen. Roger Moe (DFL-Erskine), explained the provisions and the intent of S.F. 1189. The bill provides for a state policy of barrier-free environments for state owned and leased building, and appropriates money to accomplish the construction and remodeling necessary to make the buildings fully accessible. The state should serve as a model in making buildings accessible to persons who are elderly or disabled, said Moe. S.F. 1189 was also re-referred to the Finance Committee.

S.F. 1082 amends the Administrative Procedures Act, said Sen. John Brandl (DFL-Mpls.), sponsor of the bill. The bill makes it clear that agencies consider the impact of proposed rules on small business considerations and services.

A bill authorizing the donation of accrued vacation time by state employees to pay for unreimbursed medical costs incurred by other state employees was also approved. S.F. 855, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), is limited to this calendar year. The bill provides for a catastrophic insurance fund and is the result of a current situation in which a state employee's son requires a costly liver transplant, said Dicklich. Included in the bill is a provision for a study to be conducted to determine the feasibility of requiring health plans to cover the costs of nonexperimental transplant surgery.

S.F. 1482, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), extends the expiration date of advisory councils for four years. An amendment providing for an increase in per diem payments, and deleting and repealing authorization for advisory groups identified as no longer being necessary was adopted. The latter three bills were sent to the Senate floor.

### Mediation services bill approved

The Governmental Operations Committee, chaired by Sen. Donald

Moe (DFL-St. Paul), met Thurs., Apr. 6, and approved a Bureau of Mediation Services housekeeping bill.

The purpose of S.F. 1260, explained the author Sen. Michael Freeman (DFL-Richfield), is to clean up and clarify ambiguous or conflicting provisions in the Public Employment Labor Relations Act. The bill removes hospital employees, except for state hospital employees, from the definition of essential employee and clarifies procedures for requests by non-essential employees for interest arbitration and for essential employees or their employers to begin interest arbitration. In addition, a list of arbitrators is to be maintained by the Commissioner of the Bureau of Mediation Services. The bill was sent to the Senate Floor.

In other action, the committee discussed S.F. 352, sponsored by Sen. Marilyn Lantry (DFL-St. Paul). The bill allows licensed organizations to conduct two casino nights a year. In order to conduct a casino night, the organization must notify the Charitable Gambling Control Board at least 30 days prior to the event and must use the proceeds for the maintenance or repair of real property that the organization owns or exclusively leases. Several members of the committee said that charitable gambling events are already difficult to enforce and that the bill would compound the situation by expanding the number of events.

## Health and Human Services

### Nursing home bill advances

A lengthy, technical nursing home bill provided the sole topic of discussion at the Thurs., Mar. 30, evening meeting of the Health and Human Services Committee. The committee, chaired by Sen. Linda Berglin (DFL-Mpls.), devoted several hours to discussion on the measure, S.F. 637, before approving the bill and re-referring the measure to the Finance Committee. According to Berglin, chief author of the bill, the measure will require an additional \$32.8 million over the governor's recommended budget appropriation.

The first 32 sections of the bill deal with Dept. of Health changes in the laws dealing with nursing homes. Changes ranged from increases in the minimum staffing component to clarifying the department's authority to issue fines for violations of federal rules. The bill provides for statutory definitions of "certified" facility and of "emergency;" provides for a stricter standard for the department to verify compliance with correction orders; and sets forth several provisions dealing with the receivership procedures.

The remaining 28 sections of the bill address Department of Human Services provisions in the nursing home laws. Various sections provide for compliance with federal law; outline a wage disparity adjustment for nursing homes located in various parts of the state; and provide for several one time adjustments to assistant nursing homes in meeting various state and federal requirements.

### Children's mental health bill gains

Members of the Health and Human Services Committee met Fri., Mar. 31, and advanced two bills to the Committee on Finance and began discussion of a third.

A key element of the governor's proposed children's initiatives, the children's mental health bill, was approved by the committee. S.F. 746, authored by Committee Chair Linda Berglin (DFL-Mpls.), makes changes to the Mental Health Act to specify that provisions of the act apply to both adults and children and makes several other changes to the act. In addition, the latter part of the bill is cited as the Minnesota Comprehensive Children's Mental Health Act and indicates that there is a need for the development of clinical services for emotionally disturbed children and their families in a child and family oriented model. The bill defines terms, requires planning for the development of a comprehensive statewide children's mental health system to be completed in stages by Jan. 1, 1992; requires counties to fully develop mental health services for children and includes earlier identification and intervention, emergency services, outpatient services, and case management among those county services; requires counties to establish children's mental health advisory councils; requires the children's mental health services to meet specified criteria; and establishes a subcommittee on children's mental health to the State Mental Health Advisory Committee.

Berglin explained the measure and said that "although the bill does not address all of the issues involved in providing services to children, we must walk before we can run." The key part of the bill, Berglin said, is the mechanism that brings together all the agencies that provide services to children in an effort to coordinate those services. The bill was approved and re-referred to the Committee on Finance.

A second measure, sponsored by Sen. Jim Vickerman (DFL-Itacy), also was approved and re-referred to the Finance Committee. S.F. 789 modifies and consolidates the child care fund by establishing three programs. Under the bill the basic sliding fee program, the AFDC child care program, and the non-AFDC public and nonprofit post-secondary child program replace the existing system. The bill also reorganizes existing statutes relating to child care service grants.

Committee members also began discussing a third measure. S.F. 1233, authored by Berglin, changes the focus of the Work Readiness categories and shifts several General Assistance categories, such as illiteracy and displaced homemakers, and places them in the Work Readiness. No action was taken on the measure because of time constraints.

### Infectious waste bill gains

Members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.) met twice Tues., Apr. 5. During the afternoon portion of the meeting, the panel advanced three bills on to other committees.

A bill regulating the disposal of infectious and pathological wastes, S.F. 237, provided a focus of discussion. The measure also sets forth definitions; specifies procedures for infectious waste management, including handling, labeling, storage, transportation and disposal; requires the preparation of management plans; requires compliance with the management plans; provides for the adoption of rules; and specifies criminal penalties. Most of the discussion on the bill revolved around two amendments offered by Sen. Duane Benson (IR-Lanesboro). The first removed "pathological waste" from the regulatory portions of the measure and specified that pathological waste must be disposed of according to sanitary standards established by state and federal laws or regulations for the disposal of the waste. The amendment was adopted. The second amendment deleted language specifying that counties could not require a refuse-derived fuel facility to accept infectious, pathological or decontaminated infectious waste. The second amendment was defeated. The bill was approved and re-referred to the Agriculture and Rural Development Committee.

Committee members also approved and re-referred to the Judiciary Committee a bill providing safeguards for emergency medical service first responders against infectious diseases. S.F. 1031, said chief author Sen. Marilyn Lantry (DFL-St. Paul), is the result of work done by the First Responder Notification Advisory Committee to deal with issues related to infectious diseases, particularly hepatitis B and AIDS, and the notification of emergency medical service professionals. The bill addresses issues of testing, notification, counseling and data privacy.

Finally, the panel also approved S.F. 1233, authored by Berglin, and re-referred the bill to the Committee on Finance. The measure changes the focus of the Work Readiness Program and General Assistance Program, removes the time limit on the Work Readiness Program, and provides for the establishment of residency. An amendment, offered by Berglin and adopted by the committee, provides that a person, family, or couple who cannot demonstrate state residency but who meets all other eligibility requirements may participate in work readiness activities for purposes of demonstrating state residency.

### Committee okays physical therapy board

The Health and Human Services Committee advanced ten bills at an evening meeting Tues., Apr. 4. Sen. Linda Berglin (DFL-Mpls.) chairs the committee.

S.F. 802, authored by Sen. Pat Piper (DFL-Austin) establishes an independent State Board of Physical Therapy responsible for the licensing of physical therapists. Under current law, the State Board of Medical Examiners governs registered physical therapists. The bill was re-referred to

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the Committee on Governmental Operations.

S.F. 464, sponsored by Sen. James Pehler (DFL-St. Cloud), requires that high school equivalency programs be available to inmates and provides that an inmate who completes such a program is eligible for up to 36 days adjustment of time served in prison. The bill was re-referred to the Judiciary Committee.

S.F. 422 establishes a statewide 24-hour toll-free telephone helpline to provide families with information, crisis counseling and referral regarding child abuse and neglect. The bill, authored by Sen. Ember Reichgott (DFL-New Hope), was re-referred to the Finance Committee.

S.F. 971, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides a \$50,000 grant to match federal funds for a statewide pre-natal care media campaign. The bill was re-referred to the Finance Committee.

S.F. 838, sponsored by Sen. Earl Renneke (R-LeSueur), authorizes the Community Health Board to establish community-based health promotion teams. The bill was sent to the Senate floor.

S.F. 840 expands the definition of persons with related conditions to include persons with Prader-Willi syndrome. The bill, authored by Piper was sent to the Senate floor:

An omnibus Dept. of Health bill, S.F. 1154, was approved and sent to the Finance Committee. The bill, sponsored by Sen. Linda Berglin (DFL-Mpls.), provides \$1.1 million for AIDS case management services grants. Other provisions of the bill authorize the department: to inspect buildings without prior notice; to collect home care provider license fees; and to collect fees for the health care cost information systems account.

S.F. 1099, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), incorporates federal standards on community right-to-know of hazardous substances into state law. The bill was re-referred to the Finance Committee.

S.F. 864, authored by Berglin, provides a \$150,000 grant to a statewide coalition of sexual assault victims programs, providers and agencies. The bill was re-referred to the Finance Committee.

S.F. 1139 allows licensed psychologists with competency in marriage and family therapy to practice without a second license from the Marriage and Family Therapy Board. The measure, sponsored by Sen. Jim Vickerman (DFL-Itacy), was sent to the Senate floor.

## Respite care bill okayed

A bill establishing a grant program for respite care services was approved by members of the Health and Human Services Committee Wed., Apr. 5. S.F. 727, authored by Sen. Marilyn Lantry (DFL-St. Paul), was amended to include S.F. 497 which established a resource center for respite care and S.F. 716 which provided for foster care maintenance and respite care. The resulting bill, S.F. 727, provides definitions, establishes a resource center, provides for an advisory committee to make recommendations on resource center direction, establishes a respite care grant program, defines eligibility and provides for grants to individuals or families who seek to begin providing foster care services. The bill was re-referred to the Committee on Finance.

The committee also approved three additional bills. S.F. 490, sponsored by Committee Chair Linda Berglin (DFL-Mpls.), requires county community social service plans to address the development of supported employment services by specifying how the county will plan the services with local representative of public rehabilitation agencies and local education agencies. The bill was sent to the full Senate. S.F. 531, also sponsored by Berglin, creates a community conversion incentive grant program to fund projects to secure employment for persons with severe disabilities. Under the bill, up to 25 projects would be awarded grants by the commission of jobs and training to assist planning for and delivery of services resulting in the employment of persons with severe disabilities. The bill was re-referred to the Finance Committee. The panel also approved and re-referred to the Finance Committee, a bill creating a subsidy program for community clinics. S.F. 734, sponsored by Berglin, requires the clinics to use the money received to subsidize the cost of providing primary health services to uninsured individuals who receive services at the clinics.

## Judiciary

### Sentencing bill okayed

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Thurs., Mar. 30, and approved a major sentencing bill. S.F. 314, sponsored by Sen. Donna Peterson (DFL-Mpls.), increases the sentences for a variety of crimes and increases the mandatory term of imprisonment for first degree murder from 17 to 25 years. The measure also authorizes departures from the sentencing guidelines for habitual offenders. Under the measure, the judge may impose a sentence longer than the presumptive sentence and up to the statutory maximum if the judge determines that the person is a danger to public safety and that the person is a career criminal. The bill further specifies the criteria for the judge's determination.

Other sections of the bill provide for increased penalties for a variety of crimes including assault in the first, second, third and fourth degree; criminal vehicular operation resulting in death; manslaughter of an unborn child in the second and first degree; malicious punishment of a child resulting in substantial bodily harm and fleeing a peace officer resulting in great bodily harm or substantial bodily harm. The bill also amends the theft statutes to include intentionally taking or driving a motor vehicle without the consent of the owner.

Most of the hearing was devoted to discussion of a variety of amendments offered to the bill. The bill was then approved and re-referred to the Finance Committee.

Committee members began discussion of S.F. 320, a bill toughening the penalties for criminal sexual offenders. The measure, sponsored by Spear, also provides for the establishment of a state wide treatment system for sex offenders. The measure also contains provisions for treatment programs for juvenile sexual offenders, for the extension of court jurisdiction over juvenile sexual offenders, and for the establishment of a centralized system for juvenile court records.

An amendment, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), specifying that juvenile sex offender records be retained for as long as the records would be retained if the juvenile had been an adult at the time of the offense engendered extensive debate. The bill provides that juvenile records be destroyed when the person reaches the age of 23. The amendment failed to gain adoption on a tie vote. No further action was taken on the measure because of the lateness of the hour. Spear indicated that the measure would be before the committee again in mid-April.

### RICO bill discussed

The Criminal Law Division of the Judiciary Committee, chaired by Sen. Donna Peterson (DFL-Mpls.), met Fri., Mar. 31, and continued the discussion of a bill that creates the new crime of racketeering. S.F. 483, authored by Sen. Michael Freeman (DFL-Richfield), sets both criminal felony penalties and civil penalties for racketeering, money laundering and other drug gang-related crimes.

Freeman continued a section by section summary of the racketeer influenced and corrupt organization (RICO) bill. According to Freeman, the bill differs from racketeering laws in other states in three ways, the bill has a much narrower focus—the predicated offenses are drug related or violent crimes; the bill does not provide for private civil actions; and the bill retains important due process provisions.

The bill creates the new crimes of concealing criminal proceeds and of engaging in a business of concealing criminal proceeds. The new crime of racketeering is defined and a 20 year felony penalty is set. In addition, the bill deals extensively with the forfeiture of property after conviction and provides a mechanism for the court to preserve the reachability of property subject to criminal forfeiture when an indictment or complaint is filed.

Senators had just begun the process of discussing specific language in the bill and offering amendments when time ran out. The bill will be heard at a later date.

### Trust and estate regulation bill gains

The Judiciary Division on Civil Law, chaired by Sen. Ember Reichgott

(DFL-New Hope) met Fri., Mar. 31, and approved a bill outlining trust and estate regulation.

H.F. 306, explained Sen. Randolph Peterson (DFL-Wyoming), provides for the creation, validity, administration, and supervision of trusts. The bill also provides for the sale of real property and relates to legal estates in real and personal property.

In other action, the division advanced three additional bills to the full committee. S.F. 180, authored by Sen. Tracy Beckman (DFL-Bricelyn), creates an administrative procedure that allows a party to contest the registration of a corporation, limited partnership, or assumed name, or a trade or service mark with the secretary of state.

S.F. 848, recodifies and modifies cooperative association law, explained Sen. Gary DeCramer (DFL-Ghent). Allen Gerber, executive director of the Association of Cooperatives briefly explained what cooperatives are and the types that exist in Minnesota. A cooperative is described as a business that is owned and controlled by the people using the services, said Gerber. Currently, there are two types of cooperatives, agricultural and consumer. Richard Magnuson, a St. Paul attorney, reviewed changes that S.F. 848 makes in cooperative association law. Changes include requiring a cooperative to continuously maintain a registered office in the state, deleting the requirement that the original articles of incorporation be filed with the County Recorder of the cooperative's place of business, and requiring regular members' meetings be held at the principal place of business or at a conveniently located place.

Approval of S.F. 1040, sponsored by Reichgott, concluded the meeting. The bill clarifies and simplifies contractors' and subcontractors' liens.

### **Charitable gambling regulation bill gains**

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Mon., Apr. 3, and advanced three bills. S.F. 506, authored by Sen. Marilyn Lantry (DFL-St. Paul), creates a new division of gaming enforcement to insure that charitable gambling, racing and lottery laws are all adhered to properly. In addition, the bill sets penalties and authorizes criminal background checks under the laws governing pari-mutuel horse racing, bingo and the lottery. In addition, the bill specifies that the director of gaming enforcement is given the authority to inspect premises of licensees without a search warrant and that gaming enforcement employees may arrest and investigate gambling operators. The measure also specifies civil penalties for persons selling gambling equipment without a license. Two amendments, offered by Sen. Patrick McGowan (R-Maple Grove), were added to the bill. The first clarifies the authority to search regulated premises, limits the civil penalties and specifies that it is a felony for non-licensed persons to sell pull-tabs or tipboards unless the pull-tabs or tipboards are sold by a licensed or exempt organization. The second amendment, specifies that a gross misdemeanor penalty for paying compensation for game credits earned on video games of chance. The bill was approved and re-referred to the Governmental Operations Committee.

The committee also approved S.F. 1106. The measure, authored by Sen. Pat Piper (DFL-Austin), lowers the age when an adopted person may request original birth certificate information from 21 to 19. In addition, the bill reduces the time during which birth parents may consent to disclosure from 120 days to 30 days and authorizes disclosure of information on the consenting parent when only one birth parent consents. The bill was advanced to the Senate floor.

The final bill to gain committee approval, S.F. 695, authored by Sen. James Pehler (DFL-St. Cloud), requires school boards to report when a teacher is discharged or resigns from employment under circumstances where charges have been filed against the teacher. The report is to be made to whichever entity has authority over the teacher's license. The board that receives the report is required to investigate the report to determine if there are grounds for suspension or revocation of the teacher's license. The bill was sent to the full Senate.

### **Nonprofit corporate law revision okayed**

A massive revision of the laws relating to nonprofit corporations was approved and re-referred to the Finance Committee at the Wed., Apr. 5, meeting of the Judiciary Committee. S.F. 525, authored by Sen. Ember

Reichgott (DFL-New Hope), provides for the organization, operation, and dissolution of nonprofit corporations. The bill provides for definitions, details the application of the law, provides for mergers, consolidations and transfers, specifies powers and duties of boards of directors, provides for general members, provides for corporate registration and provides for dissolutions.

Committee members, chaired by Sen. Allan Spear (DFL-Mpls.), also approved and re-referred to the Committee on Taxes and Tax Laws a bill making numerous changes to the statutes relating to the Tax Court. S.F. 462, authored by Sen. LeRoy Stumpf (DFL-Plummer), clarifies and recodifies Tax Court powers and procedures. Debate on the measure was sparked by an amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), to delete the requirement that Tax Court judges be "learned in the law." The amendment was defeated on a voice vote.

In other action, the panel approved two measures dealing with the CHIPS statutes. S.F. 486, authored by Sen. Linda Berglin (DFL-Mpls.), requires reasonable efforts to prevent out of home placement of a child in need of protection or services consistent with the best interests, safety, and and protection of the child. A major thrust of the bill, said Berglin, is to direct the use of culturally appropriate services and to prevent the out of home placement of the child or, if the child is removed, to reunite the child with the family at the earliest possible time. The bill also contains provisions relating specifically to definitions of Indian child, parent, and provides that the Indian tribe retains jurisdiction over an Indian child who is a ward of a tribal court. In addition, the bill specifies the conditions under which the police may take a child into custody. The bill modifies provisions relating to temporary custody; expands the list of persons whose recommendations the court may consider in a disposition; and provides for the participation in the preparation of a case plan.

S.F. 809, authored by Spear, adds emotionally abused children to the definition of children in need of protection of services. The bill defines emotional maltreatment as the consistent, deliberate infliction of mental harm on a child by a person responsible for the child's care, that has an observable, sustained, and adverse effect on the child's physical, mental, or emotional development.

Both bills were sent directly to the Senate floor.

## **Local and Urban Government Committee approves three measures**

The Mon., Apr. 3, meeting of the Local and Urban Government Committee centered on approving bills originally requested by Olmsted County, Anoka County, and the city of Roseville. Panel members decided to delay action on a fourth measure pertaining to municipal planning until Mon., Apr. 10. Sen. Robert Schmitz (DFL-Jordan), is the committee chair.

S.F. 500, sponsored by Sen. Nancy Brataas (R-Rochester), exempts Olmsted County from operating a public morgue. Minnesota statutes currently require that counties with populations of greater than 100,000 people must maintain and operate a public morgue. Brataas explained that the proposed legislation was drafted in response to the unrealistic building and maintenance cost limitations contained in outdated statutes, along with the fact that Olmsted County has already contracted with the Mayo Clinic to provide morgue facilities. Panel members approved the bill and sent it to the Senate floor.

S.F. 1144, authored by Sen. Don Frank (DFL-Spring Lake Park), permits the Anoka County Board to appoint the county auditor, recorder, and treasurer. Additionally, the bill authorizes the Anoka County Board to reorganize, consolidate, or delegate the duties of the three county offices to promote efficiency, and includes a provision permitting the board to abolish the offices if it deems the action necessary to achieve the efficiency goal. Committee members approved the bill and it now goes to the full Senate.

S.F. 773, sponsored by Sen. John Marty (DFL-Roseville), authorizes the city of Roseville to use local lodging tax revenues to finance a sports and recreation facility. Existing law requires that 95 percent of local lodging tax gross receipts be used to fund a local convention or tourism bureau

# Committee Capsule

designed to market and promote Roseville as a tourist or convention center. City of Roseville representatives Craig Waldron and Bob Bierscheid said that both the local chamber of commerce and the hospitality industry support the bill because each anticipates a large influx of tourists if the sports and recreation facility is constructed. Sen. James Metzen (DFL-S.St.Paul), offered, and panel members adopted, an amendment limiting the proposed tax rate to no more than two percent of gross receipts collected by hotels, motels, rooming houses, tourist courts, and resorts. The measure received committee approval and was re-referred to the Economic Development and Housing Committee.

Schmitz, author of S.F. 663, explained that current law requires that a municipality's subdivision regulations include provisions setting aside a portion of a proposed subdivision for public use as streets, utilities, and parks and open space, or making a cash payment in lieu of the land dedication. S.F. 663 authorizes a municipality's subdivision regulation to require dedication of either land or a cash payment for public fire service use. The committee delayed action on the bill until Mon., Apr. 10, to provide time for additional discussion and public testimony.

## Public Utilities and Energy

### Committee okays two bills

The Public Utilities and Energy Committee, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Tues., Apr. 4, to review two bills. Both bills were approved and sent to the Senate floor.

The committee first discussed S.F. 1060, sponsored by Sen. John Marty (DFL-Roseville). The bill provides for the assessment of costs related to certificate of need applications to expand storage capacity for spent nuclear fuel rods, said Marty. Under the bill, the Dept. of Public Safety could collect up to \$300,000 for costs.

S.F. 631 establishes a task force to study issues related to electric utility service area boundary changes, said Dicklich, sponsor of the bill. The task force, which consists of five members of both bodies, must report its findings and recommendations to the Legislature by Feb. 1, 1990. The bill also outlines a number of issues that the study must address, including rate-making policy and procedures, and municipal authority and the relationship between service area boundaries and municipal boundaries.

## Rules and Administration

### LAC bill approved

Members of the Rules and Administration Committee met Thurs., Apr. 6, and approved a bill that requires recommendations of the Legislative Advisory Commission be made at a meeting of the commission unless a written recommendation is signed by all the members entitled to vote on the item. S.F. 150, authored by Sen. Gene Merriam (DFL-Coon Rapids), also provides that the commission is to meet from time to time upon the call of the governor or upon the call of the secretary at the request of two or more members. The bill was amended to allow business loans made by the Iron Range Resources Rehabilitation Board to be approved by a majority of the commission entitled to vote on the matter.

In addition, the committee approved reports from the Personnel Subcommittee making changes to the employee roster and from the Bill Referral Subcommittee resolving bill referral disputes.

## Taxes and Tax Laws

### Division approves tax classification measures

The Taxes and Tax Laws Division on Property Taxes and Local Government Aids met Tues., Apr. 4, and approved two bills modifying the state's property tax assessment policy. The division is chaired by Sen. Steven Novak (DFL-New Brighton).

As amended, S.F. 648, sponsored by Novak, clarifies the agricultural classification of greenhouses and nurseries for property tax assessment purposes. Currently, only specified real estate consisting of ten or more acres devoted solely to agricultural use qualifies for the preferential

"green acres" tax treatment, meaning that it is assessed not at market value but at its agricultural use value. Under provisions contained in S.F. 648, agricultural nursery and greenhouse operations would qualify for "green acres" status. Such operations would also be exempt from the homestead or seven-year ownership requirements that apply to all other "green acres" property. In addition, the bill specifies that a greenhouse or similar building would be classified as agricultural property if it is used to grow plants from seeds, cuttings, or roots, and would not be designated agricultural property if it is used solely to display already grown plants. According to a Dept. of Revenue analysis, S.F. 648 would have a zero revenue impact in fiscal year 1990, with an undetermined revenue loss projected for fiscal years 1991 through 1993. S.F. 648 now goes to the full Taxes and Tax Laws Committee.

In other action, division members approved a measure changing the tax classification for specified utility property. S.F. 697, also sponsored by Novak, provides that public utility personal property—other than fixtures—would be assessed in the same tax class as public utility real property. Under current state statute, personal property has a tax capacity of 5.25 percent. The bill reduces the capacity to 3.3 percent on the first \$100,000 of assessed valuation and 5.25 percent on the remainder for taxes payable in 1990, with lower rates thereafter as scheduled commercial-industrial rate reductions take effect. An amendment designed to confirm and clarify the taxation and equalization of state-assessed public utility property, offered by Sen. Robert Schmitz (DFL-Jordan), failed to be adopted by division members. S.F. 697 is now headed to the full Taxes and Tax Laws Committee.

### Corporate tax deduction bill approved

The Wed., Apr. 5, meeting of the Taxes and Tax Laws Division on Income Tax was devoted to approving a corporate dividend tax measure and gathering information on the state's dependent care credit program. The division is chaired by Sen. Lawrence Pogemiller (DFL-Mpls.).

S.F. 885, sponsored by Pogemiller, revises a law that provides a tax deduction for dividends received by a corporation from another corporation. Current law allows corporations to deduct 80 percent of dividends received from nonunitary corporations. S.F. 885 permits deductions for the remaining 20 percent if the dividends represent the stock in an affiliated company transferred under a reorganization plan and the dividend is eliminated, for federal tax purposes, under federal rules governing intercompany dividends on consolidated returns. The bill now goes to the full Taxes and Tax Laws Committee.

Panel members then shifted their attention to the issue of dependent care credit. Pogemiller explained that four bills relating to dependent care credit are identical pieces of legislation. The measures are S.F. 157, sponsored by Pogemiller; S.F. 567, sponsored by Sen. Phyllis McQuaid (R-St. Louis Park); S.F. 362, authored by Sen. James Metzen (DFL-S.St.Paul); and S.F. 377, sponsored by Sen. Linda Berglin (DFL-Mpls.). He noted that a fifth measure, S.F. 761, sponsored by Sen. Duane Benson (R-Lanesboro), differs because it removes all income limits from the state's dependent care credit, thereby making the amount provided by the state's program equal to that of the federal government. Pogemiller added that the Dept. of Revenue estimates that enactment of S.F. 377 will result in a state revenue loss of \$10.9 million during the 1990-91 biennium, and \$10.4 million during the 1992-93 biennium. The department also projects a 1990-91 biennial revenue loss of \$145 million and a 1992-93 biennial revenue loss of \$131 million if S.F. 761 is enacted. Benson said that because of his bill's substantial revenue impact, he now intends to support McQuaid's measure.

Panel members plan to re-visit the issue as soon as additional statistical information on Minnesota's dependent care credit program is supplied by the Dept. of Revenue.

## Transportation

### Light rail transit bill debated

Discussion of a bill that alters the composition and function of two transportation regulatory agencies and revises the planning process for a light rail transit system in the seven-county Metropolitan Area

highlighted the Tues., Apr. 4, meeting of the Transportation Committee. Two measures relating to pipeline regulation and escort and security service fees were also reviewed and approved by panel members. Sen. Clarence Purfeerst (DFL-Faribault), serves as the committee's chair.

S.F. 1202, sponsored by Sen. Steven Novak (DFL-New Brighton), re-structures the Regional Transit Board (RTB) and the Metropolitan Transit Commission (MTC); directs the RTB to plan and coordinate light rail transit systems in the metropolitan area; provides the MTC with the authority to operate any light rail transit systems developed; and transfers responsibility for the distribution of transit assistance funds and receipt of federal grants to the RTB. Novak said that the bill will help to coordinate and consolidate light rail planning activities currently proceeding at the state, county, and local government levels.

Purfeerst offered, and committee members adopted, an amendment requiring the RTB to conduct a study on ways to improve the delivery of transportation services to the elderly, handicapped, and disabled. Panel members decided to delay action on S.F. 1202 until Thurs., Apr. 6, to provide additional time for discussion.

In other action, the committee approved two bills and re-referred both to the Finance Committee. As amended, S.F. 879, sponsored by Novak, makes the statutory changes needed to enable the state to seek federal agent status for pipeline inspection, provides for the uniformity of civil penalties, and clarifies the authority of the public safety commissioner with respect to records and penalties. Novak said that the proposed legislation represents a culmination of more than three years of effort by representatives of both the public and private sectors to provide the state with the authority and means to regulate and inspect interstate pipelines. The bill was drafted in response to the 1986 Mounds View gas pipeline accident, he added. As amended, S.F. 143, authored by Sen. Gary DeCramer (DFL-Ghent), appropriates the escort and security service fees collected by the State Patrol and the Capitol Complex Security Division to the public safety commissioner. DeCramer said that the appropriation will enable the commissioner of public safety to cover administrative costs associated with providing the services.

## Light rail transit bill advances

Approval of bills designed to restructure two state agencies for light rail planning purposes, to fund a transportation museum, and to require specified wage rates on state-assisted railroad projects, dominated the Thurs., Apr. 6, Transportation Committee meeting. Sen. Clarence Purfeerst (DFL-Faribault), serves as the committee's chair.

S.F. 1202, sponsored by Sen. Steven Novak (DFL-New Brighton), re-structures the Regional Transit Board (RTB) and the Metropolitan Transit Commission (MTC), directs the RTB to plan and coordinate light rail transit systems, requires the MTC to operate any light rail transit systems constructed, and transfers responsibility for the distribution of state and federal funds to the RTB.

Sen. James Metzzen (DFL-S.St.Paul), offered an amendment specifying that the RTB's membership include representatives from Dakota and Anoka Counties instead of the cities of Minneapolis and St. Paul. Novak proposed an amendment prohibiting the RTB from receiving federal operating or capital assistance distributed by formula or block grant. Both amendments were adopted by the committee. S.F. 1202 is now headed to the Governmental Operations Committee.

As amended, S.F. 612, sponsored by Sen. Donald Moe (DFL-St. Paul), appropriates four million dollars to the St. Paul Housing and Redevelopment Authority for construction of a transportation museum. The bill authorizes a four million dollar bond sale to provide the appropriation, and is contingent upon St. Paul's commitment to provide one million dollars for the museum. The measure was re-referred to the Finance Committee.

S.F. 722, sponsored by Sen. James Pehler (DFL-St. Cloud), prohibits persons working on state rail service improvement act projects from being paid less than the prevailing wage in the same, or most similar, occupation in the area. The bill's provisions apply unless expressly prohibited by federal law or regulation. The bill now goes to the Finance Committee.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, April 10

#### Legislative Commission on Pensions and Retirement, Chair:

Donald Moe

7:30 a.m. Room 107 Capitol

**Agenda:** To be announced.

#### Education Committee, Chair: James Pehler

8 a.m. Room 15 Capitol

**Agenda:** S.F. 782-Hughes: Enters into the Midwestern Education Compact; proposes coding for new law in Minnesota statutes. S.F. 1010-Hughes: Appropriates money for a study of educational facilities. S.F. 1229-DeCramer: Requires the state university board to study the feasibility of acquiring a site to broaden services within the metropolitan area and additional related issues. S.F. 415-Dahl: Appropriates money for "2 + 2" programs at all the metropolitan community colleges. S.F. 517-Freeman: Appropriates money to the higher education coordinating board for a community servicer grant program for post-secondary institutions. S.F. 703-Benson: Reauthorizes program improvement grants; provides an exception to consolidation timelines.

#### Finance Division on Health and Human Services, Chair: Don

Samuelson

8:30 a.m. Room 125 Capitol

**Agenda:** Presentation on the capital budget.

#### Agriculture and Rural Development Committee, Chair: Charles

Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 1389-Frederickson, D.J.: Labeling of wild rice. S.F. 1377-Chmielewski: Labeling of wild rice. S.F. 1235-Dahl: County board members to serve on agriculture societies.

#### Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 180-Beckman: Procedures for contesting of corporate trademarks. S.F. 476-Berg: Criminalizing harassment of hunters. S.F. 572-Ramstad: Increases penalty for false child abuse report to influence custody to a gross misdemeanor. S.F. 848-DeCramer: Cooperative business law recodification, modification. S.F. 1034-Laidig: Modification of probate notice to creditors. S.F. 1040-Reichgott: Mechanics' lien law contractor and subcontractor notice requirements. S.F. 1099-Merriam: Hazardous substance reporting law.

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

Frank

12 noon Room 15 Capitol

**Agenda:** S.F. 1115-Lessard: Establishes a cold weather resource center at International Falls. S.F. 1087-Kroening: Provides standing for certain associations to bring an action for tenant remedies. S.F. 957-Frank: Transfers programs under the Minnesota Agricultural and Economic Development Board to the Dept. of Trade and Economic

Development. S.F. 278-Morse: Revises provisions governing regional development commissions.

**Local and Urban Government Committee**, Chair: Robert Schmitz  
12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 1252-Johnson, D.J.: Relates to establishing a medical clinic district. S.F. 1069-Johnson, D.J.: Relates to establishing a county hospital district. S.F. 1068-Johnson, D.J.: Relates to money for a county hospital. S.F. 956-Stumpf: Relates to a contract with state for siting and development of a stabilization and containment facility. S.F. 1341-Mehrkens: Relates to Goodhue County; payment procedures. S.F. 1331-Lessard: Relates to Itasca County; town to annex.

**\*The Senate will be in session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** Omnibus education bill.

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

3 p.m. Room 123 Capitol

**Agenda:** Presentation on the capital budget.

**Environment and Natural Resources Subcommittee on Public Lands and Water**, Chair: Steven Novak

7:30 p.m. Room 15 Capitol

**Agenda:** S.F. 1070-Peterson, R.W.: Authorizes sale of certain tax forfeited lands that border on public water in Chisago County. S.F. 929-Dahl: Conservation corps. S.F. 1026-Dicklich: Promotes Minnesota horticultural peat. S.F. 539-Moe, R.D.: Promotes the 100th anniversary of the state park system. S.F. 1043-Moe, R.D.: Authorizes a grant to the Red Lake watershed district, Clearwater County, to construct an improved and enlarged lake on Walker Brook. S.F. 110-Diessner: Changes certain registration fees. S.F. 1289-Johnson, D.: Elephant Creek impoundment. S.F. 921-Frederickson, D.R.: Authorizes conveyance of state lands to the city of St. Peter. S.F. 1129-Stumpf: Requires written notice to the commissioner on the vacation of roads. S.F. 1174-Benson: Acceptance of transfers from the federal government.

## Tuesday, April 11

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

8 a.m. Room 123 Capitol

**Agenda:** S.F. 1314-Morse: Repeals limits on salaries of certain higher education officials. S.F. 1368-Dahl: Clarifies powers and duties of state board and state director of vocational-technical education. S.F. 1343-Decker: Provides a temporary funding adjustment to the state university board.

**Employment Committee**, Chair: Florian Chmielewski

8 a.m. Room 107 Capitol

**Agenda:** S.F. 762-Adkins: Minimum wage for tipped employees. S.F. 151-Chmielewski: Unemployment compensation; defines the term "wages." S.F. 1036-Freeman: Dislocated Workers Assistance Act. S.F. 1374-Pogemiller: Education; reporting unfair discriminatory practices. Other bills to be announced.

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

8 a.m. Room 15 Capitol

**Agenda:** S.F. 150-Lessard: Establishes a state run lottery.

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

8 a.m. Room 125 Capitol

**Agenda:** S.F. 312-Merriam: Private sector employee access to personnel records. S.F. 311-Merriam: Sexual assault offender HIV status. S.F. 1324-Cohen: Data practices law effect on open meeting law.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

**Agenda:** S.F. 847-Samuelson: Deregulates persons who provide transportation service under contract to and with assistance from DOT. S.F. 1253-Lantry: Regulates the borrowing authority of the Regional Transit Board. S.F. 1287-Lantry: Exempts city of the first class from certain parking design standards. S.F. 1303-DeCramer: Requires nonrailroad lessors to comply with certain procedures before sale of property interest regulating cancellations of leases of railroad right-of-way.

**Commerce Committee**, Chair: Sam Solon

10 a.m. Room 112 Capitol

**Agenda:** S.F. 1241-Pogemiller: Lowers experience requirements for substitute teachers for barber schools. S.F. 1355-Peterson, R.W.: Regulation of fees for loans and extension of credit by financial institutions. S.F. 1133-Solon: Relates to Industrial Loan & Thrift capital stock and surplus requirements. S.F. 353-Spear: Licensing of check cashing businesses. S.F. 1359-Solon: Relates to membership camping practices. S.F. 1376-Cohen: Exempts certain over-the-counter securities from blue-sky registration.

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

10 a.m. Room 15 Capitol

**Agenda:** S.F. 1433-Dicklich: Relates to the energy needs of low-income Minnesotans.

**Veterans and Military Affairs Committee**, Chair: Joe Bertram, Sr.

10 a.m. Room 107 Capitol

**Agenda:** S.F. 1185-Bertram: Appropriates money for use by Vietnam veterans of America; assists veterans to make claims. S.F. 272-Langseth: Requires Dept. of Administration to consider sites for veterans homes in northwestern Minnesota in addition to Fergus Falls.

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

1 p.m. Room 112 Capitol

**Agenda:** S.F. 685-Solon: Western Lake Superior Sanitary District. S.F. 296-Berg: Disallows fishing license refunds for senior citizens. S.F. 895-Novak: Conservation-changing responsibilities. S.F. 846-Frederickson, D.R.: Conveyance of property to Hoffman Center. S.F. 578-Purfeerst: Mowing highway rights-of-way.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 856-Frank: Shared housing. S.F. 345-Berglin: Maternal and child health. S.F. 1055-Berglin: Success by six – right start. S.F. 1052-Berglin: Supported living residences. S.F. 1163-Waldorf: ICFMR – proposal for downsizing.

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

3 p.m. The Whitney Hotel, Minneapolis

**Agenda:** Presentation on parks issues.

**Taxes and Tax Laws Division on Property Taxes and Local**

**Government Aids**, Chair: Steven Novak

3 p.m. Room 15 Capitol

**Agenda:** Testimony on Truth-in-Taxation.

**Education Committee**, Chair: James Pehler

5 p.m. Room 107 Capitol

**Agenda:** S.F. 1181-Dicklich: Allows alternative postseason extracurricular competition. S.F. 1157-DeCramer: Changes the name of technical institutes to technical colleges. S.F. 1175-DeCramer: Updates the language and procedures with respect to certain state university bonding authority.

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

6 p.m. Room 125 Capitol

**Agenda:** Continued if necessary, S.F. 150-Lessard: Establishment of a state-run lottery.

**Education Division on Education Funding**, Chair: Randolph

Peterson

6:30 p.m. Room 15 Capitol

**Agenda:** Omnibus education bill.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

7 p.m. Room 112 Capitol

**Agenda:** S.F. 262-Morse: 1989 Groundwater Protection Act.

**Judiciary Committee**, Chair: Allan Spear

7:30 p.m. Room 123 Capitol

**Agenda:** S.F. 187-Merriam: Provides first option to buy mobile home park to tenants. S.F. 190-Luther: Corporate anti-takeover modifications. S.F. 573-Spear: Child custody and visitation modifications. S.F. 1001-Merriam: Community dispute resolution program operation, eligibility. S.F. 1032-Peterson, R.W.: Uniform Transboundary Pollution Reciprocal Access Act. S.F. 1184-Luther: Probate of sentimental property, family allowance. S.F. 1300-Cohen: Payment of prosecution witness fees. S.F. XXX-Luther: Hennepin county mandatory, nonbinding alternative dispute resolution program. Additions to agenda possible.

## Wednesday, April 12

**Education Committee**, Chair: James Pehler

8 a.m. Room 15 Capitol

**Agenda:** S.F. 1321-Peterson, D.E.: Allows a school board to compel attendance of enrolled pupils under the age of seven; making conforming changes. S.F. 1314-Morse: Repealing limit on salaries of certain higher education officials. S.F. 1343-Decker: Provides a temporary funding adjustment to the state university board. S.F. 1368-Dahl: Clarifies powers and duties of the state board and state director of vocational technical education. S.F. 1261-Waldorf: Clarifies reporting responsibilities to the HECB.

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

8 a.m. Room 107 Capitol

**Agenda:** To be announced.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 48-Vickerman: County economic development authorities. S.F. 278-Morse: Regional development commissions. S.F. 1332-Stumpf: Increases the value of destroyed livestock.

**Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 366-Cohen: Semi-automatic assault rifles.

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

11:30 a.m. Room 107 Capitol

**Agenda:** S.F. 1074-Hughes: School district elections. S.F. 89-Frank: Political parties expenditure limit exceptions and lobbyist reporting. S.F. 4-Luther: Congressional campaign financing. S.F. 5-Marty: Ethics code. S.F. 68-Cohen: Size of the legislature. S.F. 79-Merriam: Unicameral legislature. S.F. 245-Hughes: Legislative fundraising. S.F. 617-Berg: Legislative fundraising. S.F. 368-Luther: Public subsidy for legislative candidates in special elections. S.F. 721-Luther: Political check-off. S.F. 1440-Luther: Campaign financing.

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

1 p.m. Room 112 Capitol

**Agenda:** To be announced.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 627-Samuelson: County Boards to collect fees for court ordered treatment of juveniles. S.F. 954-Samuelson: Changes the roll of regional treatment centers.

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

3 p.m. Room 123 Capitol

**Agenda:** Presentation on the Capital budget.

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

3 p.m. Room 107 Capitol

**Agenda:** To be announced.

**Education Committee**, Chair: James Pehler

5 p.m. Room 15 Capitol

**Agenda:** Continuation of bills from subcommittees and previous meetings.

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

5 p.m. Room 237 Capitol

**Agenda:** S.F. 748-Spear: Child mortality review panel data access and privacy. S.F. 912-Spear: Communicable disease data privacy. S.F. 1031-Lantry: Emergency first responder infectious disease notification. S.F. 94-Marty: Insurance company data practices. S.F. 1237-Peterson, R.W.: Wiretap law extension, modifications. Additions to agenda possible.

**Legislative Commission on Pensions and Retirement**, Chair:

Donald Moe

6 p.m. Room 112 Capitol

**Agenda:** To be announced.

## Thursday, April 13

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

8 a.m. Room 15

**Agenda:** S.F. 471-Pehler: Board of Teaching. S.F. 1202-Novak: Metropolitan Transit. Pension bills.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 698-Knutson: Defines physically handicapped person for purposes of obtaining special license plates. S.F. 1339-Schmitz: Appropriates money to commissioner of public safety to improve drivers' license security and legibility. S.F. 1248-Novak: Prohibits the towing of motor vehicles for traffic violation for a period of 12 hours unless moving the vehicle is necessary to relieve a safety problem. S.F. 1420-Vickerman: County state-aid changes. S.F. 994-Purfeerst: Transfers motor carrier regulatory responsibilities from Mn/DOT to Public Safety.

**Commerce Committee**, Chair: Sam Solon

10 a.m. Room 112 Capitol

**Agenda:** S.F. 1333-Novak: Authorizes additional on-sale liquor license for Blaine. S.F. 1398-Anderson: Authorizes additional on-sale liquor license for Todd County. S.F. 1407-Solon: Requires notice and hearing before increase in liquor license fees. S.F. 520-Belanger: Limits liability of food donors. S.F. 819-Cohen: Limits liability of food donors. S.F. 1297-Metzen: Provides for recovery from an uninsured motorist under a subrogated claim. S.F. 960-Peterson, D.C.: Clarifies calculation of underinsured motorist benefits.

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

10 a.m. Room 15 Capitol

**Agenda:** To be announced.

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

12 noon Room 15

**Agenda:** To be announced.

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

12:15 p.m. Room 107 Capitol

**Agenda:** S.F. 1238-Peterson, R.W.: Relates to county recorder fees. Additions to agenda possible.

**\*The Senate will be in session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph

Peterson

3 p.m. Room 15 Capitol

**Agenda:** Omnibus education bill.

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

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

3 p.m. Room 112 Capitol

**Agenda:** To be announced.

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

3 p.m. Room 123 Capitol

**Agenda:** To be announced.

**Education Committee**, Chair: James Pehler

5 p.m. Room 107 Capitol

**Agenda:** Continuation of bills from subcommittees and previous meetings.

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

5 p.m. Room 118 Capitol

**Agenda:** S.F. 1282-Benson: Veterans MA eligibility-nursing homes. S.F. 678-DeCramer: Luverne-Veterans Nursing Home Bill.

**Education Committee**, Chair: James Pehler

6 p.m. Room 15 Capitol

**Agenda:** S.F. 783-Solon: Proposes a fifth year incentive plan for teachers in the Duluth school district. S.F. 704-DeCramer: Appropriates money to establish and expand post-secondary nursing programs and for nursing scholarships. S.F. 365-Pehler: Establishes a state system of post-secondary vocational technical education. S.F. 988-Novak: Imposes conditions on enrolling in, and getting a certificate for, public school driver's training courses and on certain driving privileges. S.F. 607-Pehler: Provides for notice of vacancies on board of regents of the U of M; requires use of open appointment. S.F. 882-Morse: Appropriates money for lease at College of St. Teresa by Winona State University.

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

6 p.m. Room 15 Capitol

**Agenda:** S.F. 506-Lantry: Gaming enforcement. S.F. 365-Pehler: Technical Institute governance. S.F. 1383-Moe, D.M.: Creates a small business procurement commission.

**Judiciary Committee**, Chair: Allan Spear

7:30 p.m. Room 112 Capitol

**Agenda:** S.F. 339-Solon: Criminalizes the sale, possession of anabolic steroids. S.F. 805-Luther: Public defender law update. S.F. 1081-Spear: Racial bias in the judicial system, judicial criticism studies. Additions to agenda possible.

## Friday, April 14

**Education Division on Education Funding**, Chair: Randolph

Peterson

8 a.m. Room 15 Capitol

**Agenda:** Omnibus education bill.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** To be announced.

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

10 a.m. Room 125 Capitol

**Agenda:** Presentation on the capital budget.

**Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 445-Peterson, R.W.: Permits certain public hospital board closed meetings. Any remaining bills from previous meetings, or referred bills.

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

1 p.m. Room 112 Capitol

**Agenda:** To be announced.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 1371-Berglin: DAC wages. S.F. 443-Pogemiller: Podiatric. S.F. 993-Cohen: Store-to-door. S.F. 340-Lessard: Veterans Agent Orange. S.F. 1196-Lantry: Prohibits use of blanket waivers of liability by nursing homes and continuing care facilities. S.F. 909-Piper: GA and MA equipment. S.F. 713-Brandl: Clean Indoor Air Act. S.F. 1173-Pehler: Child care for AFDC students.

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

5 p.m. Room 15 Capitol

**Agenda:** Re-referrals.

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

5 p.m. Room 107 Capitol

**Agenda:** To be announced.

## Saturday, April 15

**Education Division on Education Funding**, Chair: Randolph Peterson

10 a.m. Room 15 Capitol

**Agenda:** Omnibus education bill.

**Meeting schedules and agendas are subject to change because of the first committee deadline April 14.**

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

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# Briefly

The Minnesota Senate Week in Review

April 14, 1989

## Emergency flood relief bill passed

A bill appropriating emergency funds to the Dept. of Natural Resources for aid to the flood stricken Red River Valley gained final passage at the Mon., Apr. 10, Senate floor session. S.F. 1444, authored by Majority Leader Roger Moe (DFL-Erskine), was designated a Special Order and granted final passage. According to Moe, the measure carries a \$250,000 appropriation to the DNR contingency fund and will be used to aid flood control efforts. Moe said the fund was depleted because of drought related fires last year.

In other action, a second bill was also designated a Special Order and granted final passage. S.F. 778, authored by Sen. Linda Berglin (DFL-Mpls.), authorizes General Assistance Medical Care payments for patients in facilities designated institutions for mental diseases.

Two bills on the Consent Calendar gained final passage. S.F. 936 and S.F. 1080, both authored by Sen. James Pehler (DFL-St. Cloud), both deal with the exchange and conveyance of state land.

Several bills were granted preliminary approval on the General Orders Calendar. S.F. 361, authored by Sen. William Luther (DFL-Brooklyn Park), clarifies eligibility for economic loss benefits under no-fault auto insurance. S.F. 223, authored by Sen. Gene Merriam (DFL-Coon Rapids), creates an affirmative defense to the charge of being in control of a vehicle while under the influence alcohol. S.F. 297, sponsored by Sen. Charles Berg (DFL-Chokio), authorizes party hunting for small game and party fishing. S.F. 299, sponsored by Merriam, provides for restitution for wild animals that are illegally killed or injured and restricts the expenditures from restitution to the replacement and propagation of wild animals. S.F. 1050, authored by Sen. Steven Novak (DFL-New Brighton) is a resolution memorializing the Congress of the United States to reject pending legislation that would authorize the use of Minnesota waters for the transportation of coal and would grant the right of eminent domain of coal slurry pipelines.

## Ban on assault guns okayed

A bill prohibiting the ownership, possession, or operation of semi-automatic assault rifles was approved on 11-6 roll call vote at the Wed., Apr. 12, Judiciary Committee meeting. The bill, S.F. 366, authored by Sen. Richard Cohen (DFL-St. Paul), lists the specific types of weapons that are to be banned; provides for a mandatory minimum sentence for a person convicted of a major felony in which an illegal weapon is possessed or used; allows persons who already own to obtain a permit to continue to own or possess the weapons; and specifies that the Legislature does not intend to place restrictions on the ownership, possession, or use of weapons designed and intended for hunting or other legitimate sports activities.

Several law enforcement officials testified in favor of the measure, emphasizing that their support centered on concern for the life and safety of law enforcement officers and innocent citizens. Paul Tscheda, commissioner of public safety, said, "The drug wars have given rise to a new generation of weapons that have no legitimate use."

Opposition to the measure, led by Joe Olson, a law professor at Hamlin University, centered on the argument that it is the failure of the criminal justice system and the mental health system that has led

to an increase in crime, not the ownership of guns.

Cohen countered that the bill, while not a panacea for crime, is an attempt to act proactively to limit the availability of the weapons.

Committee members defeated, on a 5-12 roll call vote, an amendment that provided for the death penalty for a person convicted of committing multiple murders with an assault weapon. However, a portion of the amendment allowing the permissive inference of knowing possession if a firearm is found in an automobile was adopted.

## Healthspan amended, advanced

The Commerce Committee approved an amendment deleting a major portion of S.F. 491, the Healthspan proposal, before approving it Wed., Apr. 12. The proposal, authored by Sen. Linda Berglin (DFL-Mpls.), is an attempt to provide all Minnesotans with basic, affordable health care coverage.

The amendment deletes the employer payroll tax to fund the plan and requires the Health Care Access Commission to study the plan for a year and report back to the Legislature by Feb. 15, 1990. The amendment, offered by Sen. James Metzzen (DFL-So. St. Paul), adds requirements that the commission develop a financial plan for implementing the program and a system to administer it; develop a system for premium payments; and develop a cost containment policy. In addition, the amendment requires that every Minnesotan have coverage under a health care plan by July 1, 1991 instead of by July 1, 1990, but only if the Legislature has taken action to provide sufficient funding for the Health Care Access Account to allow the commission to offer coverage to those eligible.

The committee, chaired by Sen. Sam Solon (DFL-Duluth), re-referred the bill to Governmental Operations Committee.

## DWI affirmative defense bill fails

Members of the Senate met Thurs., Apr. 13, and granted final passage to four of the five bills given preliminary approval earlier in the week. The exception, S.F. 223, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides an affirmative defense to the charge of being in control of a vehicle while under the influence of alcohol. Sen. Fritz Knaak (R-White Bear Lake), arguing against granting the measure final passage said that the bill "damages the enforcement of DWI laws and makes it easier for people to drive drunk on Minnesota roads and get away with it." The bill failed 26-40.

In other action, the Senate granted concurrence and repassage to S.F. 916, authored by Merriam. The bill regulates landscape application contracts. Senators also adopted the conference committee report and repassed S.F. 156. The measure, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), provides for the negotiation of the Tribal-State Compact in accordance with the Indian Gaming Regulatory Act. Finally, the Senate also granted final passage to H.F. 1586. The measure sponsored by Sen. Roger Moe, provides emergency flood relief to the Red River Valley and provides for the \$3.7 million arbitration award for the negotiated agreement on the renovation of the State Office Building. Because of parliamentary technicalities, Moe said, it was necessary to act on the House bill, even though the Senate had approved a flood relief bill earlier in the week.

# Committee Capsule

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## Agriculture and Rural Development

### Four bills gain

The Fri., Apr. 7, meeting of the Agriculture and Rural Development Committee was devoted to approving four measures revising the agricultural land preservation law, funding a project to develop a portable system that adapts fertilizer rates, regulating the manufacture of cultured dairy foods, and prohibiting the grazing and haying of conservation easement land. Testimony was also taken on a measure to require labeling of dairy products from cows that have been administered a growth hormone. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

As amended, S.F. 542, sponsored by Davis, changes the name of land designated under the agricultural land preservation program from "exclusive agricultural use zones" to "agricultural preserves"; reduces the commissioner of agriculture's comment period for county agricultural land preservation plans from 90 to 60 days; and revises termination, land use, and recordkeeping procedures for agricultural preserves. The bill now goes to the Senate floor.

S.F. 1125, also sponsored by Davis, provides for a \$75,000 General Fund appropriation to support a project to design, develop, and demonstrate a portable computerized system that automatically adapts fertilization rates to soil characteristics using existing on-farm applicators. S.F. 1125 was re-referred to the Finance Committee.

S.F. 583, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville), regulates the manufacture of cultured dairy foods and requires pasteurization in facilities making Minnesota farmstead cheese or cultured dairy food. The measure is headed to the full Senate.

As amended, S.F. 49, sponsored by Sen. Jim Vickerman (DFL-Tracy), prohibits livestock grazing on land under conservation easements. Current law permits grazing only if approved by the commissioner of agriculture for cases of severe drought or in response to local emergency declarations. The bill now goes to the Senate floor.

S.F. 1028, sponsored by Sen. Steven Morse (DFL-Dakota), requires dairy products processed or manufactured with milk from cows given bovine somatotropin (BST) to be labeled if sold or offered for sale, restricts the use of BST, and permits only licensed veterinarians to dispense and administer BST.

### BST measure postponed

The Sat., Apr. 8, meeting of the Agriculture and Rural Development Committee resulted in delaying action on a bill to require labeling of dairy products from cows administered bovine somatotropin (BST), and approving three measures concerning infectious waste, soybean ink, and the state's seed and dairy inspection laws. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

Panel members decided to indefinitely postpone action on S.F. 1028, sponsored by Sen. Steven Morse (DFL-Dakota), a measure that requires labeling of dairy products originating from BST-administered cows and that regulates BST usage. Committee members agreed that the issue needs further study before legislation is drafted to regulate BST practices.

S.F. 237, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), establishes infectious waste handling, storage, and disposal procedures; requires the development of management plans by counties that handle infectious or pathological waste; details waste transportation procedures; mandates rule implementation guidelines for the Pollution Control Agency (PCA) and the Dept. of Health; and contains enforcement provisions. Amendments requiring the PCA to consult with the commissioner of agriculture and the Board of Animal Health before the adoption of rules and development of a proposed waste disposal study's parameters were adopted. The measure was re-referred to the Judiciary Committee.

As amended, S.F. 1042, authored by Sen. Jim Vickerman (DFL-Tracy), encourages the state printer and state agencies to use soy-based ink for printing operations whenever technically feasible or practical. The bill now goes to the full Senate.

As originally proposed, S.F. 744, sponsored by Morse, requires labelers who sell more than 10,000 pounds of agricultural seed for use in the state to pay fees on the seeds sold during the calendar year. The bill also pro-

vides dairy inspectors with the authority to suspend an operator's permit if he or she physically threatens an inspector or disobeys an inspector's orders. Panel members adopted an author's amendment that clarifies existing state seed law procedures, and an amendment offered by Sen. Earl Renneke (R-LeSueur), that reaffirms current Minnesota dairy inspection practices. The measure is headed to the Senate floor.

### Wild rice labeling bill debated

Discussion of a bill requiring the labeling of wild rice and approval of a measure relating to county agricultural societies dominated the Mon., Apr. 10, meeting of the Agriculture and Rural Development Committee. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

As amended, S.F. 1377, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), clarifies requirements on the packaging and labeling of Minnesota-grown wild rice and requires disclosure of the wild rice's origin; authorizes construction of a greenhouse facility for the study of wild rice; and creates and funds the Minnesota Indian Wild Rice Promotion Council, an organization designed to promote and market hand-harvested wild rice. Chmielewski said that the proposed legislation represents an agreement between the Dept. of Agriculture, Indian reservations, and wild rice growers, and attempts to counter the recent influx of non-Minnesota-grown wild rice that is being labeled and sold as a Minnesota-grown product. S.F. 1377 was laid-over in order for panel members to make technical corrections and further clarify its content.

As originally proposed, S.F. 1235, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), permits members of county boards of commissioners to serve on the board, or as officers, of county agricultural societies. Davis offered, and panel members adopted, an amendment allowing elected state, county, and local officials to also serve on the societies in a board or officer capacity. The bill now goes to the Senate floor.

### Groundwater bill amended

The Tues., Apr. 11, meeting of the Agriculture and Rural Development Committee focussed on adopting amendments to a groundwater protection bill. Sen. Charles Davis (DFL-Princeton), serves as the committee's chair.

S.F. 262, known as the 1989 Groundwater Protection Act sponsored by Sen. Steven Morse (DFL-Dakota), underwent numerous revisions. Substantive amendments adopted by panel members included changes to provisions concerning the evaluation and common detection of pollution; fertilizers; soil and plant amendments; incidents; inspection and enforcement; agricultural chemical incident response fund; environmental response, compensation, and compliance fund; water research, information, and education; well construction and ownership; licensing and registration; water conservation; pesticide amendments; conservation of public water supplies; and protection of sensitive areas.

### Committee approves groundwater bill

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), devoted its Wed., Apr. 12, meeting to amending and approving a groundwater protection bill. Three measures concerning economic development, wild rice, and livestock also gained committee approval.

S.F. 262, known as the 1989 Groundwater Protection Act sponsored by Sen. Steven Morse (DFL-Dakota), aimed at protecting the quality and abundance of Minnesota's water resources through the establishment of various contamination prevention programs and strengthened state and local anti-pollution regulatory efforts, was amended three times by panel members. Two of the amendments dealt with revising the degradation prevention goal statement, and including local water planning authorities in the well sealing process. The third amendment clarified language contained in the bill. Panel members approved S.F. 262, and re-referred it to the Governmental Operations Committee.

S.F. 48, sponsored by Sen. Jim Vickerman (DFL-Tracy), permits Minnesota counties to establish economic development authorities. The bill prohibits counties from interfering in economic development activities conducted by municipalities that have already established authorities, and contains a levy limit of three-quarters of a mill. The bill was re-referred to the Taxes and Tax Laws Committee.

As amended, S.F. 1377, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), clarifies requirements on the packaging and labeling of Minnesota-grown wild rice and requires disclosure of the rice's origin. The measure was re-referred to the Finance Committee.

S.F. 1332 increases an owner's state compensation from \$400 to \$500 for livestock that is destroyed or "irreparably crippled" by an animal classified as endangered under the 1973 Federal Endangered Species Act. The bill, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), now goes to the full Senate.

## Commerce

### Currency exchange bill approved

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), amended and approved five bills Tues., Apr. 11.

S.F. 353, sponsored by Sen. Allan Spear (DFL-Mpls.), generated the most discussion. S.F. 353 regulates "currency exchanges," which are basically check cashing operations and are currently unregulated, Spear said. The bill requires that currency exchanges be licensed by the commissioner of commerce and outlines procedures to apply for a license and grounds to have a license suspended or revoked. Under the bill, fees charged at currency exchanges for check cashing services must be filed with and approved by the commissioner.

Most of the discussion centered on a provision which was eventually deleted through an amendment offered by Sen. James Metzen (DFL-So. St. Paul). The provision specified that no currency exchange could charge more than \$1 per item or two percent, whichever was greater, to cash a government check of up to \$500. The person must have proper identification.

Spear pointed out that many people on state assistance use these currency exchanges to cash checks. However, Metzen's amendment was approved on a 9-8 vote and the limitation on fees for government checks was deleted. The bill was re-referred to the Finance Committee.

In other action, Senators approved S.F. 1133, relating to financial institutions, authored by Solon. The bill incorporates a number of changes described by a Commerce Department representative as technical in nature. However, Senators raised questions regarding sections amending the bank liquidation provisions to create a statutory priority for uninsured deposits (those over \$100,000 per depositor) over general creditors of a failed bank, and approved an amendment offered by Frederick to delete the sections.

Also approved was S.F. 1241, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), providing that a person with three years experience as a licensed barber may teach or instruct at a barber school or college if they meet all the other requirements in state law. Current law requires five years. The bill was sent to the Consent Calendar.

S.F. 1355, relating to charges and fees imposed by financial institutions, was also approved. The bill cleans up language put into statute last year, author Sen. Randolph Peterson (DFL-Wyoming) said.

Finally, the committee amended and approved S.F. 1359, authored by Solon. The bill defines "advanced payment" and prohibits, in connection with the offer or sale of any membership camping contract, acceptance of an advance payment for services rendered by an agent in connection with the resale of a membership camping contract. The bill also defines "advance payment" with respect to subdivided lands, and requires that an annual report filed by the subdivider must include a financial statement of the subdivider's most recent fiscal year, prepared by an accountant and certified by the subdivider. The requirement is retroactive to Jan. 1, 1989.

S.F. 1355, S.F. 1133, and S.F. 1359 were sent to the floor.

### Antitrust legislation laid over

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), laid over for interim study S.F. 801, authored by Sen. William Luther (DFL-Brooklyn Park), Thurs., Apr. 13. The bill clarifies the applicability of state and federal antitrust laws to the insurance industry. The industry's immunity to antitrust legislation is established under the federal McCarron-Ferguson Act.

After considerable discussion, committee members approved a motion offered by Sen. William Belanger (IR-Bloomington), to lay over the bill for interim study.

In other action, the committee amended and approved S.F. 960, authored by Sen. Donna Peterson (DFL-Mpls.). The bill relates to underinsurance and uninsured motorist coverage. The bill provides that underinsured and uninsured will be separate coverages with each having the minimum limits of \$25,000 for injury or death to one person in an accident and \$50,000 for two or more persons that are injured.

The bill also changes the way underinsured motorist coverage is calculated to provide that a person could recover underinsurance motorist coverage if they have not been fully compensated by the at-fault party's liability insurance. The limit of the amount they can recover from their company is their underinsurance motorist coverage limit.

In addition, the bill provides that in calculating underinsurance motorist benefits an insurer's maximum liability is the amount of damages sustained by the insured but not recovered from the insurance policy of the driver of the at-fault vehicle, provided that the insurer will not have to pay more than the amount of its underinsurance motorist coverage limits with that individual.

Members approved an author's amendment deleting a provision making the bill apply to cases pending or brought on or after July 1, 1985. As approved, the bill is effective for all contracts issued or renewed on or after Aug. 1, 1989; for all injuries occurring on or after Aug. 1, 1989; and for deaths occurring as a result of injuries sustained on or after Aug. 1, 1989.

Committee members also discussed two bills relating to the donation of food to charitable organizations, S.F. 520, authored by Belanger, and S.F. 819, authored by Sen. Richard Cohen (DFL-St. Paul). S.F. 520 was approved and re-referred to the Judiciary Committee. The bill provides for a limitation of liability for a food facility—such as a food manufacturer, distributor, or produce stand—donates food to a food bank or other nonprofit organization. The food bank or nonprofit organization that distributes the food without charge is also provided with limited liability under the bill. The committee took no action on S.F. 819.

The committee adopted an author's delete-everything amendment to H.F. 268, sponsored by Solon, and approved the bill. H.F. 268 clarifies that in an action brought for committing an unfair practice under the Franchise Act, it will be presumed that the person injured has suffered irreparable harm. The bill also clarifies the prohibition against any waiver of a provision of the Franchise Act.

Also approved were H.F. 1353, authored by Sen. Steven Novak (DFL-New Brighton), authorizing Blaine to issue an on-sale liquor license for the Dan Patch Raceway; S.F. 1407, sponsored by Solon, providing that any city, town, or county that proposes to increase any liquor license fee must provide for notice and a hearing on the increase and requiring that the notice be mailed to all affected licensees at least 30 days before the hearing; S.F. 1168, sponsored by Luther, requiring an insurer who is attempting to collect under a subrogation right from an uninsured third party to return to the insured the insured's full deductible share as soon as that amount is collected; and H.F. 424, sponsored by Sen. James Metzen (DFL-So. St. Paul), providing that metal molds and dies used to manufacture metal products are subject to the unclaimed property law, just as molds and dies used for the manufacture of plastic products.

H.F. 1352, S.F. 1407, S.F. 1168, S.F. 960, and H.F. 268 were sent to the Senate floor. H.F. 424 was put on the Consent Calendar.

## Economic Development and Housing

### Affordable housing bill advances

After an amendment to provide targeted neighborhood revitalization funding for the cities of Minneapolis, St. Paul and Duluth was defeated in a controversial vote Thurs., Apr. 6, the Economic Development and Housing Committee approved S.F. 522, a bill to establish statewide housing programs. Sen. Lawrence Pogemiller (DFL-Mpls.) sponsored the bill, Sen. Don Frank (DFL-Spring Lake Park) chairs the committee.

Three other major amendments were adopted by the committee. One amendment, offered by Pogemiller, extends to the cities of St. Paul and Minneapolis the authority to sell up to \$25 million in general obligation bonds for housing rehabilitation loans and grants. Another Pogemiller

# Committee Capsule

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amendment resolved disagreement among committee members on bill provisions regarding rent escrow procedures in landlord/tenant disputes. Finally, an amendment, offered by Sen. John Bernhagen (IR-Hutchinson), requires a court to consider the long-term economic viability of a dwelling before authorizing the property administrator to provide for the rehabilitation of the building. S.F. 522 was re-referred to the Judiciary Committee.

## Regional development commission bill advances

The Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Tues., Apr. 12, and approved S.F. 278, regarding the powers of regional development commissions (RDCs). As amended, S.F. 278 was scaled back to authorize the establishment of area development alliances (ADAs) only in regions of the state that do not currently have RDCs. The bill, sponsored by Sen. Steven Morse (DFL-Dakota), was re-referred to the Committee on Agriculture and Rural Development. Four other bills were advanced by the committee.

Two bills, regarding special service districts in Edina and St. Cloud, were approved by the committee. S.F. 54, authored by Sen. Don Storm (IR-Edina), authorizes the city of Edina to acquire and operate a public transit system, and establish special service districts within the city for public transit and other authorized services. The bill also exempts the city from competitive bidding and performance bond requirements on certain city construction projects. S.F. 762, sponsored by Sen. James Pehler (DFL-St. Cloud), raises to 50 percent the proportion of individuals and businesses in a special service district that must agree to veto a resolution imposing a service charge in the district. Pehler explained that S.F. 764 would help to contain parking costs and encourage development in downtown St. Cloud. Both bills were re-referred to the Committee on Tax and Tax Laws.

The committee approved two measures regarding the authority of local government to contribute to economic development organizations. S.F. 1041, sponsored by Sen. Cal Larson (IR-Fergus Falls), authorizes cities and towns to provide up to \$50,000 per year in general revenue funds for contributions to organizations promoting economic development. A similar bill, S.F. 941, sponsored by Sen. Nancy Brataas (IR-Rochester), authorizes Olmsted County to provide up to \$250,000 annually in general revenue funds to organizations for economic and agricultural resource development. Under current law, counties may provide up to \$50,000 per year for such purposes. Both bills were sent to the Senate floor.

In other action, the committee considered S.F. 1115, providing a biennial grant of \$1.5 million to establish a cold weather resource center in International Falls. The center would operate as a public corporation to promote and coordinate cold weather testing and research in Minnesota. The bill, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), was laid over.

## Education

### TI governance bill defeated

Senators defeated S.F. 365, altering the governance structure of the state's Technical Institutes (TIs), on a 8-9 roll call vote during the Education Committee's evening meeting Thurs., Apr. 6.

S.F. 365 transfers control of the state's TIs and postsecondary vocational education to the State Board of Vocational Technical Education on July 1, 1991. Control of the TIs is currently tied to the local school districts. The bill is authored by Committee Chair James Pehler (DFL-St. Cloud).

Before defeating the bill, Senators discussed and defeated a delete-everything amendment offered by Sen. Fritz Knaak (IR-White Bear Lake). Knaak's amendment would have replaced S.F. 365 with language from S.F. 81, authored by Knaak, mandating that each school district except the Minneapolis and St. Paul districts join an intermediate school district.

In other action, Senators approved S.F. 607, also authored by Pehler, relating to filling vacancies on the University of Minnesota's Board of Regents. The bill provides that the Regent Candidate Advisory Council submit a list to the Senate and the House of all the people who applied for a vacancy on the board, along with its recommendations. In addition, the bill outlines procedures for the advisory council to notify the public of the vacancy and directs the secretary of state to proceed under the open

appointments law. The bill was re-referred to the Judiciary Committee.

Committee members also adopted an author's delete-everything amendment to S.F. 704, authored by Sen. Gary DeCramer (DFL-Ghent), which appropriates money for nursing grants and scholarships. The amendment answered concerns previously expressed regarding the treatment of scholarships in the program and the timing of funds distributed under the bill. As approved, the bill appropriates \$675,000 to the Higher Education Coordinating Board (HECB) for FY. 1990 and \$500,000 for FY. 1991 for nursing education program grants and for nursing scholarships.

Up to \$250,000 of each year's appropriation is for scholarships for students enrolled in programs to become registered nurses, and up to \$250,000 for each year is for scholarships for students enrolled in baccalaureate, masters, or doctorate degree programs in nursing.

The bill was re-referred to the Finance Committee.

In addition, an author's delete-everything amendment to S.F. 783 was adopted and the bill was approved. The committee had previously discussed the bill and had questioned whether it was actually necessary. As amended, S.F. 783, authored by Sen. Sam Solon (DFL-Duluth), clarifies that teachers in the Duluth School District who participate in an incentive plan permitting 80 percent payment of salary over a five-year period, during which the teacher works four years and is on leave the fifth year, may receive service credit in the Duluth Teachers Retirement Fund Association for the five-year period. The bill was sent to the floor.

Also approved was S.F. 882, authored by Sen. Steven Morse (DFL-Dakota). The bill appropriates money to the State University Board for Winona State University to lease space and operate on the campus of the College of St. Teresa in Winona. The bill was re-referred to the Finance Committee.

### 2 + 2 bills amended, approved

The Education Committee approved S.F. 415, as amended, and S.F. 1229 Mon., Apr. 10. Both bills relate to 2 + 2 plans, which are plans that involve postsecondary institutions providing upper division credits on community college campuses. The committee is chaired by Sen. James Pehler (DFL-St. Cloud).

S.F. 1229, authored by Sen. Gary DeCramer (DFL-Ghent), appropriates money to the State University Board for a study of the feasibility of acquiring a site in the western Metropolitan Area to provide baccalaureate education and for a study of the delivery of practitioner-oriented graduate programs in the Metropolitan Area. In addition, the bill appropriates money to the State University Board and the State Board for Community Colleges to conduct a study of the feasibility of St. Cloud, Mankato, and Metropolitan State Universities providing upper division instruction at Normandale, Anoka Ramsey, Lakewood, North Hennepin, and Minneapolis Community Colleges, and the feasibility of articulation agreements that would allow students enrolling in Metropolitan Area community colleges the option of concurrent enrollment in Metropolitan State University. The bill was approved without amendment and re-referred to the Finance Committee.

S.F. 415, authored by Sen. Gregory Dahl (DFL-Ham Lake), was amended and approved by committee members. Before amendment, the bill appropriated money to the Higher Education Coordinating Board (HECB) for a study of Metropolitan Area 2 + 2s and a study of the educational needs of minority people throughout the state. The bill also appropriated money for two specific pilot 2 + 2 projects and for a specific reverse 2 + 2 program.

Sen. Donna Peterson (DFL-Mpls.) proposed to delete sections from S.F. 415 regarding the study of the Metropolitan Area 2 + 2s and the appropriations for the pilot projects and the reverse 2 + 2 program. Committee members approved her amendments. In its final form, S.F. 415 contains an appropriation to the HECB for the study regarding minority needs; for the development of strategies to increase minority high school graduates and minority teachers; and for an analysis of practitioner-oriented graduate programs in the Metropolitan Area proposed by the systems, development of an inter-system plan with the systems and review and comment on the system plans. The bill was re-referred to the Finance Committee.

In other action, Senators approved S.F. 703, authored by Sen. Duane Benson (IR-Lanesboro). The bill allows school district consolidation to take effect July 1 of an even-numbered year if the school board and all of

the exclusive representatives of the teachers agree to the effective date. In addition, the bill provides that grants given to groups of school districts that submit plans to the state board to improve education may be used to retire operating debt if the group's plan meets the requirements to receive a grant. The bill was sent to the floor.

### **State university bill approved**

Members of the Education Committee Higher Education Division approved S.F. 1343, authored by Sen. Bob Decker (IR-Bemidji), and S.F. 1314, authored by Sen. Steven Morse (DFL-Dakota), Tues., Apr. 11. Both bills were sent to full committee.

S.F. 1343 requires that the FY. 1990 appropriation to the State University Board for instructional expenditures be determined using the board's estimated 1989-1990 full-year equivalent enrollment. Currently, the appropriation is determined using two-year lag funding. Robert Carothers, chancellor of the State University System, explained that this had caused problems in the system because enrollment has sharply increased, leaving the system with "unfunded" students.

S.F. 1314 strikes a provision in the statutes limiting the salaries of the chancellor of the state universities, the chancellor of the community colleges, the state director of vocational technical education, and the executive director of the Higher Education Coordinating Board (HECB) to 95 percent of the salary of the governor.

### **TI name change approved**

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), approved four bills at its night meeting Tues., Apr. 11.

S.F. 1157, authored by Sen. Gary DeCramer (DFL-Ghent), changes the name of the state Technical Institutes (TIs) to Technical Colleges. Also approved was S.F. 1175, authored by DeCramer, which updates language regarding the bonding authority of the State University System. Both bills were re-referred to the Finance Committee.

In other action, the committee approved S.F. 1181, authored by Sen. Ron Dicklich (DFL-Hibbing). The bill provides that if 25 percent or more of the schools that participate in an extracurricular activity that has a single postseason competition sanctioned by the state High School League elect to do so, they may as a group compete in an alternative postseason tournament. Dicklich discussed the bill mainly in relation to hockey. The bill was re-referred to the Finance Committee.

Also approved and re-referred to the Finance Committee was S.F. 517, authored by Sen. Michael Freeman (DFL-Richfield), which appropriates money to the Higher Education Coordinating Board (HECB) for matching grants to postsecondary institutions for campus community service projects that emphasize students performing as tutors or mentors to their younger peers. Part of the appropriation is for HECB costs associated with the program.

### **Salary cap bill defeated**

The Education Committee defeated S.F. 1314, which removes the limitation that the salaries of the chancellor of the state universities, the chancellor of the community colleges, the state director for vocational technical education, and the executive director of the HECB not exceed 95 percent of the governor's salary, on a 6-7 roll call vote at the Wed., Apr. 12, morning meeting. The bill is sponsored by Sen. Steven Morse (DFL-Dakota).

Before defeating the bill, members discussed and defeated an amendment offered by Sen. Gen Olson (IR-Mound), which simply raised the governor's compensation to \$110,000. The governor's salary currently is \$98,914.

The committee, chaired by Sen. James Pehler (DFL-St. Cloud), amended and sent to the Finance Committee without recommendation S.F. 1343. As amended by the committee, the bill requires that the FY. 1990 appropriations for instructional expenditures to the Board of Regents at the University of Minnesota, the State Board for Community Colleges, the State University Board, and the State Board for Vocational Technical Education be determined using estimated 1989-1990 full-year equivalent enrollment. The appropriations currently are based on two-year lag funding. The bill is sponsored by Sen. Bob Decker (IR-Bemidji).

In other action, the committee approved S.F. 1321, authored by Sen.

Donna Peterson, which allows a school board to adopt a policy that once a pupil under age seven is enrolled, the pupil is subject to the compulsory attendance provisions. Districts have a problem with 5- and 6-year-olds being enrolled but having poor attendance, Peterson said. The bill was sent to the floor.

Also approved was S.F. 1261, sponsored by Sen. Gene Waldorf (DFL-St. Paul), which specifically adds the TIs and school districts that operate TIs to the law requiring public institutions of higher education to cooperate with and supply information requested by the HECB. The bill was sent to the floor.

In addition, Senators reconsidered S.F. 1157 and S.F. 1175, both authored by DeCramer, for the purposes of approving them and sending them to the floor; they had previously been approved and re-referred to the Finance Committee.

### **Sexual harassment bill advances**

S.F. 1095, requiring each public postsecondary board and institution to adopt a written sexual harassment and violence policy, was amended and approved by the Education Committee at the evening meeting Wed., Apr. 12. The bill also requires the Minnesota State High School League to adopt a policy, develop rules, set penalties and recommendations addressing the topic.

The committee adopted an amendment sponsored by author Sen. Donna Peterson (DFL-Mpls.) to delete a large portion of the original bill, including provisions mandating the commissioner of education to assist districts in implementing a curriculum to prevent sexual harassment and violence and requiring the commissioner of human rights to develop a model sexual harassment and violence policy for school board use.

The committee, chaired by Sen. Jim Pehler (DFL-St. Cloud), approved an amendment offered by Sen. Gen Olson (IR-Mound) to require that public postsecondary institutions provide students with information regarding their policy during registration.

Also approved was S.F. 922, authored by Olson, limiting to one per calendar year the number of levy referendums a district school board may initiate to approve an increase. In addition, a district may have one per year invoked by petition. The bill also makes the procedures to revoke or reduce a levy through petition consistent with procedures to increase a levy through petition. Members approved an author's amendment to change the requirements for a petition from requiring signatures of five percent of residents to requiring signatures of 15 percent of registered voters.

In other action, the committee approved S.F. 782 and S.F. 1010, both authored by Sen. Jerome Hughes (DFL-Maplewood). S.F. 782 enters into the Midwestern Education Compact, the purpose of which is to provide greater educational opportunities and services. The compact becomes effective when five states enter into it, provided that that happens before Dec. 31, 1993. S.F. 1010 appropriates money to the Higher Education Coordinating Board (HECB) for a study of education facilities.

Also approved was S.F. 425, authored by Sen. Dean Johnson (IR-Willmar), allowing the Willmar school district to purchase specific property; and S.F. 253, authored by Pehler, allowing a district to spend up to ten percent of its community education revenue for equipment that is used exclusively in community education programs, provided the money is used for specified purposes.

S.F. 922, S.F. 253, and S.F. 1095 were sent to the floor. S.F. 782 and S.F. 1010 were sent to the Finance Committee, and S.F. 425 was sent to the Consent Calendar. S.F. 1102, authored by Sen. David Frederickson (DFL-Murdock), authorizing school district participation in certain energy efficiency projects, was discussed and laid over.

## **Education Funding**

### **Division discusses Children's Initiatives**

The Education Funding Division discussed and heard testimony on S.F. 537, providing schools with grants to modify curriculum-based services for gifted and talented students, and S.F. 582, the Children's Initiatives, Thurs., Apr. 6. Both bills are authored by Sen. Ember Reichgott (DFL-New Hope).

S.F. 537 provides local school districts, education districts, and educa-

# Committee Capsule

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tion cooperative service units (ECSUs) with competitive grants to modify curriculum-based services for gifted and talented students. The bill outlines requirements for the plans and the grant process. The division, chaired by Sen. Randolph Peterson (DFL-Wyoming), also heard testimony on the importance of services for the gifted and talented.

S.F. 582, the Children's Initiatives, expands the Early Childhood Screening Program by requiring that, beginning in 1989 and 1990, the program must seek to make screening conveniently available to all three-year-olds. The purposes of the screening are to find health and developmental problems at an early stage; to identify special learning needs of children under five years old; to channel and refer children into appropriate programs; and to correct barriers to learning so that children are school-ready. The bill mandates that, after June 30, 1993, all school districts must provide a voluntary high quality health and developmental screening process for three-year-olds. The bill outlines aid for the screening.

The bill also amends the current community education program aid and provides more revenue for districts operating a community education program with an approved youth development plan than for districts operating a community education program without an approved youth development program.

Division members also discussed S.F. 81, authored by Sen. Fritz Knaak (IR-White Bear Lake). The bill requires school districts, except for the Minneapolis and St. Paul districts, to join an intermediate district by July 1, 1992, thereby creating what Knaak described as a mandatory statewide regional system. The intermediate districts would be responsible for technical education and special education.

Division members took no action other than to adopt author's amendments and other minor amendments to the bills.

Peterson also distributed a document outlining estimates of appropriation excesses and deficiencies for the 1987-88 and the 1988-89 school years. Peterson pointed out that the state has a substantial amount in unfunded deficiencies and questioned whether any existing program should be expanded before these deficiencies are funded.

## Cooperating district revenue discussed

The Education Funding Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), discussed and amended S.F. 1228, authored by Sen. Gary DeCramer (DFL-Ghent), Fri., Apr. 7. The bill provides cooperating district aid for long-term cooperating agreements between districts that involve discontinuance by one or more of the district of at least 10th, 11th, and 12th grades; and instruction of the pupils in the discontinued grades in one of the cooperating districts. The bill provides for a gradual increase in the local share of revenue for the cooperating districts; under the bill, no state aid will be paid after the fourth year of cooperation, so the revenue will be obtained entirely from levy. The bill also outlines further requirements and limitations on the revenue.

In addition, the bill provides for cooperation and combination revenue with a similar increasing levy provision. DeCramer said that the key to this portion of the bill is that it allows districts to cooperate and combine while maintaining separate elementary schools.

Senators also discussed an amendment which combines S.F. 692, authored by Sen. Jerome Hughes, and S.F. 731, authored by Sen. Donna Peterson (DFL-Mpls.). The purpose of the amendment is to "support and develop intensive, comprehensive basic education programming targeted to welfare-dependent, incarcerated, unemployed, or underemployed Minnesotans." To that end, the bill establishes an Interagency Adult Learning Council and outlines appropriations for adult basic and continuing education aid; for the GED on TV series; for the Learn to Read on TV series; to develop learning disability screening and training for adult basic education programs; and for aid to handicapped adult programs.

## Referendum limit okayed

Members of the Education Committee Education Funding Division amended and approved S.F. 922, authored by Sen. Gen Olson (IR-Mound), regarding the number of levy referendums that a district may hold, Sat., Apr. 8.

As originally presented, the bill reduced the number of levy referendums that a district may hold in one calendar year to one. However, rep-

resentatives of the educational community pointed out that if a referendum were initiated by petition, a district's school board would then have no opportunity to present a referendum at its own initiative because the district would have reached its limit of one levy referendum.

A compromise amendment, which division members approved, allows two elections per calendar year to approve increases: one election initiated by a school board and one election invoked by petition. The amendment also incorporates suggestions by Division Chair Randolph Peterson (DFL-Wyoming) to make the procedures for a petition to revoke or reduce a levy amount consistent with the procedures for a petition to increase a levy. The bill was sent to full committee.

In addition, Senators approved, as amended, S.F. 253, authored by Sen. James Pehler (DFL-St. Cloud). The bill authorizes districts to use up to 10 percent of their community education revenue for equipment that is used exclusively in community education programs. The revenue may be used only to purchase or lease computers and related materials; to purchase or lease equipment for instructional programs; or to purchase textbooks and library books. The bill was sent to full committee.

Members also approved and sent to full committee H.F. 141, authored by Peterson, which makes largely technical changes to education statutes.

In addition, Senators laid on the table S.F. 472, and considered instead S.F. 1406. Both bills are sponsored by Pehler and deal with outcome based education initiatives. As amended, S.F. 1406 defines "outcome based education" as "an education program designed and implemented in a manner that clearly connects learner outcomes to an instructional process and to an assessment process." The bill modifies the Planning, Evaluation and Reporting (PER) process in statute by declaring that the Legislature finds that the PER process is a method to create outcome based education programs in all Minnesota public schools beginning Sept. 1, 1993.

S.F. 1406 establishes an Office on Restructuring Education within the Dept. of Education. The office will be the principal office for development, implementation, consolidation, and coordination of state restructuring to learner outcome based systems.

Senators also briefly discussed H.F. 247, authored by Peterson, which relates to referendum levies, and S.F. 138, the Career Teacher Act, authored by Sen. Jerome Hughes.

## General ed revenue outlined

The Education Committee Education Funding Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), adopted the general education revenue article and the transportation article of what will eventually become the omnibus education funding bill, Tues., Apr. 11.

The article provides that the formula allowance per pupil unit is \$2,800 for FY. 1990 (a 1.6 percent increase) and \$2,910 for subsequent years (a 4 percent increase). In addition, the bill provides a cap on the amount that districts may raise through levy referendums. The article sets the general education tax capacity rate at the rate that raises \$1.156 billion for FY. 1991 and \$1.214 billion for subsequent years.

The transportation article provides that the basic transportation tax capacity rate will be the rate that raises about \$76 million for FY. 1991 and \$80 million for subsequent years. The article adds that state transportation aid is authorized for transportation to a pupil who is a custodial parent and the pupil's child between their home and a child care provider, and between the child care provider and the school, if everything is within the attendance area of the school. State transportation aid is also authorized for eligible districts to provide transportation to school for an elementary pupil who moves during a school year, but remains within an area designated as a mobility zone, for the remainder of the school year.

Senators discussed but took no final action on four additional bills. S.F. 533, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), appropriates money for a grant to the Blue Earth School District for a communications link between Blue Earth and Mankato. S.F. 658, authored by Sen. LeRoy Stumpf (DFL-Plummer), appropriates money for grants for telecommunication networks and outlines eligibility requirements. S.F. 850, authored by Sen. Donna Peterson (DFL-Mpls.), appropriates money for school bus safety programs. S.F. 81, authored by Sen. Fritz Knaak (IR-White Bear Lake), requires all districts, except the Minneapolis and St. Paul districts, to join an intermediate district by July 1, 1992.

## Elections and Ethics

### Congressional financing bill approved

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), amended and approved S.F. 4, sponsored by Sen. William Luther (DFL-Brooklyn Park), Wed., Apr. 12.

The bill establishes procedures for candidates for the U.S. Senate and House of Representatives to receive a public subsidy if they agree to spending limits. The funding would be provided through a check-off on the income tax or property tax refund forms. In order to be eligible for the subsidy, the congressional candidate must have private matching contributions.

Senators adopted an author's amendment to the bill which lowers the spending limits for U.S. congressional candidates to \$3 million for Senate candidates and \$300,000 for House candidates. The amendment also combines the new check-offs with the current check-off, rather than adding additional check-off boxes, and removes provisions requiring the question of congressional campaign spending limits to be submitted to the voters as a constitutional amendment. Members also approved amendments clarifying the spending limits in relation to minor party candidates and clarifying that the matching requirements applies only to U.S. congressional candidates.

The bill was re-referred to the Committee on Taxes and Tax Laws.

Members also discussed S.F. 89, authored by Sen. Don Frank (DFL-Spring Lake Park), which contains four of the Ethical Practices Board's legislative recommendations for 1989, including deleting the Oct. 15 lobbyist reporting requirement and discontinuing the Ethical Practices Board's responsibility to develop and provide disclosure forms for Hennepin County. Ruth (Esala) Stanoch, chair of the DFL, expressed concern about a section of the bill regarding multicandidate political party expenditures by two or more substate units of a political party. The bill was approved.

Also approved was S.F. 1074, authored by Hughes, which makes mostly noncontroversial changes to the laws applicable to school district elections. Senators approved two amendments to the bill and Tom Deans, School Board Association, explained that all involved parties were satisfied with the bill as amended.

S.F. 721, authored by Luther, was also amended and approved. The bill provides a schedule for the distribution of political campaign checkoff money to political parties. The amendment provides for a reduction in the event of overpayment to the parties.

S.F. 1074, S.F. 89, and S.F. 721 were sent to the floor.

Senators also discussed and defeated S.F. 617, prohibiting campaign contributions to a candidate for the state legislator or a candidate's principal campaign committee during the regular legislative session, authored by Sen. Charles Berg (DFL-Chokio).

## Employment

Tues., Apr. 14, the Employment Committee approved S.F. 762, which re-establishes tip credit in calculating minimum hourly wages. Under the bill, sponsored by Sen. Betty Adkins (DFL-St. Michael), employers may pay tipped employees less than the current minimum wage if the employees' hourly wages plus reported tip income meets the current minimum wage rate. Sen. Florian Chmielewski (DFL-Sturgeon Lake) chairs the committee.

Under S.F. 762, if an employee's minimum hourly wages plus reported tip income for a pay period total less than the current minimum wage, an employer must pay the employee the current minimum wage, exclusive of the reported tip income. The committee adopted an amendment to the bill, offered by Sen. A.W. "Bill" Diessner (DFL-Afton), that increases the minimum hourly wage for state-covered employees, who receive tips of \$50 or more per month, to comply with the federal minimum wage rate.

Witnesses cited several arguments for and against S.F. 762, which relates particularly to the wages of restaurant wait staff. Advocates of the bill testified that the Minnesota restaurant industry is suffering because of escalating labor costs. In addition, Arnold Hewes, of the Minnesota Restaurant, Hotel and Resort Associations, said that reinstatement of the tip credit would promote equity in the wages of tipped employees and their untipped co-workers.

In opposition to S.F. 762, labor representatives testified that the Legisla-

ture eliminated the tip credit five years ago in order to establish better wages for tipped employees. Jan Dieterich, director of WAGE, an organization of wait persons, said that the previous tip credit law was costly and represented the primary enforcement problem for the Dept. of Labor and Industry.

S.F. 762 was approved by a roll call vote of 8-3, and sent to the Senate floor.

In other action, the committee approved S.F. 1374, which expands the definition of unfair discriminatory practices to include teacher-pupil relationships. The bill, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), also clarifies that discrimination by a teacher is grounds for immediate discharge or demotion. S.F. 1374 was re-referred to the Education Committee.

## Workers' compensation bills advance

At the Thurs., Apr. 13, meeting, the Employment Committee approved three bills, relating to workers' compensation law. Sen. Florian Chmielewski (DFL-Sturgeon Lake) chairs the committee.

S.F. 1356, sponsored by Chmielewski, makes significant changes in workers' compensation law. Similar to a bill vetoed by the governor last year, the bill is based on studies by the legislative auditor and the Dept. of Labor and Industry. S.F. 1356 reduces certain workers' compensation benefits, establishes caps on benefits and the time periods for collecting them and provides for an offset of benefits with Social Security benefits. S.F. 1356 was re-referred to the Finance Committee.

The second bill, S.F. 756, reduces supplemental workers' compensation benefits by establishing an offset for recipients who also collect Social Security benefits. The bill, authored by Sen. Nancy Brataas (IR-Rochester), was sent to the Senate floor.

The third workers' compensation bill eliminates the payment of temporary partial benefits to individuals whose new job wage plus temporary benefits exceeds 300 percent of the statewide average weekly wage. Chmielewski, who sponsored S.F. 1122, explained that the bill would not affect persons whose pre-injury weekly earnings were \$1,200 or less, but is intended to eliminate workers' compensation benefits for highly paid individuals, such as professional athletes. S.F. 1122 was sent to the Senate floor.

In other action, the committee approved S.F. 1435, protecting contracted sales representatives from being fired without proper notice or good cause. The bill, which primarily affects manufacturing sales representatives, establishes procedures for renewing sales agreements and settling disputed agreements through binding arbitration. S.F. 1435, sponsored by Sen. Michael Freeman (DFL-Richfield), was sent to the Senate floor.

The committee also approved S.F. 287, prohibiting employers from charging fees to job applicants. The bill, sponsored by Chmielewski, was advanced to the Senate floor.

## Environment and Natural Resources

### Boat titling bill okayed

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Fri., Apr. 7, and approved a boat titling and licensing bill. Under S.F. 84, sponsored by Sen. A. W. "Bill" Diessner (DFL-Afton), a watercraft is defined as a device used or designed for navigation on water that is greater than 14 feet in length. The definition of a watercraft was amended so that a row-type fishing boat of single hull construction, with oar locks and an outboard motor capacity rating of 40 horsepower or under is excluded from the definition. An amendment was also approved that strikes a provision allowing a duck boat used only for duck hunting season, a rice boat used only during the wild rice harvesting season, and boats owned by a resort to be exempt from the certificate of title requirement. S.F. 84 was re-referred to the Judiciary Committee.

Other bills heard by the committee included S.F. 470, authored by Sen. Gary DeCramer (DFL-Ghent). The bill provides for the regulation of municipal waste water treatment funding. The intent of the bill is to reimburse municipalities that are under the old Pollution Control Agency state independent grants program. S.F. 470 was re-referred to the Committee

# Committee Capsule

on Finance. In addition, DeCramer presented a bill, S.F. 564, that increases the amount of levy for the Kanaranzi-Little Rock watershed district administrative fund. S.F. 564 was sent to the Senate floor.

The committee also approved S.F. 983, sponsored by Sen. Jerome Hughes (DFL-Maplewood). The bill, said Hughes, provides money from the state building fund for a grant to the city of Maplewood to acquire close to 40 acres of land in Ramsey county. The city wishes to purchase the land for park and open space protection. S.F. 983 was re-referred to the Finance Committee.

## Subcommittee okays four bills

The Fri., Apr. 7, meeting of the Environment and Natural Resources Subcommittee on Environmental Protection was devoted to the review and approval of four bills. The bills will be heard by the full committee.

S.F. 1083, authored by Sen. John Brandl (DFL-Mpls.), amends the Power Plant Siting Act. The bill, said Brandl, sets up a procedure for a utility or a person to apply to the Environmental Quality Board for a site exemption. An application for a site exemption applies to a proposed electric power generating plant with a capacity between 50 and 80 megawatts. The utility or person must send a copy of the exemption application to the chief executive of counties, home rule charter and statutory cities, and organized towns within 10 miles of the proposed site.

Sen. David Frederickson (DFL-Murdock), author of S.F. 1017, said that the bill provides that the Pollution Control Agency (PCA) may authorize the use of an environmentally-sound label for consumer products and may select an image for the label. The PCA would conduct a contest among students to select the image. Committee members approved the bill but also agreed that it should probably be incorporated into the statewide recycling bill, S.F. 95.

Two bills authored by the Subcommittee Chair Sen. Gregory Dahl (DFL-Ham Lake) were also presented. S.F. 1415 appropriates money to the commissioner of Health to conduct a study on radium in public water supplies. S.F. 1197 provides for a task force to study and report on metropolitan water management issues. A third bill, also authored by Dahl, was laid over for further study during the interim. S.F. 824 requires CFC processed materials and materials containing CFC's to be labeled.

## Recycling bill advances

In a meeting held Sat., Apr. 8, the Environment and Natural Resources Committee approved a bill requiring statewide recycling. S.F. 95, sponsored by the Chair Sen. Bob Lessard (DFL-Int'l. Falls), requires counties to provide opportunities to recycle, sets recycling goals, establishes a funding procedure for recycling programs, outlines solid waste collection and disposal, provides for public education on waste management, and provides a plan for processing and disposing of solid waste problem materials.

After reviewing the bill, committee members offered and approved a number of amendments. A provision outlining county rule and authority of sanitary districts was amended by Lessard to include the Western Lake Superior Sanitary District. Also added to the bill was a provision for the Waste Management Board to identify and report on products that are environmentally sound. S.F. 95 was further amended to provide that three percent of the revenues collected from solid waste collection and disposal services must be credited to the Minnesota Future Resources Account; that an opportunity to recycle must include four instead of three kinds of recyclable materials; that a study be conducted on plastics; that plastics be added to the definition of recyclable materials; and that Metro Area counties set a recycling goal of a minimum of 35 percent of total solid waste by July 1, 1993.

In addition, the committee focused on an amendment offered by Sen. Gene Merriam (DFL-Coon Rapids) to delete the four percent excise tax rate for solid waste collection and disposal. The amendment would reinstate a six percent tax. Members voted against the amendment. The committee also debated on an amendment offered by Sen. John Marty (DFL-Roseville) to delete the uniform packaging and labeling provision. Marty said that the state should not preempt municipalities from making decisions regarding packaging and labeling. The Minneapolis ordinance on plastics used for food packaging was also discussed. Senator's did not approve the Marty amendment. S.F. 95 was re-referred to the Committee on Taxes.

A major portion of the meeting was also devoted to reviewing and amending S.F. 530 a waste management bill. Provisions of the bill, authored by Merriam, include defining waste reduction, extending the expiration date of waste advisory councils, and authorizing counties to designate mixed municipal solid waste to a processing or disposal facility. The bill was amended to provide that the Pollution Control Agency may suspend the operation of a disposal facility whose permittee fails to file the information required under the annual reporting provision; that there is interim permitting and use requirements for the combustion of refuse derived fuel; and that disposal facilities in St. Louis County are under the closure rules that were in effect prior to Nov. 14, 1988. S.F. 530 was approved and re-referred to the Judiciary Committee.

In other action, four bills were approved and sent to the Senate floor. S.F. 376, authored by Sen. James Metzger (DFL-South St. Paul), permits the city of Inver Grove Heights to impose a fee on waste facilities. S.F. 598, sponsored by Merriam, changes provisions relating to the acquisition, disposition, and exchange of state lands. S.F. 970, authored by Marty, removes authority to offer a bounty on rattlesnakes. S.F. 1085, authored by Sen. Charles Berg (DFL-Chokio), prohibits the use of a turtle hook in the taking of turtles and reduces the number of turtles a person may take without a turtle seller's license.

## Bills advance to full committee

The Environment and Natural Resources Subcommittee on Public Lands and Waters met Mon., Apr. 10, to review 10 bills.

Three land transfer bills were approved by the committee. S.F. 1070, authored by Sen. Randolph Peterson (DFL-Wyoming), authorizes the sale of tax-forfeited land that borders public water in Chisago County. The Subcommittee Chair Steven Novak (DFL-New Brighton), is sponsor of S.F. 1417 authorizing the sale of land bordering public waters, trust fund land, surplus land for recreational purposes, and authorizing a private sale of land. S.F. 921, authored by Sen. Dennis Frederickson (IR-New Ulm), authorizes state land to be conveyed to the city of St. Peter.

The subdivision approved six additional bills. Sen. Gregory Dahl (DFL-Ham Lake), author of S.F. 929, outlined his bill. The bill re-establishes the Minnesota Conservation Corps and prescribes the powers and duties of the Dept. of Natural Resources (DNR) commissioner. Conservation Corps enabling legislation was accidentally repealed when the Environmental Trust Fund legislation was passed last year, said Dahl. Sen. Ronald Dicklich (DFL-Hibbing), co-author, described S.F. 1289. The measure authorizes the DNR to enter into an agreement with the U.S. Forest Service to construct a dam across Elephant Creek in St. Louis County. S.F. 1026, sponsored by Dicklich, appropriates funds for the promotion of Minnesota horticultural peat. Sponsor Sen. LeRoy Stumpf (DFL-Plummer) explained that S.F. 1129 requires local jurisdictions to notify the DNR when a road terminating at or abutting a public water is to be abandoned. Senator A. W. "Bill" Diessner (DFL-Afton), said that S.F. 110 increases registration fees for watercraft licenses. S.F. 1174, sponsored by Sen. Duane Benson (IR-Lanesboro), was approved without recommendation. The bill sets conditions for the commissioner of the DNR to accept land transfers from the federal government.

In other action, the subcommittee heard S.F. 176, authored by Sen. Don Samuelson (DFL-Brainerd). The bill, which prohibits ice blocks to be left upon the ice surface of any waters, was laid over.

Eight of the bills were heard and approved at the Wed., Apr. 12, meeting of the full committee. S.F. 929, S.F. 1070, S.F. 1289, and S.F. 921 were sent to the Senate floor. S.F. 110 and S.F. 1174 were re-referred to the Finance Committee, while S.F. 1129 was re-referred to the Local and Urban Government Committee and S.F. 1026 was re-referred to the Agriculture and Rural Development Committee.

## Senior citizen fishing license bill gains

A bill disallowing fishing license refunds for senior citizens was approved by the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), Tues., Apr. 11. S.F. 296 is authored by Sen. Charles Berg (DFL-Chokio).

The committee also approved a number of other bills. The author of S.F. 539 and S.F. 1043, Sen. Roger Moe (DFL-Erskine), explained both measures. S.F. 539 provides for an appropriation to promote the 100th anniversary

sary of the State Park system. Moe said that S.F. 1043 authorizes a loan to the Red Lake watershed district to construct an improved and enlarged lake on Walker Brook in Clearwater County. S.F. 539 was re-referred to the Finance Committee and S.F. 1043 was re-referred to the Committee on Taxes and Tax Laws.

Sen. Steven Novak (DFL-New Brighton), author of S.F. 997, said that the bill authorizes the Pollution Control Agency to assist in reviewing real property for petroleum tank releases and to be paid for such assistance from the Petroleum Tank Release Fund. The bill was sent to the Senate floor.

S.F. 895, also authored by Novak, amends provisions of the Reinvest in Minnesota (RIM) resources conservation reserve program and changes funding appropriations. Under the bill, \$8.1 million from the General Fund and \$21 million from bond funds is appropriated to the Board of Water and Soil Resources and to the Dept. of Natural Resources. The bill was re-referred to the Agriculture and Rural Development Committee.

Author Sen. Sam Solon (DFL-Duluth) said S.F. 685 provides for the appropriation of money to the Western Lake Superior Sanitary District to be used for damages incurred from pipeline ruptures. The committee also approved a bill providing for low-interest loans for the repair of drought-damaged homes. The bill, S.F. 452, is authored by Sen. Don Frank (DFL-Spring Lake Park). Both bills were re-referred to the Finance Committee.

The meeting concluded with approval of S.F. 846, which authorizes surplus state land to be conveyed to the Leo A. Hoffmann Center, Inc. for the purpose of building a nonprofit treatment facility. The bill, authored by Sen. Dennis Frederickson (IR-New Ulm), was sent to the Senate floor.

## Power plant siting bill okayed

At the Wed., Apr. 12, meeting the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), the panel advanced a bill that provides an exemption process for power plant siting. Chief author Sen. John Brandl (DFL-Mpls.) said S.F. 1083 sets up a process for a utility or a person to apply to the Environmental Quality Board (EQB) for a site exemption. The site exemption application applies to a proposed electric power generating plant with a capacity between 50 and 80 megawatts. The bill, said Brandl, enables the EQB to decrease the amount of time and cost involved in power plant siting. The bill was sent to the Senate floor.

The committee then approved two bills authored by Sen. Gregory Dahl (DFL-Ham Lake). S.F. 1197 establishes a task force to study and report on metropolitan water management issues. S.F. 1415 provides for an appropriation for a study of radium in public water supplies. Both of the bills were re-referred to the Finance Committee.

In other action, the committee approved eight bills that were heard at the Mon., Apr. 10, meeting of the Environment and Natural Resources Subcommittee on Public Lands and Waters.

## Finance

### Capital budget reviewed

The Thurs., Apr. 6, meeting of the Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), focused on a review of the capital budget. The Commissioner of the Dept. of Finance, Tom Triplett, introduced the governor's recommendations for capital budget projects. Discussion focused on amateur athletic facilities, Access '92, Reinvest in Minnesota (RIM), and the relocation of state agencies.

Paul Erickson of the Amateur Sports Commission said funding is being recommended in order to develop a national kayaking center, to increase seating capacity for a field stadium, and to construct a shooting sports facility.

In order to achieve the goal of Access '92, funding is being requested to continue to make state owned and leased buildings accessible to the handicapped, explained Mike Ehrlichmann, from the Disability Council.

Deputy Commissioner, Steve Thorne, said the Dept. of Natural Resources would receive \$9 million as part of the RIM proposal. The funding would be used to continue work being done by Fish and Wildlife Management.

Funds are also being requested to relocate the Dept. of Commerce, the Dept. of Military Affairs, and the Dept. of Public Service, Public Utilities

Commission and Dept. of Trade and Economic Development.

The committee also discussed a request by the city of Minneapolis for funding for a plaza in front of the new Minneapolis Convention Center.

Discussion of the Giant's Ridge shooting sports facility continued at the Mon., Apr. 10, meeting. The requested funding, explained the Director of Giant's Ridge Mike Gentile, would go towards building an indoor facility and an outdoor range.

A representative of the Western Lake Superior Sanitary District presented a request for funding to assist in costs resulting from construction done to repair and replace ruptured pipes. Funding would enable the district to establish a debt service fund to pay for bonds issued.

A request for funding to deepen a three mile stretch of the St. Louis river was presented to the division. Robert Benner, deputy commissioner of the Dept. of Trade and Economic Development, said that state funds of \$6.112 million are being requested in order to receive matching federal funds of \$7.1 million. The project would eliminate the problem of multiple dock handling and loading procedures.

The meeting concluded with a discussion of a request for funds for the Bloomington Ski Jump Project.

Thurs., Apr. 11, the division met off-site to discuss parks issues.

The division continued discussion of the capital budget at the Wed., Apr. 14, meeting. Tom Ryan, representing the Dept. of Military Affairs, explained a request for funds for asbestos removal and abatement. Jim Peterson, representing the Dept. of Administration, also outlined a request for funds for asbestos removal. The division then reviewed a request for funds for renovation of the Capital Square Building and the Veterans Building. The Pollution Control Agency presented a funding request for a combined sewer overflow, and the Dept. of Natural Resources listed requests to fund hazardous substance storage and for Hibbing Airport.

## Committee approves emergency flood relief

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Fri., Apr. 7, and approved a bill providing \$250,000 in emergency relief for Red River Valley area flooding. Majority Leader Roger Moe (DFL-Erskine), who sponsored the measure, explained that the Dept. of Natural Resources (DNR) would administer the emergency funds to assist and coordinate local government efforts to protect property endangered by the flooding. The bill, S.F. 1444, was sent to the Senate floor.

Committee members also heard supplemental appropriation requests totalling \$5.7 million for deficiencies in several state agency budgets. The supplemental funding proposals include: \$100,000 for the Dept. of Agriculture to complete an emergency haylift for farmers; \$160,000 to cover Board of Public Defense costs for trial transcripts to indigent inmates; \$600,000 from the DNR State Park Maintenance and Operation Account for a deficit in state park seasonal employment costs; \$200,000 from the Game and Fish Fund for costs associated with the DNR emergency deer feeding program; and \$857,000 to cover a shortfall in the Dept. of Human Services Work Readiness Account. The Dept. of Administration also requested bonding authority and \$3.8 million from the State Building Fund to settle the arbitrated State Office Building construction dispute. The requests were approved and recommended for introduction as a committee bill.

## Division hears capital budget requests

The Finance Division on Health and Human Services began consideration of capital budget proposals at the Mon., Apr. 10, meeting. Sen. Don Samuelson (DFL-Brainerd) chairs the division.

Asst. Commissioner Mick Finn requested \$1.5 million for Dept. of Health capital projects to improve inadequate ventilation of the health building, to study and renovate lab areas to accommodate safety concerns and changing laboratory technologies, and to implement modifications necessary to carry out the federal Safe Drinking Water Program.

The Dept. of Corrections presented five capital budget proposals totalling \$2.8 million. Among them were funding requests for replacement of steam, water and sewer utility lines at the St. Cloud facility; repairs and safety equipment installation on boilers at the Red Wing facility; and roof replacement at the Lino Lakes, Stillwater and St. Cloud facilities. Commissioner Orville Pung also raised the issue of the state inmate population increase and commented on a department study on the feasibility of con-

# Committee Capsule

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verting the Faribault Regional Treatment Center into a correctional facility.

The Dept. of Human Services requested \$650,000 for boiler renovation at the Ah Gwah Ching nursing home. In addition, the Dept. of Veterans Affairs made requests for \$500,000 to demolish abandoned buildings at the Minneapolis Veterans Home and \$250,000 for remodeling at the Hastings Veterans Home.

Division members also began to consider Dept. of Human Services capital requests related to the restructuring of the regional treatment center (RTC) system.

## RTC capital requests discussed

Members of the Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met Wed., Apr. 12, and considered \$25.5 million in capital budget requests related to the Dept. of Human Services plan to restructure the regional treatment center (RTC) system.

Among the department's proposals, \$9.5 million is requested to design, construct and equip 31 State-Operated Community Service (SOCS) units. Under the plan, each of 26 SOCS would serve six developmentally disabled individuals currently residing in RTCs. Five Residential Crisis Service units would also be constructed, each to serve four clients who would otherwise be admitted to RTC facilities.

The department also requested \$12.4 million to upgrade and install heating, ventilating and air conditioning equipment in existing RTC residential and program buildings.

## General Legislation and Public Gaming

### Fire protection bill advances

The Fri., Apr. 7, meeting of the General Legislation and Public Gaming Committee centered on approving four bills regulating the fire protection industry, providing for the authorization and regulation of "casino nights," broadening the use of charitable gambling profits, and establishing a state-wide animal population control program. The committee is chaired by Sen. Marilyn Lantry (DFL-St. Paul).

As amended, S.F. 1255, sponsored by Sen. Carl Kroening (DFL-Mpls.), requires the commissioner of public safety to license individuals involved in the fire protection industry, and creates a state fire protection systems advisory council. S.F. 1255 was re-referred to the Governmental Operations Committee.

S.F. 1283, authored by Sen. William Belanger (IR-Bloomington), permits local units of government to authorize and regulate "casino nights" within their jurisdictions. "Casino nights" are events where people are given the opportunity to participate in games of chance normally found in casinos, and where winnings from these games are in the form of scrip or other redeemable tokens that are used to purchase items of value. The bill is now headed to the Senate floor.

S.F. 927, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), permits organizations that conduct charitable gambling to use profits from their charitable gambling activities for property repair and maintenance. The property must be used, free-of-charge, as a meeting place or event location by other nonprofit organizations or community or service groups. In addition, the measure allows organizations to use profits derived from charitable gambling for property acquisition or building construction to replace property destroyed or made uninhabitable by fire or natural disaster. Both activities require the approval of the Charitable Gambling Control Board. The bill now goes to the full Senate.

As amended, S.F. 1019, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), directs the Board of Animal Health to establish an animal population control program that provides low-cost animal sterilization services to animal owners. The measure was re-referred to the Finance Committee.

## Governmental Operations Statewide lottery bill advances

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), held two meetings Tues., Apr. 11, to debate a bill that es-

tablishes a state-run lottery. After the author of S.F. 150, Sen. Bob Lessard (DFL-Int'l. Falls), completed a review of the bills' provisions, testimony against a state-run lottery was heard. Members then debated a number of amendments before and sending the bill to the Committee on Taxes without recommendation.

An amendment offered by Moe that provides for a state lottery agency was approved. A commissioner to run the agency is appointed by the governor and the agency is under the supervision and control of the state lottery board. Also amended to S.F. 150 is a provision prohibiting charitable gambling from being conducted on property under the jurisdiction of or leased from the state or a political subdivision. Later on, an amendment extending the prohibition to include school districts was added. Members also approved an amendment offered by Sen. Michael Freeman (DFL-Richfield) that requires that during a fiscal year no more than 50 percent of the gross revenues from the sale of lottery tickets may be used for prizes. Furthermore, the amendment places a 15 percent limit of gross revenues to be used for administrative expenses after the first year of operation.

During the evening meeting, discussion of amendments continued. Members reconsidered an amendment offered by Sen. John Marty (DFL-Roseville) that prohibits the state from advertising or promoting the lottery. The amendment was approved on a 7-6 vote. An amendment requiring lottery retailers to provide a notice listing the number of a local gambler's anonymous group was approved. An amendment changing the earmarking of proceeds for the Greater Minnesota Fund and the Environmental Trust Fund to the General Fund was defeated. Also voted down was an amendment prohibiting instant win games.

## Pension bills approved

A bill dealing with pension administrative provisions was heard and approved by the Governmental Operations Committee Thurs., Apr. 13.

S.F. 1201, authored by the Committee Chair Donald Moe (DFL-St. Paul), is a comprehensive bill that makes changes to a variety of pension plans. The bill makes changes in the areas of the Minnesota State Retirement System, the Public Employees Retirement Association, The teachers retirement, the judge's retirement plan, the public pension plan and to provisions relating to fiduciary responsibility and liability. The bill also makes conforming amendments to other fiduciary provisions.

A bill amending police and fire pension plans was also approved. S.F. 818, sponsored by Sen. Steven Morse (DFL-Dakota), requires the St. Paul Police and Fire Relief Associations to amend their bylaws relating to retired member representation, increases survivor benefits, and makes changes in vesting for volunteer firefighters. Both S.F. 1201 and S.F. 818 were sent to the Senate floor.

S.F. 153 requires lump sum postretirement adjustments be made for specific retirees. The bill, authored by Sen. Gene Waldorf (DFL-St. Paul), also allows a person who is a member of the Teachers Retirement Association and was employed before July 1, 1989 to elect to transfer retirement coverage before July 1, 1992. The bill was approved and re-referred to the Finance Committee.

## Health and Human Services Prison double bunking debated

A bill requiring the commissioner of corrections to incarcerate two persons per cell whenever necessary to accommodate prison population provided the focal point for discussion at the Fri., Apr. 7, meeting of the Health and Human Services Committee.

S.F. 17, authored by Sen. Jim Ramstad (IR-Minnetonka), also requires that the commissioner of corrections provide a full-time work assignment for every inmate incarcerated in a state correctional facility; that the commissioner report any available capacity in state correctional facilities to the Sentencing Guidelines Commission; that the commissioner no longer accept prisoners from other states; that in order to earn a good-time sentence reduction for a weekday an inmate must work at least eight hours; and that in order to earn a good-time sentence reduction an inmate without a high school diploma or its equivalent must make satisfactory progress in an education program.

The committee, chaired by Sen. Linda Berglin (DFL-Mpls.), began hearing testimony on the bill but took no action because of time constraints.

Earlier, the panel approved, and re-referred to the Judiciary Committee, S.F. 605. The bill, authored by Sen. John Marty (DFL-Roseville), authorizes the commissioner of corrections to take photographs of juveniles committed to the commissioner for management and law enforcement purposes.

## Double bunking bill fails

Members of the Health and Human Services Committee advanced several measures Tues., Apr. 11, but voted down a bill requiring the commissioner of corrections to place two persons in a cell whenever population conditions warrant. S.F. 17, authored by Sen. Jim Ramstad (IR-Minnetonka), also contained language placing conditions on the earning of good time and prohibited the commissioner from accepting prisoners from other states. The bill failed to gain approval on a 6-7 roll call vote.

In other action, the panel, chaired by Sen. Linda Berglin (DFL-Mpls.), approved four bills and re-referred the measures to the Committee on Finance. The first, S.F. 856, authored by Sen. Don Frank (DFL-Spring Lake Park), expands the Minnesota Housing Finance Agency's shared housing program to include handicapped persons; provides that either the homeowner or the tenant may be elderly, handicapped or developmentally disabled; provides for technical assistance to sponsors of home sharing programs; and increases the appropriation to \$1 million for the biennium.

The second measure, S.F. 1052, authored by Berglin, provides a mechanism to create a two tier licensing system for board and lodging facilities. The bill differentiates between facilities that offer supportive services and medical supervision services. The bill does not apply to board and lodging establishments licensed by the commissioner of health that provide services for five or more persons whose primary diagnosis is mental illness and who have refused an appropriate residential program offered by a county agency.

The third bill, S.F. 1163, authored by Sen. Gene Waldorf (DFL-St. Paul), provides for voluntary proposals for decreasing the size of intermediate care facilities for persons with mental retardation (ICFMR's). The measure also requires a report to the Legislature by Jan. 1, 1991, on the status of the community services downsizing project.

Finally, the panel also approved S.F. 345, a bill providing for the distribution of maternal and child health block grant funds.

## RTC bill heard

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), began discussion of a bill that changes the role of Regional Treatment Centers (RTCs) at the Wed., Apr. 12, committee hearing. S.F. 954, authored by Sen. Don Samuelson (DFL-Brainerd), is aimed at defining the state's role in providing services to the mentally retarded, the mentally ill, the chemically dependent and the elderly. The measure provides that the RTCs function as a hub for community based programs and to provide technical assistance for community based programs. In addition, the bill provides that intermediate care facilities for the mentally retarded (ICFMRs) limit the number of beds to 16 by June 30, 2000. The bill also provides for state operated community-based services (SOCs) to provide both residential and day programs until July 1, 2000 and authorizes SOC's to provide mental health services beginning in July, 1991. The bill also ratifies the agreement reached by the state and the affected RTC employee unions, mandates the closing of the Oak Terrace Nursing Home and authorizes grants for case management costs.

Committee members began hearing testimony on the bill but took no final action. The panel did approve another Samuelson bill, S.F. 627. The measure authorizes county boards to collect fees for the court-ordered treatment of juveniles and provides for a uniform fee schedule based upon the ability to pay. The bill was sent to the full Senate.

## Judiciary

### Drug penalty bill gains

The Judiciary Criminal Law Division, chaired by Sen. Donna Peterson (DFL-Mpls.), met Thurs., Apr. 6, to continue consideration of S.F. 3, a major drug penalty bill. The bill, sponsored by Sen. William Luther (DFL-Brooklyn Park), establishes a graduated structure for penalties for possession and sale of controlled substances keyed to the weight of the

drugs. The bill is aimed at the enforcement and sentencing of drug dealers at several levels.

Most of the debate centered around a series of amendments that were offered to the measure. The first contained elements of two additional bills, sponsored by Sen. Ember Reichgott (DFL-New Hope) and Sen. Jim Ramstad (IR-Minnetonka), dealing with the identification and reporting, under the Child Abuse Reporting Act, of cocaine or "crack" babies. The amendment also provides for toxicology tests, provides for reporting and provides for civil commitment as a mechanism to require the mother to undergo chemical dependency treatment. The amendment also contains provisions for appropriations to provide services to chemically dependent pregnant women. The amendment was adopted.

In addition, the division adopted an amendment providing for prevention, treatment, education and rehabilitation programs. Further, the amendment creates an office of drug policy and a drug prevention council. The amendment contains provisions for grants to law enforcement agencies and for a Drug Abuse Resistance Education Program (DARE). The amendment, offered by Luther, was adopted. An amendment, offered by Sen. Allan Spear (DFL-Mpls.), providing that anyone selling tobacco to a person under the age of 18 is guilty of a gross misdemeanor was also adopted. A separate amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), providing for the development of a program for training peace officers in the DARE curriculum was also adopted.

A final amendment changed the permissive inference of knowing possession contained in the bill relating to automobiles. The bill was amended to specify that the presence of a controlled substance in an automobile creates an inference of knowing possession of the controlled substance by the driver or person in control of the automobile. The bill was then approved and advanced to the full committee.

## Security guard bill advanced

A bill providing for background checks on persons hired to perform services as a security guard gained the approval of the Judiciary Criminal Law Division Fri., Apr. 7. The bill, S.F. 55, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides definitions and prohibits the hiring of persons who have been convicted of a felony or criminal sexual conduct.

The division, chaired by Sen. Donna Peterson (DFL-Mpls.), also approved a bill increasing the penalties for parental kidnapping and prohibiting the concealment of a child abducted in another state. S.F. 1323 is authored by Peterson. Finally, the panel approved S.F. 590, authored by Sen. A. W. "Bill" Diessner (DFL-Afton). The bill specifies that the chief executive officer of an adult correctional institution determine whether an inmate is a veteran and, if so, if the inmate is suffering from Posttraumatic Stress Disorder.

## Division advances several bills

The Judiciary Division on Civil Law, chaired by Sen. Ember Reichgott (DFL-New Hope), approved and advanced five bills to the full Judiciary Committee Fri., Apr. 7.

S.F. 1150 revises Minnesota statutes relating to creditors' remedies. Representatives of creditors and debtors testified that S.F. 1150, sponsored by Sen. William Luther (DFL-Brooklyn Park), is a compromise worked out over two years of discussion between the groups. A spokesman for the Legal Aid Society said that the bill would provide a clearer picture to unrepresented debtors of the process and their rights.

S.F. 132, sponsored by Luther, enacts a new article of the Uniform Commercial Code to govern leases.

S.F. 130, sponsored by Reichgott, permits comparable worth plans to be used as evidence in any sex discrimination proceeding.

The division also approved two bills that revise the text of certain Minnesota statutes without changing the meaning of the laws. The measures, H.F. 862 and S.F. 991, were offered by Sen. Richard Cohen (DFL-St. Paul).

In other action, division members discussed S.F. 446, an omnibus Dept. of Human Rights bill. Among its provisions, S.F. 446 clarifies the definition of disability, limits the use of psychological tests, defines redlining discrimination regarding home repairs and limits age-related questions in employment applications. Reichgott, the bill's sponsor, acknowledged that provisions of S.F. 446 are controversial, and agreed to continue discussions with opponents of the bill. S.F. 446 was laid over.

# Committee Capsule

## Hunter harassment bill okayed

Members of the Judiciary Committee met Mon., Apr. 10, and advanced several bills to the full Senate. S.F. 476, authored by Sen. Charles Berg (DFL-Chokio), makes it a misdemeanor to interfere with another person who is lawfully hunting or to engage in an activity to disturb wild animals in order to prevent a person from lawfully hunting. S.F. 572, authored by Sen. Jim Ramstad (IR-Minnetonka), increases the penalty from a misdemeanor to a gross misdemeanor for falsely reporting child abuse to influence child custody proceedings.

The committee, chaired by Sen. Allan Spear (DFL-Mpls.), also approved three additional bills. S.F. 180, authored by Sen. Tracy Beckman (DFL-Bricelyn), establishes procedures for contesting corporate trademarks. S.F. 1034, authored by Sen. Gary Laidig (IR-Stillwater), provides for modification of probate notice to creditors. S.F. 1040, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides for modification in the statutory requirements for mechanic's lien contractor and subcontractor notices.

S.F. 1099, authored by Sen. Gene Merriam (DFL-Coon Rapids), establishing emergency planning and community right-to-know requirements in laws relating to the reporting of hazardous substance releases was discussed and laid over by the panel. The measure also makes failure to report a release of a hazardous substance or an extremely hazardous substance a penalty. According to Merriam, the bill incorporates the federal community right-to-know act into state law.

## Access to personnel records bill gains

Members of the Judiciary Subcommittee on Privacy, chaired by Sen. Richard Cohen (DFL-St. Paul), met several times throughout the week. The Tue., Apr. 11, hearing was devoted to discussion of a bill that would allow private sector employees to have access to their own personnel records. The measure, S.F. 312, was advanced to the full committee and is sponsored by Sen. Gene Merriam (DFL-Coon Rapids).

The Wed., Apr. 12, subcommittee meeting advanced an additional five measures to the full committee. S.F. 748, sponsored by Sen. Allan Spear (DFL-Mpls.), provides for the establishment of a child mortality review panel. The subcommittee addressed the data privacy issues relating to the disclosure of information concerning a child who has died to the review panel.

Much of the evening hearing was devoted to discussion of S.F. 912, also authored by Spear, providing procedures to limit and control the disclosure of information about persons with sexually transmitted diseases. The bill provides for disclosure with the informed consent of the person who is the subject of the data and also sets forth the procedure for the disclosure of data without the consent of the person who is the subject of the data to persons, including medical and insurance persons who "need to know." The bill also provides civil remedies, clarifies that Dept. of Health activities are not affected by the measure, and outlines procedures for obtaining a court order to release data.

S.F. 1031, authored by Sen. Marilyn Lantry (DFL-St. Paul), provides for infectious disease notification to emergency medical services personnel who are first responders. S.F. 94, authored by Sen. John Marty (DFL-Roseville), regulates insurance information collection, use, disclosure, access and correction practices. S.F. 1237, authored by Sen. Randolph Peterson (DFL-Wyoming), modifies the wiretap law and provides for conformity with federal laws.

## Mobile home park bill amended, okayed

A bill requiring mobile home park residents to have the first option to buy when a mobile home park owner offers the park for sale was amended and approved by the Judiciary Committee Tues., Apr. 11. S.F. 187, authored by Sen. Gene Merriam (DFL-Coon Rapids), was amended to delete the right of first refusal provisions and to require that mobile home park residents be given notice of intent to convert the use of a mobile home park at either the time of purchase or after purchase and that the owner must provide notice to the residents that the park will be offered for sale. The amendment, offered by Sen. LeRoy Stumpf (DFL-Plummer), was adopted after committee members, chaired by Sen. Allan Spear (DFL-Mpls.), expressed concern that the original bill interfered with the right to sell property.

In other action, the panel approved six additional bills at the evening

hearing. S.F. 190, authored by Sen. William Luther (DFL-Brooklyn Park), makes several modifications in the corporate anti-takeover laws. S.F. 1001, sponsored by Merriam, makes modifications in community dispute resolution program, including providing that the program will be jointly administered by the State Planning Agency and the State Court Administrator and altering provisions relating to community dispute resolution grants. S.F. 1032, authored by Sen. Randolph Peterson (DFL-Wyoming), enacts the Uniform Transboundary Pollution Reciprocal Access Act and provides that persons injured by pollution originating in Minnesota may seek remedy in Minnesota courts if there is a reciprocal agreement between Minnesota and the state where the injury occurred.

S.F. 1099, authored by Merriam, establishes emergency planning and community right-to-know requirements, requires reports on the release of hazardous substances and chemicals and sets felony penalties for the failure to report the release of hazardous substances. The bill was re-referred to the Governmental Operations Committee. S.F. 1184, sponsored by Luther, modifies provisions for the award of sentimental property and family allowances in the laws relating to probate. S.F. 1483, also authored by Luther, expands the alternative dispute resolution program now underway in Hennepin County so that it is applicable statewide.

A final bill, S.F. 1300, authored by Sen. Richard Cohen (DFL-St. Paul), requiring the prosecuting authority to pay prosecution witness fees, failed to gain committee approval.

## Local and Urban Government Committee approves measures

Approval of bills relating to a special service district, a sanitary sewer district, bond issuance authorization, and regional railroad authorities, highlighted the Thurs., Apr. 6, meeting of the Local and Urban Government Committee. The committee is chaired by Sen. Robert Schmitz (DFL-Jordan).

S.F. 1221, sponsored by Sen. Phyllis McQuaid (IR-St. Louis Park), authorizes the Hopkins city council to adopt an ordinance establishing a special service district. Hopkins City Manager Craig Rapp said that the special service district will be used to support parking improvements. The bill was re-referred to the Economic Development and Housing Committee.

S.F. 933, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), revises the membership of the Moose Lake and Windemere Sanitary Sewer District Board to include one member chosen by a joint meeting of the town boards or city councils in the district. S.F. 933 now goes to the Senate floor.

S.F. 937, sponsored by Sen. Donna Peterson (DFL-Mpls.), authorizes Hennepin County to issue and sell up to \$130 million worth of general obligation bonds to finance the construction of a public safety facility. Sue Markham, representing Hennepin County, said that the financing option will enable the county to build a larger adult detention center to alleviate overcrowding. The measure was re-referred to the Taxes and Tax Laws Committee.

S.F. 477, sponsored by Sen. Carl Kroening (DFL-Mpls.), permits regional railroad authorities to enter into agreements with cities, counties, towns, or other regional railroad authorities. The bill is headed to the full Senate.

## RDC restructuring bill gains

The Fri., Apr. 7, meeting of the Local and Urban Government Committee was devoted to approving six bills, including proposed legislation that modifies the scope and operation of Regional Development Commissions (RDC's). The committee is chaired by Sen. Robert Schmitz (DFL-Jordan).

As amended, S.F. 278, sponsored by Sen. Steven Morse (DFL-Dakota), revises current law pertaining to RDC's by changing its overall governing structure, eliminating the mandatory preparation of comprehensive plans by RDC's, modifying mandatory local comprehensive plan reviews by RDC's, providing state equalization aid, and requiring the legislative auditor to conduct program evaluations of each currently existing RDC. In addition, the measure changes the name Regional Development Commission to the Area Development Alliance (ADA). The renamed entity is given more flexibility to shift geographic boundaries and is authorized to establish revolving business loan programs. The bill also authorizes counties located within the geographic area of an ADA to establish county eco-

conomic development authorities, and gives ADA project review responsibilities over the county economic development authorities. Panel members approved S.F. 278 and re-referred it to the Housing and Economic Development Committee. S.F. 1205, regulating the development, imposition, and management of state mandates upon local political subdivisions also sponsored by Morse, was approved by committee members and re-referred to the Governmental Operations Committee.

S.F. 1373, authored by Sen. Phyllis McQuaid (IR-St. Louis Park), permits the St. Louis Park city council to change the name of the city's housing and redevelopment authority effective Oct. 1, 1988, and makes provisions for the recording of property deeds associated with the name change. As amended, S.F. 1009, sponsored by Sen. Earl Renneke (IR-LeSueur), authorizes both the Carver County and Scott County Boards to determine the location of, and provide for, one or more offices for the county attorney, court administrator, and sheriff. The measure also authorizes the Carver County and Scott County Boards to determine sites for a district courtroom and a county jail. S.F. 1258, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), authorizes the Martin County Board to assign court administrator vital statistics and marriage license duties to the county recorder. S.F. 1079, sponsored by Sen. John Marty (DFL-Roseville), increases the Ramsey County personnel review board membership from five to seven people, and authorizes the county personnel director to issue subpoenas to require the attendance of witnesses and to obtain documents pertaining to grievance procedures. All four measures now go to the Senate floor.

### **Committee approves four bills**

Approval of measures relating to medical clinics and hospitals, waste management, county payment procedures, and attachment proceedings highlighted the Mon., Apr. 10, meeting of the Local and Urban Government Committee. The committee is chaired by Sen. Robert Schmitz (DFL-Jordan).

As amended, S.F. 1252, sponsored by Sen. Douglas Johnson (DFL-Cook), authorizes the towns of Crystal Bay, Beaver Bay, and Stoney River, and the cities of Beaver Bay and Silver Bay, along with Unorganized Territory No. 1 in Lake County, to create a medical clinic district. The district's levy is limited to \$30,000 per year. In addition, the bill permits Cook County to create a county hospital district, with an annual levy limit of \$300,000. The measure also allows Cook County to spend up to \$240,000 from its 1989 general county levy to acquire, construct, and operate hospitals within the county. S.F. 1252 was re-referred to the Taxes and Tax Laws Committee.

S.F. 956, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), requires a county that enters into a contract with the state for the siting and development of a hazardous waste containment facility to hold a binding referendum on implementation of the contract. Stumpf explained that the bill was drafted in response to heightened concerns by Red Lake County constituents that a hazardous waste facility will be sited in their county without their direct approval. The measure was re-referred to the Environment and Natural Resources Committee.

S.F. 1341, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), authorizes the Goodhue County Board to provide procedures for the payment of county obligations by the county auditor—without presentation to the board. S.F. 1331, sponsored by Sen. Bob Lessard (DFL-Int'l Falls), authorizes a petition to annex unorganized territory to the town of Spang to be signed by the town's residents. Both bills are now headed to the full Senate.

## **Public Utilities and Energy Low-income energy needs bill okayed**

A bill providing for the energy needs of low-income Minnesotans was approved Tues., Apr. 14, by the Public Utilities and Energy Committee. The Committee Chair Ronald Dicklich (DFL-Hibbing) is sponsoring the bill, S.F. 1433. Provisions of the measure include directing the Public Utilities Commission to adopt rules governing cold-weather disconnections of utility customers. The bill also provides that the rules must forbid the disconnection of utilities of customers who pay at least ten percent of their monthly gross income toward their monthly utility bill. In addition, the

policy must cover people whose income is below the 185 percent federal poverty level. Additional provisions include the inclusion of municipals and cooperatives under the term "public utility" for the Conservation Improvement Programs (CIPs) definition; giving the Dept. of Public Service authority over CIPs; and giving municipalities authority to make energy-related repairs to rental property.

Members approved and re-referred S.F. 1433 to the Committee on Governmental Operations.

### **EAS bill laid over for further study**

The Public Utilities and Energy Committee, chaired by Sen. Ronald Dicklich (DFL-Hibbing), began discussion of a bill providing for extended area telephone service. The bill was laid over for interim study.

S.F. 1419 requires the Public Utilities Commission (PUC) to receive and review petitions that request extended telephone service, defines extended area service (EAS), and requires the PUC to issue a decision to determine the petitioning exchanges to be granted extended area service and to set rates for service within nine months of the bill's effective date. The bill is authored by Sen. Gene Waldorf (DFL-St. Paul).

## **Taxes and Tax Laws Grasshopper control bill okayed**

The Tues., Apr. 11, meeting of the Taxes and Tax Laws Division on Property Taxes and Local Government Aids focussed on approving a grasshopper control program measure and hearing testimony on Truth-in-Taxation. The division is chaired by Sen. Steven Novak (DFL-New Brighton).

S.F. 319, sponsored by Sen. Charles Berg (DFL-Chokio), authorizes a state-wide grasshopper control program and provides for the inspection and control of plant pests in the same manner as noxious weeds. Several of the bill's provisions affect property tax authority by specifying that if a municipality or town neglects or refuses to pay for its local weed and plant pest inspections, the county will assume the cost and include the payment in its next local property tax levy; and by providing that if a person does not eradicate noxious weeds or plant pests after a notice has been served, the local or county inspector will proceed with the eradication and will charge for the service as if it were a property tax. An author's amendment that changes the special tax calculating method used to fund the program from mills to percentages, and an amendment offered by Sen. Randolph Peterson (DFL-Wyoming), that limits the levy amount to no more than 50 cents per capita—except for the amount required to be levied for the grasshopper control program—were adopted by division members. The measure now goes to the Taxes and Tax Laws Committee.

Panel members then shifted their attention to the Truth-in-Taxation issue. Dennis Erno, representing the Dept. of Revenue, said that Truth-in-Taxation serves the purpose of putting a spotlight on the local budget-setting process by notifying citizens of property tax hearings, and providing property owners with a greater understanding of budget decision implications by supplying them with notices that detail tax assessment procedures. Testimony and panel member discussion revolved around suggested changes to proposed Dept. of Revenue tax assessment, notification, and hearing schedules for tax years 1990 and 1991. Division members agreed to tentatively schedule continued Truth-in-Taxation testimony during its Tues., Apr. 18, meeting.

### **Committee advances four bills**

Approval of bills authorizing local jurisdictions involved in economic development to participate in secondary markets, granting water and sewer powers to towns, recodifying tax court powers and procedures, and cancelling specified ditch assessments, highlighted the Wed., Apr. 12, meeting of the Taxes and Tax Laws Committee. Sen. Douglas Johnson (DFL-Cook), serves as the committee's chair.

S.F. 65, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), enables cities, counties, and towns to sell notes, mortgages, leases, or other obligations securing loans made for economic development or redevelopment purposes.

As amended, S.F. 459, sponsored by Sen. Betty Adkins (DFL-St. Michael), provides that towns may construct and improve water, sewer, and storm sewer systems. In addition, the bill authorizes towns to establish storm

# Committee Capsule

sewer improvement districts. This includes the authority to issue bonds for the construction of sewer projects without a referendum, and exempts the bonds from the net debt levy limits of the town or city. The city or town may also levy a property tax to finance improvement and maintenance costs.

As amended, S.F. 462, authored by Sen. LeRoy Stumpf (DFL-Plummer), clarifies, modifies, and recodifies Minnesota Tax Court powers and procedures. H.F. 804, sponsored by Sen. Randolph Peterson (DFL-Wyoming), authorizes the Chisago County Board to cancel ditch assessments imposed for specified county ditches before 1987. Current law does not provide for the cancellation of ditch assessments.

All four bills are now headed to the Senate floor.

## Transportation Regulation bills advance

Three bills pertaining to regulations that govern, or are administered by, the Minnesota Dept. of Transportation (MnDOT), the Transportation Regulation Board, the Regional Transit Board (RTB), and the Metropolitan Council, were approved at the Tues., Apr. 11, Transportation Committee meeting. Panel members, chaired by Sen. Clarence Purfeerst (DFL-Faribault), defeated a fourth measure exempting Minnesota cities from parking design standards.

S.F. 847, sponsored by Sen. Don Samuelson (DFL-Brainerd), specifies that persons providing passenger transportation service under contract to, and with operating assistance from, MnDOT must comply with the department's rules but are exempt from Transportation Regulation Board requirements. Committee members adopted an author's amendment specifying that the MnDOT rule compliance provision does not apply to local transit commissions, transit authorities created by the Legislature, or special transportation service certified by the commissioner of transportation. The bill now goes to the Senate floor.

S.F. 1253, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), grants the RTB short-term borrowing authority and increases the amount of long-term debt the Metropolitan Council can issue for transit concerns. Under the bill's provisions, the Met Council's long-term debt limit for transit increases from \$18.5 million to \$44 million and can be expended for items included in the RTB's capital plans. The measure was re-referred to the Finance Committee.

S.F. 1303, authored by Sen. Gary DeCramer (DFL-Ghent), adds nonrailroad lessors to the list of railroad entities that may not sell interest in real property located within a right-of-way without first extending a written property offer to each leaseholder. Sen. John Bernhagen (IR-Hutchinson), offered, and panel members adopted, an amendment deleting a provision in the bill that regulates railroad right-of-way lease cancellation procedures. The measure is headed to the full Senate.

## Committee okays three bills

The Thurs., Apr. 13, Transportation Committee meeting resulted in the approval of three bills pertaining to license plates, drivers' licenses, and motor vehicle towings. A fourth measure concerning county state-aid highways was laid-over until the next legislative session. The committee is chaired by Sen. Clarence Purfeerst (DFL-Faribault).

S.F. 698, sponsored by Sen. Howard Knutson (IR-Burnsville), broadens the Dept. of Public Safety's "physically handicapped person" definition to include a medical condition known as porphyria. The definition enables physically handicapped individuals to obtain a certificate or special license plate authorizing specified parking privileges. An amendment permitting the issuance of special license plates to individuals that have lost an arm or a leg and cannot use an artificial limb was adopted by panel members. The bill now goes to the Senate floor.

S.F. 1339, sponsored by Sen. Robert Schmitz (DFL-Jordan), appropriates \$108,000 from the Trunk Highway Fund and \$12,000 from the General Fund for the 1990-91 biennium to enhance security and legibility of drivers' licenses, instruction permits, and Minnesota identification cards. S.F. 1339 was re-referred to the Finance Committee.

As amended, S.F. 1248 prohibits a local authority from towing a motor vehicle for a period of four hours after issuance of a parking or traffic ticket, except under specified circumstances. The measure, sponsored by Sen. Steven Novak (DFL-New Brighton), is headed to the full Senate.

S.F. 1420, sponsored by Sen. Jim Vickerman (DFL-Itacy), abolishes a city's authority to disapprove a county board and commissioner of transportation's decision to abandon, change, or revoke a county state-aid highway; changes the county state-aid highway funding allocation formula; and modifies the composition of the County State Aid Screening Board. The committee decided to delay action on the bill in order to provide panel members with the opportunity to further study its provisions during the interim.

## Veterans and Military Affairs Vets home study okayed

A bill providing for a statewide study to determine the need for veterans homes was advanced by members of the Veterans and Military Affairs Committee Tues., Apr. 11. S.F. 272, authored by Sen. Keith Langseth (DFL-Glyndon), directs the Dept. of Administration to consider a number of factors in conducting the study, including the availability of other long-term care alternatives for veterans, the impact of more veterans homes on community nursing homes, the availability of federal funding, the overall cost to the state and the Veterans Home Board long-term plan for veterans health care. The bill specifies that the study must be completed by Jan. 1, 1990. The measure was re-referred to the Committee on Finance.

The committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), also discussed a bill authorizing the establishment of a veterans home in Fergus Falls. No action was taken on the bill, S.F. 541, sponsored by Sen. Cal Larson (IR-Fergus Falls).

## Aid for Vietnam vets claims okayed

A bill providing for an appropriation to the Vietnam Veterans of America, S.F. 1155, was approved at the Thurs., Apr. 13, meeting of the Veterans and Military Affairs Committee. The bill, sponsored by Committee Chair Joe Bertram, Sr. (DFL-Paynesville), authorizes an appropriation of \$30,000 a year to the organization in order to help veterans prepare and present claims to the federal government for compensation and benefits resulting from disabilities incurred in military service. The measure was re-referred to the Committee on Finance.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, April 17

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

8:30 a.m. Room 125 Capitol

**Agenda:** Capital Bonding bill. Allocations on Health Related Boards, Ombudsman for Corrections, and Sentencing Guidelines Commission.

**Agriculture and Rural Development Committee**, Chair: Charles Davis  
10 a.m. Room 112 Capitol  
**Agenda:** To be announced.

**Judiciary Committee**, Chair: Allan Spear  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 122-Brandl: Revenue Department data practices. H.F.

343/S.F.144-Stumpf: DNR mineral report data. H.F.306/S.F. 289-Peterson, R.W: Trust and estate regulation. H.F. 76/S.F.326-Merriam: Juvenile jail restrictions. H.F. 97/S.F. 336-Cohen: PSI's for gross misdemeanors. S.F. 412-Berglin: Hate crimes. S.F. 662-Cohen: Fire department access to criminal records. S.F. 830-Luther: Conciliation court limit. S.F. 854-Merriam: Law enforcement, victim access to juvenile records.

**Economic Development and Housing Committee**, Chair: Don Frank  
12 noon Room 15 Capitol

**Agenda:** To be announced.

**Local and Urban Government Committee**, Chair: Robert Schmitz  
12:15 p.m. Room 107 Capitol

**Agenda:** H.F. 1115/S.F. 998-Pariseau: Relates to a morgue for Dakota County. H.F. 942/S.F.1088-Dahl: Relates to mosquito control district; ticks. H.F. 529/S.F. 1167-Frederickson, D.J: Allows counties, cities and towns to contribute to certain hospitals.

**\*The Senate will be in session at 2 p.m.**

**Education Division on Education Funding**, Chair: Randolph Peterson  
3 p.m. Room 15 Capitol

**Agenda:** To be announced.

**Finance Division on State Departments**, Chair: Carl Kroening  
3 p.m. Room 107 Capitol

**Agenda:** To be announced.

**Judiciary Committee**, Chair: Allan Spear  
7 p.m. Room 112 Capitol

**Agenda:** S.F. 3-Luther: Miscellaneous drug provisions. S.F. 320-Spear: Sexual assault offender control; increases penalties; DNA profiling; juvenile sex offender jurisdictions.

## Tuesday, April 18

**Employment Committee**, Chair: Florian Chmielewski  
8 a.m. Room 107 Capitol

**Agenda:** S.F. 1416-Chmielewski: Regulates insurance for truckers, loggers. Other bills may be added.

**Governmental Operations Committee**, Chair: Donald Moe  
8 a.m. Room 15 Capitol

**Agenda:** S.F. 548-Freeman: Working Capital Fund. S.F. 431-Hughes: Elevator safety. S.F. 1383-Moe, D.M: Creates a small business procurement commission.

**Transportation Committee**, Chair: Clarence Purfeerst  
8 a.m. Room 112 Capitol

**Agenda:** S.F. 985-Novak: Limo bill. S.F. 1200-DeCramer: Commercial motor vehicle license requirements. S.F. 1044-Luther: Insurance ID cards.

**Commerce Committee**, Chair: Sam Solon  
10 a.m. Room 112 Capitol

**Agenda:** H.F. 1530/S.F. 1441-Schmitz: Relates to heavy equipment sales. H.F. 1435/S.F. 1398-Anderson: On-sale liquor license in Todd County. H.F. 1477/S.F. 1388-Solon: Relates to certain commercial leases. H.F. 156/S.F. 1123-Solon: Refines regulation of lending practice of Industrial Loan & Thrifts. H.F. 1287/S.F. 1226-Metzen: Municipal securities secondary market exemption. H.F. 1581/S.F. 1376-Cohen: Exemption of certain over-the-counter securities from blue sky registration. H.F. 1290/S.F. 1227-Metzen: Licensing of real estate closers. H.F. 1285-S.F. 1251-Brandl: Minnesota Comprehensive Health Insurance cost containment measures. S.F. XX-Solon: Creates a lien for public improvements. S.F. XX-Luther: Relates to takeovers and leveraged buy-outs.

**Environment and Natural Resources Committee**, Chair: Bob Lessard  
1 p.m. Room 107 Capitol

**Agenda:** H.F. 545-Dicklich: Disposal of low-grade iron bearing materials. H.F. 578-Purfeerst: Mowing or tilling rights-of-ways. H.F. 527-Beckman: Recycling at state parks. H.F. 832-Hughes: Ramsey county property -- library. H.F. 827-Bernhagen: Taking of muskrats causing damage. H.F. 502-Laidig: Conveyance of tax-forfeited land in Washington county.

**Health and Human Services Committee**, Chair: Linda Berglin  
1 p.m. Room 15 Capitol

**Agenda:** S.F. 1055-Berglin: Success by six. S.F. 836-Piper: Licensing. S.F. 549-Pehler: Exclusion for licensing. S.F. 705-DeCramer: Religious exclusion to licensing. S.F. 880-Cohen: Clarifies day-care drop-in exemptions. S.F. 1280-Benson: Exclusion for church, religious instructions from licensing. S.F. 442-Piper: Right-to-know.

**Finance Division on State Departments**, Chair: Carl Kroening  
3 p.m. Room 125 Capitol

**Agenda:** To be announced.

**Taxes and Tax Laws Division on Property Tax and Local Government Aids**, Chair: Steven Novak  
3 p.m. Room 15 Capitol

**Agenda:** Continuing discussion of truth-in-taxation. S.F. 38-Chmielewski: Registration tax on park trailers. S.F. 928-Piper: Senior assessor accreditation. S.F. 1259-Berglin: Leasehold co-ops. S.F. 1278-Gustafson: Hermantown economic development.

**The Senate will be in session at 7 p.m.**

## Wednesday, April 19

**Education Committee**, Chair: James Pehler  
8:30 a.m. Room 15 Capitol

**Agenda:** House bills.

**Agriculture and Rural Development Committee**, Chair: Charles Davis  
10 a.m. Room 112 Capitol

**Agenda:** To be announced.

**Finance Division on Agriculture, Transportation and Semi-States**, Chair: Keith Langseth  
10 a.m. Room 123 Capitol

**Agenda:** Budget allocations.

**Judiciary Division on Civil Law**, Chair: Ember Reichgott  
10 a.m. Room 237 Capitol

**Agenda:** S.F. 890-Cohen: State takeover of court financing. S.F. 835-Davis: Mechanics' liens, statement of charges. S.F. 446-Reichgott: Human Rights Department Omnibus Bill.

**Judiciary Division on Criminal Law**, Chair: Donna Peterson  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 483-Freeman: RICO Statute: criminal and civil penalties for racketeering; drug and other gang related activities. S.F. 330-Moe, D.M.: Forfeiture of real estate interests in controlled substance, other contraband cases.

**Elections and Ethics Committee**, Chair: Jerome Hughes  
11:30 a.m. Room 107 Capitol

**Agenda:** H.F. 426/S.F. 461-Taylor: Mankato polling places. H.F. 630/S.F. 553-Peterson, D: Secretary of state's housekeeping bill. H.F. 629/S.F. 368-Luther: Special elections candidates; public subsidy.

**Environment and Natural Resources Committee**, Chair: Bob Lessard  
1 p.m. Room 112 Capitol

**Agenda:** To be announced.

**Health and Human Services Committee**, Chair: Linda Berglin  
1 p.m. Room 15 Capitol

**Agenda:** S.F. 1211-Marty: Counsel of hearing impaired. S.F. 1495-Metzen: Establishes board of jail employee training. S.F. 1135-Berglin: Inhalant abuse. S.F. 1136-Berglin: Inhalant abuse. S.F. 1194-Berglin: Exempts certain nursing homes for cost limits. S.F. 946-Brandl: Family investment plan welfare reform.

**Finance Committee**, Chair: Gene Merriam  
3 p.m. Room 123 Capitol

**Agenda:** Capital Bonding bill.

**Taxes and Tax Laws Committee**, Chair: Douglas Johnson  
3 p.m. Room 15 Capitol

**Agenda:** S.F. 1451-Waldorf: 6 percent excise tax on collector vehicles. S.F. 150-Lessard: Lottery bill. S.F. 319-Berg: Grasshopper control. S.F. 920-Brataas: Rochester sales tax. S.F. 1445-Johnson, D.J: Tax expenditure budget. S.F. 95-Lessard: Recycling bill. H.F. 765-Solon: Western Lake Superior Sanitary District.

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

**Taxes and Tax Laws Division on Income Tax**, Chair: Lawrence Pogemiller

Immediately following the full committee. Room 15 Capitol

**Agenda:** Tentative meeting scheduled.

**Education Division on Education Funding**, Chair: Randolph Peterson

6:30 p.m. Room 15 Capitol

**Agenda:** To be announced.

## Thursday, April 20

**Employment Committee**, Chair: Florian Chmielewski

8 a.m. Room 107 Capitol

**Agenda:** Tentative meeting scheduled.

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

8 a.m. Room 15 Capitol

**Agenda:** S.F. 258-Moe, D.M.: Dept. of Employee Relations housekeeping bill. H.F. 100/S.F. 240-Piper: Part-time employment policies. S.F. 491-Berglin: Healthspan.

**Transportation Committee**, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

**Agenda:** S.F. 931-Lantry: Title transfer restrictions. H.F. 627-Stumpf: Rear-end dump truck bumpers. S.F. 892-Stumpf: Railroad funding and crossings. S.F. 1198-Stumpf: Salvage inspection fee.

**\*The Senate will be in session at 10 a.m.**

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

12:15 p.m. Room 107 Capitol

**Agenda:** To be announced.

**Commerce Committee**, Chair: Sam Solon

2 p.m. Room 112 Capitol

**Agenda:** H.F. 624/S.F. 1076-Freeman: Licensing of real estate appraisers. H.F. 1155/S.F. 1171-Peterson, D.C.: Life and health insurance omnibus bill. H.F. 1283/S.F. 1431-Luther: Various property and casualty insurance measures.

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

3 p.m. Room 125 Capitol

**Agenda:** Continuation of Monday's agenda. Allocations for Dept. of Jobs and Training and Dept. of Health.

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

3 p.m. Room 123 Capitol

**Agenda:** To be announced.

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

## Friday, April 21

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** House bills.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** To be announced.

**Finance Division on Agriculture, Transportation and Semi-states**, Chair: Keith Langseth

10 a.m. Room 123 Capitol

**Agenda:** Budget allocations.

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

10 a.m. Room 125 Capitol

**Agenda:** Presentation on the Arrowhead "2 + 2" community assessment program study. HECB allocations. S.F. 1262-Waldorf: Increases revenue bonding authority of HEFA.

**Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 745-Brandl: Child support enforcement, paternity determination, child support and spousal maintenance. S.F. 748-Spear: Child mortality review panel and child protection team data practices; child endangerment. S.F. 890-Cohen: State takeover of court financing.

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

1 p.m. Room 15 Capitol

**Agenda:** S.F. 954-Samuelson: RTC bill.

**Education Division on Education Funding**, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

**Agenda:** To be announced.

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

5 p.m. Room 112 Capitol

**Agenda:** S.F. 487-Berglin: Welfare/energy assistance data provision in MSA bill. H.F. 371/S.F. 605-Marty: Authorizes photograph records of juveniles in custody of Commissioner of Corrections. S.F. 633-Peterson, D.C.: Law enforcement maintenance of child abuse investigative data. S.F. 974-Peterson R.W.: Omnibus data practices bill. S.F. 1324-Cohen: Data practices act effect on open meeting law. Referrals may be scheduled.

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

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# Briefly

The Minnesota Senate Week in Review

April 21, 1989

## Anti-takeover bills advanced

The Commerce Committee approved without dissent two bills aimed at helping Northwest Airlines fight off a takeover attempt Tues., Apr. 18.

S.F. 1573, according to author William Luther (DFL-Brooklyn Park), is general in nature and is intended to apply to highly leveraged buy-outs. The bill limits divesting procedures of Minnesota companies that are substantial subsidiaries to a parent company located elsewhere. In addition, the bill requires approval by the Metropolitan Airports Commission (MAC) of any acquisition of more than 20 percent of a major tenant at the Twin Cities airport. The bill also expands consumer and worker protection following a buy-out and authorizes certain investment managers—such as the State Board of Investment—to consider general social and economic interests when exercising fiduciary responsibilities.

Although Sen. Glen Taylor (IR-Mankato), agreed that everyone's concern was job creation, he expressed reservations about whether the bill was the right way to approach the problem; however, he joined his colleagues in voting for the legislation. The bill was re-referred to the Employment Committee.

Also approved was S.F. 1560, authored by Committee Chair Sam Solon (DFL-Duluth). The bill provides a lien for the state and any political subdivision for the value of public improvements, all subsidized expenditures, or any other expenditure of public funds made for the benefit of a major corporation or the corporation's employees.

The bill was re-referred to the Judiciary Committee.

## Senate processes bills

The Mon., Apr. 17, Senate floor session was highlighted by final passage of two bills relating to liquor sales and barber schools, respectively. Three measures concerning waste management, the uniform commercial code, and residential buildings also gained preliminary approval.

By a vote of 52-8, the Senate granted final passage to S.F. 358, sponsored by Sen. Sam Solon (DFL-Duluth), a measure that clarifies liquor license eligibility requirements, permits liquor sales on specified holidays, allows for the dispensing of malt liquor samples, and allows on-sale establishments to extend hours on Sunday until 1:00 a.m. Mon. Final passage was also granted to S.F. 1241, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), a Consent Calendar bill that reduces, by two years, the amount of time required for barber school teaching certification. In addition, Senate members appointed a conference committee for H.F. 702, a bill that strengthens enforcement penalties for suspects that fail to appear for criminal court proceedings.

S.F. 1, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), a measure that establishes the Office of Waste Management and grants it the powers and duties currently held by the Waste Management Board, gained preliminary approval. Sens. Donald Moe (DFL-St. Paul), and Carl Kroening (DFL-Mpls.), suggested delaying action on the bill until release of a legislative auditor's report detailing the fiscal impact of its provisions. Merriam replied that since the bill only restructures the delivery of waste management services already being provided by the state, the fiscal impact should be minimal. Other bills gaining

preliminary approval include S.F. 391, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), a measure that excludes specified structures from the limitation period provided by the uniform commercial code; and S.F. 587, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), a bill that provides for the relocation of residential buildings.

## Capitol bonding bill recommended

Wed., Apr. 19, the Finance Committee recommended \$113 million in capital bonding projects for introduction as a committee bill. In a summary of the committee recommendations, Vice Chair Michael Freeman (DFL-Richfield) listed four criteria used to determine emergency projects that could not be held over for the major bonding bill in the next session: health and safety concerns, excessive deterioration, future liability to the state, and the loss of matching non-state funds. Freeman also said that no new construction funds are provided, except in the case of correctional facilities needed to accommodate an increasing inmate population. Sen. Gene Merriam (DFL-Coon Rapids) chairs the committee.

A Dept. of Corrections request for \$17.4 million for capital improvements in correctional facilities statewide was approved by the committee. The request includes a proposal to remodel and construct medium security correctional facilities at regional treatment centers in Faribault and other locations. Sen. Don Samuelson (DFL-Brainerd) said that regardless of new legislation, 500-600 new beds would be needed in Minnesota correctional facilities by the end of the biennium.

The committee did not recommend a Dept. of Human Services proposal to provide construction funding for state-operated community service (SOCS) units, as part of the department's plan to restructure the regional treatment center (RTC) system. The committee did recommend \$11.6 million for department proposals to upgrade heating, ventilating, air conditioning and boiler equipment of residential facilities; to develop renovation plans for Anoka, Moose Lake and Fergus Falls RTCs, and to remodel residential buildings to meet skilled nursing standards at RTC facilities.

Other major bonding projects approved by the committee include: \$16.5 million for health and safety improvements and working drawings for several University of Minnesota projects; and \$16.5 million for the Public Facilities Authority to provide state grants for wastewater treatment facilities.

The committee defeated an amendment to provide \$2 million to improve water and wastewater facilities at Giant's Ridge ski resort near Biwabik, Minnesota. The committee did adopt an amendment to transfer \$1.5 million in Dept. of Natural Resources ReInvest in Minnesota funding to the Board of Water and Soil Resources to acquire easements for cropland in sensitive groundwater areas.

## Service for hearing-impaired available

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

# Committee Capsule

## Agriculture and Rural Development

### Several bills advance

Fri, Apr. 15, members of the Agriculture and Rural Development Committee approved S.F. 278, authorizing the establishment of area development alliances (ADAs) to promote economic development in regions of the state that do not have regional development commissions (RDCs). The bill, sponsored by Sen. Steven Morse (DFL-Dakota), also provides an appropriation for the legislative auditor to conduct program reviews of existing RDCs. S.F. 278 was re-referred to the Committee on Taxes and Tax Laws. Sen. Charles Davis (DFL-Princeton) is committee chair. Five other bills were advanced by the committee.

S.F. 1174, sponsored by Sen. Duane Benson (IR-Lanesboro), deals with federally foreclosed farm lands. The bill requires the commissioner of the Dept. of Natural Resources (DNR) to consult with the Board of Water and Soil Resources in determining the viability of farm land transferred to the department. Benson explained that the consultation is intended to avoid the subdividing of farms that are economically viable and provide tax revenues. S.F. 1174 was sent to the Senate floor.

S.F. 1545 establishes a seed production incentive loan program to encourage development of new, native grass and wildflower seed varieties in Minnesota. The bill, authored by Davis, also makes appropriations for agricultural market-related research, information dissemination and producer assistance. S.F. 1545 was re-referred to the Finance Committee.

S.F. 1561, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), appropriates funding for agriculture information centers to provide financial counseling services to farm families. The bill was re-referred to the Finance Committee.

S.F. 1524 establishes a board of directors of the Agricultural Utilization Research Institute (AURI). The measure also allocates funds from the Greater Minnesota Fund for AURI agricultural research and product development. S.F. 1524, sponsored by Davis, was sent to the Senate floor.

S.F. 1496, sponsored by Sen. Charles Berg (DFL-Chokio), authorizes the commissioner of agriculture to direct and promote development of aquaculture in the state. The bill also provides an appropriation for aquaculture research and demonstration projects. S.F. 1496 was re-referred to the Finance Committee.

### Committee approves land conservation bill

The Mon., Apr. 17, meeting of the Agriculture and Rural Development Committee was devoted to amending and approving two bills pertaining to the Conservation Reserve and dairy promotion checkoff programs. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 895, sponsored by Sen. Steven Novak (DFL-New Brighton), transfers responsibility for the Conservation Reserve Program from the Dept. of Agriculture to the Board of Water and Soil Resources; adds cropland in a sensitive groundwater area or adjacent to public waters, along with woodlots and abandoned building sites on agricultural land, to the list of land eligible to participate in the Conservation Reserve Program; revises provisions concerning landowner agreements and conservation easement payments; adds enforcement and damage requirements for landowners that violate conservation easement or agreement terms; specifies land use trespass penalties; and appropriates funds to the Board of Water and Soil Resources to support the Conservation Reserve and the Comprehensive Fish and Wildlife Programs.

Davis offered, and committee members adopted, amendments detailing marginal land and wetland reservation requirements; federal agency land transfer procedures; land use trespass provisions; and conservation easement requirements. Committee members also adopted amendments by Sen. Dennis Frederickson (IR-New Ulm), exempting specified land from the state's alien and non-American

corporation land acquisition policy and removing permanent grass strips from the public land definition; Sen. Joe Bertram, Sr., (DFL-Paynesville), adding a noxious weed control local suspension provision; and Sen. Jim Vickerman (DFL-Tracy), revising a livestock grazing conservation easement requirement.

As amended, S.F. 1223, sponsored by Davis, specifies that the state's dairy promotion checkoff rate must be equal to the maximum credit allowed under federal law. The measure provides that if the federal law is repealed or the credit is eliminated, Minnesota's maximum checkoff rate will remain at one percent of milk market value, with producer approval required for any checkoff rate modification. In addition, the proposed legislation extends the life-span of the Minnesota Dairy Task Force to June 1, 1990, and appropriates \$30,000 to support the task force and dairy industry pilot projects. Davis said that the bill enables Minnesota dairy producers to receive the full benefit of their checkoff dollars by retaining the maximum amount of funds for use in the state's promotion program, as opposed to sending the funds to the national promotion program.

Both measures were re-referred to the Finance Committee.

### Peat bill advances

The Wed., Apr. 19, meeting of the Agriculture and Rural Development Committee was devoted to approving appropriation bills for peat marketing and grain export activities, and to support the creation of a small ruminant research and teaching position at the University of Minnesota. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 1026, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), appropriates \$790,000 to the commissioner of natural resources for horticultural peat marketing and promotional purposes. The bill specifies that the peat marketing and promotional activity include the development of standards for Minnesota horticultural peat, participation in trade shows, the development and distribution of educational materials with respect to horticultural peat marketing and the environment, the organization of commercial and educational seminars, the publication of trade literature, the organization of media promotion, and the initiation of a water quality study. Dicklich said that the proposed legislation is designed to continue the state's peat marketing and promotional effort initiated during the 1987-88 biennium.

As amended, S.F. 752, authored by Sen. Sam Solon (DFL-Duluth), provides for an annual \$50,000 appropriation to the Duluth Seaway Port Authority to stimulate increased export of bagged agricultural commodities. S.F. 1285, sponsored by Davis, authorizes funding for the Minnesota Extension Service to support a small ruminant animal research and teaching position at the U's College of Veterinary Medicine. Davis explained that small ruminants include sheep, goats, and llamas. He estimates that the measure, if enacted, will cost a maximum of \$25,000 per year to implement.

All three bills were re-referred to the Finance Committee.

## Commerce

### MCHA bill approved

The Commerce Committee approved S.F. 1251, relating to the Minnesota Comprehensive Health Association (MCHA). According to author Sen. John Brandl (DFL-Mpls.), the thrust of S.F. 1251 is to contain the costs of the MCHA.

The bill provides that the MCHA must establish premiums for members that are 125 percent of the average rates charged by the five insurers with the largest number of individuals insured for the plan offered. In addition, the bill requires the MCHA to establish mechanisms to ensure that cost controls do not have a significant negative impact on access to services, quality, or effectiveness of health care services provided.

The most controversial provision in the bill provides that the MCHA may establish a fee schedule for payments for services covered by the comprehensive health insurance plan. A representative of the Minnesota Hospital Association said that the association was con-

cerned about the fee schedule provision because it provides no specific direction to the MCHA board. However, the involved parties agreed to work together and the bill was approved and re-referred to the Health and Human Services Committee.

In addition, the committee approved S.F. 1441, sponsored by Sen. Robert Schmitz (DFL-Jordon), expanding protection for heavy equipment dealers. The bill prohibits a heavy equipment manufacturer from terminating, canceling, failing to renew or substantially changing a dealership agreement without good cause. The bill also requires that, except under specified circumstances, a dealer must be given 180 days prior written notice of termination, cancellation or non-renewal and be given all the reasons constituting good cause. Upon the author's suggestion, a requirement that the dealer be given 60 days to rectify any claimed deficiency and thus void the notice was amended to 180 days. The bill was sent to the floor.

Also approved was S.F. 1376, authored by Sen. Richard Cohen (DFL-St. Paul). The bill exempts a number of over-the-counter securities from registering with the Dept. of Commerce. An author's amendment, which committee members approved, adds that the new exemptions are valid only if the National Market System provides the commissioner with notice of any material change in its designation requirements, and that the commissioner may revoke the exemption if the commissioner determines that the designation requirements are not enforced or are amended in a way that lessens protection to investors. The bill was sent to the floor.

H.F. 1447, sponsored by committee Chair Sam Solon (DFL-Duluth), was also approved. The bill provides that, when leasing a motor vehicle for commercial purposes, the determination of whether the lease agreement constitutes a lease and not a conditional sale or security interest shall be governed by the intent of the parties as contained in the lease agreement, unless there is clear and convincing evidence that the terms of the lease cannot be reconciled with the stated intent. Sen. William Luther (DFL-Brooklyn Park) said that the "clear and convincing" standard was too high and proposed an amendment to delete the standard; the motion was not adopted. The bill was sent to the floor.

Also approved was H.F. 1435, sponsored by Sen. Don Anderson (IR-Wadena), authorizing the Todd County Board to issue an on-sale liquor license to a restaurant in Round Prairie Township with less seating capacity than the current law requires. Senators also approved an amendment adding a section to allow the Douglas County Board to issue an off-sale liquor license to an exclusive liquor store in Holmes City township with the approval of the commissioner of public safety. The license may not be issued unless the Holmes City township approves the issuance of the license. Both provisions are subject to local approval. The bill was sent to the floor.

Senators also approved H.F. 1287, authored by Sen. James Metzen (DFL-So. St. Paul), a technical bill providing that any non-issuer sales of a security, including a revenue obligation, issued by the state or any of its political or governmental subdivisions, municipalities, agencies or instrumentalities, need not be registered with the commissioner of commerce. H.F. 1287 was sent to the floor.

S.F. 1227, regulating real estate closing agents, was also approved and sent to the floor. The bill requires real estate closing agents to be licensed by the commissioner of commerce, and, when applicable, that they comply with the regulations required for real estate brokers and salespersons. The bill also adds real estate closing agents to those who must pay a fee into the Real Estate Education, Research and Recovery Fund when renewing a license, and changes the fee from \$20 to \$5. The initial application fee is raised from \$20 to \$40. The bill is authored by Metzen.

Senators defeated on a 7-7 vote S.F. 1123, sponsored by Solon, relating to lending practices of Industrial Loans and Thrifts. Although Senators raised a number of concerns about the bill, discussion centered on a provision that increases the maximum amount of interest which may be charged by industrial loans and thrifts to up to 33 percent of the unpaid balance of the amount not exceeding \$1,000, and 19 percent on the part of the unpaid balance exceeding \$1,000. Sen. Allan Spear (DFL-Mpls.) said that people who were that high of a risk

shouldn't be getting loans; Solon said that people should be able to make their own decisions regarding loans. Although Spear's proposal to delete the section was not adopted, the bill was ultimately defeated.

## Economic Development and Housing

### Cold weather resource center bill advances

Eight bills were approved by the Economic Development and Housing Committee Thurs., Apr. 13. Sen. Don Frank (DFL-Spring Lake Park) chairs the committee.

S.F. 1115 provides a \$1.5 million grant to establish a cold weather resource center in International Falls. Operating as a public corporation, the center would promote and coordinate cold weather testing and research in Minnesota. The bill was re-referred to the Committee on Governmental Operations.

S.F. 957 eliminates the Agricultural and Economic Development Board and transfers its programs to the Dept. on Trade and Economic Development. The bill, sponsored by Frank, also makes changes in the governing structure of Opportunities Minnesota Inc. (OMNI), a certified development company, and requires OMNI to submit annual reports to the Small Business Administration and the Legislature. S.F. 957 was sent to the Senate floor.

S.F. 1401, sponsored by Sen. Linda Berglin (DFL-Mpls.), authorizes the Indian Affairs Council to administer Indian business loans if an applicant's tribal council does not participate in the Indian business loan program. The bill was sent to the Senate floor.

S.F. 135 authorizes the Kandiyohi County Board to establish a county rural development finance authority. The bill, authored by Sen. Dean Johnson (IR-Willmar), was re-referred to the Tax and Tax Laws Committee.

S.F. 773, sponsored by Sen. John Marty (DFL-Roseville), authorizes the city of Roseville to impose a lodging tax to finance a speedskating facility in the city. The bill was re-referred to the Committee on Taxes and Tax Laws.

S.F. 1027 restricts security deposit increases from being imposed on manufactured home park residents. The bill, authored by Sen. Steven Morse (DFL-Dakota), was sent to the Senate floor.

S.F. 1221 authorizes the city of Hopkins to establish a special service district. The measure, sponsored by Sen. Phyllis McQuaid (IR-St. Louis Park), was re-referred to the Committee on Taxes and Tax Laws.

S.F. 1087, sponsored by Sen. Carl Kroening (DFL-Mpls.), provides standing for certain associations to bring action for tenant remedies. The bill was sent to the Senate floor.

### Tourism loan bill approved

The Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Fri., Apr. 14, and approved S.F. 1448, authorizing the Dept. of Trade and Economic Development to establish a tourism revolving loan program. Under the bill, the department would make or participate in construction or improvement loans to eligible Minnesota resorts, campgrounds and other tourism-related businesses. S.F. 1448, sponsored by Sen. Sam Solon (DFL-Duluth), was re-referred to the Finance Committee.

The committee also approved two other bills. S.F. 989, sponsored by Sen. Betty Adkins (DFL-St. Michael), authorizes the town of Otsego to establish an economic development authority. The bill was re-referred to the Committee on Taxes and Tax Laws.

S.F. 1138 grants Dakota and Washington county housing redevelopment authorities (HRAs) the power to waive performance bonds for single-family housing construction projects. Bill sponsor Sen. James Metzen (DFL-South St. Paul) said that the county HRAs can require alternative safeguards to performance bonds, such as certified checks and lines of credit, and provide substantial savings for consumers. S.F. 1138 was sent to the Senate floor.

# Committee Capsule

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## Community stabilization bill heard

Tues., Apr. 18, the Economic Development and Housing Committee began to consider S.F. 1022, known as the community stabilization bill. Sponsored by Chair Don Frank (DFL-Spring Lake Park), S.F. 1022 addresses worker and community problems created by plant closings and mass layoffs due to corporate mergers and leveraged buyouts.

Jeff Farmer, representing the Working Group on Economic Dislocation, gave committee members an overview of the three main provisions of S.F. 1022. First, S.F. 1022 requires that any local governmental unit providing public money for a development project must first prepare a jobs impact statement. The public report would summarize the type and net effect of jobs lost or created by the project. Second, the bill provides prefeasibility study grants for local governments or organizations to examine feasible alternatives to an announced or threatened plant closing. Third, the bill provides benefits to workers and communities affected by closings resulting from corporate mergers, takeovers and leveraged buyouts. Further consideration of S.F. 1022 is scheduled for Thurs., Apr. 20.

The committee also approved S.F. 1527, clarifying the functions of the Greater Minnesota Corporation (GMC). Under the bill, the GMC will narrow its focus to provide businesses with technology transfer and applied research and development assistance. S.F. 1527, sponsored by Majority Leader Roger Moe (DFL-Erskine), was re-referred to the Agriculture and Rural Development Committee.

## Education

### Four bills advanced

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), advanced four bills at its evening meeting Thurs., Apr. 13.

S.F. 1102, authored by Sen. David Frederickson (DFL-Murdock), had been discussed at a previous meeting but laid over due to concerns expressed by Senators. The bill originally authorized school districts to enter into guaranteed energy savings contracts to reduce energy or operating costs; the contract could be an installment payment contract. Concerns arose at the previous meeting regarding possible long-term expenses and because the bill exempted such contracts from the competitive bidding requirements of most school district contracts.

At the Thursday meeting, members approved an author's amendment which allows the districts to enter into these contracts without complying with the competitive bidding requirements, but requires that the contract must include a provider's written guarantee that energy savings will equal or exceed the cost of the improvements. Also, the contracts are subject to the review and comment of the commissioner of education.

In other action, the committee approved S.F. 1509, authored by Sen. Randolph Peterson (DFL-Wyoming), which allows a Certified Public Accountant or the State Auditor to conduct the annual audit of the Minnesota State High School League (MSHSL). Currently, the State Auditor must conduct the audit.

State Auditor Arne Carlson spoke in opposition to the measure, pointing out that League spending has been the subject of recent scandal. However, Peterson said that the bill did not change the requirements regarding the contents of the audit. The bill was approved.

S.F. 1368, a bill author Sen. Gregory Dahl (DFL-Ham Lake) described as largely technical, also generated some discussion. The bill relates to vocational technical education.

Sen. Fritz Knaak (R-White Bear Lake), moved to delete a section of the bill requiring a school board to obtain the approval of the state director of vocational technical education before selling, leasing, constructing or permitting construction of facilities on property designated for a technical institute (TI). The section also requires a school board to notify the director when TI property or facilities are used for something other than TI activities. His motion to delete the section failed.

Members did accept an amendment proposed by Sen. Cal Larson (R-Fergus Falls), to change the requirement to notification of the State Board on Vocational Technical Education, rather than the director.

Another Knaak amendment to the section was further amended and approved. As amended, a district may not sell, lease, construct or permit construction of facilities on any property purchased and designated for TI purposes since Jan. 1, 1980, without the approval of the State Board on Vocational Technical Education. The amendment further provides that the state board may deny the request only if it finds that the denial benefits the state TI system. In addition, any denial must be in writing and reasons given. The provision regarding notification to the state board for use of TI property or facilities for something other than TI activities was left intact.

The bill was approved and re-referred to the Committee on Finance.

Also approved was S.F. 1374, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), providing that discrimination against a pupil by a teacher may be grounds for discharge or demotion.

Senators discussed and laid over S.F. 193, carried by Sen. Joe Bertram, Sr., (DFL-Paynesville). The bill requires the State Board of Education to include development of CPR skills as one of the essential learner outcomes in health education. The bill was laid over at the motion of Peterson, who said that he wanted the Legislature to move away from specifying things such as that in statute.

S.F. 1102, S.F. 1374, and S.F. 1509 were sent to the floor.

### Calamity bill advanced

The Education Committee met Wed., Apr. 19, and approved S.F. 1488, authorizing a school district to issue general obligation bonds if a building owned by the district is substantially damaged by a means beyond the district's control. The bill also outlines provisions for repayment and procedures with which districts must comply before the bonds are issued.

The bill is sponsored by Sen. James Metzen (DFL-So. St. Paul). Henry Sibley High School, which is located in Mendota Heights, was recently badly vandalized.

The bill was re-referred to the Committee on Taxes and Tax Laws.

Members also amended and approved H.F. 943, sponsored by Sen. Jim Vickerman (DFL-Tracy), which prohibits students from remaining enrolled in a public or private postsecondary institution unless the student has submitted a statement that the student has received immunization against various diseases usually associated with childhood, such as measles, rubella, and mumps. The bill also provides exemptions and definitions. An amendment approved by Senators expands the definition of "public or private postsecondary educational institution" provided in the bill.

In addition, the bill adds provisions relating to children receiving instruction at a home school to the immunization laws for children enrolled in a day care, elementary or secondary facility. An author's amendment, which committee members approved, adds that an administrator or other person in charge at a day care, elementary or secondary facility shall assist in the transfer of a student's immunization record to a postsecondary institution upon request.

The bill was sent to the floor.

Also approved and sent to the floor was H.F. 141, sponsored by Sen. Randolph Peterson (DFL-Wyoming), which makes technical corrections to the education statutes.

The committee, chaired by Sen. James Pehler (DFL-St. Cloud), also approved H.F. 695, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), which reduces the Askov School Board from seven to six members, contingent upon local approval. The board may again be increased back to seven members. The bill was sent to the Consent Calendar.

## Education Funding

### New articles presented

The Education Committee Education Funding Division, chaired by

Sen. Randolph Peterson (DFL-Wyoming), discussed three articles to the education omnibus bill Thurs., Apr. 13.

The Community and Adult Education Article allows a board to offer a youth service program as part of a community education program with a youth development program. The bill provides greater revenue for districts with community education programs that contain youth development programs, and even more revenue if that youth development program also has a youth service program.

In addition, the article lowers the maximum revenue for Early Childhood Family Education Programs in both 1990 and 1991, but requires districts to establish a sliding fee scale for the program.

The article requires districts to make available a screening program for children age 3-kindergarten. The program is intended to spot health and developmental conditions that may impede learning.

Also included in the article is establishment of the Interagency Adult Learning Council and grant program.

The Education Facilities Article reduces the Capital Expenditure Facilities Revenue from \$137 to \$130 times actual pupil units, and increases the levy. The capital expenditure equipment revenue is also decreased and the corresponding levy increased.

The Library Article requires the commissioner of education to appoint an advisory committee to advise the staff of the Minnesota Library for the Blind and the Physically Handicapped on long range plans and library services. The article also contains appropriations for libraries.

## Calamity bill approved

The Education Funding Division of the Education Committee amended and approved S.F. 1488, authored by Sen. James Metzner (DFL-So. St. Paul), Mon., Apr. 17.

The bill was originally intended as a means to help the Sibley community obtain funds to repair Sibley High School, which was badly vandalized March 23. However, an amendment presented by Division Chair Randolph Peterson (DFL-Wyoming) authorizes any school district to issue general obligation bonds without an election if a building owned by a district is substantially damaged by a means beyond the control of the district. The amendment also outlines procedures for repayment and the application procedures a district must perform before the bonds are issued. The amendment was moved by Sen. Howard Knutson (IR-Burnsville) and approved by the division.

The bill was sent to full committee.

In addition, the division discussed an idea which Peterson said was intended to provide extra services for children who are not performing up to standards without getting them into full-blown special education. The proposal uses the "assurance of mastery" policy already in statute. Assurance of mastery involves districts identifying learner outcomes and assuring that pupils master the outcomes. Peterson's proposal creates an assurance of mastery revenue that eligible districts could use to provide services to pupils who do not master the desired outcomes in math and communications. Under the proposal, the state would match district money.

In addition, the division members adopted the Omnibus Education Bill's Education Facilities/Equipment Article and Library Article.

## Elections and Ethics

### Campaign financing bill amended

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), spent most of its Wed., Apr. 19, meeting discussing amendments to S.F. 368, authored by Sen. William Luther (DFL-Brooklyn Park). The bill provides a public subsidy for eligible legislative candidates in special elections.

A minor amendment, which Senators approved, appropriates money to the Special Election Account, which the bill establishes, for elections held before the 1990 general election.

Another amendment incorporates many provisions from S.F. 1440, also authored by Luther, relating to campaign financing. The amendment makes a number of changes in campaign law, including exclud-

ing the expenses of holding a fundraising event from counting toward a candidate's expenditure limits; raising the candidate contribution limits in nonelection years to \$400 for state Senator and \$200 for state Representative; and prohibiting posting campaign signs on commercial property free of charge or for a nominal fee.

A great deal of the discussion focused on a portion of the amendment authorizing candidates to terminate their principal campaign committee for a state office by transferring the committee debts to their principal campaign committee for a congressional office. The amendment was further amended to authorize candidates to terminate a principal campaign committee by transferring all of their funds, as well as their debts, and by adding that they could transfer their funds and debts to another principal campaign committee for a local, as well as congressional, office.

The amendment was approved.

Also amended onto S.F. 368 was S.F. 4, sponsored by Luther, outlining provisions for candidates for the U.S. Senate and House who agree to spending limits to receive a public subsidy.

Another amendment approved by Senators removes the Oct. 15 reporting requirement for lobbyists; transfers the responsibility for developing disclosure forms from the Ethical Practices Board to the county filing officer of Hennepin County; and clarifies provisions relating to multicandidate political party expenditures.

Near the end of the meeting, Sen. Douglas Johnson (DFL-Cook), proposed an oral amendment to enable candidates to file and run for federal office while keeping a state seat. Due to time constraints, no action was taken on the amendment and no final action was taken on the bill.

Committee members adopted a number of amendments to H.F. 630, the Secretary of State's housekeeping bill, before granting the bill final approval. Some of the amendments approved include a provision specifying what recount expenses a candidate for a legislative office, or for a district, county or county municipal court judicial office, must pay if requesting a recount, and also addresses the question of payment of expenses in a discretionary ballot question recount; and a provision allowing municipalities to set up an absentee ballot board to process all absentee ballots at a central location.

Senators did not include an amendment which requires school districts to establish a canvassing board for a recount of a special levy or bond election.

The bill, sponsored by Sen. Donna Peterson (DFL-Mpls.), was approved and sent to the floor.

Also approved and sent to the floor was H.F. 426, authorizing Mankato to designate a polling place or places for precincts 1, 2, and 3 located more than the allowable distance outside the precinct boundaries. The polling place or places may not be more than four miles from the precinct boundaries. The bill, sponsored by Sen. Glen Taylor (IR-Mankato), is subject to local approval.

## Employment

### Plant closing bill advances

A bill, requiring employers to give 60 days notice of a plant closing or mass layoff, advanced from the Employment Committee Tues., Apr. 18. Committee Chair Florian Chmielewski (DFL-Sturgeon Lake) sponsored S.F. 510, which covers workers in any company with 100 or more employees when 50 or more are put out of work for 30 days or more. In addition, S.F. 510 requires employers to continue to provide health insurance for four months, and to provide severance pay, equal to one week for each year over three years of service. An appropriation of \$160,000 for enforcement is also provided in the bill. S.F. 510 was re-referred to the Finance Committee.

In other action, the committee approved S.F. 1416, making changes in workers' compensation law to reduce insurance premiums for truckers and loggers. The logging provisions of the bill eliminate independent logging contracts, require proof of insurance, establish a wood assessment program to defray loggers' workers compensation costs and create a state-funded logging safety program.

# Committee Capsule

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Regarding the trucking provisions, S.F. 1416 combines three classes of truckers to establish a uniform workers' compensation insurance rate, requires experience rating and endorses all states coverage. The bill also makes an appropriation from the Special Compensation Fund to establish a two-year truckers rehabilitation pilot project. S.F. 1416 was sent to the Senate floor.

## Northwest anti-takeover bill gains

S.F. 1573, a bill intended to help Northwest Airlines avoid a hostile takeover was approved by the Employment Committee Thurs., Apr. 20. Committee members limited their consideration to provisions of the bill dealing with plant closings. Sen. William Luther (DFL-Brooklyn Park) sponsors S.F. 1573.

Committee Chair Florian Chmielewski (DFL-Sturgeon Lake) explained that the plant closing provisions of S.F. 1573 are nearly identical to his bill, S.F. 510, a general plant closing bill that the committee approved earlier in the week. The only difference is that S.F. 1573 contains no notification provisions, which are inapplicable in the Northwest situation.

In a 4-5 vote, committee members defeated an amendment by Chmielewski to conform S.F. 1573 to current unemployment insurance law, which requires a 28-day offset of unemployment benefits with severance pay. As approved, S.F. 1573 would permit workers dislocated by highly-leveraged buyouts to receive simultaneous severance pay and unemployment compensation. S.F. 1573 was approved in a 7-2 roll call vote, and re-referred to the Committee on Rules and Administration.

The committee also approved S.F. 652, sponsored by Sen. Ember Reichgott (DFL-New Hope), making administrative changes to the Workers' Compensation Court of Appeals. Under the bill, the governor must appoint a chief judge from the court, who is given increased oversight responsibility for court administration. S.F. 652 also provides that six additional judges be appointed, and appropriates \$505,000 from the Special Compensation Fund for additional staff and operations support to address the workers' compensation case backlog. The bill was re-referred to the Judiciary Committee.

## Environment and Natural Resources

### Committee advances five bills

At the Fri., Apr. 14, the Environment and Natural Resources Committee reviewed and approved five bills. S.F. 1417 authorizes the sale of land bordering public waters, trust fund land, surplus land for recreational purposes, and authorizes a private sale of land. The bill, sponsored by Sen. Steven Novak (DFL-New Brighton), was sent to the Senate floor.

Committee Chair Bob Lessard (DFL-Int'l. Falls), author of S.F. 1439, said the bill reallocates costs assessed against the game and fish fund. The bill was re-referred to the Finance Committee.

Also re-referred to the Finance Committee was S.F. 1442, authored by Sen. Lawrence Pogemiller (DFL-Mpls.). The bill, said Pogemiller, authorizes loans to municipalities for the removal of hazardous substances to facilitate economic development.

S.F. 956 requires a county that enters into a contract with the state for the siting and development of a hazardous waste stabilization and containment facility to hold an election to decide whether to proceed with the terms and conditions of the contract. The bill, authored by Sen. LeRoy Stumpf (DFL-Plummer), was sent to the Senate floor.

The meeting concluded with S.F. 1436, sponsored by Sen. Gregory Dahl (DFL-Ham Lake). Under the bill, the Coon Creek watershed district shall not charge back to specific public ditches monies spent prior to January 1, 1989, by the district from its administrative fund for legal and other administrative expenses on the ditches. S.F. 1436 was re-referred to the Committee on Taxes and Tax Laws.

## State parks recycling bill advances

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), approved five bills at the Tues., Apr. 18, meeting. All of the bills were sent to the Senate floor.

Sen. Tracy Beckman (DFL-Bricelyn), sponsor of H.F. 527, said the bill provides for the availability of information on recycling and for recycling containers at state parks.

H.F. 578, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), authorizes road authorities to mow or till rights-of-way of designated highways by ordinance.

H.F. 545, explained by Sen. Ronald Dicklich (DFL-Hibbing), authorizes the Dept. of Natural Resources (DNR) to dispose of low-grade state-owned iron-bearing materials that do not contain more than 45 percent dried iron for construction or maintenance purposes.

A bill allowing a person to take muskrats that are causing damage to land owned or occupied by the person was incorporated into one omnibus measure to facilitate consideration of the bills through the legislative process. Incorporated into H.F. 827, authored by Sen. John Bernhagen (IR-Hutchinson), are S.F. 296 (Berg) disallowing the refund of angling licences paid by senior citizens; S.F. 108 (Bertram) providing for the taking of wild animals in areas designated by the DNR; S.F. 289 (Berg) allowing a person to enter nonposted agricultural land on foot to take fox; S.F. 297 (Berg) providing for small game party hunting; S.F. 299 (Merriam) providing for the restitution of wild animals; S.F. 332 (Stumpf) changing the open season for walleye in the Rainy River to May 15; S.F. 476 (Berg) prohibiting hunter and angler harassment; and S.F. 1085 (Berg) providing for the taking of turtles. The bills were previously approved in the full committee.

The meeting ended with approval of S.F. 502, authored by Sen. Gary Laidig (IR-Stillwater). The bill authorizes the commissioner of the Dept. of Revenue to make a private sale of tax-forfeited land in Washington County.

## State parks bill gains

A bill authorizing additions and deletions to state parks was approved Wed., Apr. 19, by the Environment and Natural Resources Committee. In addition, H.F. 450, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), requires the Dept. of Natural Resources (DNR) to establish an advisory committee to provide direction on the establishment, planning, development, and operation of state parks. H.F. 450 was re-referred to the Committee on Finance.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), also approved four additional bills. Author Sen. James Metzen (DFL-So. St. Paul) said S.F. 1369 provides for the commissioner of the DNR to issue special state park permits for handicapped users. S.F. 1369 was sent to the Senate floor.

H.F. 832, authored by Sen. Jerome Hughes (DFL-Maplewood), authorizes Ramsey County to use a restricted piece of property for a public library. The bill was also sent to the Senate floor.

A bill that requires a research study of aspen thinning to be conducted by the Natural Resource Research Institute was presented by the author, Sen. Sam Solon (DFL-Duluth). S.F. 1447 also requires the institute to submit a report on preliminary research findings by Jan. 15, 1991. The bill was re-referred to the Committee on Finance.

The author of S.F. 1143, Sen. Charles Davis (DFL-Princeton), said the bill provides for the regulation of genetic engineering. Under the bill, the Environmental Quality Board would have the ongoing responsibility to coordinate state and federal regulatory activities and to establish an advisory committee on genetically engineered organisms. S.F. 1143 was re-referred to the Committee on Finance.

## Finance

### Division approves capital projects

The Finance Division on Agriculture, Transportation and Semi-States met Wed., Apr. 21, and approved two Minnesota Historical Society capital budget projects. The division is chaired by Sen. Keith Langseth (DFL-Glyndon).

The division recommended funding of \$136,000 for acquisition of the Red Wing Energy Park near Red Wing, Minnesota. Sen. Lyle Mehrkens (R-Red Wing) explained that in developing the land for an energy park, it was discovered to be an historic archaeological site. The division also approved a request of \$165,000 for pre-construction costs of the Red Lake Tribal Information Center, a multi-purpose library, archive and educational facility to be built on the site of an 1863 treaty on the Red Lake Indian Reservation.

In other action, the committee approved budget allocations for several departments. Langseth, who said the proposed requests were basically non-controversial, recommended the committee approve the governor's budgets for the Depts. of Commerce, Public Safety, Public Utilities and the Non-Health Boards. Excepting the Board of Boxing budget request, the division approved the governor's proposals.

## Bonding bill discussed

The Higher Education Division of Finance met Wed., Apr. 12, and Fri., Apr. 14, to hear testimony on the bonding needs of the higher education systems in Minnesota and to make recommendations.

At the Friday meeting, Senators discussed and adopted what Division Chair Gene Waldorf (DFL-St. Paul) referred to as a "working paper" of appropriation recommendations for the systems.

Major appropriations include: a total of \$9.3 million for the State University System, including \$2.8 million for land acquisition at St. Cloud and Winona; \$2.1 million for asbestos work; and \$1.7 million targeted for roofs.

The appropriation for the Community College System totals just under \$6 million, including \$1.9 million for asbestos, roof and safety work; and 1.0 million for land acquisition.

The appropriation for the Technical Institute System totals \$6 million, including \$2.6 million targeted for roofs and \$1.6 million for parking lots.

The appropriation for the University of Minnesota totals \$16.5 million, including \$8.4 million targeted for work in Rosemount and for safety and health improvements, and improvements to accommodate physically disabled persons throughout the system; and \$5.1 million for biological sciences drawings.

Most recommendations for each system were adopted, but the document remains open for discussion and amendment.

## Capital budget allocations heard

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.) met Mon., Apr. 17, and Tues., Apr. 18, to discuss capital budget allocations.

At the Monday meeting, members of the division heard several presentations on budget requests. Sen. Douglas (DFL-Cook) outlined a request for state bonding to deal with water and sewage problems at Giant's Ridge. Jeff Hanson, representing Washington County, presented a request for funding to purchase 195 acres for Big Marine Regional Park.

Sen. Donald Moe (DFL-St. Paul) explained a proposed 1989 renovation projects budget. The projects include renovation of Senate office suites in the north wing of the Capitol, several hearing rooms, basement alterations, and relocation expenses.

Senators completed discussion of capital budget allocations and approved a committee report at the Tuesday meeting. The report will be presented to the Finance Committee. The report included proposed bonding allocations to be targeted towards handicapped access, asbestos removal, state capitol remodeling, Reinvest in Minnesota, construction of hazardous chemical storage buildings, combined sewer overflow grants, construction of wastewater treatment facilities, and dredging the upper portion of Duluth Harbor.

## Capital budget recommendations issued

The Finance Division on Health and Human Services met Mon., Apr. 17, and approved capital bonding expenditures totalling \$30 million for the Departments of Health, Corrections and Human Ser-

VICES. The division recommendations were advanced to the full Finance Committee. Sen. Don Samuelson (DFL-Brainerd) chairs the division.

The division's capital bonding allocations for the Dept. of Human Services totalled \$11.6 million, a marked cut from the department's request of \$26.2 million. Among the division's recommendations, \$300,000 would be provided to conduct planning activities for 21 state-operated community services (SOCS) facilities. The department had requested \$9.5 million to plan, construct and equip 31 SOCS facilities. The division also recommended \$6.5 million for heating, ventilating and air conditioning improvements in RTC buildings. Samuelson said that the department would need to prioritize the improvements, since the allocation decreases the department request by half.

Under the division's recommendations for corrections projects, \$14.8 million would be provided to convert regional treatment center (RTC) buildings in Faribault and other locations for use as medium security correctional facilities.

Regarding Dept. of Health capital projects, the division recommended to limit expenditures to \$260,000 for necessary improvements to the ventilation system in the health building. Funding for renovation of lab areas, as requested by the department, was not approved for this year.

In other action, division members heard agency budget proposals for the Ombudsman for Corrections and the Sentencing Guidelines Commission. The division also began to consider the 1990-91 budget and current biennium deficiency appropriations for the health-related boards.

## Governmental Operations

### Light rail transit bill gains

At the Thurs., Apr. 13, evening meeting of the Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), a bill relating to the development of light rail was approved and re-referred to the Committee on Taxes and Tax Laws. In his presentation of S.F. 1202, author Sen. Steven Novak (DFL-New Brighton) emphasized the importance of a metropolitan entity to run a light rail system if light rail transit is to become part of the overall transit plan. It is also important, said Novak, to not lose federal funding. Under the bill, the Regional Transit Board (RTB), instead of the Metropolitan Council, is the mediating agency. The bill also provides for a procedure for the RTB to approve preliminary design plans and to set up requirements and procedures for the approval of final design plans. However, despite the RTB approval requirement, a regional rail authority is still eligible for state assistance if it developed a comprehensive plan and a preliminary design plan for light rail transit that conform with metropolitan long-range transit plans in existence in early 1989. In addition, a provision forbidding the RTB from receiving federal transit funds is eliminated, and the MTC is made the operator of light rail transit and is required to coordinate light rail with the bus system.

Before S.F. 1202 was advanced, Moe offered an amendment that allows a regional rail authority that had not developed a comprehensive plan before Jan. 1, 1989 to be eligible for state assistance. The regional rail authority's plans must be consistent with the metropolitan council's long-range transportation plans and corridor recommendations developed before Jan. 1, 1989. The amendment was approved. An amendment, offered by Sen. Michael Freeman (DFL-Richfield), prohibiting counties from taxing property until the regional transit board has completed a rail plan was also adopted.

In other action, the committee approved five bills. S.F. 506, authored by Sen. Marilyn Lantry (DFL-St. Paul), reorganizes the regulation of legal gambling, particularly charitable gambling. Under the bill, a Gaming Enforcement Division is created within the Dept. of Public Safety to enforce and investigate licensees of the charitable gambling control board, the horse racing commission, and the new lottery agency. S.F. 506 was re-referred to the Committee on Taxes and Tax Laws.

# Committee Capsule

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S.F. 1433, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), provides for low-income energy needs. In addition, the bill designates the Dept. of Public Service as responsible for coordinating energy policy. The bill was re-referred to the Committee on Finance.

S.F. 1020, sponsored by Sen. James Pehler (DFL-St. Cloud), authorizes the sale of all or part of the Minnesota Educational Computing Corporation. S.F. 1020 was sent to the Senate floor.

The last bill to be approved was S.F. 1460. The bill regulates the jobs skills partnership program. Authored by Sen. Gene Waldorf (DFL-St. Paul), the bill was re-referred to the Committee on Finance.

## Groundwater protection bill gains

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), met Fri. Apr. 14, to complete the review of two bills held over from the previous evening meeting.

The committee approved a comprehensive groundwater protection bill, authored by Sen. Steven Morse (DFL-Dakota). After a brief review of the bill's provisions, amendments were offered. The committee approved an amendment that appropriates funds for a comprehensive evaluation of the health of persons who apply pesticides and for an education program to improve the health and safety practices of person who apply pesticides. An amendment requiring the state to consider the type of risk identified when adopting best management practices, water resource protection plans, and water resource protection requirements to prevent and minimize groundwater degradation in sensitive areas was also approved. An amendment that would eliminate the establishment of a legislative commission on water and would give the responsibility for water research, information, and education to the Minneosta Future Resources Commission was laid aside and S.F. 262 was re-referred to the Rules and Administration Committee.

S.F. 87 provides for a linked deposit program to allow eligible small businesses and agricultural businesses to obtain operating loans at lower-interest rates. Authored by Sen. Gregory Dahl (DFL-Ham Lake), the bill was approved and re-referred to the Finance Committee.

## Elevator safety bill advances

A bill regulating the operation and operators of elevators was approved by the Governmental Operations Committee Tues, Apr. 18. The committee is chaired by Sen. Donald Moe (DFL-St. Paul).

S.F. 431, authored by Sen. Jerome Hughes (DFL-Maplewood), grants the Dept. of Labor and Industry the authority to inspect existing elevators. Currently the Dept. of Labor and Industry has the authority to inspect new and extensively altered elevators. Jim Berg, director of Code Enforcement, Dept. of Labor and Industry, said that during the last 10 to 12 years there has been 1 death a year caused by an elevator malfunction. The bill was re-referred to the Finance Committee.

The committee also approved H.F. 100, sponsored by Sen. Pat Piper (DFL-Austin). The focus of the bill is to address insurance coverage issues for state employees who work part-time. The bill requires state agencies to include in the biennial budget a summary of data that indicates the number of employees by employment status and to regularly submit a report to the Legislative Commission on Employee Relations that shows the percentage of employees in each job class that receive full or partial state contribution for insurance benefits. The bill also repeals a provision in statutes that excludes particular employees from receiving state-paid insurance and benefits, said Piper. Repeal of the provision allows emergency employees, interns, and student workers to negotiate for state-paid insurance through collective bargaining. H.F. 100 was sent to the Senate floor.

S.F. 548, authored by Sen. Michael Freeman (DFL-Richfield) was also approved and was re-referred to the Finance Committee. Co-author Sen. John Marty (DFL-Roseville), said the bill allows the Dept. of Transportation and metropolitan agencies to grant money that has been appropriated for socially or economically disadvantaged business programs mandated by federal law to a working capital fund.

## Employee relations bill okayed

The Governmental Operations Committee approved a Dept. of Employee Relations housekeeping bill Thurs., Apr. 20. S.F. 258, authored by the Committee Chair Donald Moe (DFL-St. Paul), also includes changes recommended by the Legislative Commission on Employee Relations. Liz Anderson, representing the Dept. of Employee Relations, said provisions of the bill include changing references to "handicapped persons" to "persons with disabilities," clarifying the commissioner's authority to adopt rules governing the public employees insurance program, and allowing the commissioner to submit an expanded list of potential job candidates under specific circumstances. A substantive change in the bill, said Anderson, is a provision giving the commissioner permanent authority to conduct limited experimental or research projects. The goal of the projects is to improve the process of selecting classified employees.

An amendment to S.F. 258 was added that gives the commissioner the sole authority to settle state employee workers' compensation claims. Senators also approved an amendment that requires the state Agricultural Society, the World Trade Center Corporation board of directors, the Greater Minnesota Corporation board of directors, and the governing board of the Minnesota State High School League to set total compensation plans within the limits of compensation plans approved by the commissioner before the plans go into effect. S.F. 258 was sent to the Senate floor.

After approving S.F. 258, the committee began a review of S.F. 491, known as Healthspan, and heard supporting testimony. The bill, said chief author Sen. Linda Berglin (DFL-Mpls.), provides a vehicle for the Legislature to provide health insurance for Minnesotans without insurance. Under the bill, residents of the state are required to have health care coverage by July 1, 1991 and a commission to administer a state health care coverage program is established. The commission is required to conduct a study on a variety of health care issues and submit a report to the Legislature by Feb. 15, 1990. The bill also provides that funding for the program may not exceed \$150 million annually. Discussion of S.F. 491 will continue at a meeting next week.

## Health and Human Services

### Veterans home bill defeated

In a tie vote Thurs., Apr. 13, the Health and Human Services Committee failed to approve S.F. 678, authorizing a 60-bed veterans home to be built in Luverne, Minnesota. S.F. 678 is sponsored by Sen. Gary DeCramer (DFL-Ghent). Sen. Linda Berglin (DFL-Mpls.) chairs the committee.

Several people, representing veterans organizations, Rock County and the city of Luverne, spoke on behalf of the proposed Luverne vets home, which would be built with 65 percent federal and 35 percent non-state funds. Proponents said that the new home would help to reduce the current high demand for community nursing home beds in southwestern Minnesota. In addition, Luverne Mayor Gordon Goetz said that \$2.25 million was set aside by the city of Luverne to cover the 35 percent in non-federal construction costs of the home.

In opposition, Care Providers of Minnesota spokesperson Joel Jensen expressed concerns about the project's cost-effectiveness. Jensen said that one new vets home in Luverne wouldn't serve the needs of veterans throughout the state. Further, Jensen said alternative care grants could be used more efficiently and flexibly to address veterans' current short-term needs, maintain the number of veterans served statewide, and reduce further negative impact on the current nursing shortage.

In other action, the committee approved S.F. 1282, authorizing the Dept. of Human Services to seek a federal waiver allowing different medical assistance eligibility standards for veterans and the general population. The waiver would permit Minnesota to establish uniform asset limitations in determining veterans' medical assistance eligibility, regardless of whether they reside in vets homes or community nursing homes.

Bill sponsor Sen. Duane Benson (IR-Lanesboro) said that the waiver sought in S.F. 1282 would reduce state and client costs for veterans' community nursing home care. Benson explained that current federal law encourages higher costs for such care, because income and assets are treated less favorably in calculating medical assistance eligibility for those veterans than for veterans residing in the limited number of vets homes. If approved, the waiver would eliminate the financial disadvantage for veterans residing in community nursing homes. S.F. 1282 was re-referred to the Finance Committee.

### **Vets home reconsideration fails**

Members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), rejected a motion Fri., Apr. 14, to reconsider the bill that would establish a veterans home in Luverne, Minnesota. The vote came on a motion by Sen. Betty Adkins (DFL-St. Michael) to reconsider the vote by which the bill failed the night before. The motion was defeated on a 5-8 roll call vote.

In other action, the panel advanced a number of bills. S.F. 993, authored by Sen. Richard Cohen (DFL-St. Paul), endorses the store-to-door grocery delivery program for elderly and disabled citizens and provides for a grant to expand the program. The measure was re-referred to the Committee on Finance. S.F. 1371, authored by Berglin, provides for salary adjustments for semi-independent living services, day training and habilitation services, waived services and intermediate care facilities for persons with mental retardation. The measure also requires the commissioner to propose a plan that assures continued quality of care and services offered by private, non-profit facilities and brings salaries and benefits into parity with those paid for similar work in state-operated facilities. The bill was re-referred to the Finance Committee.

S.F. 909, authored by Sen. Pat Piper (DFL-Austin), authorizes reimbursement for cost saving equipment under general assistance medical care and was also re-referred to the Committee on Finance. S.F. 1422, authored by Sen. Nancy Brataas (IR-Rochester), changes the licensure requirements for dental assistants and changes the procedure for setting the salary of the director of the Board of Dentistry. The measure was re-referred to the Governmental Operations Committee.

S.F. 340, authored by Sen. Bob Lessard (DFL-Int'l. Falls), clarifies that payments received by veterans or their dependents because of the settlement with the manufacturers of Agent Orange are not to be treated as income for purposes of public assistance programs administered by the state. The measure was forwarded to the Finance Committee. S.F. 1196, authored by Sen. Marilyn Lantry (DFL-St. Paul), prohibits the use of blanket waivers of liability by nursing homes and continuing care facilities. The measure was sent to the Senate floor. S.F. 1173, authored by Sen. James Pehler (DFL-St. Cloud), requires counties to contract with postsecondary education institutions regarding child care payments for students on AFDC and provides an appropriation for non-AFDC child care assistance to eligible students.

A bill to broaden the Clean Indoor Air Act was heavily amended and laid over. S.F. 713 is authored by Sen. John Brandl (DFL-Mpls.).

### **"Success by Six" bill gains**

A bill that would establish six pilot programs designed to provide neighborhood-based support to enhance the health, development, and school readiness of preschool children was approved by the Health and Human Services Committee Tues., Apr. 18. S.F. 1055, dubbed the "Success by Six" bill, is aimed at coordinating and improving access to a continuum of comprehensive, community-based and neighborhood-based services that support and assist all parents in meeting the health and developmental needs of their children at the earliest possible age. The bill, authored by Sen. Linda Berglin (DFL-Mpls.), outlines the components of the grant program, specifies the eligibility requirements and specifies that each applicant must have a comprehensive evaluation plan for measuring the success of the program and the individual program. The bill was approved and

re-referred to the Committee on Finance.

The panel also began discussion of S.F. 836, a bill that makes a number of adjustments to the 1987 Human Services Licensing Act. The measure, sponsored by Sen. Pat Piper (DFL-Austin), also includes several bills dealing with the exclusions from licensure. Discussion centered on two amendments dealing with excluding religious instruction programs for school age children and excluding religious instruction for preschool age children and the differences between the two proposals. Discussion ended without resolving the issue because of the lack of time.

### **Licensing bill approved**

The bill that fine tunes the laws relating the licensing of facilities by the Dept. of Human Services was approved at the Wed., Apr. 19, meeting of the Health and Human Services Committee. Discussion on the bill, S.F. 836, authored by Sen. Pat Piper (DFL-Austin), revolved around licensure exemption for programs designed to provide religious instruction for children. An amendment, offered by Sen. Duane Benson (IR-Lanesboro), and adopted the day before specifies that "nonresidential programs for children that are operated by a church or religious organization solely for the purpose of providing instruction in religious doctrine" are excluded from licensure. Another amendment on the same subject but specifying "nonresidential preschool programs for children that are operated by a church or religious organization for the purpose of providing religious related instruction to member children for less than ten hours per week" was defeated. The bill was approved and re-referred to the Committee on Finance.

In other action, two bills were approved and re-referred to the Governmental Operations Committee. S.F. 1121, authored by Sen. John Marty (DFL-Roseville), expands the powers and duties of the Council for the Hearing Impaired by allowing the council to hire an executive director. S.F. 1495, authored by Sen. James Metzen (DFL-St. Paul), establishes the Jail Employee Training and Standards Board and provides for the training and licensure of jail employees.

Two bills authored by Committee Chair Linda Berglin (DFL-Mpls.) were heard but laid over because of time constraints. Both measures deal with the subject of inhalant abuse. S.F. 1135 limits the sale of aerosol paint to persons under age 19 and requires stores to post a notice that it is illegal to sell glue, cement, or aerosol paint containing intoxicating substances to a person under 19. The second measure, S.F. 1136, establishes an inhalant abuse demonstration project to provide intervention and to coordinate community services for inhalant abusers between the ages of seven and 14. The measure also requires the commissioner of health to distribute information on toxic substances to retailers.

## **Judiciary**

### **Steroid bill advanced**

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved a bill Thurs., Apr. 13, that classifies anabolic steroids as Schedule IV controlled substances. S.F. 339, authored by Sen. Sam Solon (DFL-Duluth), specifies that the penalty for the sale or possession of a Schedule IV controlled substance is three years. Committee members expressed some concern, though, that another bill increasing the penalties for possession and sale of controlled substances would increase the penalties to a maximum of five years with a \$10,000 fine, or if the sale was to a juvenile, increase the penalty to 15 years and a \$100,000 fine. The bill lists the specific derivatives of anabolic steroids and provides an exception for substances approved by the U.S. Food and Drug Administration expressly intended for use on cattle and other nonhuman species. The measure was sent to the floor of the Senate.

In other action, the panel approved a bill providing procedures to limit and control the disclosure of information about persons with sexually transmitted diseases. S.F. 912, authored by Spear, provides for disclosure with the informed consent of the person who is the sub-

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ject of the data and sets forth the procedure for the disclosure of data without the consent of the person who is the subject of the data to persons, including medical and insurance persons who "need to know." The measure also provides civil remedies, outlines procedures for obtaining a court order to release data and specifies that Dept. of Health activities are not affected by the measure. The measure was forwarded to the full Senate.

S.F. 573, authored by Spear, makes several changes to the laws regarding visitation. The measure specifies that if a child lived with a person, such as an aunt, for two years or more and no longer lives with the person, the person may petition the court for visitation rights. The bill requires that visitation be granted if the court finds that it is in the best interest of the child, that emotional ties creating a parent and child relations have been formed, and that visitation would not interfere with the relationship between the custodial parent and the child. The bill excludes foster parents from those who may petition for visitation. In addition, the bill adds "the child's primary caretaker" as one of the 11 factors to be considered when the court is determining custody and specifies that the court may not use any one factor as the controlling factor in determining custody. The bill also adds the chronic and unreasonable failure to comply with visitation on the part of the noncustodial parent as a factor for the modification of court ordered visitation. Finally, the bill establishes a mechanism for solving visitation disputes through the use of a "visitation expeditor." Under the bill, a visitation expeditor may be appointed to solve the disputes in an informal manner outside the court system. The measure specifies that if any party does not agree with the decision of the expeditor a motion with the court may be made to solve the dispute. An amendment was added by the panel that specifies the initially scheduled prehearing settlement conference as the date for the valuation of assets in dissolutions. The measure was sent to the Senate floor.

Another measure authored by Spear, S.F. 1081, provides for a study by the Supreme Court of racial bias in the judicial system. The bill, which also provides an appropriation for the study, specifies that the findings and recommendations of the study be reported to the Legislature by Jan. 1, 1993. The bill was approved and re-referred to the Committee on Finance.

Four additional bills were approved and sent to the full Senate. S.F. 55, authored by Sen. Ember Reichgott (DFL-New Hope), provides for background checks on persons hired to perform services as a security guard. The measure provides definitions and prohibits the hiring of persons who have been convicted of a felony or criminal sexual conduct. S.F. 1323, authored by Sen. Donna Peterson (DFL-Mpls.), increases the penalties for parental kidnapping and prohibits the concealment of a child abducted in another state. S.F. 312, authored by Sen. Gene Merriam (DFL-Coon Rapids), allows private sector employees to have access to their own personnel records and outlines the procedures and restrictions on access. S.F. 94, authored by Sen. John Marty (DFL-Roseville), allows insureds access to their personal files held with insurance companies and provides restrictions on the ways insurers may disclose personal information.

## EMS notification bill okayed

The Fri., Apr. 14, meeting of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), resulted in the approval of seven bills. S.F. 1031, authored by Sen. Marilyn Lantry (DFL-St. Paul), provides for infectious disease notification to emergency medical services personnel who are first responders. The measure is the result of work done by the First Responder Notification Advisory Committee to deal with issues related to infectious diseases, particularly hepatitis B and AIDS, and the notification of emergency medical service professions. The bill addresses the issues of testing, notification, counseling and data privacy. The measure was advanced to the full Senate.

A measure providing for the titling of watercraft was also approved and re-referred to the Committee on Finance. S.F. 84, authored by Sen. A. W. "Bill" Diessner (DFL-Afton), provides that watercraft be titled in much the same manner as automobiles and provides for exceptions. A second measure authored by Diessner, S.F. 590, was also

approved and re-referred to the Finance Committee. The bill provides for correctional facility treatment of Vietnam vets with Post-Traumatic Stress Disorder.

S.F. 132, authored by Sen. William Luther (DFL-Brooklyn Park), adopts an article of the Uniform Commercial code that governs leases. S.F. 1150, also sponsored by Luther, deals with creditors remedies regulates executions and garnishments. Both measures were advanced to the Senate floor.

S.F. 243, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), regulates access to data by workers' compensation insurers and self-insured employers in order to identify duplicate billings and specifies methods for requesting medical data in workers' compensation cases. S.F. 1237, authored by Sen. Randolph Peterson (DFL-Wyoming), modifies a number of provisions dealing with electronic communications data privacy laws.

## Hate crimes penalties bill okayed

A bill providing for enhanced penalties for crimes motivated by bias against the victim's (or another's) actual or perceived race, color, religion, sex, sexual orientation, disability, age or national origin was approved at the Mon., Apr. 17 meeting of the Judiciary Committee. S.F. 412, authored by Sen. Linda Berglin (DFL-Mpls.), enhances the penalties for assaults motivated by bias to imprisonment for not more than one year or payment of a fine of not more than \$3,000, or both. A repeat offense within five years results in a felony penalty of imprisonment for not more than one year and a day, a \$3,000 fine, or both. The bill goes on to spell out enhanced penalties for criminal damage to property in the second and third degree, trespasses motivated by bias, aggravated intrusion on privacy, and harassment. The bill was sent to the Senate floor.

In other action, the panel approved an additional eight measures. S.F. 97, authored by Sen. Richard Cohen (DFL-St. Paul), requires courts to order the preparation of presentence investigations in gross misdemeanor cases when requested to do so by the prosecution. S.F. 662, also sponsored by Cohen, provides for fire department access to criminal history data and provides that criminal history data may be used in assessing fire protection agency job applicants only if the criminal history data are directly related to the position sought. The measure was amended to include a provision that eliminates the requirement that health care professionals initially report burn injuries by telephone but leaves intact the requirement that a written report be made within 72 hours. Both measures were sent to the Senate floor.

H.F. 243, authored by Sen. John Brandl (DFL-Mpls.), recodifies information and disclosure provisions relating to Dept. of Revenue data in order to increase uniformity of treatment and comply with the Data Practices Act. The measure was re-referred to the Committee on Taxes and Tax Laws. H.F. 343, authored by Sen. LeRoy Stumpf (DFL-Plummer), specifies that data about private mineral exploration and private analyses of state-owned or controlled drill cores maintained by the commissioner of natural resources are nonpublic data and that data relating to a public lease sale is nonpublic until three years after the sale is held or scheduled to be held. The measure was sent to the full Senate.

H.F. 76, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides that after Aug. 1, 1991, the maximum detention period for juveniles confined in adult jails is 6 hours in the Metropolitan Area and 24 hours in other parts of the state, unless a petition has been filed, a judge has recommended detention and a motion to refer for adult prosecution has been filed. S.F. 854, also sponsored by Merriam, provides that the juvenile court may release data to the victims of delinquent acts to the extent that the data are necessary for the victim to assert a legal right to restitution. Further the measure specifies that in the case of delinquent acts, the data that may be released include only name, address and place of employment and that the data may be released only by the juvenile court upon a showing of cause. Both measures were sent to the full Senate.

S.F. 830, authored by Sen. William Luther (DFL-Brooklyn Park), raises the jurisdictional limit on claims heard in conciliation court

from \$2,000 to \$3,000 and provides that awards for costs of a conciliation court appeal to be given the prevailing party must exceed \$200 or 20 percent of the value recovered from the opposing party. H.F. 289, sponsored by Sen. Randolph Peterson (DFL-Wyoming), makes changes in the laws relating to trust and estate regulation. Both measures were forwarded to the Senate floor.

## Drug penalties, sex offender penalties approved

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), held an evening hearing Mon., Apr. 17, and approved two major anti-crime bills. S.F. 3, authored by Sen. William Luther (DFL-Brooklyn Park), establishes a graduated structure for penalties for possession and sale of controlled substances keyed to the weight of the drugs. The sentencing provisions, Luther said, are aimed at several levels of drug dealers, ranging from the street-level dealer to the wholesaler. In addition, the bill contains an article aimed at helping pregnant women who are addicted to cocaine and "crack." The article provides for identification, testing, and reporting and provides a mechanism for civil commitment to require the mother to undergo chemical dependency treatment. The article also provides for appropriations to provide services to chemically dependent pregnant women once they have been identified.

A third article of the bill provides for prevention programs and education programs. The third article also provides for the establishment of an office of drug policy within the Dept. of Public Safety to coordinate statewide efforts to reduce the demand and supply of drugs.

A series of amendments were offered to the bill. Among those that were adopted were an amendment providing for the permissive inference of knowing possession on the part of the driver of a vehicle found to contain drugs; an amendment providing for crime victimization surveys to be conducted every three years; an amendment reorganizing the provisions relating to the reporting of controlled substance use by a pregnant woman; and an amendment providing for the forfeiture of proceeds from the promotion of prostitution. An amendment requiring mandatory minimum sentences for the sale or possession of drugs failed to gain the panel's approval on a 5-10 roll call vote. The measure was approved and re-referred to the Governmental Operations Committee.

The committee also approved a bill providing for increased penalties for criminal sexual assault and providing for treatment programs for adult and juvenile criminal sexual offenders. S.F. 320, authored by Spear, also provides for DNA profiling and admission as evidence, establishes a child protection system study commission and provides for a statewide sexual violence prevention program. The bill also contains a special sentencing provision for dangerous sex offenders.

The bill had been heard at a previous hearing, so the discussion centered primarily on a series of amendments to the measure. An amendment requiring mandatory minimum sentences was defeated on a 4-12 roll call vote. An amendment requiring the registration of sex offenders was also defeated. An amendment providing that the commissioner of corrections evaluate and report on existing sex offender treatment programs and providing grants to counting to increase funding for court-ordered sex offender treatment was adopted. An amendment requiring mandatory AIDS testing of sex offenders was also defeated. The bill was approved and re-referred to the Committee on Finance.

## RICO bill gains

The Criminal Law Division of the Judiciary Committee, chaired by Sen. Donna Peterson (DFL-Mpls.), met Wed., Apr. 19, and approved a bill that creates the new crime of racketeering. S.F. 483, authored by Sen. Michael Freeman (DFL-Richfield), sets both criminal felony penalties and civil penalties for racketeering, money laundering and other drug gang-related crimes.

The bill creates the new crimes of concealing criminal proceeds

and of engaging in a business of concealing criminal proceeds. The new crime of racketeering is defined and a 20 year felony penalty is set. In addition, the bill deals extensively with the forfeiture of property after conviction and provides a mechanism for the court to preserve the reachability of property subject to criminal forfeiture when an indictment or complaint is filed. Panel members added several amendments addressing concerns about the definition of the crime of concealing criminal proceeds, the definition of participation in a pattern of criminal activity and other more technical items. The bill was advanced to the full committee.

In other action, the panel also advanced H.F. 159 to the full committee. The bill, sponsored by Sen. Donald Moe (DFL-St. Paul), provides for the termination, cancellation, and forfeiture of real estate interests based on the seizure of controlled substances or contraband. The measure also changes the unlawful detainer law to authorize a landlord to bring an unlawful detainer action based on notice of a seizure of drugs or contraband. Moe proposed, and the panel adopted, an amendment that provides for a statutory covenant that specifies that the lessee will not allow the premises to be used to manufacture, sell, give away, barter, deliver, exchange, distribute, or possess with intent to manufacture, sell, give away, barter, deliver, exchange, or distribute controlled substances.

## Court financing bill gains

The Judiciary Civil Law Division met Wed., Apr. 19 and approved a bill that provides for court financing. Provisions of S.F. 890, said author Sen. Richard Cohen (DFL-St. Paul), stem from a Supreme Court Task Force that was established to review court financing. Currently, "we have a state trial court system financed at the local level," said Cohen. Under the bill, court financing responsibility shifts from 80 percent local and 20 percent state to 55 percent local and 45 percent state. A major provision of the bill includes the transfer of district court referees, judicial officers, court reporters, law clerks, and district administration staff outside of the second and fourth judicial districts from county to state employment. The bill also provides for public defenders in the second and fourth judicial districts to be included in the public defender system as well as for the appointment of public defenders in those districts. Other provisions of the bill include amending the Tort Claims Act definition of "employee of the state" to exclude court-appointed guardian ad litem; providing for the eligibility of transferred employees for state-paid benefits provided by the Dept. of Employee Relations; and authorizing the Supreme Court to establish salary ranges of transferred employees under the judicial branch personnel rules.

The division also approved S.F. 835, authored by Sen. Charles Davis (DFL-Princeton). The bill, said Davis, amends subcontractors' mechanics' lien notices. Under the bill, an owner is allowed to request a statement of actual charges and a subcontractor is required to make a good faith estimate of charges. The bill was amended to provide that a person entitled to a lien who makes a good faith effort to comply with the notice provision does not lose the right to the lien for failure to comply, unless the owner can prove there was damage as a direct result.

Ember Reichgott (DFL-New Hope), chair of the division and author of S.F. 446, began a review of the Dept. of Human Rights omnibus bill. The bill amends the definition of "disability" in the Human Rights Act, as well as the definitions of "qualified disabled person" and "familial status." The amended definition of "qualified disabled person" requires a respondent who contends that a person is not a qualified disabled person to prove that the disabled person, with reasonable accommodation, could not meet the requirements of the job or that the person who was selected was demonstrably better able to perform the job. Under the "familial status" provision protections against discrimination apply to a person who is pregnant or who is in the process of securing legal custody of a minor. The bill also strikes several exemptions from familial status protection to comply with federal law. The division will continue discussion of S.F. 446 at the Fri., Apr. 21 meeting.

# Committee Capsule

## Local and Urban Government

### Committee processes bills

Approval of bills pertaining to municipal powers, county recorder fees, storm sewer improvements, and a joint government building dominated the Thurs., Apr. 13, meeting of the Local and Urban Government Committee. The committee is chaired by Sen. Robert Schmitz (DFL-Jordan).

S.F. 1494, sponsored by Sen. Donna Peterson (DFL-Mpls.), authorizes the Minneapolis City Council to appropriate and spend money for various energy and environmental services and to establish a non-profit corporation to contract with the city for delivery of those services. An author's amendment permitting the City of Minneapolis to combine improvement and assessment hearings in order to improve the efficiency of its special tax assessment process was adopted by panel members.

As amended, S.F. 1238, sponsored by Sen. Randolph Peterson (DFL-Wyoming), authorizes county recorders to charge up to \$10 for each document number or book and page cited in a deed or other instrument containing multiple assignments, partial releases, or satisfactions. Current law limits the deed recording fee to \$1 for each page of an instrument, with a minimum fee of \$10.

S.F. 1396, authored by Sen. Jim Ramstad (IR-Minnetonka), authorizes the Cities of Plymouth and Golden Valley to annually amend a capital improvement program for storm sewers and removes a seven-year limitation on construction of storm sewer improvement projects.

S.F. 1293, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), permits Carlton County and the City of Cloquet to jointly provide a city-county building for city and county governmental purposes.

All four measures are now headed to the full Senate.

### Airport planning bill approved

The Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), met Mon., Apr. 17, and approved a bill relating to metropolitan airport planning.

As amended, S.F. 1358, sponsored by Sen. Roger Moe (DFL-Erskine), directs the Metropolitan Council to designate a search area for a new airport; to recommend ways to protect the land; to forecast and report on long-range airport demand, transportation trends, and goals; to report on the ability to find an airport search area in the metropolitan or surrounding area; and to report on the feasibility of revamping the present airport site if a new airport is constructed.

In terms of the Metropolitan Airports Commission (MAC), S.F. 1358 requires the MAC to prepare a long-range comprehensive plan for the present airport; to develop a conceptual design plan for the new airport; to report on aviation forecasts and aviation system integration; and to hold public hearings on proposed new runways or expanded or relocated terminals at the present airport. In addition, the measure expands the MAC membership from 11 to 15 people, with the additional members representing areas outside the metropolitan area. S.F. 1358 also directs the Metropolitan Council and the MAC to report to the Legislature within 180 days of completing the new airport's site selection process. The report must include recommendations on site acquisition and financial planning for the new airport, along with a 30-year airport development strategy. The bill also contains a provision authorizing the establishment of a metropolitan airport planning advisory council to provide a forum at the state level for education, discussion, and advice to the Legislature on the various reports prepared by the Metropolitan Council and the MAC.

Schmitz offered, and committee members adopted, an amendment directing the MAC to conduct a social and environmental impact study on the possible expansion of the Airlake Airport. An amendment extending the MAC's tax levying authority statewide, offered by Sen. Gen Olson (IR-Mound), was defeated by panel members.

S.F. 1358 was re-referred to the Transportation Committee.

## Rules and Administration

### Groundwater bill advances

The groundwater protection bill cleared another committee Tues., Apr. 17, when members of the Rules and Administration Committee advanced the bill. S.F. 262, authored by Sen. Steven Morse (DFL-Dakota), was sent to the Rules and Administration Committee because of a provision creating a Legislative Commission on Water. The panel, chaired by Sen. Roger Moe (DFL-Erskine), discussed whether there would be jurisdiction and communication problems between the new commission and the current Legislative Commission on Minnesota Future Resources. The measure was re-referred to the Committee on Finance.

In other action, the committee endorsed a proposal to provide \$3.4 million to complete the Senate portion of the Capitol renovation project. The funds, a combination of direct appropriations and bonding, are to be used for several projects including the renovation of public hearing rooms and public area furnishings. A portion of the total request had been approved at an earlier committee hearing.

## Taxes and Tax Laws

### Division approves two bills

The Taxes and Tax Laws Division on Property Taxes and Local Government Aids, chaired by Sen. Steven Novak (DFL-New Brighton), met Tues., Apr. 18, and approved two bills extending both property tax assessor accreditation requirements and a municipal property tax exemption. The division also concluded testimony on Truth-in-Taxation.

As amended, S.F. 928, sponsored by Sen. Pat Piper (DFL-Austin), grants county assessors and Dept. of Revenue senior appraisers a two-year extension in achieving senior accreditation status from the Minnesota Board of Assessors. Sen. Richard Cohen (DFL-St. Paul), offered, and panel members adopted, an amendment permitting Ramsey County to hire a property tax assessor from Wisconsin. Piper said that counties are encountering increased difficulty in attracting and hiring assessors that have senior accreditation status because of the limited number of assessors in the state's labor pool, along with the counties' inability to offer attractive salaries to entice the assessors to move to non-metropolitan area locations.

S.F. 1278, sponsored by Sen. Jim Gustafson (IR-Duluth), extends, by three years, the property tax exemption granted to the City of Hermantown. Gustafson explained that the exemption was originally granted for economic development purposes.

Both bills now go to the full Taxes and Tax Laws Committee.

In other action, panel members heard testimony on Truth-in-Taxation. Various witnesses agreed that while they generally support the Truth-in-Taxation concept, they believe that the Dept. of Revenue's proposed 1990 and 1991 implementation timetables are overly ambitious because they do not provide sufficient time to carry-out each required activity. Washington County Auditor Richard Stafford said that so far this year, only 12 of the state's 87 counties have complied with the Truth-in-Taxation provisions. He argued that compliance levels will not significantly improve by 1991 unless local governmental units are given additional funding to increase their workforces, purchase supplies, and obtain and upgrade computer equipment in order to generate and process the large volumes of property tax data needed for Truth-in-Taxation.

### Lottery bill gains

The lottery bill provided the focal point of debate for the Wed., Apr. 19, meeting of the Taxes and Tax Laws Committee. The committee, chaired by Sen. Douglas Johnson (DFL-Cook), also merged a major gambling regulation bill with the lottery measure.

S.F. 150, lottery enabling legislation sponsored by Sen. Bob Lessard (DFL-Int'l Falls), contains three major tax provisions. The first provision requires that before a lottery prize of \$1,000 or more may be paid, the lottery must check with the Dept. of Revenue to determine

whether the prize winner is delinquent in paying state taxes. If it is determined that the person owes back taxes, the lottery is required to withhold the amount owed from the person's prize. The second provision requires the lottery commissioner to deduct and withhold eight percent of the winning player's prize that is subject to withholding taxes. The Internal Revenue Code specifies that a state lottery paying a prize of \$5,000 or more is required to withhold 20 percent and pay that amount to the Internal Revenue Service. The third provision specifies that lottery ticket sales by licensed lottery retailers are exempt from Minnesota's sales tax laws.

Sen. Steven Novak (DFL-New Brighton), offered, and panel members adopted, an amendment that revises the state's gambling regulations. Under the amendment, originally proposed as S.F. 506 by Sen. Marilyn Lantry (DFL-St. Paul), a division of gambling enforcement within the Dept. of Public Safety is created to investigate licensees of the Charitable Gambling Control Board, the Horse Racing Commission, and the new lottery agency. In addition, the amendment specifies that the Dept. of Revenue's functions relate only to collecting the charitable gambling tax. An amendment offered by Johnson shifting lottery enforcement authority to the Dept. of Revenue failed to be adopted by the committee.

Panel members also adopted amendments that prohibit people owing \$500 or more in delinquent taxes from being lottery retailers; prohibit the sale of pull-tabs at airports; clarify that the state is not prohibited from entering into a tribal-state compact under the Federal Gaming Regulatory Act's video games of chance provision; and that allow licensed Minnesota racetracks to transmit horse race telecasts to Indian land sites that are lawfully conducting pari-mutuel wagering, and to commingle the amounts bet at the receiving entity with the pools at the sending licensed racetrack. By a vote of 11-9, panel members re-referred S.F. 150 to the Finance Committee.

In other action the panel also approved, S.F. 920, sponsored by Sen. Nancy Brataas (IR-Rochester), permitting the City of Rochester to continue its sales tax levy in order to pay for a flood control project and to support other flood control activities. The bill now goes to the full Senate.

S.F. 95, a comprehensive recycling measure also sponsored by Lessard, contains more than forty tax-related provisions. Panel members adopted an amendment offered by Novak that increases the sales tax on waste collection and disposal services from four to six percent, and that requires that 82.5 percent of the amount credited to the Solid Waste Reduction and Recycling Account must be distributed annually to counties. Sen. Donna Peterson (DFL-Mpls.), offered an amendment to remove a provision that prohibits local governmental units from instituting label and package regulations more restrictive than those mandated by the state. Panel member action on Peterson's amendment, along with the bill as a whole, was postponed due to the committee meeting's adjournment.

## Transportation

### Committee approves three bills

The Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), met Tues., Apr. 18, and approved bills relating to commercial driver license requirements, insurance identification cards, and motor carrier regulations.

As amended, S.F. 1200, sponsored by Sen. Gary DeCramer (DFL-Ghent), restructures Minnesota's commercial motor vehicle laws in order to bring them into compliance with federal standards contained in the 1986 Commercial Motor Vehicle Safety Act. Among other things, the measure adopts stringent federal requirements concerning alcohol-related driving, authorizes the state to join the Driver License Compact, and permits Minnesota to exchange driver license information with other states. DeCramer said that all fifty states must comply with the federal law's provisions by 1992.

As amended, S.F. 1044, authored by Sen. William Luther (DFL-Brooklyn Park), requires an insurer to issue insurance identification cards for each motor vehicle that is covered by liability insur-

ance. Luther noted that the proposed legislation is an attempt to "crack down" on the state's uninsured motorists.

Both bills were re-referred to the Judiciary Committee.

S.F. 985, a Minnesota Dept. of Transportation (MnDOT) measure sponsored by Sen. Steven Novak (DFL-New Brighton), revises and clarifies state motor carrier statutes and regulations. An author's amendment that permits MnDOT to enter into agreements with other states concerning the cooperative registration of motor carriers transporting property or passengers for hire in interstate commerce, that allows charter carrier permit holders to provide special passenger service under specified conditions, and that changes the expiration date for hazardous waste vehicle identification decals, was adopted. Sen. Robert Schmitz (DFL-Jordan), offered, and panel members adopted, an amendment requiring permits for specified intrastate construction transporters and adequate insurance for motor transportation brokers. The bill now goes to the Senate floor.

### Airport planning bill okayed

Approval of bills relating to metropolitan airport planning, motor vehicle title transfers, semitrailer lengths, and motor vehicle registration information highlighted the Thurs., Apr. 20, meeting of the Transportation Committee. The committee is chaired by Sen. Clarence Purfeerst (DFL-Faribault).

S.F. 1358, sponsored by Sen. Roger Moe (DFL-Erskine), pertains to municipal airport planning. The bill, approved by the Local and Urban Government Committee Mon., Apr. 17, directs the Metropolitan Council and the Metropolitan Airports Commission (MAC) to take part in coordinated planning for major airport development in the metropolitan area. Other major components of the measure include authorization for the Metropolitan Council to look for a search area in and around the seven-county metropolitan area, establishment of a state advisory council for metropolitan airport planning, and expansion of the MAC by four nonmetropolitan members. The bill was re-referred to the Governmental Operations Committee.

H.F. 931, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), requires an owner to retain the motor vehicle's certificate of title, instead of the secured party or financing entity. In addition, the measure requires motor vehicle buyers to deliver the title to the Dept. of Public Safety, and allows the commissioner of public safety to suspend or revoke the title if the vehicle is involuntarily transferred and the owner does not surrender the title. Sen. James Metzen (DFL-S.St.Paul), offered, and committee members adopted, an amendment that adds a statement to all certificates of title concerning the condition of each motor vehicle's pollution control system. The bill now goes to the full Senate.

S.F. 512, authored by Purfeerst, provides that a single semitrailer's length may not exceed 53 feet if the distance from the kingpin to the rear axle does not exceed 41 feet. Purfeerst noted that states surrounding Minnesota have already enacted similar legislation. Panel members adopted an author's amendment that authorizes the Dept. of Transportation to contract with an impartial consultant to conduct a highway cost allocation study. The bill was re-referred to the Finance Committee.

As amended, S.F. 1563, sponsored by Metzen, specifies that the Dept. of Transportation may not furnish information concerning registered owners of passenger automobiles who are lessees under a lease for a term of 180 days or more to any person except federal, state, and local government and law enforcement personnel. The bill is headed to the Senate floor.

## Floor action

### Preliminary passage granted 20 bills

Senators held an evening session Tues., Apr. 17, in order to process some of the bills that have been approved by the various Senate committees within recent weeks. As a result 20 bills were given preliminary approval. However, the bill that generated the most debate, S.F. 235, providing for the dispersal of state licensed facilities, was not

# Committee Capsule

acted upon at the request of the author. The measure, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), was amended, over Lantry's objections, to include a statewide grandfather clause for facilities licensed as of Jan. 1, 1989. As a result, Lantry requested that the measure be progressed.

The Senate, acting as a Committee of the Whole, then continued working through the General Orders Calendar and 20 measures were given preliminary passage. S.F. 263, authored by Sen. Steven Morse (DFL-Dakota), eliminating the PCB exemption program was amended to include a provision requiring local approval of PCB burning. S.F. 280, authored by Sen. Charles Berg (DFL-Chokio), suspending trespass laws to allow the taking of fox was also amended to include a local approval provision. S.F. 738, authored by Sen. LeRoy Stumpf (DFL-Plummer), provides for special permits for vehicles transporting pole-length pulpwood. S.F. 665, sponsored by Sen. A. W. "Bill" Diessner (DFL-Afton), allows the issuance of a second set of hand-capped license plates to handicapped persons who are furnished a vehicle as part of employment.

S.F. 827, authored by Sen. Richard Cohen (DFL-St. Paul), increases the membership on the advisory council for the children's trust fund by specifying that ten rather than seven members be appointed by the governor. S.F. 184, authored by Sen. James Pehler (DFL-St. Paul), regulates charitable solicitations and professional fund raisers, excludes certain religious organizations from registration, requires a bond for professional fund raisers who have access to contributions and modifies disclosure requirements. S.F. 787, sponsored by Sen. Gene Waldorf (DFL-St. Paul), provides for the standardization of county human services reporting requirements. S.F. 829, authored by Sen. Michael Freeman (DFL-Richfield), prohibits insurers from maintaining subrogation actions against insureds.

S.F. 986, authored by Pehler, simplifies the definition of a firewood cord and requires the sale of firewood by volume. S.F. 321, authored by Sen. Linda Berglin (DFL-Mpls.), expands the nuisance law to include prior convictions for drug and liquor offenses. S.F. 624, sponsored by Sen. Allan Spear (DFL-Mpls.), removes the limitation on parental liability for thefts by minors. S.F. 535, authored by Sen. William Luther (DFL-Brooklyn Park), abolishes residual marital interest in real property and clarifies that the 40 year limitation on actions affecting title to real estate apply to an action based on an option to repurchase or other restrictions on a surface estate.

S.F. 851, authored by Spear, making it a crime for repeat DWI offenders to refuse to submit to a chemical test under the implied consent law was amended to provide that prior ATV, snowmobile and BWI convictions may be used to aggravate the penalty for DWI. S.F. 1016, sponsored by Sen. Bob Decker (IR-Bemidji), authorizes a

county board to regulate dogs and cats within the county without adopting a system of licensure. H.F. 553, sponsored by Sen. Nancy Brataas (IR-Rochester), exempts Olmsted County from the operation of a public morgue. S.F. 1106, authored by Sen. Pat Piper (DFL-Austin), changes the minimum age at which an adopted person may request original birth certificate information and changes the time periods during which birth parents may consent to disclosure.

S.F. 1270, sponsored by Sen. Don Frank (DFL-Spring Lake Park), makes numerous technical corrections to statutes relating to unemployment compensation. S.F. 119, authored by Sen. Robert Schmitz (DFL-Jordon), authorizes towns to establish subordinate service districts. S.F. 695, sponsored by Pehler, requires school boards to report teacher discharges and resignations to the Board of Teaching. S.F. 1082, authored by Sen. John Brandl (DFL-Mpls.), clarifies the applicability of the requirement that agencies consider the impact of proposed rules on small businesses.

Senators also granted concurrence and repassage to two bills. S.F. 478, authored by Pehler, provides for donations to the permanent school fund. S.F. 192, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), increases the limits on security in lieu of bond for forestry development projects.

## Final passage granted

The Thurs., Apr. 20, floor session was devoted to the consideration of bills on the Senate Calendar and the Consent Calendar. Senators granted final passage to all the bills given preliminary approval during the Mon., Apr. 17 and Tues., Apr. 18 session with four exceptions. Two of the three measures, S.F. 587 providing for relocation residential buildings and S.F. 263 eliminating the PCB exemption program were out for comparison with the House companion bills. A third measure, S.F. 1 establishing the office of waste management, was delayed at the request of the chief author, Sen. Gene Merriam (DFL-Coon Rapids). The fourth measure, S.F. 986 requiring the sale of firewood by volume and specifying advertising and delivery ticket terminology was defeated on a 17-46 vote.

One measure on the Consent Calendar was granted final passage. H.F. 424, authored by Sen. James Metzen (DFL-So. St. Paul), provides for the ownership of metal dies and molds.

The Senate also granted concurrence and repassage to S.F. 294, authored by Sen. LeRoy Stumpf (DFL-Plummer). The measure imposes civil and criminal penalties for the unauthorized release of research animals. Finally, the Senate also adopted the conference committee report and repassed H.F. 29. The measure, sponsored by Sen. Ember Reichgott (DFL-New Hope), increases the number of deputy examiners of title in the second and fourth judicial districts.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, April 24

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** To be announced.

**Finance Division on Health and Human Services Committee**,

Chair: Don Samuelson

8:30 a.m. Room 125 Capitol

**Agenda:** S.F. 314-Peterson, D.C.: Criminal sentence increases. S.F. 320-Spear: Criminal sexual conduct offenders treatment and violence prevention. S.F. 864-Berglin: Statewide coalition on sexual assault programs.

### Rules and Administration Subcommittee on Bill Referral,

Chair: William Luther

9 a.m. Room 237 Capitol

**Agenda:** S.F. 1196-Lantry: Refers to nursing home admission agreements. S.F. 1173-Pehler: Human services. S.F. 366-Cohen: Prohibits the ownership, possession or operation of semi-automatic assault rifles. S.F. 1524-Davis: Agriculture. S.F. 1569-Solon: Taxes, sales and use. S.F. 957-Frank: Economic development. S.F. 1356-Chmielewski: Regulates compensation benefits. S.F. 510-Chmielewski: Provides severance pay and insurance coverage. S.F. 1227-Metzen: Commerc. S.F. 1416-Chmielewski: Regulates insurance for truckers and loggers.

**Agriculture and Rural Development Committee, Chair: Charles Davis**

10 a.m. Room 112 Capitol

**Agenda:** S.F. 1390-Davis: Investigation of Green Bay Cheese Exchange. S.F. 1000-Davis: Drought relief. S.F. 1528-Moe, R.D.: Barley research and promotion council. H.F. 1604/S.F. 1527-Moe, R.D.: GMC bill.

**Finance Division on Agriculture, Transportation and Semi-states, Chair: Keith Langseth**

10 a.m. Room 123 Capitol

**Agenda:** Budget allocations.

**Judiciary Committee, Chair: Allan Spear**

10 a.m. Room 112 Capitol

**Agenda:** S.F. 487-Berglin: Dept. of Jobs and Training access to certain Dept. of Human Services data. S.F. 530-Merriam: Waste management bill. S.F. 571-Frederickson, D.E.: In forma pauperis civil filing income standards. H.F. 371/S.F. 605-Marty: Photographs of juveniles in custody of commissioner of corrections. S.F. 848-DeCramer: Cooperative business law recodification and modification. S.F. 1560-Solon: Public improvement liens on certain corporations.

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

12 noon Room 15 Capitol

**Agenda:** Appointments to the Minnesota Facilities Authority and to the Minnesota World Trade Center Corporations Board. S.F. 1584-Cohen: Authorizes nonprofit neighborhood corporations to buy, rehabilitate and sell housing to members of the community. S.F. 804-Marty: Authorizes emergency proceedings for loss of essential services.

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

12 noon Room 107 Capitol

**Agenda:** H.F. 916/S.F. 845-Luther: Relates to the Chair of the Metropolitan Waste Control Commission. H.F. 1181/S.F. 1067-Luther: Relates to regulating budgets for metropolitan government. H.F. 1630/S.F. 1505-Piper: Relates to Austin Police and Fire Chiefs. S.F. 1541-Kroening: Chief administrative deputy sheriff, in the unclassified service. H.F. 1207/S.F. 1195-Metzen: Disposition of county property. H.F. 400/S.F. 1129-Stumpf: Relates to natural resources; written notice to the Commissioner of the vacation of roads.

**Rules and Administration Committee, Chair: Roger Moe**

1:30 p.m. Room 15 Capitol

**Agenda:** Report from the Bill Referral Subcommittee.

**\*The Senate will be in session at 2 p.m.**

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

3 p.m. Room 123 Capitol

**Agenda:** Allocations for constitutional officers.

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

7:30 p.m. Room 15 Capitol

**Agenda:** S.F. 491-Berglin: Healthspan. S.F. 1414-Pogemiller: Racial harassment policy. H.F. 1048/S.F. 113-Frank: Relates to vocational rehabilitation. S.F. 1115-Lessard: Cold weather resource center. S.F. 1211-Marty: Council of the hearing impaired. S.F. 1099-Merriam: Community right-to-know.

**Judiciary Committee, Chair: Allan Spear**

7:30 p.m. Room 123 Capitol

**Agenda:** S.F. 130-Reichgott: Failure to implement comparable worth plan an unfair discriminatory practice. H.F. 22/S.F. 213-Reichgott: Computer access crimes. S.F. 330-Moe, D.M.: Forfeiture. S.F. 483-Freeman: Little "RICO." S.F. 835-Davis: Mechanics' lien subcontractor statement of charges. S.F. 959-Peterson, D.C.: Surrogate mother contracts unenforceable, arranging contracts and advertising illegal. S.F. 1044-Luther: Penalties for driving without motor vehicle insurance.

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

8 p.m. Room 107 Capitol

**Agenda:** S.F. 1135-Berglin: Inhalant abuse. S.F. 1136-Berglin:

**Tuesday, April 25**

**Employment Committee, Chair: Florian Chmielewski**

8 a.m. Room 107 Capitol

**Agenda:** S.F. 1405-Diessner: Regulates rehabilitation and medical treatment. S.F. 1036-Freeman: Dislocated workers. S.F. 1244-Chmielewski: Workers' Compensation. S.F. 1022-Frank: Job impact statement. H.F. 331-Diessner: Minors' work curfew. S.F. 1245-Chmielewski: Workers' Compensation. S.F. 564-Peterson, R.W.: Volunteer benefits.

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

8 a.m. Room 15 Capitol

**Agenda:** S.F. 1358-Moe, R.D.: Airport planning. S.F. 890-Cohen: Trial court financing. S.F. 257-Moe, D.M.: Dept. of Administration house-keeping bill.

**Transportation Committee, Chair: Clarence Purfeerst**

8 a.m. Room 112 Capitol

**Agenda:** H.F. 218-Lantry: Station wagons. S.F. 1105-Langseth: Fuel tax compact. S.F. 116-Bertram: Veterans MVET. H.F. 627-Stumpf: Rear-end dump truck bumpers. S.F. 1198-Stumpf: Salvage fees. H.F. 278-Stumpf: Service signs. S.F. 1558-Stumpf: Creates legislative commission to study Amtrak.

**\*The Senate will be in session at 12 noon.**

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

1 p.m. Room 112 Capitol

**Agenda:** S.F. 1384-Vickerman: Season opening dates for certain game fish. H.F. 1626-Peterson, R.W.: Conveying easement for sewer; Cambridge. S.F. 1098-Solon: Great Lakes Protection Fund.

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

Immediately following session. Room 15 Capitol

**Agenda:** S.F. 272-Langseth: Veterans Home Study. H.F. 1285/S.F. 1251-Brandl: Comprehensive health insurance, MCHA. S.F. 536-Solon: Consumer protection for vulnerable. H.F. 1459/S.F. 1325-Solon: Guide dog training in public. S.F. 1491-Solon: Legislative task force to study community action programs. H.F. 1498/S.F. 1470-Merriam: Telecommunication devices at bus and airports for deaf. S.F. 1453-Berglin: Children's hospitals. S.F. 1164-Brandl: Case management training. S.F. 1137-Berglin: Lead screening. S.F. 955-Samuels: Increases assets for spouses of institutionalized medical assistance recipients.

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

3 p.m. Room 125 Capitol

**Agenda:** Operating budget allocations for the Community College System and Technical Institutes, and relevant bills. Inhalant abuse. Other bills. H.F. 300/S.F. 442-Piper: Right-to-Know. S.F. 946-Brandl: Welfare Reform; family investment plan.

**Finance Division on Health and Human Services Committee,**

**Chair: Don Samuelson**

3 p.m. Room 112 Capitol

**Agenda:** Allocations.

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

3 p.m. Room 123 Capitol

**Agenda:** Allocations.

**Taxes and Tax Laws Division on Property Taxes and Local**

**Government Aids, Chair: Steven Novak**

3 p.m. Room 15 Capitol

**Agenda:** Tentative meeting on various levy limit bills.

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

5 p.m. Room 107 Capitol

**Agenda:** Tentative meeting scheduled.

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

6 p.m. Room 15 Capitol

**Agenda:** S.F. 1383-Moe, D.M.: Small business procurement commission. S.F. 3-Luther: Crime bill.

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

**Agriculture And Rural Development Committee**, Chair: Charles Davis  
7 p.m. Room 125 Capitol  
**Agenda:** S.F. 1307-Davis: Limits material. S.F. 1404-Davis: community needs assessment.

## Wednesday, April 26

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

8 a.m. Room 107 Capitol

**Agenda:** H.F. 892/S.F. 1548-Merriam: Changes the definition of "dwelling"; authorizes more stringent local smoke detector requirements.

**Education Committee**, Chair: James Pehler

8:30 a.m. Room 15 Capitol

**Agenda:** Confirmations.

**Agriculture and Rural Development Committee**, Chair: Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** S.F. 684-Peterson, R.W.: Computerized system for notification. H.F. 1108/S.F. 1160-Davis: 48-hour grain averaging. Any bills left over from Monday and Tuesday.

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

10 a.m. Room 123 Capitol

**Agenda:** Budget allocations. Tentative S.F. 852-Langseth: Highway funding.

**Judiciary Committee**, Chair: Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 124-Vickerman: All-terrain vehicles. H.F. 444/S.F. 222-Merriam: Access to medical examiner, hospital medical data by family of deceased person. S.F. 237-Dahl: Infectious waste. S.F. 446-Reichgott: Human rights omnibus bill. S.F. 633-Peterson, D.C.: Law enforcement maintenance of child abuse investigative data. S.F. 974-Peterson, R.W.: Omnibus data practices bill. S.F. 1324-Cohen: Open meeting law data privacy issues.

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

11:30 a.m. Room 107 Capitol

**Agenda:** S.F. 368-Luther: Public subsidy candidate special elections.

**The Senate will be in session at 12 noon (tentatively).**

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

1 p.m. Room 112 Capitol

**Agenda:** Tentative meeting scheduled.

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

1 p.m. Room 15 Capitol

**Agenda:** Health Subcommittee report and other bills to be announced.

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

3 p.m. Room 123 Capitol

**Agenda:** Operating budget allocations for the State University System and the University of Minnesota and relevant bills.

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

3 p.m. Room 125 Capitol

**Agenda:** Allocations.

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

3 p.m. Room 107 Capitol

**Agenda:** Allocations.

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

6 p.m. Room 112 Capitol

**Agenda:** Re-referrals.

**Judiciary Committee**, Chair: Allan Spear

7 p.m. Room 15 Capitol

**Agenda:** S.F. 404-Peterson, D.C.: Limits right of offender to demand execution of sentence. S.F. 445-Peterson, R.W.: Authorizing certain public hospital board closed meetings. S.F. 464-Pehler: Additional good time for inmate progress toward high school equivalency diploma. S.F. 652-Reichgott: Workers' Compensation Court of Appeals. S.F. 805-Luther: Public defender law update. S.F. 1200-DeCramer: Commercial driver DWI law. S.F. 1375-Spear: Court-ordered chemical dependency treatment for criminal offenders.

## Thursday, April 27

**\*The Senate will be in session at 8 a.m.**

**Judiciary Committee**, Chair: Allan Spear

1 p.m. Room 15 Capitol

**Agenda:** S.F. 1573-Luther: Corporate takeovers

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

Don Samuelson

3 p.m. Room 125 Capitol

**Agenda:** Allocations.

**Finance Division on State Departments**, Chair: Don Samuelson

3 p.m. Room 123

**Agenda:** Allocations.

## Friday, April 28

**\*The Senate will be in session at 8 a.m.**

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

3 p.m. Room 125 Capitol

**Agenda:** Finish allocations.

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

Don Samuelson

3 p.m. Room 125 Capitol

**Agenda:** Allocations.

**Because of the impending committee deadline, committee meeting times, dates and agendas are all subject to change.**

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.

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# Briefly

## The Minnesota Senate Week in Review

## April 28, 1989

### Capital bonding bill approved

Tues., Apr. 25, the full Senate approved over \$112 million for emergency capital bonding projects on a vote of 48-17. Sen. Michael Freeman (DFL-Richfield) explained that the Finance Committee established emergency criteria, such as health and safety concerns or the possible loss of matching non-state funds, and recommended that these projects should not be held over for the major bonding bill in the next session. With the exception of \$14.7 million for expanded prison facilities to accommodate the rising inmate population, there is no new construction funding in the bill.

Among the major bonding projects the Senate approved were: a total of \$17.4 million for capital improvements in correctional facilities statewide; \$16.5 million for health and safety improvements and working drawings for several University of Minnesota projects; \$23.2 million for wastewater treatment grants; \$11.6 million for the Regional Treatment Center initiative, including \$300,000 for working drawings for 21 state-operated community units; \$6.1 million to match federal funds to dredge the Duluth harbor; \$5 million for Re-Invest in Minnesota cropland easements; and \$2.6 million for Capitol remodeling.

The Senate defeated two amendments, offered by Sen. Phyllis McQuaid (R-St. Louis Park), to cut state funding for continued construction of separate storm and sanitary sewers in Minneapolis, St. Paul and South St. Paul.

Senators also rejected amendments, by Sen. Jim Ramstad (R-Minnetonka), regarding state correctional facilities. One Ramstad amendment would have required double bunking in the state prisons. Sen. Don Samuelson (DFL-Brainerd) said that double bunking would be "a tragic mistake," requiring major remodeling, and putting the safety of staff and inmates at risk.

In other action, the full Senate passed S.F. 1488, authorizing the West St. Paul School District to issue bonds without referendum for emergency repair of the vandalized Sibley High School. Sponsored by Sen. James Metzen (DFL-So. St. Paul), S.F. 1488 was approved without a dissenting vote.

### Gas tax indexing eliminated

A plan to provide automatic indexing of the state gas tax was scuttled when the Finance Division on Agriculture, Transportation and Semi-States considered the highway funding bill Wed., Apr. 26. Upon recommendation by the bill's sponsor Chair Keith Langseth (DFL-Glyndon), division members agreed to drop the controversial proposal tying gas taxes to consumption and road costs. The division subsequently approved the bill, S.F. 852, clearing it for consideration by the full Finance Committee.

Also eliminated from S.F. 852 was a proposal to transfer an additional 10 percent in motor vehicle excise taxes to the highway account. In explaining the move, Langseth said that property tax relief is a greater priority than additional highway funding. The transfer would have provided about \$50 million for highway spending over the next two years.

S.F. 852 contains two other major funding provisions. The bill increases license plate fees for passenger cars, vans and pick-up trucks, by extending from eight to 11 years the average time it takes to reach the \$35 minimum annual license plate fee. This change will provide up to \$58 million for highway spending per year by the end of the four-year phase-in period. In addition, S.F. 852 appropriates \$16 million from the highway user fund for bridge construction and improvements.

### Committee approves recycling bill

The Tues., Apr. 25, Taxes and Tax Laws Committee meeting was highlighted by the approval of a state wide recycling measure. Nine other bills were also approved by panel members. The committee is chaired by Sen. Douglas Johnson (DFL-Cook).

S.F. 95, a comprehensive recycling bill sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), was amended several times by panel members. Amendments offered by Johnson eliminating a sales tax exemption for non-profit groups along with federal, state, and local governmental units, and requiring that recycling program taxes remain within existing levy limitations were adopted. Sen. Steven Novak (DFL-New Brighton) offered, and committee members adopted, an amendment exempting specified service costs related to solid waste collection and disposal from taxes. An amendment offered by Sen. Donna Peterson (DFL-Mpls.), permitting political subdivisions to develop more restrictive packaging and labeling requirements than the state was defeated by a vote of 10-13. Amendments changing the method of calculating solid waste disposal fees, offered by Sens. Linda Berglin (DFL-Mpls.) and LeRoy Stumpf (DFL-Plummer), were also defeated by panel members. The bill was re-referred to the Finance Committee.

### Campaign expenditure bill gains

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Wed., Apr. 26, and approved four bills, including a congressional campaign expenditure measure. Two municipal and watershed district funding bills were laid-over in order to provide panel members with additional time to study their provisions.

As amended, S.F. 4, sponsored by Sen. William Luther (DFL-Brooklyn Park), provides for the public financing of congressional campaigns, effective immediately. The bill imposes expenditure limits of \$3 million for U.S. Senate candidates and \$300,000 for U.S. House of Representative candidates. In addition, the measure allows a tax checkoff amount of \$10 per individual for the State Elections Campaign Fund; authorizes taxpayers to designate whether the \$10 checkoff should be paid into either the party account or general account for state candidate and congressional candidate offices, with a provision to divide the money equally between the state account and the congressional account; requires the commissioner of revenue to provide for tax return checkoffs for congressional election campaigns on tax forms; provides for a formula for distribution of the money into the party account and the general account of both state and congressional candidates; and requires the commissioner of revenue to develop a distribution formula for congressional candidates to assure that money is returned to the counties from which it was collected and to assure that the distribution rationally relates to the support for particular parties or congressional candidates.

Sen. Duane Benson (R-Lanesboro), offered amendments permitting candidates to only accept contributions from individuals and political action committees residing or located within the candidate's jurisdiction, and limiting presidential campaign expenditures to no more than \$300,000 in Minnesota. Sen. Fritz Knaak (R-White Bear Lake), offered amendments tightening the eligibility requirement for candidates desiring to receive public campaign subsidies, and changing the bill's effective date to Jan. 1, 1991. All four amendments failed to be adopted by panel members. By a vote of 13-7, the bill was re-referred to the Finance Committee.

# Committee Capsule

## Agriculture and Rural Development

### Three bills gain

Approval of bills designed to assist beginning farmers, to strengthen veterinary drug regulations, and to address an environmental concern highlighted the Fri., Apr. 21, meeting of the Agriculture and Rural Development Committee. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

As amended, S.F. 1279, sponsored by Sen. David Frederickson (DFL-Murdock), establishes an agricultural landlord rental incentive program. Under the program, eligible farmland owners receive a payment from the Rural Finance Authority (REA). The farmland owners, in turn, are required to reduce the rent they charge to beginning farmers working the land by the amount originally received from the REA. A 1990-91 biennial appropriation of \$500,000 is requested to fund the program. On a roll call vote of 6-2, the bill received committee approval and was re-referred to the Finance Committee.

As amended, S.F. 1378, sponsored by Sen. Charles Berg (DFL-Chokio), prohibits the possession of a veterinary prescription drug by anyone other than a licensed veterinarian or pharmacist, a client, a veterinary drug wholesaler or manufacturer, an animal health researcher, or a person performing official state or federal regulatory duties. In addition, the measure contains provisions concerning veterinary drug prescription and extra-label use procedures, along with enforcement authorization. The bill now goes to the Senate floor.

As amended, S.F. 653, sponsored by Frederickson, prohibits a person from disposing of yard waste in a composting facility or program unless the disposal bags are degradable. The bill was re-referred to the Environment and Natural Resources Committee.

### Committee okays GMC bill

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Mon., Apr. 24, and approved bills concerning the Greater Minnesota Corporation (GMC), barley, and cheese marketing practices. Panel members decided to delay action on a drought relief measure.

H.F. 1604, sponsored by Sen. Roger Moe (DFL-Erskine), delineates the powers and duties of the GMC and expands its auditing and reporting requirements. An author's amendment increasing the accountability of the GMC's directors and officers, and further clarifying the GMC's mission was adopted by panel members. The committee also adopted an amendment offered by Davis revising the GMC's annual report format and requiring the GMC to submit copies of its fiscal audit and annual report to the Legislature's Agriculture and Rural Development Committees. The bill was re-referred to the Governmental Operations Committee.

As amended, S.F. 1528, also sponsored by Moe, provides for a \$20,000 biennial appropriation to the commissioner of agriculture to conduct a state-wide barley referendum. Moe explained that the referendum's results will be used in determining whether to establish a barley research and promotion council.

As amended, S.F. 1390, sponsored by Davis, directs the commissioner of agriculture to conduct an investigation and economic analysis of cheese marketing practices within the state, the upper midwest region, and the United States. Davis said that the investigation's purpose is to evaluate the extent to which Minnesota dairy farmers and cheese producers are benefited by local and regional cheese marketing institutions and their practices. He noted that the measure was drafted in response to the recent legislative committee meetings held to examine the Green Bay Cheese Exchange's pricing activities.

Both S.F. 1528 and S.F. 1390 were re-referred to the Finance Committee.

As amended, S.F. 1000, sponsored by Davis, provides for drought emergency relief, establishes a program to reimburse farmers for hay land reseeding and specified hay purchases, creates a damaged water well program, and institutes a state-funded grant program designed to encourage Minnesota farmers to carry federal crop insurance. Davis

is requesting a biennial appropriation of \$14.3 million to implement the bill's provisions. Panel members intend to take action on the bill during the Wed., Apr. 26, committee meeting.

### Omnibus ag bill gains

The Tues., Apr. 25, meeting of the Agriculture and Rural Development Committee centered on approving two bills that establish a liming material demonstration project and a rural community needs assessment model project. An omnibus bill combining the two measures along with 15 bills approved by the committee during this legislative session then received panel member approval. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

As amended, S.F. 1307, sponsored by Davis, provides for a 1990-91 biennial appropriation of \$140,000 to establish a demonstration project and study of industry by-product soil buffering materials. S.F. 1404, also authored by Davis, directs the Rural Development Board to select an organization to develop, test, and implement a rural community needs assessment model project. The measure specifies that the chosen organization must select five rural communities in 1990 and ten rural communities in 1991 within which to perform community needs assessments using the model developed. Sen. Tracy Beckman (DFL-Bricelyn) offered, and panel members adopted, an amendment requiring that at least one of the five rural communities selected for the 1990 project must have a population of 1,000 people or less. The bill provides for a \$225,000 General Fund appropriation to the commissioner of trade and economic development to implement the project.

Committee members then incorporated the following measures into S.F. 1404, now known as the omnibus agriculture bill: S.F. 1307, sponsored by Davis, that creates a liming material demonstration project; S.F. 862, sponsored by Sen. Joseph Betram, Sr., (DFL-Paynesville), that provides for pseudorabies research and control; S.F. 969, sponsored by Sen. John Bernhagen (IR-Hutchinson), that authorizes a community and urban reforestation study; S.F. 1545, sponsored by Davis, that establishes a native grasses and wildflower seed production incentive loan program; S.F. 1528, sponsored by Sen. Roger Moe (DFL-Erskine), that provides for a barley referendum; S.F. 752, sponsored by Sen. Sam Solon (DFL-Duluth), that pertains to bagged grain inspection at the Duluth Seaway Port Authority; S.F. 547, authored by Davis, that provides for vocational programs; S.F. 1223, sponsored by Davis, that relates to the dairy industry checkoff program; S.F. 1125, sponsored by Davis, that provides for an on-farm computerized fertilizer rate application demonstration project; S.F. 92, sponsored by Moe, that provides for the operation of the Farmamerica program; S.F. 542, sponsored by Davis, that supports the Agricultural Land Preservation and Conservation Program; S.F. 1561, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), that provides for agriculture information centers; S.F. 1174, authored by Sen. Duane Benson (IR-Lanesboro), that pertains to land transfers by a federal agency; S.F. 654, sponsored by Sen. David Frederickson (DFL-Murdock), that relates to county and district agricultural societies; S.F. 1496, sponsored by Sen. Charles Berg (DFL-Chokio), that establishes an aquaculture program; and S.F. 1524, sponsored by Davis, that relates to the Agricultural Utilization Research Institute.

The omnibus agriculture bill was re-referred to the Finance Committee.

### Committee approves drought relief bill

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Wed., Apr. 26, and approved two bills relating to drought relief and grain load averaging. A computerized notification measure was laid-over until next year.

Panel members approved S.F. 1000, sponsored by Davis, a drought emergency relief measure detailed during the Mon., Apr. 24, committee meeting. The bill was re-referred to the Finance Committee.

H.F. 1108, also sponsored by Davis, repeals an existing state law provision specifying that grain sellers may require averaging of multiple grain loads delivered within two days. In addition, the measure

requires the posting of notices stating that grain purchasers and sellers may, by mutual agreement, average the measurements of acceptable quality multiple grain loads with respect to price determination factors. The bill now goes to the full Senate.

By a vote of 9-4, committee members decided to delay action on S.F. 684, sponsored by Sen. Randolph Peterson (DFL-Wyoming), providing for a computerized notification system for farm product security interests. The committee agreed to study the bill's provisions prior to the next legislative session.

## Commerce

### Insurance omnibus bill advanced

The Commerce Committee met Thurs., Apr. 20, and amended and approved H.F. 1155, the life and health insurance omnibus bill. The measure is sponsored by Sen. Donna Peterson (DFL-Mpls.).

The bill contains technical and substantive changes in the statutes regulating life and health insurance. However, discussion focused on a number of amendments addressing some of the most controversial provisions in the bill.

An amendment, proposed by Sen. Clarence Purfeerst (DFL-Faribault), deletes a section of the bill prohibiting an insurer from canceling a contract with an insurance agent if the contract is at least three years old and the agent writes or renews at least \$35,000 per year in premiums. An exception is provided if the agent violates ethical standards. The amendment was adopted.

An amendment, offered by Sen. William Belanger (IR-Bloomington), alters a provision in the bill that Dept. of Commerce representative Dick Gomsrud said was aimed at stopping the sale of insurance policies that pay death benefits, but only if the insurer makes payments for a certain amount of time, usually two years. The policies are apparently usually advertised on late-night TV. If the person dies or stops paying the premiums before the time period elapses, the money paid towards the premiums is merely returned, sometimes multiplied and sometimes with interest.

The Belanger amendment allows the policies to be sold, but only in person, and specifies that the application must contain a disclosure stating that the full death benefit may not be paid and clearly indicating the period for which the death benefit may be withheld. The amendment was adopted.

Committee members also heard extensive testimony on an amendment proposed by Committee Chair Sam Solon (DFL-Duluth). The amendment adds "licensed psychologist" to the list of authorized providers for the minimum benefits that all group policies or contracts that offer mental or nervous disorder benefits must offer. Currently, licensed consulting psychologists are authorized. The amendment also adds that all group policies and contracts must reimburse licensed psychologists in the same manner as they currently reimburse licensed consulting psychologists. The amendment was adopted.

In addition, Senators adopted an amendment offered by Sen. Mel Frederick (IR-Owatonna) that deletes a section of the bill establishing an appeals process for an insured whose claim for health benefits is denied because the insurer says the services were experimental, investigative, or not medically necessary. Under the section, the commissioner designates a panel to review denials.

Senators also discussed a provision in the bill prohibiting an insurance company or agent from designating, endorsing, or otherwise promoting funeral establishments, and a section relating to credit life insurance; Peterson agreed to work with the concerned parties regarding the sections.

The bill was sent to the floor.

In other action, the committee approved a resolution memorializing the President and Congress of the United States to take action to review and revise the statutory framework of the United States law with respect to hostile takeovers and stock accumulations. The resolution further resolves that Congress enact legislation to allow states to regulate takeovers and stock accumulations. The measure, sponsored

by Sen. Roger Moe (DFL-Erskine), was sent to the floor.

### Three bills advanced

S.F. 1076, requiring real estate appraisers to obtain a license, was amended and approved by the Commerce Committee Tues., Apr. 25. The measure, sponsored by Sen. Michael Freeman (DFL-Richfield), was re-referred to the Governmental Operations Committee.

The bill requires that, in order to act as a real estate appraiser, persons must obtain a license. In addition, only licensed persons may advertise or represent themselves as real estate appraisers. An author's amendment adds an exemption to allow for an officer or employee of a corporation, partnership, or other business entity to act as a real estate appraiser without a license if the corporation, partnership, or entity has an interest in the real estate that is the subject of the appraisal as owners, lenders, investors, or insurers. The amendment also exempts real estate salespeople or brokers who, in the ordinary course of their business, give a market analysis of the price of real estate, if the analysis is not referred to or construed as an appraisal.

The amendment also provides for a civil remedy for a violation of the section in the bill providing that a person may retain or employ a licensed real estate appraiser to give estimates of value analysis or to provide specialized services. The amendment was adopted.

In addition, the bill provides that there are two classes of real estate appraisers' licenses, Level 1 and Level 2, and defines both levels. The bill also sets out requirements to obtain a license and for continuing education, and provides for transitional licenses for persons currently engaged in real estate appraisal work. The transitional license provision is repealed Sept. 1, 1991.

In other action, Senators agreed to reconsider S.F. 1123, authored by Committee Chair Sam Solon (DFL-Duluth), regulating the lending practices of industrial loan and thrifts. The bill had been discussed, amended, and finally, defeated, on a 7-7 vote, at a previous hearing.

Discussion again centered on a provision in the bill to increase the maximum amount of interest which may be charged by industrial loan and thrifts to up to 33 percent of the unpaid balance of the amount not exceeding \$1,000, and 19 percent on the remainder. Sen. Richard Cohen (DFL-St. Paul) proposed an amendment to lower the amount to \$800; the amendment was defeated. Sen. Allan Spear (DFL-Mpls.) proposed an amendment deleting the section from the bill. The amendment was adopted, so the level will remain as it is in statute.

Freeman proposed an amendment deleting a section of the bill regarding the amount which an industrial loan and thrift may charge in closing a loan that is secured by interest in real property. The amendment was adopted.

Sen. William Luther (DFL-Brooklyn Park), offered an amendment deleting two sections of the bill regarding the amount that an industrial loan and thrift must refund to the borrower if the borrower pre-pays in full a loan in which the principal exceeded \$7,500, was secured by real estate, and had a maturity of more than 60 months. The amendment was approved.

The bill was approved and sent to the floor.

Senators also reconsidered H.F. 223, sponsored by Sen. John Marty (DFL-Roseville). As approved, the bill prohibits the sale of tobacco from a multiproduct vending machine that dispenses products other than tobacco. The bill was sent to the floor.

Senators also began discussion of H.F. 1283, sponsored by Luther, containing various property and casualty insurance measures, and continued discussion of the bill at the evening portion of the meeting.

Most of the discussion centered on controversial sections of the bill. A number of representatives of the insurance industry spoke in opposition to a provision allowing the commissioner to adopt a single standardized policy for private passenger vehicle insurance and for homeowner's insurance. According to Dick Gomsrud, Dept. of Commerce, this would allow consumers to "comparison shop." The provision was deleted upon approval of a motion by Sen. James Metz (DFL-So. St. Paul).

# Committee Capsule

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An amendment, which Senators approved, eliminated controversial provisions in the bill regarding nonrenewal of a homeowners policy with four or fewer claims, or total claims of less than \$3,000, and added a provision allowing an insured to appeal any nonrenewal under the provisions to the commissioner, who may order the insurer to reinstate the policy. Also deleted from the bill was a provision providing that insurance companies establish a plan that sets out the number and amount of claims during the experience period that will result in nonrenewal of a homeowners policy, and requires that the plan be disclosed to each claimant and insured.

An amendment proposed by Sen. Phyllis McQuaid (IR-St. Louis Park) deletes a provision of the bill prohibiting an insurance company that offers automobile insurance from denying coverage to an applicant based on a failure of the applicant to have an auto policy enforced before the application. However, the McQuaid amendment adds that the insurer may not use failure to maintain no-fault coverage as an underwriting standard or guideline, or as a reason to deny coverage to a policyholder, if the failure was a result of overseas assignment or coverage under an employer. The amendment was adopted.

The bill was approved and sent to the floor.

## Economic Development and Housing

### Community stabilization bill advances

Members of the Economic Development and Housing Committee approved S.F. 1022, the community stabilization bill, Thurs., Apr. 20. The measure, sponsored by Committee Chair Don Frank (DFL-Spring Lake Park), requires an assessment of the effect of publicly-funded economic development projects on the existing local workforce, and attempts to prevent or provide a remedy for problems created when plant closings or layoffs dislocate workers and communities.

In an overview of S.F. 1022, Frank highlighted three main provisions of the bill. First, the bill requires a governmental unit providing public funds for a development project to prepare a jobs impact statement. The report would summarize the type and net number of jobs lost or created by the project. In addition, the governmental unit must work with other agencies to secure necessary benefits for workers who are displaced. Second, S.F. 1022 provides prefeasibility grants to local governments or organizations to study alternatives to an announced or anticipated plant closing. Third, the measure provides for employer-paid benefits for workers and communities affected by closings resulting from corporate mergers, takeovers or leveraged buyouts.

The committee adopted three amendments to S.F. 1022. An amendment by Sen. Steven Morse (DFL-Dakota) clarifies that an employer may appeal required benefit payments or penalties triggered by a plant closing or layoff, if the employer can prove that the acquired business was not economically viable.

Two amendments, offered by Sen. John Bernhagen (IR-Hutchinson), were also approved. Bernhagen's first amendment modifies provisions requiring continued health coverage for dislocated workers. The amendment permits an employer to choose whether to continue providing health coverage for 12 months, or to make lump sum or periodic payments equal to the employer-paid premiums during that year. The amendment also allows employers to drop coverage or payments when the employee becomes covered under another health plan. The second Bernhagen amendment exempts government-subsidized development projects that are already begun from mandatory jobs impact statements.

Before granting final approval, the committee failed to adopt another Morse amendment, exempting employers with fewer than 100 employees from coverage under the bill. S.F. 1022 was re-referred to the Employment Committee.

Two other bills were also advanced by the committee. S.F. 1532 authorizes the Dept. of Administration to acquire surplus federal property for lease to a non-profit organization that will rehabilitate it

to provide housing for homeless families. Bill sponsor Michael Freeman (DFL-Richfield) explained that nine or ten single-family houses at Fort Snelling could be rehabilitated for this purpose. Freeman also said that preference for the Fort Snelling housing would be given to veterans and their families. S.F. 1532 was advanced to the full Senate.

S.F. 1120, authored by Sen. Sam Solon (DFL-Duluth), appropriates \$1.8 million to maintain seven regional organizations that administer the Minnesota Marketplace Program. Under the Dept. of Trade and Economic Development program, the non-profit organizations help businesses find competitive goods and services within Minnesota before seeking suppliers outside the state. S.F. 1120 was re-referred to the Finance Committee.

### Homesteading bill advances

The Economic Development and Housing Committee met Mon., Apr. 24, and approved S.F. 1584, a bill establishing the Rural and Urban Homesteading Program. The bill, sponsored by Sen. Richard Cohen (DFL-St. Paul), appropriates \$1 million in grants for five housing rehabilitation pilot projects targeted to provide affordable housing and move low-income and at-risk families toward self-sufficiency. Sen. Tracy Beckman (DFL-Bricelyn) chaired the meeting.

The pilot program in S.F. 1584 draws on the approach of the private, non-profit Habitat for Humanity program. Under S.F. 1584, the Minnesota Housing Finance Agency would provide grants for local resident advisory boards to acquire and rehabilitate homes in five Minnesota counties. Eligible first-time homebuyers could then purchase the homes, paying 25 percent of their monthly income for taxes, insurance and the purchase price. In addition, the homebuyers must agree to maintain the property, with guidance and support from the advisory boards. S.F. 1584 was re-referred to the Finance Committee.

Committee members also approved S.F. 804, which establishes court procedures for tenants to obtain emergency relief for loss of essential services. The bill, sponsored by Sen. John Marty (DFL-Roseville), was sent to the full Senate.

In other action, the committee confirmed three appointments to the Minnesota Public Facilities Authority. Consideration of the governor's appointees to the Minnesota World Trade Center Corporation Board was laid over, because none of the appointees were present.

## Education

### Bill, confirmations approved

The Education Committee, chaired by Sen. James Pehler, approved H.R. 1502, sponsored by Sen. Cal Larson (IR-Fergus Falls), Wed., Apr. 26. The bill originally extended the authority of Pine Point experimental school to July 1, 1993; however, an author's amendment changed the date to July 1, 1991. In addition, the amendment adds a requirement that the state auditor audit the school's finances for FY. 1989 and 1990, and adds a requirement that the Dept. of Education evaluate continuation of the school. The amendment was adopted. The bill was sent to the floor.

The committee also recommended the confirmation of the following appointments: Rodney Searle, Erin McCabe, and Julie Bleyhl to the State University Board; Steve Senich, Carol Blomberg, Kathryn Jarvinen, and Earl Herring to the Minnesota Higher Education Facilities Authority; H. Ted Grindal, Audrey Eickhof, Owen Husney, Mary Ingebrand-Pohlrad, and William Richard to the Board of the Minnesota School and Resource Center for the Arts.

Also recommended for confirmation were Peter Fugina, Andy Hilger, and Andrea Schmidt to the Minnesota Higher Education Coordinating Board; Thomas Lindquist and Douglas Wallace to the State Board of Education; B. Elaine Markey, Cindy Hanson, and Patricia Goldman to the State Board for Community Colleges; and Patricia Allinder, Donna Anderson, and Alan Olson to the State Board of Vocational Technical Education.

# Education Funding

## Articles discussed; bills approved

The Education Funding Division of the Education Committee, chaired by Sen. Randolph Peterson (DFL-Wyoming), discussed Article 4, Community Education; Article 8, Other Educational Programs; and Article 7, Dept. of Education; of the Education Omnibus Bill, Thurs., Apr. 20.

Discussion on Article 7 focused on the Minnesota Resource Center for the Arts, which the Article re-names the Minnesota Center for Arts Education. The article recommends \$12.2 million for the center, which is more than the governor's recommendation.

Article 8 establishes a mandatory school breakfast program in each school building in a district in which at least 40 percent of the school lunches served in the 1989-90 school year were free or the cost was reduced; or at least 35 percent of the parents responding to a survey indicate an interest in having their children participate in the program. The article requires districts that do not have a breakfast program, and are not otherwise required to provide one under the provision, to conduct a survey. Schools in which fewer than 25 pupils would be expected to participate are exempt from offering a program.

The bill also appropriates money for various grants and aid, including integration grants to Minneapolis, St. Paul, and Duluth.

In addition, the division discussed Article 4, Community Education. The division had previously discussed the article; however, a provision lowering the maximum revenue for Early Childhood Family Education Programs had been taken out since the previous discussion.

The division also approved S.F. 201, sponsored by Sen. Charles Davis (DFL-Princeton), approving a maximum effort school loan program capital loan for the Foley school district; and S.F. 793, also sponsored by Davis, approving a capital loan for the Ogilvie school district. Both measures were sent to the floor.

## Articles adopted

The Education Funding Division of the Education Committee, chaired by Sen. Randolph Peterson (DFL-Wyoming), discussed three new articles to the omnibus education bill Fri., Apr. 21.

Article 11, Education Agency Services, outlines requirements with which districts must comply before withdrawing from an Elementary Secondary Vocational (ESV) region. The regions are used to gather information from districts. Before withdrawal, a district must develop a long-range information management plan, which must be submitted to the Information Policy Office for approval.

In addition, the article authorizes a levy for school districts in the education cooperative service unit (ECSU) in region three (north-eastern Minnesota) to recover a deficit.

The article appropriates money for the state's ECSUs, with the exception of the Metropolitan Area ECSU, which is prohibited from receiving any of the aid entitlement for FY. 1990 or FY. 1991.

Article 9, Miscellaneous Provisions, authorizes the school boards of Independent School Districts Nos. 281 (Robbinsdale) and 625 (St. Paul) and Special School District No. 1 (Minneapolis) to grant a charter for a school. A chartered school is a means of providing innovative learning opportunities for students.

Members also discussed Article 13, Technical Property Tax Changes.

Members adopted Article 8, Other Educational Programs, and Article 7, Dept. of Education, which had been previously discussed. In addition, Senators adopted an amendment, offered by Sen. Jerome Hughes (DFL-Maplewood) to Article 4, Community and Adult Education, clarifying that the Interagency Adult Learning Council is an advisory council. Because of questions about the effectiveness date in the Early Childhood Screening Program contained in the article, the article was not adopted.

## Amendments added to articles

Senators adopted amendments to Article 9, Miscellaneous Provi-

sions, and Article 11, Education Agency Services, at the Mon., Apr. 24, meeting of the Education Committee Education Funding Division. The division is chaired by Sen. Randolph Peterson (DFL-Wyoming).

Members approved two amendments, offered by Sen. Ronald Dicklich (DFL-Hibbing), to Article 9. One amendment allows Independent School District No. 710, St. Louis County, to issue bonds up to \$1 million to construct, equip, furnish, remodel, rehabilitate, and acquire land for school facilities and buildings. The bonds may be issued without a referendum. The bill provides for an annual appropriation from the distribution of taconite production tax revenues to the Taconite Environmental Protection Fund, and to the Northeast Minnesota Economic Protection Trust, an amount sufficient to pay all of the principal and interest on the bonds. Local approval is necessary. The other amendment allows districts to transfer money from the fund balance account entitled "pupil transportation fund reserved for bus purchases" to the unreserved account in the transportation fund. Currently, it can only be transferred to the capital expenditure fund.

Senators also approved an amendment to Article 9 changing the effective date of sections that require Intermediate School District Boards to be composed of board members from the participating districts. Currently, the members of the Intermediate School District Board need only be voting residents of the participating districts. The new effective date is July 1, 1992. Sen. Gen. Olson (R-Mound), who offered the amendment, said that she believed that would allow for a phase-in of the new boards.

In addition, Senators approved an amendment containing a number of changes to Article 11. The amendment alters the composition of the Board of Directors of the Academic Excellence Foundation; deletes two sections providing that the State Curriculum Advisory Committee and the Nonpublic Education Council not expire; and makes permanent the teacher center program.

## Articles amended, adopted

Senators continued work on the articles of the education omnibus bill at the Tues., Apr. 25, meeting of the Education Committee Education Funding Division. The division is chaired by Sen. Randolph Peterson (DFL-Wyoming).

Division members amended and adopted Article 4, Community and Adult Education. The article allows a board to offer a youth service program as part of a community education program that has a youth development program. The bill outlines youth development plan revenue and youth service revenue.

The article also requires districts to establish a fee schedule for the Early Childhood Family Education Program.

Sen. Ember Reichgott (DFL-New Hope), offered an amendment that clarifies aid levels and the effective date of the Early Childhood Screening Program contained in the article. As amended, the article provides that, beginning in FY. 1994, a district is required to make a screening program available for children age 3-kindergarten. The purpose of the screening program is to determine if a child has a health or developmental condition that may impede learning. Districts are required to continue conducting the screening program currently in statute during FY. 1990, 1991, 1992, and 1993.

In addition, the article puts into statute an Interagency Adult Learning Advisory Council and provides for targeted adult literacy grants.

Article 6, Education Cooperation and Combination, was also amended and adopted. The article originally phased out a current cooperative arrangement involving tuition agreements by districts and created revenue for cooperating districts. However, an amendment, proposed by Sen. Lyle Mehrkens (R-Red Wing), restores provisions regarding tuition agreements. The amendment was adopted.

In addition, the article provides revenue for districts who wish to combine but would like to maintain separate elementary schools. The article also provides for cooperative secondary facilities grants, and cooperation and combination grants.

An author's amendment to the article appropriates \$75,000 in FY. 1991 for cooperation and combination aid.

# Committee Capsule

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Senators also approved an amendment, offered by Mehrkens, for a \$300,000 grant in 1990 to Wasioja Education Technical Cooperative to support a cooperative education technology program.

Also discussed and amended was Article 3, Special Programs. The article lowers the state's payment of the salaries of each essential person employed in a district's program for handicapped children. However, districts may obtain the same amount of revenue by increasing property taxes. The article also appropriates money for a number of programs. The article was adopted.

Also adopted was Article 2, the Transportation Article. The article provides that the basic transportation tax capacity rate will be the rate that raises about \$76 million for FY. 1991 and \$80 million for subsequent years. The article adds that state transportation aid is authorized for transportation to a pupil, who is a custodial parent, and the pupil's child between their home and a child care provider, and between the child care provider and the school, if all points are within the attendance area of the school. State transportation aid is also authorized for eligible districts to provide transportation to school for the remainder of the school year, for an elementary pupil who moves during a school year, but remains within an area designated as a mobility zone.

Senators also adopted Article 11, Education Agency Services. Sen. Gen Olson (IR-Mound), proposed an amendment which deletes a provision in the article prohibiting any of the aid entitlement for Education Cooperative Service Units (ECSUs) in FY. 1990 or FY. 1991 to be allocated to the Metropolitan Area ECSU. The amendment failed 7-7.

An amendment, offered by Sen. LeRoy Stumpf (DFL-Plummer), also generated a great deal of discussion. Senators divided the amendment and approved a portion deleting a section of the bill allowing districts to send information directly to the Dept. of Education, rather than to the Elementary Secondary Vocational (ESV) regional computer centers. Stumpf said that he didn't believe the department had the staff to handle information coming directly to the department.

Senators did not approve a portion of the Stumpf amendment that deletes a provision in the bill allowing the state board to allocate money to each district for payment to the ESV center, rather than directly to the center. Since the provision was left intact, the money will be allocated to the districts.

## Work on omnibus bill continues

Senators on the Education Funding Division of the Education Committee, chaired by Sen. Randolph Peterson (DFL-Wyoming), met twice on Wed., Apr. 26, to continue work on the articles of the omnibus education bill.

Article 1, General Education Revenue, provides that the formula allowance per pupil unit is \$2,800 for FY. 1990 (a 1.6 percent increase) and \$2,910 for subsequent years (a 4 percent increase). In addition, the bill provides a cap on the amount that districts may raise through levy referendums. The article sets the general education tax capacity rate at the rate that raises \$1.156 billion for FY. 1991 and \$1.214 billion for subsequent years.

An amendment offered by Peterson clarifies that the cap is not intended to require districts who may already be above it to reduce their current levy. The amendment grandfathers in levies granted before June 1, 1989; however, if the levy expires and voters do not again approve it, the cap will apply. The amendment was approved.

Senators also approved an amendment to the article providing that a district may hold two elections per year to approve a levy increase; one initiated by a school board and one initiated by petition. The amendment was offered by Sen. Gen Olson (IR-Mound).

Senators also discussed two amendments which would have provided more state money for districts; however, neither amendment has provisions citing a source for the money. Sen. Lyle Mehrkens (IR-Red Wing), author of one of the amendments, suggested a 1 percent cut across the board to finance his bill. The other amendment was offered by Sen. Fritz Knaak (IR-White Bear Lake). Neither amendment was adopted.

Senators did approve an amendment regarding elementary sparsity

revenue, offered by Sen. Gary DeCramer (DFL-Ghent), and an amendment regarding the requirements for alternative programs, offered by Sen. James Pehler (DFL-St. Cloud).

Senators also adopted amendments to Article 9, Miscellaneous Provisions. Sen. Donna Peterson (DFL-Mpls.), offered an amendment altering the provisions of the article regarding chartered schools. The amendment authorizes only the Minneapolis and Robbinsdale school boards to grant charters for schools. After June 30, 1992, the State Board of Education, according to criteria and procedures adopted by the board, may grant a charter to an applicant whose application was denied by a school board. The amendment was approved.

Two additional amendments offered by Peterson were also adopted. One amendment prohibits the State Board of Education from adopting rules for extended day programs. The other amendment requires the board of the State High School League to adopt a policy, rules, penalties, and recommendations addressing sexual harassment and violence toward and by participants in league activities.

Another amendment approved by Senators makes permanent the Learning Year Program and expands it to include grades K-12. The amendment was offered by Reichgott.

Senators adopted Article 10, Libraries, which creates an advisory committee to advise the staff of the Minnesota library for the blind and the physically handicapped on long-range plans and library services. The article also appropriates money for various library needs.

## Elections and Ethics

### Financing bill advanced

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), approved S.F. 368, authored by Sen. William Luther (DFL-Brooklyn Park), Wed., Apr. 26. The bill was re-referred to the Committee on Finance.

The bill provides for a public campaign subsidy for eligible Minnesota candidates for U.S. Senate and House of Representatives if they agree to spending limits. The expenditure limits are \$3 million for a candidate for the U.S. Senate and \$300,000 for a candidate for the House. The funding is provided through the income tax and property tax refund return check-off.

In order to be eligible for the public subsidy, a congressional candidate must provide evidence of nonpublic matching contributions.

No other state currently provides public financing for national candidates.

In addition, the bill contains a number of provisions relating to state elections, including discontinuing the Oct. 15 lobbyist reporting requirement; authorizing a candidate to terminate the candidate's principal campaign committee for a state office by transferring the committee funds and debts to the candidate's principal campaign committee for a congressional office; increasing candidate contribution limits in nonelection years to \$400 for state senator and \$200 for state representative; and reallocating the general account money of the state campaign fund that is refused by candidates to a new account for legislative candidates in special elections.

## Employment

### Worker retraining bill advances

The Employment Committee met Tues., Apr. 25, and approved S.F. 1036, a bill to assist workers dislocated by plant closings. The bill was based on a report by the Governor's Commission on Economic Dislocation. Sen. Florian Chmielewski (DFL-Sturgeon Lake) chairs the committee.

Bill sponsor Sen. Michael Freeman (DFL-Richfield) explained that S.F. 1036 is an effort to fill in "critical holes" caused by recent federal cuts in support for dislocated workers. S.F. 1036 provides unemployment compensation benefits for dislocated workers who are in training. Other provisions of the bill establish an early determination system to identify businesses likely to experience large employment losses, and a rapid response program to deal with announced or ac-

# Committee Capsule

A bill that changes licensure requirements for dental assistants was presented by Sen. Donald Moe. S.F. 1422, authored by Sen. Nancy Brataas (IR-Rochester), was sent to the Senate floor.

The meeting concluded with S.F. 257, sponsored by Sen. Donald Moe. Discussion of the Dept. of Administration housekeeping bill focused on an author's amendment that places restrictions on state leasing. The amendment, which was approved, restricts the commissioner of the Dept. of Administration from renting or leasing more than 50,000 square feet of a building not owned by the state for the purpose of providing office space for a state agency. The restriction does not apply to currently leased property or to rentals or leases that are part of a funded plan for the relocation of an agency in a state-owned building in the capitol area.

## Health and Human Services

### RTC bill advanced

Members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Fri., Apr. 21, and advanced the Regional Treatment Center bill to the Committee on Finance. S.F. 954, authored by Sen. Don Samuelson (DFL-Brainerd), is aimed at defining the state's role in providing services to the mentally retarded, the mentally ill, the chemically dependent and the elderly. The measure provides that the RTCs function as a hub for community based programs and that the RTCs provide technical assistance for community based programs. Panel members adopted several amendments designed to address concerns raised by mental health care providers and advocates. The measure provides increased participation on the part of families in determining mental health services. In addition, the panel continued hearing public testimony on the bill. The bill also ratifies the agreement reached by the state and the affected RTC employee unions, mandates the closing of the Oak Terrace Nursing Home and authorizes grants for case management costs.

### Fetus viability measure fails

The Health and Human Services Subcommittee on Health and Health Financing failed to advance a bill, Fri., Apr. 21, requiring doctors to determine viability of a fetus and prohibiting abortion of a viable fetus unless the abortion is necessary to save the life or health of the mother. The measure, S.F. 853, is sponsored by Sen. Gene Waldorf (DFL-St. Paul). Sen. John Brandl (DFL-Mpls.) chairs the subcommittee.

Before the subcommittee's final vote on S.F. 853, several amendments were approved, significantly changing the bill from its original form. Three Brandl amendments were adopted. One amendment by Brandl increased the time when doctors are required to determine the viability of a fetus, from 20 weeks of gestational age to 23 weeks. Brandl's second amendment excludes cases of congenital fetal anomalies from consideration under the bill. A third Brandl amendment enables a child to become a ward of the state unless a parent accepts parental rights within thirty days of the birth.

Two amendments by Sen. Linda Berglin (DFL-Mpls.) were also adopted by the subcommittee. Regarding the penalty provisions of S.F. 853, one Berglin amendment requires the Board of Medical Examiners to dismiss complaints against doctors who are determined by the board to have acted in good faith. The second Berglin amendment strikes from the bill provisions requiring a second doctor to be in attendance during an abortion procedure.

The measure failed to gain subcommittee approval on a 3-3 vote.

### Welfare reform bill advances

A comprehensive welfare reform bill, S.F. 946, was approved by the Health and Human Services Committee Mon., Apr. 24. Known as the Minnesota Family Investment Plan, S.F. 946 authorizes the Dept. of Human Services commissioner to seek federal waivers to develop demonstration programs and implement a new welfare system. The bill, authored by Sen. John Brandl (DFL-Mpls.), also makes changes in the existing system and implements the recently enacted federal welfare reform law. Sen. Linda Berglin chairs the committee.

In his overview of S.F. 946, Brandl said that the Family Investment Plan is an effort to overhaul the current welfare system, under which a "growing group of people is in permanent poverty." Brandl emphasized that the new program encourages adults to work and provides a full range of transitional services intended to help families become self-sufficient. Among its provisions, the plan establishes an annual cost-of-living adjustment, and requires parental caregivers receiving transitional assistance to make progress toward employment and self-sufficiency under a contract with the county agency. The bill also imposes sanctions, mandatory vendor payments and a 10 percent reduction in assistance, on families not progressing under expectations set out in their contracts.

Committee members heard testimony against provisions of the bill imposing sanctions and establishing a \$4,500 vehicle equity limit. However, the committee defeated two amendments, offered by Sen. Pat Piper (DFL-Austin), that would have changed the vehicle equity limit, and weakened the sanction provisions of the bill. Another Piper amendment, requiring case managers to encourage parents to take their children for pre-school and other child screening programs, was adopted by the committee. The committee also adopted a Brandl amendment, directing the commissioner to develop and report to the Legislature on a household budget sufficient to maintain a family in Minnesota. S.F. 946 was re-referred to the Finance Committee.

In other action, the committee approved H.F. 300, amending the Minnesota Employee Right-to-Know Standards to limit the technically qualified individual (TQI) exemption for employees dealing with hazardous substances, infectious agents or harmful physical agents. Under the bill, physicians, dentists, lead research individuals and pharmacists are exempt from required training and yearly informational updates on hazardous agents in the workplace. H.F. 300, authored by Piper, was sent to the full Senate.

The committee also advanced a bill, sponsored by Berglin, relating to inhalant abuse. Among its provisions, S.F. 1135 establishes an inhalant abuse demonstration project, and expands the definition of toxic substances to include aerosol paint. In addition, the bill requires retailers to post warning signs on toxic substances, and restricts retailers from selling the products to persons under age 18. S.F. 1135 was re-referred to the Finance Committee.

Another Berglin bill, S.F. 1194, creates special other-operating-cost limits for certain nursing homes. The bill was approved, and re-referred to the Finance Committee.

### Guide dog training bill approved

Members of the Health and Human Services Committee met Tues., Apr. 25, and advanced four bills. The first measure, H.F. 1459, sponsored by Sam Solon (DFL-Duluth), permits the training of service dogs in public. According to Solon, the training procedure needs to be done in circumstances simulating the conditions under which the dogs will be working. The bill was approved and sent to the full Senate. S.F. 536, also authored by Solon, provides for enhanced civil penalties for deceptive acts targeted at senior citizens or handicapped persons and specifies that the sums collected must be credited to the State Board on Aging. Under the bill, violations of the laws relating to deceptive trade practices, false advertising or consumer fraud could result in an additional civil penalty. The bill was approved and re-referred to the Committee on Finance. A third bill authored by Solon, S.F. 1491, was also approved. The measure authorizes the establishment of a legislative task force to study community action programs. The measure was re-referred to the Committee on Rules and Administration.

S.F. 1453, authored by Committee Chair Linda Berglin (DFL-Mpls.), was also approved and sent to the full Senate. The bill provides that the commissioner establish a facility fee payment mechanism that will pay a facility fee to all enrolled outpatient hospitals for each emergency room or outpatient clinic visit on or after July 1, 1989. The bill also specifies that the payment mechanism may not result in an overall increase in outpatient payment rates and clarifies that the measure does not apply to federally mandated maximum payment

tual closings. S.F. 1036 also authorizes pre-feasibility grants to assess alternatives to plant closings. The bill was re-referred to the Finance Committee.

In other action, committee members advanced S.F. 1036, the community stabilization bill. Authored by Sen. Don Frank (DFL-Spring Lake Park), S.F. 1036 addresses worker and community problems created by plant closings or mass layoffs due to corporate mergers or takeovers.

S.F. 1036 contains three major provisions. First, the bill requires governmental units providing public funds for a development project to prepare a jobs impact statement to determine the effect of the project on existing jobs. Second, the bill provides pre-feasibility grants for local governments or organizations to examine alternatives to anticipated plant closings. Third, S.F. 1036 provides for employer-paid benefits to workers and communities affected by closings within three years of corporate mergers, takeovers or leveraged buyouts.

Over the objections of business representatives who argued that the bill would have "a chilling effect" on economic development in Minnesota, S.F. 1036 was approved in a vote of 6-4 and re-referred to the Finance Committee.

The committee also approved H.F. 564, providing workers' compensation benefits to certain volunteers who are injured or killed while providing a public service as first-responders. The bill, sponsored by Sen. Randolph Peterson (DFL-Wyoming), was sent to the full Senate.

## Environment and Natural Resources

### Great lakes protection fund gains

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Tues., Apr. 25, and approved a bill that authorizes state participation in the Great Lakes Protection Fund. S.F. 1098, authored by Sen. Sam Solon (DFL-Duluth), appropriates \$500,000 for the state's membership fee in the fund. The fund, which is part of cooperative effort by eight states, will be used for the continuous development of needed scientific information, new cleanup technologies, and methods of managing pollution problems of the Great Lakes region. S.F. 1098 was re-referred to the Finance Committee.

The committee advanced six additional bills as well. Two of the bills are sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville). H.F. 1416 authorizes the conveyance of tax-forfeited land in Benton County. S.F. 1520 provides that a fish house is not allowed to be on the ice between 12:00 midnight and one hour before sunrise after February 28. Both bills were sent to the Senate floor.

Sen. Jim Vickerman (DFL-Tracy), chief author of H.F. 831, said that the bill changes the open season date from May 15 to the Saturday two weeks prior to the Saturday of Memorial Day weekend. Lessard offered an amendment that authorizes the commissioner of the Dept. of Natural Resources to close the season in areas where the fish are spawning in order to protect the resource. H.F. 831, as amended, was sent to the Senate floor.

Sen. Douglas Johnson (DFL-Cook) said that his bill, H.F. 169, allows residents over age 65 to take fish by spearing without a spearing license. The bill was amended to require the person to have an angling license. H.F. 169 was sent to the Senate floor.

H.F. 1626, authored by Sen. Randolph Peterson (DFL-Wyoming), provides for the commissioner of the Dept. of Administration to convey a permanent easement to the city of Cambridge for sanitary sewers. The bill was placed on the Consent Calendar.

The meeting concluded with S.F. 653. Sen. David Frederickson (DFL-Murdock) said the bill requires a person who disposes of yard waste in a facility or program for composting to use a degradable disposal bag. S.F. 653 was sent to the Senate floor.

### Metro council bill okayed

The Environment and Natural Resources Committee, chaired by

Sen. Bob Lessard (DFL-Int'l. Falls), met Wed., Apr. 26, and approved a bill that requires the Metropolitan Council to develop short-term and long-term water use and supply plans. In addition, S.F. 1418 requires that the short-term plan must be completed by July 1, 1989 and that the long-term plan must be completed July 1, 1990. The bill, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), was sent to the Senate floor.

In other action, the committee confirmed the appointments of Daniel Foley, William Bryson, and Van Ellig to the Pollution Control Agency. The members also confirmed the appointments of Donald Ogaard to the Board of Water and Soil Resources, and of Martha Brand to the Environmental Quality Board.

## Finance

### Higher ed makes HECB recommendations

The Higher Education Division of the Finance Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), made funding recommendations for the Higher Education Coordinating Board (HECB) Fri., Apr. 21.

Among the recommendations adopted were \$78.8 million for scholarships and grants; \$5.5 million for work study; and \$1.1 million for the minitex library. However, all recommendations remain open for amendment.

In addition, the division adopted funding recommendations for the Mayo Medical Foundation.

Division members also briefly discussed S.F. 704, sponsored by Sen. Gary DeCramer (DFL-Ghent), appropriating money to establish and expand postsecondary nursing programs and for nursing scholarships; and S.F. 517, sponsored by Sen. Michael Freeman (DFL-Richfield), appropriating money to the HECB for a community service grant program for postsecondary institutions. The division did not act on either measure.

The division also heard a presentation regarding a request to expand higher education services in northeastern Minnesota.

### Higher education allocations adopted

Members of the Finance Committee Higher Education Division adopted budget recommendations for the State University System and the Community College System Tues., Apr. 25.

Recommendations adopted for the State University System include \$11 million in FY. 1990 and \$23.6 million in FY. 1991 for inflation; and \$2.6 million in FY. 1990 and \$2.6 million in FY. 1991 for instructional equipment. In addition, Senators adopted an amendment offered by Sen. Glen Taylor (R-Mankato) to add an additional \$150,000 for each year of the biennium for Mankato State University to continue to lease a building.

Recommendations adopted for the Community College System include \$2.6 million in FY. 1990 and \$5 million in FY. 1991 for a base adjustment; \$5.5 million in FY. 1990 and \$12.2 million in FY. 1991 for inflation; and a direct appropriation of \$1.6 million in FY. 1990 and \$1.7 million in FY. 1991 for equipment.

In other action, Senators approved amendments to the division's omnibus bill. S.F. 1262, authored by Division Chair Gene Waldorf (DFL-St. Paul), increasing the revenue bonding authorization of the Higher Education Facilities Authority to \$250 million, was amended onto the omnibus bill. Senators also adopted language regarding the authority of the State University System to issue bonds and language providing that the placement of public property owned by a college or university up for sale does not negate the exemption from property taxation provided under "public use" clauses; the exemption is negated only if and when the property is purchased by a private individual, organization, or corporation.

Senators also discussed S.F. 1460, authored by Waldorf, regarding the Job Skills Partnership Program, and S.F. 1229, authored by Sen. Gary DeCramer (DFL-Ghent), regarding higher education needs in the Metropolitan Area. No action was taken on either measure.

limits, department-approved program packages, or services billed using a non-outpatient hospital provider number.

Finally, the committee began discussion of a bill authorizing the commissioner of administration to conduct a study of the need for additional veterans homes in the state. No action was taken on the bill, S.F. 272, authored by Sen. Keith Langseth (DFL-Glyndon), because of time constraints.

## Panel completes work

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), wrapped up its work for the session at the Wed., Apr. 26, meeting and advanced seven measures. H.F. 1498, authored by Sen. Gene Merriam (DFL-Coon Rapids), requires the Metropolitan Airports Commission and bus terminals in Minneapolis and St. Paul to provide public pay telephones with telecommunications devices (TDD's) in order to permit a communication-impaired person to communicate with others by telephone. The bill was approved and sent to the full Senate.

Discussion on the measure authorizing a study of the need for additional veterans homes was resumed and panel members started by considering an amendment offered by Sen. Duane Benson (IR-Lanesboro) that required that the proposed veterans nursing home in Silver Bay be included in the study. The amendment failed to gain approval. An amendment, offered by Sen. Jim Vickerman (DFL-Tracy), providing for the establishment of a veterans home in Luverne, Minnesota, was adopted after considerable discussion. Other amendments providing for the establishment of veterans homes in other specific locations of the state were, however, not approved by the committee. The bill was approved and re-referred to the Committee on Rules and Administration.

H.F. 1285, sponsored by Sen. John Brandl (DFL-Mpls.), was approved and sent directly to the full Senate. The measure changes the premiums, coverage, and administrative procedures relating to the Comprehensive Health Insurance Plan. A second bill sponsored by Brandl, S.F. 1164, was also approved and sent to the Committee on Finance. The bill provides for a pilot project to provide subsidies to persons who are primary caregivers for a relative between 22 and 35 with mental retardation or a related condition to be used to carry out the goals in the person's individual service plan. The bill specifies that the subsidy is not to be used to supplant existing funding sources and that the yearly total is not to exceed \$3,000 per year.

The committee also approved a bill establishing a blood lead level screening program for children and providing for subsidized lead abatement services. The measure also requires local health boards to conduct environmental inspections and provides for an appropriation. The measure, sponsored by Berglin, was re-referred to the Finance Committee.

Two additional measures were approved and advanced to the Committee on Finance. S.F. 963, authored by Sen. Gary Laidig (IR-Stillwater), requires the commissioner of health to make special diet identification cards available for persons requiring special diets. The measure also exempts persons with the identification cards from public facility prohibitions on outside food and drink. S.F. 217, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), authorizes counties to establish multidisciplinary chemical dependency prevention teams and provides for funding five demonstration projects.

## Judiciary

### Court financing bill gains

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Fri., Apr. 21, and advanced two bills. S.F. 745, authored by Sen. John Brandl (DFL-Mpls.) was re-referred to the Committee on Finance and S.F. 890, authored by Sen. Richard Cohen (DFL-St. Paul), was re-referred to the Governmental Operations Committee.

S.F. 745 provides for child support enforcement and paternity determination. Most of the discussion on the bill centered on the provisions relating to paternity determination. Under the bill, a rebuttable assumption of paternity is reached in cases where the probability of

paternity is 99 percent or greater based on blood tests. Further, the rebuttable assumption places the burden of proof on the party opposing the establishment of paternity that the alleged father is not the father. According to Brandl, the increasingly sophisticated testing procedures developed within the last few years enable the tests to determine the high level of probability required under the bill. The measure also conforms with federal law concerning the mandatory withholding of child support. In addition, the bill expands a pilot project that uses an administrative procedure, rather than the district court, to obtain, modify and enforce child support orders.

The second bill, S.F. 890, provides for the transfer of court referees, judicial officers, court reporters, law clerks, and district administration staff from county to state employment. District administration staff from the second and fourth judicial districts are excepted from the transfer. The bill also provides for the inclusion of the second and fourth judicial districts in the public defender system and provides for the appointment of public defenders in those districts. Other provisions of the bill include amending the Tort Claims Act definition of "employee of the state" to exclude court appointed guardians ad litem; providing for the eligibility of transferred employees for state-paid benefits; and authorizing the Supreme Court to establish salary ranges of transferred employees under the judicial branch personnel rules.

### Human rights omnibus bill discussed

The Fri., Apr. 21, meeting of the Judiciary Civil Law Division was devoted to discussion of a Dept. of Human Rights omnibus bill. The Division Chair and author of S.F. 446 Ember Reichgott (DFL-New Hope) completed a review of the bill's provisions. The bill provides that a home repair, improvement, or maintenance business that discriminates in providing services in an area because of the social or economic conditions is in violation of the Human Rights Act. Also under the bill, special provisions are added to deal with real property and disability discrimination, a state contractor with over 20 full-time employees is required to have an affirmative action plan, and a private suit must be brought within 45 days after receipt of notice that the commissioner of the Dept. of Human Rights has dismissed a charge.

Discussion of the bill centered on a provision that amends a section of law dealing with unfair discriminatory practices in public accommodations. Under the new language, it is considered unfair discriminatory practice if a place of public accommodation does not make a reasonable accommodation to the known physical disability of disabled persons. An accommodation is determined to be reasonable by considering such factors as how often members of the public are served; the degree that disabled persons will be further served; and the degree that persons could be adversely affected.

Division members advanced the bill to the full committee at the Tues., Apr. 25, meeting.

### Affordable housing bill gains

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met twice Mon., Apr. 24. The morning session resulted in five measures gaining approval. S.F. 487, authored by Sen. Linda Berglin (DFL-Mpls.), provides that the Dept. of Jobs and Training has access to welfare data to verify receipt of energy assistance in order to determine eligibility for the telephone assistance plan and requires that an application for telephone assistance must include the applicant's social security number. The measure was re-referred to the Committee on Finance. S.F. 605, sponsored by Sen. John Marty (DFL-Roseville), authorizes the commissioner of corrections to photograph juveniles for management and law enforcement purposes and requires that the photographs be maintained in the same way juvenile court records are maintained. The bill was amended to include provisions of a bill providing for parental liability in theft cases. The bill was sent to the Senate floor.

The committee also approved the waste management bill and re-referred the bill to the Committee on Taxes and Tax Laws. S.F. 530,

# Committee Capsule

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authored by Sen. Gene Merriam (DFL-Coon Rapids), contains a number of changes to the laws relating to waste management. H.F. 438, authored by Sen. Dennis Frederickson (IR-New Ulm), specifies the income standard for proceeding in forma pauperis. H.F. 1411, sponsored by Sen. Gary DeCramer (DFL-Ghent), modifies and recodifies cooperative business laws.

The panel also began discussion of those provisions of S.F. 522, the affordable housing bill, that fall under the Judiciary Committee's jurisdiction. The bill, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for the establishment of affordable housing programs under the administration of the Minnesota Housing Finance Agency, establishes a neighborhood preservation program and revises laws relating to landlord-tenant disputes. Most of the discussion on the bill centered on provisions establishing rent escrow accounts in cases where there is verification of housing code violations, provisions regulating tenant screening services and provisions containing penalties for landlords who fail to comply with repair orders issued by a housing inspector. The measure also authorizes a three year housing calendar pilot project in Hennepin and Ramsey Counties to consolidate the hearing and determination of cases related to residential rental housing. In addition, the measure directs the commissioner of human rights to establish affirmative marketing regulations for housing. Finally, committee members discussed, in depth, a provision requiring owners of rental housing to give priority to disabled persons for the rental of handicapped-equipped units and providing a mechanism to offer other units to nondisabled persons occupying a handicapped-equipped unit. The measure was approved and re-referred to the Committee on Finance during the evening portion of the meeting.

In other action, the committee advanced an additional five bills during the evening session. H.F. 159, authored by Sen. Donald Moe (DFL-St. Paul), provides for the termination, cancellation, and forfeiture of real estate interests based on the seizure of controlled substances or contraband. The bill also changes the unlawful detainer to authorize a landlord to bring an unlawful detainer action based on notice of a seizure of drugs or contraband. The landlord may also request that the county attorney bring the unlawful detainer action. In addition, the bill provides for a statutory covenant that specifies that the lessee will not allow the premises to be used to manufacture, sell, give away, barter, deliver, exchange, distribute or possess with intent to sell controlled substances. The bill was approved and sent to the full Senate.

Three other bills were advanced to the Senate floor. H.F. 456, authored by Sen. Ember Reichgott (DFL-New Hope), provides that the commissioner of human rights may use the results of any comparable worth plan as evidence in a proceeding alleging discrimination. H.F. 22, also sponsored by Reichgott, prohibits unauthorized access to computers and specifies penalties ranging from a misdemeanor to a felony. S.F. 1044, authored by Sen. William Luther (DFL-Brooklyn Park), sets penalties for driving without motor vehicle insurance, requires insurance companies to issue an insurance identification card and requires a driver or owner to have the card in possession at all times.

The committee also approved a bill establishing a child mortality review panel and re-referred the measure to the Finance Committee. S.F. 748, authored by Spear, also requires the commissioner of the Dept. of Health to develop guidelines and protocols for death investigations of children under two years of age. Originally, the measure had required an autopsy to be performed if a child under the age of two died suddenly and unexpectedly under circumstances indicating that the death may have been caused by sudden infant death syndrome, however, Spear deleted the provisions relating to mandatory autopsies from the bill. The measure also expands the criminal neglect statute to include endangerment of a child and sets forth data practices procedures for members of multidisciplinary child protection teams. Finally, the bill also authorizes the commissioner to require a local agency to establish a local child mortality review panel.

## “RICO” bill approved

Members of the Judiciary Committee, chaired by Sen. Allan Spear

(DFL-Mpls.), met twice Wed., Apr. 26, and processed a total of 18 bills. The first measure to be considered, H.F. 837, sponsored by Sen. Michael Freeman (DFL-Richfield), creates the new crimes of racketeering. The measure sets forth both criminal felony penalties and civil penalties for racketeering, money laundering and other drug gang-related activities. H.F. 222, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides for access to private medical examiner data and other medical data by family members. Both measures were sent to the full Senate.

S.F. 652, authored by Sen. Ember Reichgott (DFL-New Hope), regulates the salary, appointment, terms, confirmation, and qualifications of judges on the Workers' Compensation Court of Appeals. A more comprehensive workers' compensation bill, S.F. 1356, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), was amended to include the language relating to the Workers' Compensation Court of Appeals that is contained in S.F. 652. Initially, both bills were approved and re-referred to the Committee on Finance. However, the committee approved a motion to reconsider the vote on both bills and proceeded to vote on the bills again. S.F. 652 was approved and re-referred to the Committee on Finance. S.F. 1356 was re-referred to the Committee on Finance without recommendation.

H.F. 1014, authored by Sen. Charles Davis (DFL-Princeton), relates to mechanics' liens notice requirements and allows an owner to request a statement of actual charges and requires subcontractors to make good faith estimates of charges. The bill was sent to the full Senate. S.F. 124, authored by Sen. Jim Vickerman (DFL-Tracy), makes several changes to the laws concerning all-terrain vehicles; however, the Judiciary Committee discussed only those provisions dealing with state immunity from liability. The panel deleted those provisions of the bill that exclude losses arising from construction on, or the operation, maintenance or administration of state lands for outdoor recreation systems and grant-in-aid trails from the State Tort Claims Act. The action was taken after the panel rejected an amendment to allow counties similar immunity from liability. The committee did adopt an amendment that includes snowmobiles operated on highways in the law relating to hit and run violations. The bill was re-referred to the Committee on Finance.

The first part of the Wednesday hearing also resulted in the approval of two “revisor's bills.” H.F. 1197 corrects text and references throughout the statutes. H.F. 862 revises the text of laws to remove redundant and obsolete language, simplifies grammar and syntax and improves the style of language without causing changes in the meaning of the laws. Both measures are carried by Sen. Richard Cohen (DFL-St. Paul) and both bills were sent to the full Senate.

The evening portion of the meeting began with consideration of a bill to regulate the management, transportation, storage, decontamination and disposal of infectious waste. S.F. 237, authored by Sen. Gregory Dahl (DFL-Ham Lake), also provides for penalties for violations of infectious waste laws and provides for an appropriation. The bill was re-referred to the Committee on Finance.

S.F. 805, authored by Sen. William Luther (DFL-Brooklyn Park), updates the laws governing public defenders, requires a person requesting appointment of a public defender to submit a financial statement, raises the payment limit for expert services and requires the board to design and conduct training programs. S.F. 1375, authored by Spear, allows chemical dependency assessors performing assessments on DWI defendants to have access to law enforcement data and imposes a three week time limit for the assessment. Both measures were sent to the Senate floor.

S.F. 1200, authored by Sen. Gary DeCramer (DFL-Ghent), provides that drivers of commercial motor vehicles are subject to stricter federal standards on alcohol-related driving. Under the bill, an alcohol concentration of .04 is a misdemeanor violation. In addition, the bill provides for disqualification, notice, appeal and rule-making procedures. The bill also specifies that any presence of alcohol provides probable cause for administration of a test to commercial vehicle drivers. The bill was approved and re-referred to the Committee on Finance.

H.F. 731, authored by Sen. Donna Peterson (DFL-Mpls.), provides

for the classification of law enforcement data on child abuse. H.F. 193, also sponsored by Peterson, provides that an offender may not demand the imposition of a sentence instead of a stay of imposition or execution of sentence. The bill also provides that the Board of Pardons must meet at least twice each year but eliminates the requirement that the board meet in specific months. Both bills were sent to the full Senate.

S.F. 464, authored by Sen. James Pehler (DFL-St. Cloud), originally specified that correctional facility inmates would receive addition "good time" upon obtaining a high school diploma or its equivalent. The bill was amended by the committee to require the commissioner of corrections to provide a high school diploma equivalency program and make it available to an inmate who lacks a high school diploma and who desires, and is eligible, to participate in the program. The bill was re-referred to the Finance Committee.

S.F. 1266, authored by Cohen, authorizes the juvenile court to place juvenile alcohol or controlled substance offenders on probation and authorizes the juvenile court to require the commissioner of public safety to revoke the driver's license or permit of juvenile repeat offenders. S.F. 974, authored by Sen. Randolph Peterson (DFL-Wyoming), is the omnibus data privacy bill and makes a number of changes to laws relating to the collection, access to, and dissemination of data. S.F. 446, authored by Sen. Ember Reichgott (DFL-New Hope), is the omnibus human rights bill and clarifies the definition of disability; limits age-related questions in employment applications; places the burden on the employer to show a person's impairment is disqualifying; conforms Minnesota housing provisions with federal provisions; describes disability discrimination in the area of public accommodations; and requires the disclosure of medical information that adversely affects an employment decision concerning an applicant. All three measures were approved and sent to the Senate floor.

## Local and Urban Government Committee approves eleven bills

The Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), met Thurs., Apr. 20, and approved a wide variety of bills relating to towns, cities, counties, and districts in Minnesota.

As amended, S.F. 1101, sponsored by Sen. Sam Solon (DFL-Duluth), regulates St. Louis County budget procedures, establishes St. Louis County recorder fees, and allows St. Louis County to recover maintenance costs for television relay service by assessing users of the service.

S.F. 1408, sponsored by Sen. Linda Berglin (DFL-Mpls.), requires political subdivisions to request proposals for group insurance coverage. An author's amendment that exempts political subdivisions currently providing group insurance coverage through a contract awarded by the competitive bid process was adopted by panel members.

As amended, H.F. 942, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), revises the Metropolitan Mosquito Control District's purpose to include the establishment and operation of research programs for disease carrying ticks. In addition, the measure requires the Metropolitan Mosquito Control Commission to consult and cooperate with the Dept. of Health in developing management techniques to control disease carrying ticks.

As amended, S.F. 1498, sponsored by Sen. Patrick McGowan (IR-Maple Grove), provides that the uniform municipal contracting law and its contractor bond provisions do not apply to improvements made by a subdivider or a subdivider's contractor. The bill also grants local governments the authority to issue interim use permits under specified conditions.

H.F. 1115, authored by Sen. Pat Pariseau (IR-Farmington), allows Dakota County to pay public morgue construction, equipment, and maintenance costs in excess of the limitations imposed by current state law. Committee members adopted an author's amendment that permits Dakota County to employ juvenile offenders without provid-

ing full benefits; that changes Dakota County's personnel appeal procedures; and that allows Dakota County to contract for the services of a campground operator without advertising for bids.

As amended, S.F. 811, sponsored by Sen. Gary Laidig (IR-Stillwater), adds language to the municipal planning law specifying that municipal subdivision regulations may require that a "reasonable portion" of any proposed subdivision be dedicated to the public, be preserved for conservation purposes, or be designated for public use as parks, playgrounds, trails, wetlands, or open space.

H.F. 529, sponsored by Sen. David Frederickson (DFL-Murdock), specifies that in counties that do not have a county hospital, county general funds may be used to construct, operate, and maintain a private, nonprofit, or public hospital. In addition, the measure allows home rule charter or statutory cities or towns to make grants to private, nonprofit, or public hospitals that service the area.

As amended, S.F. 1394, sponsored by Sen. Duane Benson (IR-Lanesboro), authorizes Olmsted County, by ordinance, to adopt regulations governing land platting. The county is permitted to require zoning administrator review of a land transfer, division, or gross tax capacity assessment when a deed or other conveyance instrument is presented to the county auditor for transfer or division purposes. The county zoning administrator is also directed to examine each instrument to determine that the proposed conveyance complies with the county's subdivision and platting regulations. The bill further specifies that after an ordinance has been adopted, no conveyance instrument dividing Olmsted County property may be transferred by the county auditor unless approved by the zoning administrator.

As amended, S.F. 78, authored by Sen. LeRoy Stumpf (DFL-Plummer), authorizes towns to regulate vegetation burning on town road right-of-ways. Under the bill's provisions, the town is also required to submit a copy of any adopted vegetation burning ordinances to the Dept. of Natural Resources.

The previous ten bills are now headed to the full Senate.

In other action, panel members approved S.F. 1239, a bill that increases the bonding authority for hospital districts in Roseau County from \$2 million to \$5 million. The measure, sponsored by Stumpf, was re-referred to the Taxes and Tax Laws Committee.

## Five bills gain committee approval

The Mon., Apr. 24, meeting of the Local and Urban Government Committee was devoted to approving bills pertaining to metropolitan agency operations, county property requirements, public ground vacation procedures, and county personnel regulations. Panel members delayed action on a bill relating to a municipal personnel regulation. The committee is chaired by Sen. Robert Schmitz (DFL-Jordan).

As amended, S.F. 1067, sponsored by Sen. William Luther (DFL-Brooklyn Park), recodifies existing language relating to the summary and annual budgets of metropolitan agencies. The measure, among other things, adds a requirement that the agencies' annual budgets must compare budgeted and actual revenues for the current and preceding two fiscal years, specifies the Metropolitan Council's property tax levy limits and procedures, and changes the Met Council's metropolitan significance review and hearing procedures. H.F. 916, also sponsored by Luther, defines the Metropolitan Waste Control Commission chair's responsibilities, and upgrades the chair to a full-time position.

As amended, S.F. 1195, sponsored by Sen. James Metzen (DFL-St. Paul), authorizes counties to sell or lease real or personal county property without advertising for bid if the estimated value is less than \$15,000. In addition, the measure permits counties to exchange parcels of real property "of substantially similar or equal value" without advertising for bid when acquiring the property for highway right-of-ways.

H.F. 400, authored by Sen. LeRoy Stumpf (DFL-Plummer), requires written notice to the commissioner of natural resources when the commissioner of transportation orders the vacation of Minnesota roads, highways, streets, alleys, and similar public grounds that terminate at, or abut upon, public waters.

S.F. 1541, sponsored by Sen. Carl Kroening (DFL-Mpls.), provides

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for the position of chief administrative deputy sheriff in the unclassified service of Hennepin County. An amendment authorizing specified county sheriffs to appoint a chief deputy or first assistant, offered by Sen. Jim Vickerman (DFL-Tracy), was adopted by committee members.

All five bills now go to the Senate floor.

In other action, panel members laid-over H.F. 1630 until the next legislative session in order to provide time for additional study and discussion. The bill, sponsored by Sen. Pat Piper (DFL-Austin), authorizes the City of Austin to exempt the police chief and fire chief from civil service coverage.

## Public Utilities and Energy

### Electric rate bill okayed

The Public Utilities and Energy Committee met Thurs., Apr. 20, and Tues., Apr. 25, to review a bill that establishes flexible electric rates. H.F. 951 was approved and re-referred to the Committee on Rules and Administration.

The main objective of the bill, said author and Committee Chair Ronald Dicklich (DFL-Hibbing), is to allow regulated utilities to protect themselves from raiders and to protect customers. The bill provides that regulated electric utilities can offer a competitive utility rate to customers who are able to obtain services from an energy supplier that is not rate-regulated. The connected load requirement for customers who are able to obtain services from a non-regulated utility was amended to be a minimum of 2,000 kilowatts instead of 1,000 kilowatts.

The committee approved an amendment offered by Sen. Gene Waldorf (DFL-St. Paul) that allows the Public Utilities Commission (PUC) to approve joint city and utility requests for area development rates. An amendment offered by Sen. John Marty (DFL-Roseville) that prohibits rate competition with district heating or cooling provided by a district heating utility was also approved. The bill was also amended to delete language that eliminated the July 1, 1990, sunset on competitive gas rates. In addition, the amendment added a July 1, 1993 sunset date for the authorization of competitive rate schedules and for PUC orders for general rate cases.

In other action, Senators approved a committee resolution to the PUC relating to the expansion of extended area telephone service.

## Taxes and Tax Laws

### Light rail bill gains

In addition to taking action on the recycling bill Tues., Apr. 25, the members of the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), processed an additional nine bills.

S.F. 1202, sponsored by Novak, restructures the Regional Transit Board (RTB) and the Metropolitan Transit Commission (MTC), directs the RTB to plan and coordinate light rail transit systems in the metropolitan area, provides the MTC with the authority to operate any light rail transit systems developed, and transfers responsibility for the distribution of transit assistance funds and receipt of federal grants to the RTB. Panel members adopted an author's amendment removing a provision that prohibits a regional rail authority from levying taxes for light rail transit planning, property acquisition, construction, or other related purposes, until the RTB has completed a long-range light rail transit plan. Sen. Lawrence Pogemiller (DFL-Mpls.) offered, and committee members adopted, an amendment specifying that taxes levied for light rail transit must be held under existing county levy limits. H.F. 1357, also authored by Novak, changes the time limit for excise tax refund claims on liquor that is ordered to be destroyed. Both bills are now headed to the full Senate.

S.F. 1445, sponsored by Johnson, permits the commissioner of revenue to prepare a legislative tax expenditure budget every four years instead of every two years; repeals the requirement for landlords to file copies of certificates of rent paid with the commissioner of revenue; eliminates tax meter machines, along with cigarette tax bonding distributor requirements; doubles the license fees for cigarette dis-

tributor and subjobber licenses; eliminates the requirement for cigarette wholesalers making tax-exempt sales to Indian tribes to furnish a bond to the commissioner of revenue; and eliminates the liquor tax bonding requirement for liquor distributors. The bill was also re-referred to the Finance Committee.

S.F. 1252, also sponsored by Johnson, authorizes the towns of Crystal Bay, Beaver Bay, and Stoney River, and the cities of Beaver Bay and Silver Bay, along with Unorganized Territory No. 1 in Lake County, to create a medical clinic district. In addition, the measure permits Cook County to establish a county hospital district and allows the county to spend up to \$240,000 from its 1989 general county levy to acquire, construct, and operate hospitals within the county. The bill now goes to the Senate floor.

As amended, S.F. 319, sponsored by Sen. Charles Berg (DFL-Chokio), authorizes a state-wide grasshopper control program and provides for the inspection and control of plant pests in the same manner as noxious weeds. The measure was re-referred to the Finance Committee.

H.F. 765, sponsored by Sen. Sam Solon (DFL-Duluth), authorizes the Western Lake Superior Sanitary District to issue refunding obligations, without redeeming the outstanding obligations before their maturity date. The bill applies to general obligation bonds issued for solid waste disposal sites and facilities. H.F. 243, sponsored by Sen. John Brandl (DFL-Mpls.), recodifies Dept. of Revenue information and disclosure provisions to increase treatment uniformity and to comply with the Data Privacy Act. S.F. 29, authored by Sen. Charles Davis (DFL-Princeton), clarifies county levy authority in relation to county agricultural society funding. S.F. 1278, sponsored by Sen. Jim Gustafson (IR-Duluth), extends, by three years, the property tax exemption granted to the City of Hermantown.

All four bills now go to the Senate floor.

Committee members delayed action on S.F. 1206, sponsored by Sen. David Frederickson (DFL-Murdock), providing an exception to the normal loss of local government aids penalty imposed when a taxing jurisdiction levies in excess of its levy limitation. The exception applies to the City of Redwood Falls for the support of its port authority and for an infrastructure replacement reserve fund.

### Park trailer bill advanced

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), approved three bills in addition to the campaign funding bill at the Wed., Apr. 26, hearing.

As amended, S.F. 38, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), regulates travel trailers, requires a registration certificate for park trailers, imposes a motor vehicle registration tax on park trailers, requires owners of unregistered park trailers to pay property taxes, imposes a motor vehicle excise tax on park trailers, and permits motor vehicle dealers to sell park trailers. S.F. 1239, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), increases Roseau County's bonding authority for hospital districts from \$2 million to \$5 million. As amended, S.F. 6, authored by Sen. Bob Lessard (DFL-Int'l Falls), exempts an Itasca County levy from a penalty for levies that exceed limitations for tax years 1989 and 1990. All three bills are now headed to the full Senate.

Committee members decided to delay action on two bills pending further study. S.F. 751, sponsored by Sen. Jim Vickerman (DFL-Tracy), enables the Cities of Windom and Jackson to each levy up to \$50,000 per year to meet their municipal hospital operating deficits. As proposed, the measure's provisions are in excess of levy limitations for the two municipalities. The special levy is only authorized for 1989 and 1990. As amended, S.F. 1043, sponsored by Sen. Roger Moe (DFL-Erskine), authorizes a \$2 million State Building Fund loan to the Red Lake Watershed District in Clearwater County to construct an improved and enlarged lake on Walker Brook.

## Transportation

### Eight bills advance

The Transportation Committee, chaired by Sen. Clarence Purfeerst

(DFL-Faribault), met Tues., Apr. 25, and approved bills relating to passenger automobiles, interstate vehicle fleet owners, the motor vehicle excise tax, tourist-oriented directional signs, dump trucks, salvage vehicles, rail passenger service, and rail funding and improvements.

As amended, H.F. 218, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), changes the motor vehicle registration law definition of passenger automobiles to include station wagons. The measure also expands the passenger automobile definition contained in the registration laws to include vans designed to carry up to 15 persons, and redefines the term "van" to apply only to cargo vans. Panel members adopted an amendment offered by Sen. Jim Vickerman (DFL-Tracy), requiring the commissioner of public safety to conduct background checks on school bus endorsement applicants. The bill now goes to the full Senate.

S.F. 1105, sponsored by Sen. Keith Langseth (DFL-Glyndon), provides for the suspension of apportioned license plates and international fuel tax licenses if the owner is more than 30 days delinquent in making payments under the international fuel tax agreement or is delinquent in paying proportional taxes under the international registration plan. In addition, the measure permits the owner of a vehicle taxed under a proportional registration plan or a reciprocity agreement to pay the tax in installments if it amounts to more than \$400. The bill is now headed to the Senate floor.

As amended, S.F. 116, sponsored by Sen. Joe Bertram, Sr., (DFL-Paynesville), exempts motor vehicles—purchased or used by a veterans' group or a political subdivision for transporting veterans for medical, dental, and rehabilitative treatment—from the motor vehicle excise tax. Langseth offered, and committee members adopted, an amendment changing the bill's effective date from May 31, 1987, to Aug. 1, 1989. The bill was re-referred to the Taxes and Tax Laws Committee.

Panel members approved five bills sponsored by Sen. LeRoy Stumpf (DFL-Plummer). As amended, H.F. 278 changes the name "specific tourist signs" to "tourist-oriented direction signs", and provides that the signs may display the name, direction and distance to a tourist-oriented business or to a place of worship. H.F. 627 exempts rear-end dump trucks from federal rear-end protection regulations if the trucks are operated by a private agricultural carrier solely between the point of production and the point of processing. Both bills now go to the full Senate.

Three of the bills authored by Stumpf were re-referred to the Finance Committee. S.F. 1198 authorizes the Dept. of Public Safety to charge a \$20 salvage vehicle inspection fee. An author's amendment that requires dealers acquiring graded vehicles to submit specified information to the Dept. of Public Safety was adopted by committee members. As amended, S.F. 1558 creates a 10-member legislative study commission to examine and report on Minnesota rail passenger service issues. As amended, S.F. 892 clarifies the source of funds to be deposited in the rail service improvement account, provides for the cost apportionment of new grade crossings, specifies expense reimbursement procedures for signal and safety device maintenance, and provides for the improvement of existing rail crossings.

## Floor action

### Senate processes bills

The Mon., Apr. 24, Senate floor session was devoted to granting final passage to four bills relating to buildings, pesticides, real property purchases, and the membership of a Minnesota school board.

Bills gaining final passage on the Senate Calendar include H.F. 595, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), exempting relocated residential buildings from specified provisions of the state building code; and H.F. 701, sponsored by Sen. Steven Morse (DFL-Dakota), eliminating the PCB exemption program.

The Senate also granted final passage to two bills appearing on the Consent Calendar. H.F. 501, authored by Sen. Dean Johnson (IR-Willmar), allows the purchase of real property by independent school district No. 347. H.F. 695, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), reduces the Askov School Board from

seven to six members.

In other action, Sen. Fritz Knaak (IR-White Bear Lake), urged the Senate to not adopt the committee report to S.F. 510, a bill sponsored by Chmielewski that requires employers to provide advance notice of specified actions related to plant closings and mass layoffs. Knaak said that the measure should undergo review by several policy committees before it is sent to the Finance Committee. By a roll call vote of 32-29, S.F. 510's committee report was adopted.

Sen. Roger Moe (DFL-Erskine), moved to reconsider the vote taken Thurs., Apr. 20, on S. F. 986, a measure requiring the sale of firewood by volume and specifying advertising and delivery ticket terminology. The motion prevailed and the bill, sponsored by Sen. James Pehler (DFL-St. Cloud), was re-referred to the Commerce Committee. Pehler said that this action will enable him to revise the bill's provisions prior to the next legislative session.

A brief Senate floor session held Fri., Apr. 21, was highlighted by failure to concur with changes made by the other body to S.F. 104, a bill that revises the Rural Finance Authority Loan Program. The measure, sponsored by Beckman, was re-referred to a conference committee in order to develop compromise language.

### Senate begins lengthy floor sessions

Upon reaching the second committee deadline Wed., Apr. 26, Senators began meeting in longer and more frequent floor sessions. During the first portion of the floor session Thurs., Apr. 27, Senators began consideration of bills on General Orders. Bills on General Orders are considered by the Senate acting as one large committee known as "the Committee of the Whole."

Fifteen bills were given preliminary passage by the Senate. S.F. 164, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), allows certified questions to go directly to the Workers' Compensation Court of Appeals. S.F. 85, authored by Chmielewski, allows for a two year inspection of boilers. H.F. 212, authored by Sen. Ronald Dicklich (DFL-Hibbing), authorizes two additional on-sale liquor licenses in the city of Hibbing. H.F. 1172, authored by Chmielewski, authorizes the private sale of tax-forfeited land in Carlton County.

H.F. 43, authored by Dicklich, authorizes St. Louis County to sell tax-forfeited lands bordering public waters. H.F. 266, authored by Sen. LeRoy Stumpf, strengthens enforcement of the Unfair Cigarette Sales Act, revises Indian reservation cigarette tax collection procedures, and authorizes the Dept. of Revenue to use unmarked cars for tax collection purposes. An amendment, offered by Sen. Don Anderson (IR-Wadena), that eliminates the accelerated sales tax was voted down on a vote of 29-31. S.F. 723, authored by Sen. Linda Berglin (DFL-Mpls.), makes technical changes to the laws providing for the regulation of registered nurses and changes the disciplinary sections of the Nurse Practice Act.

H.F. 279, authored by Sen. Michael Freeman (DFL-Richfield), permits the use of an irrevocable bank letter of credit in lieu of a performance bond by a contractor providing public work for any local governmental unit. H.F. 707, authored by Sen. Marilyn Lantry (DFL-St. Paul), allows a licensed racetrack to conduct pari-mutuel betting on televised races on days during the winter when races are not conducted. H.F. 1056, authored by Dicklich, fine tunes the law enacted two years ago that established the tiered regulatory structure on the basis of whether a telephone service is a competitive, a noncompetitive, or an emerging competitive service. H.F. 593, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), allows the Board of Electricity to issue citations for electrical violations.

S.F. 886, authored by Sen. David Frederickson (DFL-Murdock), allows a township mutual fire insurance company to hire a manager who is not a member of the board or company and limits the liability of their directors. H.F. 895, authored by Sen. Charles Berg (DFL-Chokio), authorizes the commissioner of the Dept. of Transportation to convey surplus property to Stevens County for other than public purposes. S.F. 1039, authored by Sen. Gene Merriam (DFL-Coon Rapids), permits organizations that conduct charitable gambling to treat legal expenses as an allowable expense. H.F. 1429, authored by Sen. Jim Vickerman (DFL-Tracy), establishes new standards for the licensure of ambulance services.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, May 1

**Joint Senate and House Education Committees, Education Division of Senate Finance Committee, and the Education Division of House Appropriations Committee, Chair: James Pehler**

8:30 a.m. Room 123 Capitol

**Agenda:** Selection of candidates for the University of Minnesota Board of Regents.

**Taxes and Tax Laws Committee, Chair: Douglas Johnson**

11 a.m. Room 15 Capitol

**Agenda:** S.F. 473-Johnson, D.J.: Omnibus tax bill.

**\*The Senate will be in session at 1 p.m.**

**Finance Committee, Chair: Gene Merriam**

5 p.m. Room 123 Capitol

**Agenda:** Agriculture, Transportation and Semi-states omnibus bill.  
S.F. 852-Langseth: Highway funding. S.F. 139-Spear: Increases age for provisional drivers' licenses to 21. S.F. 232-Reichgott: Secretary of states' filings. S.F. 481-Moe, D.M.: Dept. of Finance house-keeping bill. S.F. 736-Dahl: Claims bill.

**Education Division on Education Funding, Chair: James Pehler**

6 p.m. Room 15 Capitol

**Agenda:** Omnibus education funding bill.

**Education Committee, Chair: James Pehler**

Immediately following Education Funding meeting, Room 15 Capitol

**Agenda:** S.F. 1480-Peterson, R.W.: Omnibus education funding bill.

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

7 p.m. Room 125 Capitol

**Agenda:** Review and finalize higher education omnibus bill.

### Tuesday, May 2

**\*The Senate will be in session at 12:30 p.m.**

**\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

### Wednesday, May 3

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

Marilyn Lantry

8 a.m. Room 107 Capitol

**Agenda:** Confirmation hearing on the Minnesota Racing Commission.

**\*The Senate will be in session at 11:45 a.m. There will be a Joint Convention at 12 noon. Immediately following the Joint Convention, the Senate will be in session until 6 p.m.**

### Thursday, May 4

**\*The Senate will be in session at 12 noon.**

### Friday, May 5

**\*The Senate will be in session at 12 noon.**

### Saturday, May 6

**The Senate is tentatively scheduled to meet.**

**For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.**

### Service for hearing-impaired available

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

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# Briefly

The Minnesota Senate Week in Review

May 5, 1989

## Senate passes tax bill

The Wed., May 3, Senate floor session was highlighted by final passage of H.F. 1734, the 1989 omnibus tax bill sponsored by Sen. Douglas Johnson (DFL-Cook). Johnson said that the tax bill increases "accountability to taxpayers by local government officials for their spending decisions and narrows the differences in property tax burdens between different types of property and among different areas of the state." Sen. Duane Benson (IR-Lanesboro), replied that Minnesota's property tax system is "out of control," adding that the bill failed to address structural problems in the system. Prior to granting final passage by a vote of 41-25 to the comprehensive property, income, and sales tax package, Senators amended a controversial charitable gambling tax provision and added a child care tax credit program.

Members, by a vote of 47-16, adopted an amendment rejecting an increase in the charitable gambling sales tax from 10 percent of net profits to six percent of gross receipts. Sen. LeRoy Stumpf (DFL-Plummer), author of the amendment, said that the charitable gambling sales tax increase would have raised an estimated \$82 million for the state during the 1990-91 biennium.

By a vote of 36-28, Senators also adopted an amendment offered by Sen. Glen Taylor (IR-Mankato), that provides various tax credits targeted to encourage continuing education for day care providers, to reduce costs for employer day care facilities, and to exempt specified day care center materials and equipment from the state's sales tax.

## Education funding bill approved

The Education Funding Division of the Education Committee and the full Education Committee approved S.F. 1480, the omnibus education funding bill, carried by Sen. Randolph Peterson (DFL-Wyoming), Mon., May 1. The bill was re-referred to the Taxes and Tax Laws Committee.

The \$3.4 billion bill sets the formula allowance for FY. 1990 at \$2800 per actual pupil unit (a 1.6 percent increase) and at \$2910 thereafter (a 3.9 percent increase). The general tax capacity rate is set at the amount that raises \$1.156 billion for FY. 1991 and \$1.214 billion for subsequent years.

S.F. 1480 sets the basic transportation levy target at \$76.3 million for FY. 1991 and at \$80.1 million for subsequent years. In addition, the bill authorizes transportation aid to pupils who are parents for trips between the pupil's home and a child care provider, and between a provider and the school, if they are within the attendance area of the school.

The bill also allows the school boards of the Minneapolis and Robbinsdale School Districts to grant charters for a school, and authorizes the State Board of Education to grant a charter for a school for Indian children after Dec. 31, 1989.

Assurance of Mastery Revenue is established in the bill. The revenue is used to provide classroom instruction to students not meeting desired goals in mathematics and communications without putting the students into special education. The state will match district funds.

Another key aspect of the bill expands the early childhood screening program and mandates that districts have a program for children

age 3-kindergarten beginning in FY. 1994. The program is voluntary prior to FY. 1994.

For more explanation, see "Committee Capsule."

## Semi-states bill okayed

In addition to giving final passage to the omnibus tax bill, Wed., May 3, members of the Senate also gave final passage to the first of the omnibus spending bills. S.F. 1618, a \$2.53 billion omnibus transportation, agriculture and semi-states funding bill was approved on a 63-0 vote. The bulk of the appropriations contained in the bill are earmarked for the Dept. of Transportation for highway construction and maintenance work. In addition, the bill contains funds for the Historical Society, the Dept. of Public Safety, the Dept. of Agriculture, the Dept. of Public Service and a number of boards and commissions.

The Senate adopted one amendment, offered by Sen. Mel Frederick (IR-Owatonna), deleting language specifying that the MTC could not decrease service if an employee's job would be jeopardized. Senators defeated an amendment, offered by Sen. Gary Laidig (IR-Stillwater), to increase the Dept. of Public Safety appropriation by \$410,000 in order to add four additional drug investigators to the department. The bill was then given final passage.

## Regents elected

The House and Senate met in a joint convention Wed., May 3, to fill four seats on the University of Minnesota's Board of Regents. Jean Keffeler, Minneapolis, was elected to the 5th Congressional District seat; Darrin Roshka, St. Paul, was elected to the student regent seat; and Mary Page, Olivia, and Alan Page, Minneapolis, were elected to the two at-large seats. The joint convention elected the slate recommended by a joint committee of the House and Senate Education Committees, the Senate Higher Education Division of Finance, and the House Education Division of Appropriations. The new regents will serve six-year terms.

## Higher ed funding clears committee

The Senate Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), endorsed the bill providing funding for the state's postsecondary institutions at an evening hearing Wed., May 3. Sen. Gene Waldorf (DFL-St. Paul), chair of the Finance Education Division, provided a step by step explanation of the \$1.957 billion bill. Under the measure \$179.9 million is appropriated for the HECB; \$338 million is appropriated for Technical Institutes; \$189 million for the Community College System; \$347 million for the State University System; \$901 million for the University of Minnesota; and \$2 million for the Mayo Medical Foundation. The bill was sent to the full Senate.

In other action, the panel approved a measure that provides for the titling of watercraft. S.F. 84, authored by Sen. A. W. "Bill" Diesner (DFL-Afton), was sent to the Senate floor. A second watercraft bill by Diesner, S.F. 110, that increases the watercraft registration fees was laid over.

Senators also began a discussion of the omnibus health and human services bill. Finance Health and Human Services Division Chair Don Samuelson (DFL-Brainerd), began an explanation of the \$2.683 billion measure but no action was taken. The bill provides \$2.256 billion for Human Services; \$240 million for corrections; and \$80 million for the Dept. of Health among the major appropriations.

# Committee Capsule

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## Agriculture and Rural Development

### Ag committee holds confirmation hearings

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Wed., May 3, and recommended approval of appointments to the State Board of Animal Health and the Rural Finance Authority. In addition, panel members briefly discussed a bill that regulates specified livestock transactions.

Committee members recommended the appointments of Allan Routh, Owatonna, and Henry Banal, Sauk Centre, to the Minnesota Board of Animal Health. Members also recommended that the Senate confirm Andrew Walters, Balaton, to the Rural Finance Authority.

S.F. 889, sponsored by Davis, regulates various activities carried out by stockyard owners, meat packers, stockyard market agencies, and livestock dealers. Panel members agreed to study the bill's provisions during the interim, and intend to revisit the issue in the next legislative session.

## Education

### Four regents recommended

Legislators made recommendations for the four open seats on the University of Minnesota's Board of Regents at a Mon., May 1, joint meeting of the House and Senate Education Committees, the Senate Higher Education Division of Finance and the House Education Division of Appropriations.

After adopting rules governing the selection, Legislators approved a motion, offered by Sen. Dean Johnson (R-Willmar), to reconsider the rules. However, a motion to change the order in which candidates were considered was defeated, and the rules were again adopted. The candidates for the open seat from the 5th Congressional District were first considered, followed by the candidates for the student seat and, finally, candidates for the two at-large seats.

Legislators recommended Jean Keffeler, Minneapolis, for the 5th Congressional District seat; Darrin Roshia, St. Paul, for the student seat; and Mary Page, Olivia, and Alan Page, Minneapolis, for the two at-large seats.

The Senate and House will meet in a joint convention to consider the recommendations Wed., May 3.

### Education committees advance bill

The Education Funding Division of the Education Committee met briefly Mon., May 1, and approved S.F. 1480, the omnibus education funding bill, carried by Division Chair Randolph Peterson (DFL-Wyoming). The full committee, chaired by Sen. James Pehler (DFL-St. Cloud), met immediately afterwards to consider the bill.

Article 1, General Education Revenue, sets the formula allowance for F.Y. 1990 at \$2,800 per actual pupil unit (a 1.6 percent increase) and at \$2,910 (a 3.9 percent increase) for F.Y. 1991 and thereafter. The general education tax capacity rate is the rate that raises \$1.156 billion for F.Y. 1991 and \$1.214 billion for subsequent fiscal years.

In addition, the article provides that a district may hold only two referenda to approve an increase per year: one initiated by a school board and one initiated by petition.

A provision in the bill placing a cap on the amount districts can raise through local referendum levy was deleted by a 11-10 vote on an amendment offered by Sen. Howard Knutson (R-Burnsville).

Senators also approved an amendment to Article 1 altering the sparsity revenue provisions.

An amendment offered by Mehrkens appropriated money to fund deficiencies caused by amounts appropriated in past years. The amendment was defeated.

Another controversial amendment which Senators defeated deletes provisions appropriating money for Education Cooperative Service Units (ECSUs) and increases revenue to districts, allowing them to pay for ECSU services. The amendment was offered by Sen. Randolph Peterson.

Article 2, Pupil Transportation, sets the basic transportation levy target at \$76.3 million (a 5 percent increase) for F.Y. 1991 and at \$80.1 million (a five percent increase) for subsequent years.

The article also authorizes transportation aid for a pupil who is a parent, between the pupil's home and a child care provider and between the provider and school, if the home and the provider are within the school's attendance area. The article also authorizes aid, for the remainder of the school year, for an elementary pupil who moves during a school year but remains within an area designated as a mobility zone.

Article 3, Special Programs, establishes Assurance of Mastery Revenue. The revenue is designed to help students who are not keeping up with classmates without putting them into special education. A pupil is eligible if the pupil has not met designated goals in communications and math. The state provides matching funds for district revenue provided.

The article also reduces the salary reimbursement for special education teachers and for teachers of secondary vocational programs for handicapped children. In addition, the article authorizes grants for Indian people to become teachers.

Article 4, Community Education and Early Childhood Family Education, outlines general community education revenue and allows for additional revenue for districts with a youth development plan and for districts with a youth service program.

The article also provides for a mandatory early childhood screening program for children age 3-kindergarten beginning in 1994. The program is voluntary prior to 1994. The program is designed to detect health and developmental conditions that may impede learning.

An Interagency Adult Learning Advisory Council is also established in the article.

Article 5, Facilities and Equipment, changes the capital expenditure facilities revenue from \$137 per actual pupil unit to \$130 per actual pupil unit and changes the capital expenditure equipment revenue from \$70 per actual pupil unit to \$65 per actual pupil unit. The corresponding levy portions are increased.

Article 6, Education Organization and Cooperation, alters the requirements for interdistrict cooperation to require that districts discontinue at least the 10th, 11th, and 12th grades in all cooperating districts except one. The article outlines provisions for districts to cooperate for at least two years and then combine. In addition, the article provides for districts who wish to combine but maintain separate elementary schools.

Article 7, Access to Excellence, establishes the Office of Educational Leadership. Its purpose is to move the educational system toward one based on learner outcomes. In addition, the article appropriates money for up to 10 research and development sites to implement outcome based education.

Also provided for are minority teacher incentives. Eligible districts may receive reimbursement of one-half of a minority teacher's salary. The article also allows Minneapolis to bond for up to \$7.5 million for capital improvements.

Senators approved an amendment, offered by Olson, to reduce the appropriation for international education grants.

Article 8, Other Educational Programs, requires a breakfast program in districts in which at least 40 percent of lunches served during the 1989-90 school year were free or reduced; or at least 50 percent of the parents surveyed indicate a positive interest in a program. Districts not otherwise required to have a breakfast program must conduct a survey by Sept. 1, 1990. Schools in which fewer than 25 students are expected to participate would not have to offer a program.

The article authorizes an additional levy for integration purposes for the Minneapolis and Duluth School Districts and includes grants for the Minneapolis, St. Paul, and Duluth School Districts for integration.

Article 9, Miscellaneous Provisions, authorizes the school board of the Robbinsdale and Minneapolis School Districts to grant a charter for a school. The article gives authority to the State Board of Education to grant a charter after June 30, 1992, to an applicant whose

application was denied by a school board. The state board may grant a charter to a school for Indian children after Dec. 31, 1989.

Article 10, Libraries, establishes an advisory committee to advise the staff of the Minnesota Library for the Blind and Physically Handicapped on long-range plans and library services. The article also appropriates money for library grants.

Article 11, Education Agency Services, redirects data reporting funding from the Elementary Secondary Vocational (ESV) centers to the member districts and outlines requirements for a district to withdraw from an ESV region. The article also contains appropriations, including appropriations to the Educational Cooperative Service Units (ECSUs). An amendment, offered by Dahl, restores funding to the Metropolitan ECSU, which was prohibited in the bill from receiving any of the aid entitlement for FY. 1990 or FY. 1991. The Dahl amendment was adopted on a 10-9 vote.

Article 12, State Agencies, changes the name of the Minnesota School and Resource Center for the Arts to the Minnesota Center for Arts Education. In addition, the bill appropriates \$12.2 million for the school. The article also includes appropriations for the Faribault academies.

An amendment, offered by Olson, adds a requirement that the Minnesota Center for Arts Education identify at least one school district in each congressional district with the interest and potential to offer magnet arts programs. The amendment was adopted.

Article 13 contains technical changes for school district property taxes. The bill was approved and re-referred to the Committee on Taxes and Tax Laws.

## Education Funding

### Work on funding bill continues

The Education Funding Division of the Education Committee met twice Thurs., Apr. 27, to continue work on the omnibus education bill. The division is chaired by Sen. Randolph Peterson (DFL-Wyoming).

Senators adopted a minor amendment to Article 1, General Education Revenue, clarifying provisions establishing a cap on the amount districts may levy. The provision grandfathered in levies authorized by voters before June 1, 1989, so that they would not be subject to the cap. The article was adopted.

Senators approved a technical amendment to Article 2, Transportation, and adopted the article.

Article 3, Special Programs, was amended to include assurance of mastery revenue. Under the amendment, an eligible district may receive revenue for services to pupils who have not mastered the desired learner outcomes in communications and math after receiving instruction. The state will match local funding. The article was adopted.

Senators also adopted Article 4, Community and Adult Education.

Sen. LeRoy Stumpf (DFL-Plummer), offered an amendment to Article 5, Education Facilities, authorizing the Red Lake School District to permanently transfer up to \$160,000 from the General Fund to the Capital Expenditure Fund to obtain portable classrooms. The amendment was adopted. Sen. Donna Peterson (DFL-Mpls.), offered an amendment for a grant to the Minneapolis School District to remodel a public building for use as a public school. The amendment was approved. The article was adopted.

Article 6, Education Organization and Cooperation, was also amended and adopted. Senators approved an amendment offered by Stumpf to appropriate \$300,000 for grants for telecommunications networks. Senators discussed and rejected an amendment repealing a number of statutes relating to cooperative arrangements between districts and requiring districts to join an intermediate district. The amendment was proposed by Sen. Fritz Knaak (R-White Bear Lake).

Sen. Ember Reichgott (DFL-New Hope) expressed disappointment in Article 7, Access to Excellence, and said that the article does not take a big enough step toward statewide assessment. Senators adopted an amendment to the article deleting an appropriation to

the Dept. of Education to identify learner outcomes to prevent sexual harassment and violence. An additional amendment, offered by Sen. James Pehler (DFL-St. Cloud), raises the amount a resident district must reimburse a provider with whom it contracts for services. The amendment was approved and the article was adopted.

Senators adopted an amendment to Article 8, Other Educational Programs, altering the provisions requiring districts to offer a breakfast program. The amendment, offered by Sen. Gary DeCramer (DFL-Ghent), originally mandated a breakfast program in a district in which at least 50 percent of the parents responding to a survey indicated a positive interest in the program. However, Senators further amended the amendment to mandate a program in a district in which at least 50 percent of the parents surveyed indicate a positive interest in the program, rather than 50 percent of the parents responding. The amendment also changes the required completion date of the survey to Oct. 1, 1990.

Another amendment to Article 8 appropriates money to the West St. Paul School District for the district's debt redemption fund. Sen. Howard Knutson (R-Burnsville), who proposed the amendment, explained that the grant is to help repair recent vandalism damage to Henry Sibley High School. The amendment was approved.

Senators also adopted an amendment offered by Sen. Donna Peterson granting the Minneapolis and Duluth School Districts an additional levy. The levy is for integration purposes, Peterson explained. Also approved was an amendment altering the integration grant appropriations to the Minneapolis, St. Paul, and Duluth School Districts.

Article 9, Miscellaneous Provisions, was amended to allow the State Board of Education to grant a charter for an Indian School after Dec. 31, 1989. Senators also approved an amendment, offered by Sen. Jerome Hughes (DFL-Maplewood), requiring publication of information about the costs of education and sources of revenue for education in Minnesota. The article was adopted.

No amendments were added to Article 10, Libraries.

Article 11, Education Agency Services, was adopted.

Senators adopted a number of amendments to Article 12, State Agencies Appropriations for Education. Sen. Lawrence Pogemiller (DFL-Mpls.), offered an amendment which he said has the effect of holding the complement of the Dept. of Education at its current level. The amendment was adopted.

Also approved were an amendment, offered by Sen. Donna Peterson, appropriating money for the development and distribution of training videos for school bus drivers; an amendment offered by Reichgott requiring the department to develop systems to ensure the accuracy and timeliness of all data that are to become part of the integrated data base; an amendment, offered by Hughes, increasing the department's complement in the institutional approval section by one.

Senators defeated an amendment, offered by Knaak, delaying implementation of the arts high school.

Senators also adopted Article 13, Technical Changes.

## Finance

### Budget allocations discussed

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met Thurs., Apr. 27, to continue discussion of budget allocations. Senators reviewed the governor's budget recommendations for the departments of Administration, Finance, Employee Relations, Revenue, Natural Resources, Trade and Economic Development, the Pollution Control Agency, and the Capitol Area Architecture and Planning Board. Senators also began a review of suggested funding for the recommendations.

In addition, members heard a presentation on the Minnesota Motion Picture and Television Board. Sen. Richard Cohen (DFL-St. Paul) said that with a small staff and budget the board continues to increase the visibility of Minnesota and bring more business into the state. He asked members to consider a funding request made by the

# Committee Capsule

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Dept. of Trade and Economic Development for the board so that the board can continue in its efforts.

Sen. Lawrence Pogemiller (DFL-Mpls.) reviewed funding requests for several statewide housing programs established in a bill he is sponsoring, S.F. 522. Pogemiller said that the funds appropriated under the bill are targeted towards suburban and rural areas and that the programs are oriented towards affordable housing.

Discussion of suggested budget allocations continued at the Fri., Apr. 28, meeting of the division. Sen. Steven Morse (DFL-Dakota) reviewed general fund appropriations as outlined under S.F. 262, known as the 1989 Groundwater Protection Act. Morse, who is the sponsor of S.F. 262, said that his priorities for funding are for the Regional Groundwater Assessment Program, the County Atlas Development Program, and locally based education programs.

Recommendations for budget allocations were presented at a meeting held Sun., Apr. 30.

The division approved language for an omnibus state departments bill Tues., May 2. Members reviewed additional funding allocations before approving the language. Additional funds were allocated for the County Forest Management and Mineral Diversification projects under the Dept. of Natural Resources; for the Cold Weather Resource Center and Community Quality Council Grants under the Dept. of Trade and Economic; and for Public Broadcasting Grant increases and Minnesota Public Radio Equipment Grants under the Dept. of Administration.

Senators reviewed a preliminary draft of the state departments omnibus bill Thurs., May 4.

## Higher ed budgets discussed

The Higher Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), continued discussion of its omnibus bill Fri., Apr. 28, and Mon., May 1.

The division first reduced previous allocations in order to re-direct \$5 million to the Higher Education Coordinating Board (HECB) for scholarships and grants. The division agreed to reduce appropriations for F.Y. 1990 to the HECB for an adjustment to the 16th percentile in scholarships and grants; to reduce a refund to the University; to reduce the appropriation for base adjustment for community colleges by each year of the biennium; to reduce the appropriation to the vocational technical system for F.Y. 1991 for restructuring; and to reduce appropriations to the state university system in the base adjustment for F.Y. 1991 and for the writing lab at Southwest State University.

Additional measures adopted include \$100,000 to Winona State University to lease land on the campus of the College of St. Teresa; \$171,000 to the HECB for outreach nurses education programs; and \$300,000 over the biennium to the HECB for community service programs conducted through four-year higher education institutions. Senators also amended and adopted S.F. 1368, authored by Sen. Gregory Dahl (DFL-Ham Lake), containing mostly technical changes to the statutes regarding vocational technical education.

## Currency exchange bill okayed

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Tues., May 2, and advanced a currency exchange regulation bill. Sen. Allan Spear, sponsor of S.F. 353, said the bill requires currency exchanges to be licensed by the commissioner of the Dept. of Commerce. Under the bill, a fee is charged for the review of the initial application for the license and upon approval of the application an annual fee is required. The bill was amended to include language that clarifies that a person may operate currency exchanges at more than one location with one license. S.F. 353 was sent to the Senate floor.

In other action, the committee approved two bills authored by Sen. Don Frank (DFL-Spring Lake Park). S.F. 775 requires the commissioner of the Dept. of Labor and Industry to contract with a nationally recognized and neutral consultant to make recommendations on recodification and simplification of Minnesota's Workers' Compensa-

tion law. The commissioner is required to make a preliminary report on the project to the Legislature by February 1, 1990. S.F. 957 transfers programs under the Minnesota Agricultural and Economic Development Board to the Dept. of Trade and Economic Development. The bill also provides for a change in the governing structure of the certified development company. Both bills were sent to the Senate floor.

A Dept. of Finance housekeeping bill, authored by Sen. Donald Moe (DFL-St. Paul), was also approved and sent to the Senate floor. Provisions of the bill address depository costs, documents custody, the bond proceeds fund, the Master Lease Program, and the Beginning Farmer Program.

## Health and human services allocations considered

The Finance Division on Health and Human Services met Thurs. Apr. 27 and completed consideration of budget allocations for the Dept. of Human Services. Sen. Don Samuelson (DFL-Brainerd) chairs the division.

Among the social services and mental health allocations discussed, the division approved \$103 million for community social services grants; \$48.5 million for children's services grants; \$7.2 million for child care grants, and a \$2 million transfer to the Higher Education Coordinating Board for child care; \$8.5 million for semi-independent living grants; \$58.7 million for the Consolidated Chemical Dependency Trust Fund; and \$43.8 million for state mental health grants.

The division allocated \$363.6 million for family support programs, including: \$23.4 million for employment and training; \$11 million for child support enforcement; \$132 million for Aid to Families with Dependent Children; \$80 million for General Assistance; \$80.5 million for Minnesota Supplemental Assistance; and \$21 million to continue base level funding for work readiness grants.

For health care programs, the division approved \$1.158 billion. A major part of the health care allocations, \$895.7 million was provided for Medical Assistance.

Division members also discussed regional treatment center (RTC) proposals and changes necessary to implement the federal Nursing Home Act. The division approved allocations totalling \$412 million for RTCs and state nursing homes.

## Several HHS bills reviewed

Fri., Apr. 28, the Finance Division on Health and Human Services met to consider several bills related to the omnibus health and human services appropriations bill. Sen. Don Samuelson (DFL-Brainerd) chairs the division.

Division members reviewed several policy issues associated with the omnibus appropriations bill. In total, 26 bills approved by the Health and Human Services Committee were folded into the division's omnibus budget allocations. Samuelson said that only the portions of the bills dealing with the budget and approved by the policy committee were included in the omnibus bill. In addition, Samuelson explained that the measures received funding only up to the budget allocations approved by the division.

S.F. 946, the Regional Treatment Center bill sponsored by Samuelson, was among the bills folded into the omnibus bill. S.F. 946 defines the state's role in providing services to the mentally retarded, the mentally ill, the chemically dependent and the elderly. Other policy bills included were: S.F. 730, sponsored by Sen. Donna Peterson (DFL-Mpls.), which authorizes \$7 million in supplemental state aid for Head Start; S.F. 637, authored by Sen. Linda Berglin (DFL-Mpls.), a nursing home rates bill; and S.F. 946, a welfare reform bill sponsored by Sen. John Brandl (DFL-Mpls.).

Several other riders were also adopted by the division. One rider authorizes the commissioner of human services to contract-out for child support enforcement. Another rider outlines duties and reporting requirements of the inventory, referral, and intake system (IRIS) coordinating committee.

In other action, the division approved S.F. 748, a child protection bill that appropriates \$86,000 for staff costs. Sponsored by Sen. Allan

Spear (DFL-Mpls.), S.F. 748 establishes child endangerment as a crime and creates a review panel to study child mortality. The bill was advanced to the full committee.

## HHS omnibus bill nears completion

Members of the Finance Division on Health and Human Services met twice on Mon., May 1, to continue discussion of the many bills folded into the health and human services omnibus bill. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

In addition to the 26 bills previously incorporated into the omnibus bill, division members approved S.F. 235 and S.F. 1052. S.F. 235, authored by Sen. Marilyn Lantry (DFL-St. Paul), was amended to authorize only inventory and planning regarding the overconcentration and dispersal of residential programs. S.F. 1052, sponsored by Sen. Linda Berglin (DFL-Mpls.), requires licensing of board and lodging establishments that provide services for the mentally retarded and the mentally ill.

The division also adopted several amendments to the omnibus bill. Among them, Sen. Sam Solon (DFL-Duluth) offered an amendment permitting the commissioner of human services to have greater flexibility regarding sanctions against nursing homes cited with violations. Two amendments, which had been defeated in the policy committee, were offered by Sen. Howard Knutson (DFL-Burnsville). The first of the Knutson amendments authorizes the commissioner of human services to approve swing beds in three additional Minnesota hospitals. The second Knutson amendment permits nursing homes to restrict special services to situations where "economically feasible and practical."

An amendment to provide funding for the Minnesota Employment and Economic Development (MEED) program failed to be adopted by the division. Offered by Sen. Michael Freeman (DFL-Richfield), the amendment cut three percent from several Dept. of Human Services programs to provide \$8.5 million MEED funding.

Division members also discussed S.F. 1233, a Berglin bill that expands the Work Readiness Grant program. S.F. 1233 provides financial incentives for counties to transfer General Assistance recipients into the Work Readiness program. While generally supporting the concept, several Senators expressed concern about the financial implications of the bill. The division agreed to lay S.F. 1233 over pending a new fiscal impact statement.

## Division approves semi-states bill

Members of the Finance Division on Agriculture, Transportation and Semi-States approved a \$2.5 billion omnibus appropriations bill Mon., May 1. Sen. Keith Langseth (DFL-Glyndon) chairs the division.

According to Langseth, the bill contains provisions similar to appropriations for the current biennium. Langseth added, however, that the new bill is a "pared down" version, cutting over \$45 million from the governor's recommendations.

Dept. of Transportation (MnDOT) allocations, totalling \$2.18 billion, dominated the division's final discussions on the appropriations bill. The MnDOT appropriations level represents a \$62 million reduction in the governor's proposals. Among the MnDOT allocations, the division approved \$1.5 billion for highway development; and \$22 million for public transit assistance, including \$6 million for light rail transit. The division also approved \$8.9 million for capital building projects. The capital allocation provides construction funding for the Duluth District Headquarters and the Marshall Maintenance Building, and planning monies for several other projects statewide.

Other allocations made by the division include: \$186 million for the Dept. of Safety, a \$9 million reduction from the governor's budget; \$49.8 million for the Regional Transit Board, which the governor recommended be eliminated; \$22.7 million for the Dept. of Agriculture; \$10.1 million for the Board of Water and Soil Resources; \$20 million for the Dept. of Commerce; \$23 million for the Historical Society; and \$13.3 million for the Dept. of Public Service.

Before granting final approval, division members adopted two riders to the appropriations bill. The first rider simplifies payments to

promote ethanol production by eliminating the Ethanol Development Fund. The change allows the commissioner of revenue to make direct General Fund payments to eligible ethanol producers in the state. The second rider requires that grants for light rail transit service within the seven-county metropolitan area must have the approval of the Regional Transit Board and the Metropolitan Council.

## Highway funding and omnibus bills approved

The Finance Committee met Mon., May 1, and cleared two major bills for consideration by the full Senate: S.F. 852, the highway funding bill, and the omnibus appropriations bill for agriculture, transportation and semi-state agencies. Sen. Gene Merriam (DFL-Coon Rapids) chairs the committee.

Cutting over \$45 million from the governor's budget recommendations, the committee approved \$2.536 billion for transportation, agriculture and other semi-state agencies. Of that funding level, 93 percent is derived from revenue sources other than the General Fund.

The omnibus bill contains \$2.18 billion for transportation programs, a major share of which is \$1.5 billion for highway development. The committee also allocated \$6 million for light rail transit, cutting the governor's recommendation in half.

Committee members also agreed to provide \$49.8 million for the Regional Transit Board (RTB), an agency that the governor had recommended be eliminated. Among the RTB allocations, \$23 million was allocated for Metro Mobility, \$2.5 million over the governor's proposal.

Other major allocations in the omnibus bill include: \$186 million for the Dept. of Public Safety; \$22.7 million for the Dept. of Agriculture; \$10.1 million for the Board of Water and Soil Resources; \$20 million for the Dept. of Commerce; and \$23 million for the Historical Society.

The committee also advanced S.F. 852, the highway funding bill. Sponsored by Sen. Keith Langseth (DFL-Glyndon), S.F. 852 contains two major highway funding provisions. First, by extending from eight to 11 years the average time it takes to reach the \$35 minimum license plate fee for passenger cars, vans and pick-up trucks, the bill generates \$68 million in revenues for highway development for the 1990-91 biennium. After a four-year phase-in period, an expected \$58 million per year would be generated by the fee extension. Second, S.F. 852 earmarks \$16 million from the highway user fund for bridge construction and improvements.

Committee members also discussed in detail provisions of S.F. 852 that reapportion the five percent set-aside of motor vehicle excise tax (MVET) funding. The bill increases the set-aside share for township roads funding by one-half percent, providing an additional \$4 million per year from the state Trunk Highway Fund.

In addition, the committee advanced three other bills to the full Senate. S.F. 139, sponsored by Sen. Allan Spear (DFL-Mpls.), increases the provisional drivers license age limit to 21, in conformity with the state drinking age. The bill also institutes a \$7.50 fee for a 19-year-old to renew the two-year license. The fee represents a proportional share of the regular \$15 four-year renewal fee.

S.F. 232, sponsored by Sen. Ember Reichgott (DFL-New Hope), authorizes a 2-year pilot project for the secretary of state's office to test new services. Under the bill, the secretary of state would institute user fees to cover the costs of new services, such as facsimile copies and credit card payments.

S.F. 736 appropriates \$37,000 for adjusted compensation to veterans, and to compensate state correctional facility inmates for personal injury and property loss claims against the Dept. of Corrections. The bill is sponsored by Sen. Gregory Dahl (DFL-Ham Lake).

## Division finalizes omnibus HHS bill

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met briefly Tues., May 2, to put

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finishing touches on the \$2.68 billion health and human services appropriation bill.

The division made drastic cuts in the governor's initiatives, totalling \$92 million. Samuelson explained, however, that with the exception of the zeroed-out Minnesota Employment and Economic Development (MEED) program, there is no reduction in base level funding for health and human services programs.

In addition to the \$2.256 billion allocated for programs under the Dept. of Human Services, the division approved: \$41.5 million for veterans nursing homes; \$61.7 million for the Dept. of Jobs and Training; \$240 million for the Dept. of Corrections; \$84 million for the Dept. of Health; and \$9 million for health-related boards.

Senators raised some concerns about amendments adopted at the Mon., May 1, evening meeting that significantly changed policies previously approved by the Health and Human Services Committee.

## General Legislation and Public Gaming

### Committee conducts confirmation hearings

The General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul), met Wed., May 3, and recommended approval of eight appointments to the State Arts Board and the Minnesota Racing Commission.

Panel members recommended that the Senate confirm the appointments of James Nardone, Grand Rapids; Leonard Nadasdy, Loretto; and Isabelle Robinson, Golden Valley, to the State Arts Board. The three appointments run from Feb. 1, 1989, to Jan. 4, 1993. The committee also recommended the reappointment of Richard Faricy, St. Paul, for a board term expiring Jan. 1, 1990.

Minnesota Racing Commission appointment recommendations include Thomas Metzner, West St. Paul; Dan Gustafson, Crystal; Ralph Strangis, Mpls.; and Marilyn Rose, Roseville.

The eight nominations were forwarded to the full Senate for final confirmation.

## Taxes and Tax Laws

### Division approves two articles

The Taxes and Tax Laws Division on Sales Tax met Thurs., Apr. 27, and approved the charitable gambling and sales taxes articles that will be incorporated into the Senate's omnibus tax bill. A measure exempting specified planting services from the state's sales tax was laid-over pending further study. The division is chaired by Sen. LeRoy Stumpf (DFL-Plummer).

As amended, Article X provides that the sales tax is extended to the gross sale receipts of gambling devices—including bingo cards, pull-tabs, jar tickets, paddlewheels, and tipboards—along with lottery tickets; expands charitable gambling lawful receipt expenditures to include payment of property taxes on licensed gambling premises wholly owned by the organization, maintenance and repair authorized by the Charitable Gambling Control Board, and erection or acquisition of real property to replace buildings destroyed by fire or natural disaster to the extent that costs exceed insurance reimbursements; eliminates the Charitable Gambling Control Board's tax collection powers and duties; provides that the state is the sole gambling equipment supplier after June 30, 1990; directs the commissioner of revenue to submit a proposal to the Legislature by Jan. 15, 1990, that outlines statutory changes needed to implement the state gambling equipment supplier provision, including a requirement that the state provide an adequate supply of gambling equipment; and provides for a charitable gambling tax refund for pull-tabs and tipboards that are in inventory on July 1, 1989.

Article IX excludes the sales tax from the substantial liability understatement penalty; extends the sales tax to telephone access charges charged by hotels; reduces the current excise tax rate on qualifying capital equipment sales from four to two percent; provides

that sales of cement mixers mounted on truck chassis that are shipped or transported for use outside of Minnesota are taxed at the use tax rate of the destination state; and provides for a 10 percent assessment penalty for the underpayment of additional assessments caused by an individual's negligence or intentional disregard.

Articles IX and X now go to the full Taxes and Tax Laws Committee.

As amended, S.F. 814, sponsored by Sen. Steven Morse (DFL-Dakota), specifies a sales tax exemption for planting services performed under construction contracts that involve the installation of shrubbery, plants, sod, trees, bushes, and similar items. Morse said that because plant service contracts are really contracts for real property improvement, they should receive the sales tax exemption granted to real property improvements.

### Individual income and business tax articles gain

Approval of omnibus tax bill articles relating to individual income and business taxes highlighted the Thurs., Apr. 27, meeting of the Taxes and Tax Laws Division on Income Tax. The division is chaired by Sen. Lawrence Pogemiller (DFL-Mpls.).

Article I raises the state's dependent care credit threshold from \$24,000 to \$27,000; indexes the dependent care credit limit for inflation using the same method employed for indexing tax rate brackets; provides a minimum tax credit similar to the credit already provided under federal rule, thereby preventing double income taxation under minimum and regular income tax provisions; and permits federal law enforcement and corrections employees to qualify for pension exclusion for tax years 1985 and 1986, regardless of the employees' age. Sen. Richard Cohen (DFL-St. Paul) offered, and division members adopted, an amendment limiting the tax liability of divorced spouses filing a joint return to 50 percent of the joint income. Panel members also adopted an amendment relating to state accounting procedures offered by Sen. Donna Peterson (DFL-Mpls.).

Article II reduces the gross premium tax for mutual insurance companies that principally write workers' compensation policies; adds language specifying that ownership of an interest in money market instruments or securities is not a factor in determining whether an owner is subject to specified business taxes; provides an exemption to specified services pertaining to loans or commitments acquired in the secondary market; changes the Alternative Minimum Tax computation rate; imposes the Corporate Income Tax on the unrelated business income of nonprofit corporations; eliminates existing requirements relating to the commissioner of revenue and the factor and federal alternative minimum taxes; changes the factors Alternative Minimum Tax computation rate; modifies the state definitions of participation loans and gross receipts; allows dividend received deductions if stock dividends meets specified requirements; permits unitary groups to file consolidated returns on behalf of their members; requires nonprofit corporations subject to the Unrelated Business Tax to file returns; exempts partnerships from nonresident partner distribution withholding requirements under specified conditions; increases from 90 percent to 100 percent, the minimum required estimated tax payment for corporations; and conforms the tax treatment of companies covered under the occupation tax with the new state Alternative Minimum Tax.

Sen. Douglas Johnson (DFL-Cook) offered, and division members adopted, an amendment providing a refund for taxes collected on long-distance telecommunication service access charges.

Articles I and II are now headed to the Taxes and Tax Laws Committee.

### Division okays property tax articles

The Taxes and Tax Laws Division on Property Taxes and Local Government Aids, chaired by Sen. Steven Novak (DFL-New Brighton), met Fri., Apr. 28, and approved six articles that will be included in the Senate's omnibus tax bill. Novak said that the articles, if enacted, represent \$300 million in combined property tax relief.

Article VIII requires that specified taxing authorities adopt pro-

posed budgets and certify proposed property tax levies by Sept. 1 of each year; requires county auditors to prepare and deliver property tax notices to individual property owners by Nov. 10 of each year; requires taxing authorities to reimburse counties for Truth-in-Taxation notice costs in excess of state reimbursement levels; requires that cities, counties, and school districts hold public hearings between Nov. 15 and Dec. 20 of each year to adopt final budgets and property tax levies; allows the commissioner of revenue to authorize levies above proposed levy amounts to meet unreimbursed tort liability and natural disaster costs; eliminates language requiring proof of Truth-in-Taxation actions and requires county auditors to use the previous year's levy in cases where taxing authorities have not complied; requires the commissioner of revenue to prescribe the property tax statement's form and content; and appropriates \$1.84 million to the commissioner of revenue to reimburse counties for Truth-in-Taxation implementation costs.

Article VII changes the amount of money available to the County Public Assistance Incentive Fund; provides for payment to counties for increased income maintenance costs above 1989 calendar year levels; includes all cities and specified towns in the list of governmental units covered by levy limits; allows a six percent levy increase for social services programs; freezes income maintenance levies at existing levels; defines new special levies for district court and public defender system operations; defines the levy limit base; provides for a levy limit adjustment in counties required to establish new library systems; conforms with current administrative practice to include taconite aids in levy limit base calculations; provides for an appeal process to the commissioner of revenue for specified income maintenance administrative costs; provides that special levies are not to be included in the levy limit base when determining levy limits; and provides that counties need not conduct bond issuance elections in order to construct jails.

Article IV provides for a separate tax class treatment of public utility properties; limits market value increases for homesteads to specified amounts; provides for the agricultural classification and "green acres" treatment of specified nurseries and greenhouses; clarifies the treatment of agricultural homesteads and specified resorts; extends full homestead treatment to mid-year homesteads; establishes new tax capacities; provides for specified substandard housing tax capacity levels; revises the taconite and supplemental homestead credit calculations; makes technical changes in gross and net tax capacity definitions; changes the subtraction factor computation for homestead and agricultural credit aid; creates a new "adjustment factor" to increase homestead and agricultural credit aid; changes the disparity reduction aids computation; increases the Taconite Property Tax Relief Account's distribution; and increases the fiscal disparities levy for taxes payable in 1990.

Article III specifies property tax refund levels and procedures. Article V concerns property tax administrative and technical revisions. Article VI, relating to mill rate conversions, is technical in nature and adjusts statutory tax authorizations to reflect the change from assessed values to net tax capacities. Article XI sets the amount of the Budget Reserve Account at \$550 million, and provides that the commissioner of finance must allocate surplus General Fund revenues to the Budget Reserve Account until the account's balance reaches five percent of net nondedicated General Fund revenues. Article XII clarifies that the payment time of fair market value for severed mineral interests is the time that the forfeiture would have occurred if the mineral interest had been timely filed.

Amendments offered by Sen. Lawrence Pogemiller (DFL-Mpls.), that provide property tax exemptions for specified post-consumer recycling operations and the Minnesota Indian Women's Resource Center, were adopted by division members. By a vote of 5-3, panel members adopted an amendment by Sen. Robert Schmitz (DFL-Jordan), permitting the City of Chanhassen to continue to receive tax increments through 1992 as long as it uses the increments to pay development costs associated with state trunk highway 101 or highway 5 improvements, and to pay the tax increment financing district's administrative expenses.

Articles III, IV, V, VI, VII, VIII, XI, and XII now go to the full Taxes and Tax Laws Committee.

## Committee okays omnibus tax bill

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Mon., May 1, and approved the Senate's omnibus tax bill. The bill provides a total of \$300 million in property tax relief for state citizens next year. Johnson said that without the relief package, property taxes are expected to increase more than 14 percent in 1990. He added that by enacting the proposed legislation, statewide property tax increases should be held to less than the inflation rate, with most of the tax relief targeted for homes, farms, and rental property.

S.F. 473, sponsored by Johnson, underwent numerous revisions by committee members before gaining approval. Sen. Lawrence Pogemiller (DFL-Mpls.) offered, and panel members adopted, amendments clarifying the insurance industry's method of computing taxable net income for Minnesota tax purposes, and providing property tax exemptions for property leased or rented to school districts under specified conditions. An amendment permitting income allocation and apportionment for specified C corporations involved in farming activities, offered by Sen. LeRoy Stumpf (DFL-Plummer), was adopted. Johnson amendments extending the amount of time for border cities to receive tax reduction allocations, and clarifying ad valorem and property tax liability issues for taconite production facilities were also adopted by the committee. Sen. Linda Berglin (DFL-Mpls.) offered, and the panel adopted, an amendment shifting Work Readiness Program costs from the omnibus health and human services bill to the omnibus tax bill for budgetary purposes.

By a vote of 9-15, committee members failed to adopt an amendment by Sen. Duane Benson (IR-Lanesboro), eliminating the charitable gambling tax and the proposed state lottery tax. An amendment that directs assessors to take surrounding environmental factors into account when determining property market values, offered by Sen. Richard Cohen (DFL-St. Paul), failed adoption by a vote of 9-12. Sen. Jim Gustafson (IR-Duluth), offered amendments tripling the corporate Alternative Minimum Tax's "carry-forward" period and reducing the Alternative Minimum Tax rate. Sen. Gary Laidig (IR-Stillwater), offered an amendment providing a property tax exemption for specified seasonal recreational property owners. The Gustafson and Laidig amendments failed to be adopted by committee members.

The omnibus tax bill now goes to the full Senate.

## Education bill approved

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Tues., May 2, and approved the omnibus education funding bill. Committee members also heard a brief presentation on the property tax aspects of the Dept. of Health and Human Services finance bill.

S.F. 1480, sponsored by Sen. Randolph Peterson (DFL-Wyoming), contains numerous tax-related provisions. Peterson said that in terms of the provisions, the bill limits the number of referenda that school districts can conduct to two each year; increases the statewide property tax levy for fiscal year 1991 from \$1.1 billion to \$1.156 billion, and to \$1.213 billion for subsequent fiscal years; sets the basic transportation levy target at \$76.3 million for fiscal year 1991, and at \$80.131 million for subsequent fiscal years; requires the Dept. of Education to adjust school district levies to account for specified changes in special education aid; recodifies community education statutory language; specifies revenue and levy amounts for general community education, youth development plan, youth service, and community education; and specifies the conditions for setting the 1990 community education levy.

The bill also recodifies statutory language addressing the adult basic education levy and sets the levy; allows a district to enter into an installment purchase agreement; authorizes the St. Louis County School District to issue bonds for construction without conducting a

# Committee Capsule

referendum, with debt service on the bonds paid from the Minnesota Economic Protection Trust Fund; provides for referendum and debt service levies for combined districts; authorizes a referendum levy if an elementary school is proposed to be closed; includes education districts and secondary vocational cooperatives' levies in the levy recognition shift; excludes severance levies for secondary cooperative facilities' grants from recognition calculations; establishes a cap for interdistrict cooperation levies; allows a one-year levy of .8 percent of tax capacity for the Minneapolis and Duluth School Districts; authorizes the consolidated Buhl and Mountain Iron School Districts to levy for deficits incurred from July 1, 1985 to June 30, 1989; and provides a sales tax exemption for the Minnesota Center for Arts Education.

Peterson offered, and panel members adopted, amendments that provide for a limit on extra local school property taxes, an additional capital expenditure levy for cooperating districts, capital loans for the Foley and Ogilvie School Districts, and an appropriation for the Maximum Effort School Loan Fund. Committee members adopted an amendment permitting school district consolidations to take effect July 1 of even-numbered years under specified conditions, offered by Sen. Duane Benson (IR-Lanesboro). Johnson offered, and the committee adopted, an amendment that prohibits school districts from conducting levy referendums during legislative sessions.

By a vote of 14-9, the bill was re-referred to the Finance Committee.

In other action, panel members heard a presentation on fifteen health and human services bills likely to impact property tax levies. Sen. Don Samuelson (DFL-Brainerd), in outlining the bills, said that it is difficult to obtain accurate local property tax impact information on health and human services programs because the programs often vary greatly in their operations—and thus their financial needs—from county to county. Johnson urged the Departments of Health and Human Services to develop a procedure for pinpointing local property tax impacts by the next legislative session.

## Bills gain committee approval

The Wed., May 3, Taxes and Tax Laws Committee was devoted to approving six bills relating to solid waste management, Area Development Alliances (ADA's), public transit, special service districts, and economic development authorities.

As amended, S.F. 530, a waste management bill sponsored by Sen. Gene Merriam (DFL-Coon Rapids), includes several tax provisions. The provisions include an increase in the fees cities and towns charge solid waste disposal facility operators, along with the imposition and distribution of fees collected from rural solid waste disposal facility operators.

As amended, S.F. 278, sponsored by Sen. Steven Morse (DFL-Dakota), authorizes the establishment of ADA's, makes state equalization aid available to the ADA's, and provides the ADA's with mill levy authority. In addition, the bill permits the ADA's to exercise regional development commission powers and to establish revolving business loan programs, and allows counties located within an ADA's geographic boundary to establish county economic development authorities.

Both bills were re-referred to the Finance Committee.

As amended, S.F. 54, authored by Sen. Donald Storm (IR-Edina), authorizes the City of Edina to construct and operate a public transit system within the city; and to establish a modified special service district to fund the transit system. The bill also exempts the city and its Housing and Redevelopment Authority (HRA) from the HRA's Southeast Edina Redevelopment Plan Area competitive bid and performance bond requirements.

As amended, S.F. 764, sponsored by Sen. James Pehler (DFL-St. Cloud), modifies the special service district law that applies to the City of St. Paul by increasing the petition and veto requirements that relate to district creation and tax or service charge imposition activities. S.F. 1221, sponsored by Sen. Phyllis McQuaid (IR-St. Louis Park), authorizes the City of Hopkins to establish a special service district.

S.F. 989, sponsored by Sen. Betty Adkins (DFL-St. Michael), enables

the Town of Otsego to establish an economic development authority, with the attendant power to use tax increment financing. Panel members adopted an amendment offered by Johnson that allows the town to issue general obligation bonds and to impose a tax to pay for the bonds only if the action is approved by town officials.

All four measures are now headed to the Senate floor.

## Thursday, April 27

### Senate processes nineteen bills

The second portion of the Thurs., Apr. 27, Senate floor session was devoted to discussing and giving preliminary approval to nineteen bills on the General Orders Calendar. General Order Calendar bills have been reported out of one or more policy committees and may be given preliminary approval by the Senate acting as one large Committee of the Whole. Senators also approved a concurrent resolution pertaining to the permanent joint rules of the Senate and the House.

Nineteen bills were granted preliminary approval. S.F. 786, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), allows county boards to set sheriffs' fees. H.F. 989, sponsored by Sen. Robert Schmitz (DFL-Jordan), provides for the payment to a farm implement retailer by the manufacturer, wholesaler, or distributor who repurchases stock and inventory. H.F. 483, sponsored by Sen. Linda Berglin (DFL-Mpls.), includes controlled substance offenses in the evidentiary provision of a disorderly house crime. S.F. 735, sponsored by Sen. Glen Taylor (IR-Mankato), increases penalties for people convicted of DWI after a previous conviction for criminal vehicular operation. H.F. 774, authored by Sen. Gary DeCramer (DFL-Ghent), changes voting rights in specified cooperative associations.

H.F. 1438, sponsored by Sen. Sam Solon (DFL-Duluth), is a resolution urging the Board of Governors of the Federal Reserve Board to reject amendments to its rules that govern state-chartered banks' permissible activities. H.F. 635, sponsored by Sen. Don Samuelson (DFL-Brainerd), provides credit union members with written notice regarding proposed bylaw amendments, clarifies requirements for credit unions to maintain reserve funds, and allows private insurance of member share and deposit accounts. H.F. 812, sponsored by Sen. James Metzger (DFL-St. Paul), allows insurance policies to contain a rider providing for early benefit payments to recipients of long-term care. S.F. 858, sponsored by Sen. Earl Renneke (IR-LeSueur), authorizes community health boards to establish community-based health promotion teams.

S.F. 490, sponsored by Berglin, requires county community social service plans to address the development of supported employment services. S.F. 840, sponsored by Sen. Pat Piper (DFL-Austin), defines people with related medical conditions to include persons with prader-willi syndrome. S.F. 1139, sponsored by Sen. Jim Vickerman (DFL-Tracy), provides that psychologists licensed by the Psychology Board and competent in marriage and family therapy may present themselves to the public as marriage and family therapists without being licensed by the Marriage and Family Therapy Examiners Board. H.F. 489, authored by Sen. Michael Freeman (DFL-Richfield), regulates fair share fees, unfair labor practices, and arbitration and grievance procedures. H.F. 819, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides for the number of commissioners of the Hennepin County Housing and Redevelopment Authority.

Five bills were amended before gaining preliminary approval. H.F. 955, sponsored by Sen. Allan Spear (DFL-Mpls.), provides standards for determining transaction account service charges, permits state banks to establish subsidiaries under specified conditions, and authorizes the commissioner of commerce to adopt bank and bank subsidiary rules. An author's amendment permitting banks to perform clerical services at off-premises data processing and storage centers was adopted by committee members. As amended, S.F. 809, also authored by Spear, includes emotionally abused children among children in need of protection or services. S.F. 1269, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), prohibits cash awards for video games of chance, and requires notice to the public and to employees

of cash award participation consequences. Committee members adopted an author's amendment that clarifies that the state is not prohibited from entering into a tribal-state compact under the Federal Gaming Regulatory Act's provisions concerning video games of chance.

S.F. 281, sponsored by Sen. Charles Berg (DFL-Chokio), permits the nuisance free, pollution free, aesthetic disposal of solid waste on agricultural land by people engaged in farming. Sen. John Bernhagen (IR-Hutchinson), offered, and committee members adopted, an amendment that clarifies that county boards determine whether there is regularly scheduled solid waste pick-ups. S.F. 1283, sponsored by Sen. William Belanger (IR-Bloomington), permits cities or counties to authorize and regulate "casino nights." An amendment that reinforces existing state law by specifying that "casino nights" are illegal and that provides for a gross misdemeanor penalty for violators, offered by Belanger, was adopted by the committee. Belanger said that his goal was to create a "level playing field" by either allowing "casino nights" or prohibiting them completely.

In other action, members approved, by a vote of 41-17, Senate Concurrent Resolution No. 8 that adopts permanent joint rules for the Senate and the House. Sen. James Pehler (DFL-St. Cloud), offered, and members adopted, an amendment that extends the amount of time for a joint committee to meet and recommend nominees for the University of Minnesota's Board of Regents. The amendment changes the date from April 30 to May 7 of each odd-numbered year. An amendment offered by Sen. Roger Moe (DFL-Erskine), making technical changes in the appropriation and conference committee sections of the resolution, was also adopted.

## Friday, April 28

### Hunter harassment bill approved

Senators spent the Fri., Apr. 28, floor session debating and acting on bills on the General Orders Calendar. Bills on the General Orders Calendar have been reported out of one or more standing committees and may be given preliminary approval by the Senate acting as one large Committee of the Whole.

Two bills in particular generated considerable debate. S.F. 476, authored by Sen. Charles Berg (DFL-Chokio), prohibits the harassment of persons hunting wild animals and sets penalties for harassing hunters and anglers. S.F. 187, authored by Sen. Gene Merriam (DFL-Coon Rapids), sets forth notice provisions for tenants of mobile home parks if the owner of the park decides to sell the park. In addition, the bill provides for a right to purchase the park if a new owner converts the park to other uses or closes the park within two years of purchase. Both bills were given preliminary approval.

In other action, Senators granted preliminary approval to a total of 36 additional bills. S.F. 1191, authored by Sen. William Luther (DFL-Brooklyn Center), allows political subdivisions to participate in risk retention groups as one option when purchasing liability insurance. S.F. 834, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), requires motor vehicle damage disclosures and branding of certificates of title. S.F. 486, authored by Sen. Linda Berglin (DFL-Mpls.), requires the court and social service agencies to make "reasonable efforts" to avoid out-of-home placement of children in need of protection or services proceedings and requires that efforts be made to reunify families. The bill also details circumstances under which police may remove children and specifies that services be ethnically and culturally appropriate. S.F. 783, sponsored by Sen. Sam Solon (DFL-Duluth), provides for a fifth year incentive plan for teachers in the Duluth school district.

S.F. 1258, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), permits the Martin County Board to assign duties to the county recorder. S.F. 1009, authored by Sen. Earl Renneke (IR-LeSueur), provides for the location of offices for the county attorney, court administrator, and sheriff, and for the location of the district court and the county jail in Carver and Scott Counties. H.F. 390, carried by Merriam, requires that recommendations of the Legislative Advisory

Commission be made at a meeting of the commission. S.F. 598, also authored by Merriam, changes provisions relating to the acquisition, disposition, and exchange of state lands.

S.F. 583, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), regulates the manufacture of cultured dairy food and requires pasteurization in making Minnesota farmstead cheese or cultured dairy food. S.F. 1042, sponsored by Sen. Jim Vickerman (DFL-Tracy), requires the state to use soy-based ink when economically feasible in state printing operations. S.F. 49, also sponsored by Vickerman, authorizes the grazing or haying of land under conservation easements with the approval of the governor. S.F. 572, authored by Sen. Jim Ramstad (IR-Minnetonka), increases the penalty for falsely reporting child abuse to influence a child custody hearing to a gross misdemeanor.

S.F. 847, authored by Sen. Don Samuelson (DFL-Brainerd), deregulates persons who provide transportation services under contract to and with assistance from the Dept. of Transportation. S.F. 180, sponsored by Beckman, establishes a procedure for contesting the registration of a corporation, limited partnership, or assumed name, or a trade or service mark with the secretary of state. H.F. 1061, sponsored by Sen. Dennis Frederickson (IR-New Ulm), authorizes the conveyance of surplus state land to the Leo A. Hoffmann Center, Inc. S.F. 1070, authored by Sen. Randolph Peterson (DFL-Wyoming), authorizes the sale of tax-forfeited land that borders public water in Chisago County.

H.F. 1077, sponsored by Sen. Dennis Frederickson, authorizes conveyance of state land to the city of St. Peter. S.F. 1083, authored by Sen. John Brandl (DFL-Mpls.), provides an exemption process from the power plant siting requirements for small generating plants. H.F. 804, carried by Sen. Randolph Peterson, permits Chisago County to cancel certain ditch assessments and provides for the allocation of other ditch assessments. S.F. 459, sponsored by Sen. Betty Adkins (DFL-St. Michael), grants water and sewer powers to towns.

H.F. 65, carried by Sen. Gregory Dahl (DFL-Ham Lake), authorizes local jurisdictions involved in economic development to participate in secondary markets. H.F. 956, sponsored by Sen. Donna Peterson (DFL-Mpls.), clarifies the calculation of underinsured motorists benefits. The measure was amended by Sen. Fritz Knaak (IR-White Bear Lake) to enhance the penalty for failure to have insurance to a gross misdemeanor. S.F. 1027, authored by Sen. John Marty (DFL-Roseville), makes provisions for manufactured home park security deposits. H.F. 1351, sponsored by Sen. James Metzner (DFL-So. St. Paul), permits the Dakota and Washington County Housing and Redevelopment Authorities to waive performance bonds for single family housing construction.

S.F. 1401, authored by Berglin, changes the requirements for loans to Indians for economic development purposes. S.F. 922, authored by Sen. Gen Olson (IR-Mound), limits the number of school district levy referendums and alters the petition procedures. S.F. 1031, sponsored by Lantry, establishes notice requirements for emergency medical services personnel who are first responders and provides safeguards for first responders against exposure to infectious diseases. S.F. 590, authored by Sen. A. W. "Bill" Diessner (DFL-Afton), requires corrections officials to consider the fact that a veteran inmate suffers from Posttraumatic Stress Disorder in the preparation of the inmate's corrections plan.

H.F. 1517, sponsored by Sen. Phyllis McQuaid (IR-St. Louis Park), authorizes the city of St. Louis Park to change the name of the housing and redevelopment authority. S.F. 243, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), regulates access to data by workers' compensation insurers and self-insured employers in order to identify duplicate billings and specifies methods for requesting medical data in workers' compensation cases. H.F. 100, sponsored by Sen. Pat Piper (DFL-Austin), regulates state government part-time employee and employment policies. H.F. 1530, carried by Sen. Robert Schmitz (DFL-Jordan), regulates business relations between manufacturers of heavy and utility equipment and independent retail dealers of those products.

H.F. 826, carried by Merriam, provides access to private and confidential data related to delinquent acts for law enforcement purposes.

# Floor Action

H.F. 502, sponsored by Sen. Gary Laidig (IR-Stillwater), authorizes the private conveyance of tax-forfeited land bordering public water in Washington County. H.F. 527, sponsored by Beckman, requires collection facilities for recycling containers in state parks. H.F. 76, sponsored by Merriam, prohibits the detention of juveniles in jails or lockups for longer than 24 hours before a detention hearing is held and provides that after Aug. 1, 1991, the maximum detention period for juveniles confined in adult jails is 6 hours in the Metropolitan Area and 24 hours in other parts of the state, unless a petition has been filed, a judge has recommended detention and a motion to refer for adult prosecution has been filed.

Senators also granted concurrence and repassage to S.F. 701. The bill, sponsored by Sen. Michael Freeman (DFL-Richfield), exempts well baby and prenatal care from the deductible under the Children's Health Plan. In addition, the Senate adopted the other body's changes in Concurrent Resolution 8, the Joint Rules of the Senate and House of Representatives, and approved the resolution.

## Monday, May 1

### Final passage granted

The first portion of the Mon., May 1, floor session was devoted to the consideration of bills on the Senate Calendar. Bills on the Calendar have been acted upon favorably by the Senate acting as a Committee of the Whole and are on the Calendar to be given final passage. Bills on the Calendar cannot be amended without unanimous consent of the members.

Bills that had been given preliminary approval on the General Orders Calendar Thurs., Apr. 27, and Fri., Apr. 28, were on the Calendar for final passage at the Monday session. A total of 71 bills were considered and all but three measures were granted final passage. The first of the three, S.F. 735, authored by Sen. Glen Taylor (IR-Mankato), increasing penalties for persons convicted of DWI after a previous conviction for criminal vehicular operation, was out for comparison with the companion House File.

Two bills, however, failed to get the necessary 34 votes for final passage. S.F. 1283, sponsored by Sen. William Belanger (IR-Bloomington), clarifying that casino nights are prohibited, failed on a 20-46 vote. S.F. 187, authored by Sen. Gene Merriam (DFL-Coon Rapids), providing mobile home park tenants with notice and right to purchase for conversion or closing of a park, was defeated on a 32-32 vote.

All of the other bills (described under the headlines for Thurs., Apr. 27, and Fri., Apr. 28) were given final passage.

Senators then began consideration of bills on the General Orders Calendar. An additional 23 bills were given preliminary approval. H.F. 1492, sponsored by Sen. James Metzen (DFL-So. St. Paul), allows the use of handicapped windshield stickers as well as handicapped license plates to be used for reduced entrance fees for state parks. H.F. 472, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), increases the maximum length of semi-trailers to 53 feet when attached to a conventional truck, defines mobile cranes and requires a study to determine highway cost allocation among users. H.F. 1440, carried by Sen. Linda Berglin (DFL-Mpls.), requires political subdivisions to request proposals for group insurance coverage. S.F. 1498, authored by Sen. Patrick McGowan (IR-Maple Grove), allows local units of governments to permit interim use permits and clarifies the scope of specific statutes.

S.F. 1394, authored by Sen. Duane Benson (IR-Lanesboro), provides for approval of conveyance instruments by the county zoning administrator. H.F. 426, sponsored by Taylor, authorizes the location of polling places more than 3,000 feet outside precinct boundaries in Mankato. H.F. 832, sponsored by Sen. Jerome Hughes (DFL-Maplewood), authorizes the use of specific property in Ramsey County for public purposes. H.F. 943, carried by Sen. Jim Vickerman (DFL-Tracy), requires postsecondary students to submit a statement of immunization.

H.F. 931, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), requires

owners, rather than the secured party, to retain motor vehicle certificates of title, requires a buyer to deliver the certificate of title to the Dept. of Public Safety, and provides for compliance with federal regulations regarding truth in mileage. H.F. 529, sponsored by Sen. David Frederickson (DFL-Murdock), allows counties, cities and towns to contribute to private non-profit hospitals. H.F. 1115, carried by Sen. Patricia Pariseau (IR-Farmington), permits Dakota County to pay costs of a morgue and allow the county to employ juvenile offenders without benefits. H.F. 942, carried by Sen. Gregory Dahl (DFL-Ham Lake), extends the responsibility of the mosquito control district to the control of disease-carrying ticks.

H.F. 827, sponsored by Sen. John Bernhagen (IR-Hutchinson), authorizes the taking of muskrats that are causing damage; disallows the refund of angling licenses paid by senior citizens; provides for the taking of wild animals in areas designated by the DNR; allows a person to enter nonposted agricultural land on foot to take fox; provides for small game party hunting; provides for restitution of wild animals; changes the beginning of the open season for walleye on the Rainy River to May 15; prohibits hunter and angler harassment and provides for the taking of turtles.

S.F. 1196, authored by Lantry, prohibits the use of blanket waivers of liability by continuing care facilities and nursing homes; requires nursing home admission agreements to be available to the public and clarifies that the agreements are consumer contracts; prohibits nursing homes from requiring third party guarantors and prohibits the use of blanket consents for treatment. The measure was amended to include the contents of S.F. 1453, sponsored by Berglin, that requires a facility fee payment for outpatient and emergency room services provided by a hospital.

S.F. 1378, sponsored by Sen. Charles Berg (DFL-Chokio), regulates the use of veterinary prescription drugs, provides procedures for veterinary drug prescription and extra-label use, and provides for enforcement. H.F. 371, sponsored by Sen. John Marty (DFL-Roseville), authorizes the commissioner of corrections to take photographs of juveniles for management and law-enforcement purposes and specifies that parents are liable for theft by minors. H.F. 1107, also carried by Marty, authorizes emergency proceedings by tenants for loss of essential services. H.F. 1411, sponsored by Sen. Gary DeCramer (DFL-Ghent), recodifies and clarifies provisions in the statutes on cooperative businesses.

H.F. 438, sponsored by Sen. Dennis Frederickson (IR-New Ulm), specifies the income standard for proceeding in forma pauperis. H.F. 300, carried by Sen. Pat Piper (DFL-Austin), clarifies the Employee Right-to-Know Act of 1984; provides a penalty for firing an individual in retaliation; and provides a grace period for training employees who might be exposed to infectious agents. H.F. 22, sponsored by Sen. Ember Reichgott (DFL-New Hope), prohibits unauthorized access to computers and imposes penalties ranging from misdemeanor to felony depending on the level of risk brought about by the unauthorized access. H.F. 218, sponsored by Lantry, provides that station wagons and one ton passenger vans are defined as passenger automobiles. H.F. 1311, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), specifies that it is a policy of the state to prohibit harassment based on race or disability and to require discipline for employees who engage in harassment.

Senators also approved one bill on the Senate Consent Calendar. H.F. 1626, sponsored by Sen. Randolph Peterson (DFL-Wyoming), provides for conveying an easement for a sanitary sewer to the city of Cambridge. One conference committee report was also adopted and the bill repassed. S.F. 227, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), provides for the determination of brain death.

## Tuesday, May 2

### Variety of bills advance

Senators continued to make headway on the General Orders Calendar at the Tues., May 2, floor session. In addition, the members granted final passage to all but one of the measures approved the day

before (see Mon., May 1). The one measure that was not considered for final passage, S.F. 1196, authored by Sen. Marilyn Lantry (DFL-St. Paul), prohibiting the use of blanket waivers of liability by continuing care facilities and nursing homes, was out for comparison with the House companion bill.

Following are the bills granted preliminary approval. H.F. 242, sponsored by Sen. Don Frank (DFL-Spring Lake Park), provides the strength, width, clearance and safety standards for bridges. S.F. 468, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), clarifies the responsibility for collection of the cost of care at state-operated, community-based programs for persons with mental retardation and related conditions and clarifies the intention to allow the commissioner of human services to continue to collect for cost of care of persons treated for chemical dependency at state facilities. H.F. 647, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), prohibits the intentional distribution of destructive computer programs or "viruses" and sets penalties. H.F. 1069, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides that a purchaser's right to cancel applies to condominiums created before Aug. 1, 1980 and provides that a lien on real estate added in expansion of flexible condominiums does not affect existing condominiums.

H.F. 101, carried by Dahl, specifies that the student member of the Board of Regents must be a student at the time of election. H.F. 770, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), directs the conveyance of a specific tract of state land in Beltrami County. H.F. 1267, sponsored by Frank, permits the appointment of the auditor, recorder, and treasurer in Anoka County and authorizes the reorganization of county offices. S.F. 808, authored by Sen. Richard Cohen (DFL-St. Paul), authorizes the elimination or limitation of a credit union director's liability.

H.F. 1027, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), authorizes the donation of accrued vacation time by state employees to pay the unreimbursed medical costs incurred by other state employees. S.F. 661, authored by Chmielewski, authorizes the sale of tax-forfeited land that borders public water in Aitkin County. S.F. 1271, authored by Stumpf, is a resolution memorializing the President and Congress to address problems in the solid waste stream caused by the amount and types of materials used to package consumer products. H.F. 655, sponsored by Frank, authorizes the sale of tax-forfeited lands that border public waters in Anoka County.

S.F. 933, authored by Chmielewski, provides for the board membership of the Moose Lake and Windemere Sanitary Sewer District. H.F. 1104, sponsored by Sen. John Marty (DFL-Roseville), increases the size of the Ramsey County Personnel Board; provides that the personnel director may make a written request to an employee to produce relevant documents or to a person to appear for the purpose of relevant testimony; provides that an employee may make a written request for the production of relevant documents or for a person to give relevant testimony; and provides for application to the district court upon failure to produce relevant documents or give relevant testimony. H.F. 930, also sponsored by Marty, removes the authority to offer a bounty on rattlesnakes. H.F. 1389, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), permits Goodhue County to establish payment procedures.

H.F. 1151, sponsored by Sen. Gary Laidig (IR-Stillwater), changes the procedure for notice to creditors for probate purposes. H.F. 1282, sponsored by Reichgott, clarifies and simplifies mechanics' lien contractors and subcontractors notice requirements. H.F. 1339, carried by Dahl, clarifies that service on a county agricultural society board does not constitute holding public office. H.F. 1506, sponsored by Sen. Sam Solon (DFL-Duluth), regulates time share rentals, membership camping practices and subdivided land shares.

H.F. 1323, also carried by Solon, makes numerous changes to provisions relating to financial institutions. S.F. 997, authored by Sen. Steven Novak (DFL-New Brighton), authorizes the Pollution Control Agency to assist persons in reviewing real property for petroleum tank releases and to be paid for the assistance; authorizes expenditures from the Petroleum Tank Release Compensation Fund; changes the terms for reimbursement; and requires notification by owners of

above ground tanks. S.F. 929, sponsored Dahl, establishes the Minnesota Conservation Corps and sets forth the powers and duties of the commissioner of natural resources. H.F. 719, sponsored by Sen. Cal Larson (IR-Fergus Falls), authorizes certain local jurisdictions to contribute to local or regional economic development organizations.

H.F. 1131, sponsored by Sen. Nancy Brataas (IR-Rochester), authorizes Olmsted County to make appropriations for economic and agricultural development. S.F. 1332, authored by Stumpf, increases the value from \$400 to \$500 for livestock that must be destroyed. S.F. 1074, sponsored by Sen. Jerome Hughes (DFL-Maplewood), makes various changes in laws applicable to school district elections. S.F. 698, authored by Sen. Howard Knutson (IR-Burnsville), defines physically handicapped persons for purposes of obtaining special license plates.

H.F. 1540, sponsored by Sen. Jim Ramstad (IR-Minnetonka), regulates storm sewer improvements in Plymouth and Golden Valley. H.F. 1405, carried by Solon, requires notice and hearing before liquor license fees are increased. S.F. 253, authored by Sen. James Pehler (DFL-St. Cloud), authorizes the use of community education funds to acquire equipment to be used exclusively in community education. S.F. 1174, authored by Sen. Duane Benson (IR-Lanesboro), sets forth conditions for acceptance of transfers from the federal government.

S.F. 956, authored by Stumpf, requires a county that enters a contract with the state for the siting and development of a hazardous waste stabilization and containment facility to hold a binding referendum on implementation of the contract. S.F. 339, authored by Solon, places anabolic steroids on Schedule IV of the list of controlled substances and specifies penalties of possession and sale. S.F. 1020, authored by Pehler, authorizes and establishes procedures for the sale of all or part of the Minnesota Educational Computing Corporation. S.F. 1417, sponsored by Novak, contains several land transfer bills including authorizing the exchange of land in Benton County; authorizing the sale of trust fund land in Itasca, St. Louis, and Cook Counties; authorizing the sale of surplus land for recreational purposes in the cities of Faribault, Warroad, and Ortonville, and Anoka County; authorizing the sale of a gifted city lot in Brainerd; authorizing the private sale of land in Goodhue and Otter Tail Counties to resolve an inadvertent trespass; authorizing the conveyance of interest in land in Goodhue County to correct a survey error; and authorizing the transfer of land in Carlton County from the Dept. of Transportation to the Dept. of Natural Resources.

H.F. 1352, also carried by Novak, authorizes the city of Blaine to issue one additional on-sale license. H.F. 1048, sponsored by Frank, requires that 51 percent of the members of the board of directors of centers for independent living are persons with disabilities and changes the membership of the Minnesota Council for the Blind. H.F. 1416, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), authorizes the private conveyance of tax-forfeited land in Benton County. H.F. 169, sponsored by Sen. Douglas Johnson (DFL-Cook), authorizes elderly residents to take fish by spearing without a license.

H.F. 1459, sponsored by Solon, permits the training of guide dogs in public places. H.F. 831, carried by Sen. Jim Vickerman (DFL-Tracy), sets the opening day for walleye at the Saturday that falls two weeks before the Memorial Day Holiday. H.F. 765, sponsored by Solon, authorizes the Western Lake Superior Sanitary District to issue refunding obligations without redemption of outstanding obligations prior to maturity. H.F. 1357, sponsored by Novak, changes the time limit for certain claims for liquor tax refunds.

H.F. 243, carried by Sen. John Brandl (DFL-Mpls.), recodifies Dept. of Revenue information and disclosure provisions to increase uniformity of treatment and comply with the Data Privacy Act. S.F. 1418, authored by Chmielewski, requires the Metropolitan Council to prepare water use and supply plans. H.F. 1498, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), requires the Metropolitan Airports Commission and the Minneapolis and St. Paul bus terminals to provide telecommunications devices for communication-impaired people.

# Floor Action

Wednesday, May 3

## Final passage granted

In addition to giving final passage to the omnibus tax bill and the transportation, agriculture and semi-states bill Wed., May 3, members of the Senate also granted final passage to all but one of the bills given preliminary approval Tues., May 2. H.F. 169, sponsored by Sen. Douglas Johnson (DFL-Cook), authorizing elderly residents to take fish by spearing without a license was defeated on vote of 30-37.

A bill, S.F. 1196/H.F. 1423, authored by Sen. Marilyn Lantry (DFL-St. Paul), that had been given preliminary approval Mon., May 1, was moved back to the General Orders Calendar. The bill prohibits the use of blanket waivers of liability by continuing care facilities and nursing homes.

Finally, the Senate granted concurrence and repassage to S.F. 695. The measure, authored by Sen. James Pehler (DFL-St. Cloud), requires school boards to report teacher discharges and resignations to the entity that has licensing authority over the teacher when charges have been filed against the teacher.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, May 8

**Judiciary Committee**, Chair: Allan Spear

9 a.m. Room 15 Capitol

**Agenda:** S.F. 1573-Luther: Corporate takeovers, regulates divesting transactions, golden parachutes, etc. H.F. 1665/S.F. 1560-Solon: Liens on public improvements to corporate property.

#### **Tax Conference Committee**

Room 15 Capitol

**Agenda:** A conference committee meeting on the omnibus tax bill is tentatively scheduled.

\*The Senate will be in session at 11 a.m.

### Tuesday, May 9

The Senate will be in session

#### **Conference committee**

Conference committees will be meeting throughout the day on a variety of bills. Call 296-8088 or 296-0504 for more information.

### Wednesday, May 10

The Senate will be in session

#### **Conference committee**

Conference committees will be meeting throughout the day on a variety of bills. Call 296-8088 or 296-0504 for more information.

\*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.

### Thursday, May 11

The Senate will be in session

#### **Conference committee**

Conference committees will be meeting throughout the day on a variety of bills. Call 296-8088 or 296-0504 for more information.

### Friday, May 12

The Senate will be in session

#### **Conference committee**

Conference committees will be meeting throughout the day on a variety of bills. Call 296-8088 or 296-0504 for more information.

For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.

## Service for hearing-impaired available

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

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# Briefly

## The Minnesota Senate Week in Review

May 12, 1989

### Major bills go to conference

Legislators began the final countdown to the end of the session this week with each body completing work on their own versions of the major spending and tax bills. Final versions of the education funding bill, higher education bill, state departments bill, health and human services bill, semi-states bill and the omnibus tax bill will be hammered out in conference committees. Meanwhile, numerous other important measures are making their way through the legislative process.

Major environmental measures, the lottery, and the crime package are awaiting final action. Differences between House and Senate versions of the various bills are either worked out in conference committees made up of three or five members from each body or one body will accept the changes the other body makes in a particular bill. This process, known as concurrence and repassage, means that the Senate will accept changes made by the House in a Senate File or that the House will accept changes made by the Senate in a House File. Bills that have gone to a conference committee return to the Senate in the form of a conference committee report which must be either accepted or rejected before the Senate votes on the bill for the final time. In either case, the entire Senate must again vote on a measure for final passage.

During the remaining days of the session, Senators will continue to work on bills on the General Orders Calendar, the Senate Calendar and the Special Orders Calendar. In addition, the members will consider bills in the form of conference committee reports and bills that have been recommended for concurrence and repassage by the chief author.

### Higher ed bill approved

The Senate unanimously granted final approval to S.F. 1625, the \$1.96 billion omnibus higher education funding bill, Thurs., May 4. The bill is carried by Sen. Gene Waldorf (DFL-St. Paul).

The bill allocates \$901 million to the University of Minnesota, \$189 million for the Community College System, \$347 million for the State University System, and \$338 million for the Technical Institute System. In addition, the bill appropriates money to the Higher Education Coordinating Board (HECB) and the Mayo Medical Foundation.

### Omnibus health and human services bill passed

Members of the Senate took action on the omnibus health and human services funding bill Tues., May 9, and granted final passage on a 56-8 vote. H.F. 1759 provides \$2.6 billion for human services over the next biennium, explained Finance Health and Human Services Division Chair Don Samuelson (DFL-Brainerd). The bill provides an additional \$7 million for the Head Start Program, increases funding for day care, expands the Children's Health Plan, provides for an increase in prison capacity and provides for a children's mental health plan, Samuelson said. In addition, the bill authorizes the creation of state operated community based facilities (SOCs), provides for the downsizing of regional treatment centers (RTCs) over a period of several years and provides for more involvement on the part of family members of RTC clients. Over one-half of the measure provides

funding for Medical Assistance and General Assistance Medical Care, Samuelson said.

Most of the debate on the bill centered on a series of amendments addressing various provisions of the bill. Sen. Duane Benson (IR-Lanesboro) successfully amended the Work Readiness portion of the bill to require that the amount of the Work Readiness Grant for residents new to Minnesota would be limited for the first six months to the amount they would have received in their last state of residence. The amendment was adopted on a 45-19 roll call vote. An amendment offered by Samuelson providing that if the Benson amendments is found unconstitutional the department does not have to implement the restriction was narrowly adopted on a vote of 35-32. Two additional minor amendments were also adopted. Sen. Pat Piper (DFL-Austin) offered an amendment to allow senior citizens centers to hold bake sales without being licensed and Sen. Bob Decker (IR-Bemidji) offered an amendment to allow the Lakeside Center which is a part of the Aw-Gwah-Ching facility, to continue operations.

Several amendments were rejected ranging from deleting provisions relating to the veterans home at Silver Bay to adding funds for the sliding fee day care program. Samuelson, in arguing against the amendments that were defeated said that all of the programs had a great deal of merit but that because of the limited resources available hard choices had to be made.

### More money put into education bill

Senators approved an amendment to H.F. 654, the omnibus education funding bill, that gives education an additional \$51 million, mostly to the basic formula allowance, before approving the bill, Tues., May 9. The \$3.47 billion bill is carried by Sen. Randolph Peterson (DFL-Wyoming).

The amendment, offered by Sen. Roger Moe (DFL-Erskine), supplies most of the additional revenue through taxing charitable gambling. The largest portion of the \$51 million would go to increase the formula allowance set in the bill from \$2,800 to \$2,824 for FY. 1990 and from \$2,910 to \$2,937 in subsequent years. In addition, the amendment funds an \$11.5 million deficiency in special education funding from FY. 1988.

Senators also adopted an amendment proposed by Sen. Steven Morse (DFL-Dakota), which lowers a district's formula allowance by \$24 for FY. 1990 if the school board and the bargaining unit of the teachers have not ratified a teacher contract by Jan. 15, 1990. Contracts expire on June 30.

Senators discussed and rejected many amendments focusing on various controversial aspects of the bill, including an amendment deleting a cap on the amount districts may raise through local levy referendum; an amendment which made the cap apply only for taxes payable in 1990 and 1991; an amendment deleting the arts school; an amendment allowing the Minneapolis, St. Paul, and Duluth School Districts to levy up to the cap without a referendum; and an amendment removing desegregation grants for the Minneapolis, St. Paul, and Duluth School Districts and allowing the districts to levy to replace the money.

Senators also adopted an amendment, offered by Sen. James Metzner (DFL-So. St. Paul), regarding exceptional need revenue, and other minor and technical amendments. The bill was approved on a 47-18 vote.

# Committee Capsule

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## Finance

### Health and human services bill discussed

Senators continued discussion of the \$2.68 billion omnibus health and human services appropriations bill at the Thurs., May 4, and Fri., May 5, meetings of the Finance Committee. The committee is chaired by Sen. Gene Merriam (DFL-Coon Rapids).

Following a discussion of the work of policy committees as opposed to the work of finance committees, Sen. Marilyn Lantry (DFL-St. Paul), offered an amendment to delete provisions of the bill dealing with zoning and over-concentration of residential facilities. The amendment was adopted.

Senators also approved an amendment to a provision transferring the burden of proof to the alleged father in a paternity case in which the results of a blood test indicate that the likelihood of the alleged father's paternity is 99 percent or greater. The amendment alters the burden from the "clear and convincing" standard to one of "a preponderance of the evidence." The amendment was offered by Sen. Bob Lessard (DFL-Int'l. Falls).

Also adopted was an amendment clarifying that inflationary increases included in the nursing home portions of the bill are based on an assumption that wages will be increased by the amount of inflation.

The Friday hearing was dominated by a discussion of an amendment, offered by Lantry, deleting a section of the bill and substituting a section allowing the commissioner to waive restrictions that specify that the licenses of all nursing homes owned by the same person or company be revoked if there are more than four life-threatening violations in a two year period in a single home if the controlling persons met specific criteria. Current law specifies that the licenses of all nursing homes owned by the same controlling persons be revoked or suspended. The amendment was adopted.

Committee members also discussed the amendment clarifying the inflationary increases in the bill and an amendment clarifying the exemption from licensure for before and after school day care programs held on school premises.

The bill was recommended for introduction as the committee report for the omnibus health, human services and corrections omnibus bill.

### Division okays state depts. bill

Members of the Finance Division on State Departments met in the evening Fri., May 5, and endorsed the measure that provides funding for most state agencies. The division, chaired by Sen. Carl Kroening (DFL-Mpls.), advanced the \$866 million measure after several hours of discussion. The bill provides appropriations for the constitutional officers, the Legislature, the judicial branch, as well as for state agencies.

Most of the debate centered on provisions relating to the Workers' Compensation Court of Appeals; the Minneapolis Employees Retirement Fund; the appropriation to the Dept. of Employee Relations to be used as a salary supplement once employee bargaining is complete; and an appropriation to cover the deficit incurred by the Midsummer Music Festival in 1988. Division members deleted the \$300,000 appropriation to the music festival and defeated amendments eliminating the appropriation for the Minneapolis Employee Retirement Fund. In addition, division members failed to adopt an amendment cutting the appropriation for the salary supplement. An amendment clarifying the reduction in the approved complement of the Office of Administrative Hearings by four workers' compensation judges and two support staff was adopted. The measure was advanced to the full committee.

### Omnibus crime bill clears division

Several anti-crime bills were rolled into S.F. 3 and approved by the Finance Division on Health and Human Services Fri., May 5. The omnibus bill establishes stronger penalties for a variety of crimes, including murder, drug and criminal sexual assault

offenses, and crimes committed by habitual offenders. S.F. 3 also appropriates \$28 million for several initiatives, including funds to convert three Faribault Regional Treatment Center buildings into correctional facilities, and funds for drug and sex offender treatment and prevention programs. Sen. Don Samuelson (DFL-Brainerd) chairs the division.

Bills incorporated into the omnibus anti-crime package are: S.F. 3, sponsored by Sen. William Luther (DFL-Brooklyn Park), strengthening drug penalties; S.F. 314, by Sen. Donna Peterson (DFL-Mpls.), a sentencing bill that increases sentences for a variety of crimes; S.F. 320, by Sen. Allan Spear (DFL-Mpls.), increasing penalties, establishing treatment programs and strengthening enforcement related to criminal sexual assault offenses; S.F. 643, by Sen. Roger Moe (DFL-Erskine), providing reimbursement for soft body armor for local peace officers; and S.F. 864, by Sen. Linda Berglin (DFL-Mpls.), providing a grant to develop programs for sexual assault victims.

Division members earmarked the bulk of the anti-crime bill funding, \$21.4 million, to establish correctional facilities at the Faribault Regional Treatment Center. The division agreed to provide the funding to convert three buildings into facilities for 210 inmates. The financing proposal includes \$14.3 million for two-year operational costs, \$3.6 million for start-up costs and a targeted contingency fund of \$3 million.

Other proposals authorizing up to 410 correctional beds at Faribault were considered, but the Senators settled on the 210-bed plan, agreeing to evaluate the need for more facilities and the progress of the Faribault project next year. Dept. of Corrections Commissioner Orville Pung said that because the rising inmate population requires immediate attention, the department intends to open the Faribault facilities at the earliest possible date. Under the plan, one empty building could be converted quickly to house 100 inmates, while two other buildings could be ready for occupancy by Jan. 1, 1990.

Major appropriations related to S.F. 320, the criminal sex assault provisions of the bill include: \$1 million to establish a DNA lab to collect and analyze DNA evidence profiles and develop a profile bank; \$1 million to provide sex offender treatment programs for adults in facilities and for aftercare upon conditional or supervised release; and \$1.5 million to establish pilot projects for juvenile and community-based adult sex offender treatment programs.

Anti-drug appropriations of S.F. 3 include: \$300,000 for county pilot programs for probationary drug testing; \$200,000 for the Drug Abuse Resistance Education (DARE) program, aimed at school children; and \$900,000 was provided for treatment for addicted mothers and infants.

The division approved \$300,000 for soft body armor for peace officers. In addition, S.F. 3 provides \$150,000 in grants to establish programs for victims of sexual assault, and \$125,000 for a crime victimization study.

### State departments bill okayed

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Sat., May 6, and approved the state departments omnibus bill. The bill was sent to the Senate floor. Under the bill, appropriations are made for the general legislative, judicial, and administrative expenses of state government. The total appropriations outlined in the bill is approximately \$866 million of which approximately \$41 million is for new spending.

Before approving the state departments bill, amendments were offered and approved by committee members. Under the Dept. of Natural Resources (DNR) appropriations for grants to the U of M for pulp and paper science research are divided between the first and second years of the biennium. An amendment offered by Sen. Gene Waldorf (DFL-St. Paul) requires the DNR to make a budget request for a grant to the U of M and not directly by the U of M. In addition, Waldorf offered a similar amendment requiring the Minnesota Future Resources Commission to make any budget request for grants to the U of M.

Sen. William Luther (DFL-Brooklyn Park) offered an amendment that allows the Court of Appeals to issue a statement of a decision without a written opinion. Written opinions are not required "except as law of the case, res judicata, or collateral estoppel." The panel adopted the amendment.

An amendment offered by Sen. Sam Solon (DFL-Duluth), provides for a payment of \$500,000 during the second year of the biennium for the state's membership fee in the Great Lakes Protection Fund. The fund, which is created as a permanent endowment, is to be used for the continuous development of scientific information, new cleanup technologies, and innovative methods of managing pollution problems as a cooperative effort in the Great Lakes region. The provision was also adopted.

## Lottery bill gains

The bill establishing a state-run lottery cleared yet another hurdle when members of the Finance Committee approved the measure Sat., May 6. S.F. 150, authored by Sen. Bob Lessard (DFL-Int'l Falls), also contains language from a bill sponsored by Sen. Marilyn Lantry (DFL-St. Paul), that provides for enforcement of laws relating to charitable gambling. The bill establishes a division of gambling enforcement within the Dept. of Public Safety; establishes a state lottery agency; prohibits the state to advertise the lottery; provides for background checks on lottery ticket vendors and other employees; and provides penalties.

Most of the debate centered on the appropriation for the Dept. of Public Safety for the enforcement of lottery and charitable gambling laws. Lantry offered an amendment to increase the appropriation to the department by \$460,000 for the biennium and increase the complement by 5 positions. An amendment to the amendment, offered by Sen. Don Moe (DFL-St. Paul) and subsequently adopted, increases the appropriation by \$750,000 for the biennium and increases the complement by 10 positions, six of which must be licensed by the Police Officers Standards and Training Board. The amendment also provides for the transfer of two positions from the Dept. of Revenue. The entire amendment was adopted. Committee members also adopted an amendment, offered by Lessard, providing for other operating costs of the lottery. The bill was sent to the Senate floor.

Committee members, chaired by Sen. Gene Merriam (DFL-Coon Rapids), also advanced a bill providing funds to establish treatment programs for compulsive gamblers. S.F. 277, authored by Sen. Allan Spear (DFL-Mpls.), provides that the cost of operating the program is to be treated as an expense of the state lottery and is to be deducted from the gross receipts of the lottery. The measure provides that \$24,000 is to be appropriated for the fiscal year ending June 30, 1990 and that \$500,000 is to be appropriated for the fiscal year ending June 30, 1991. The measure was approved and advanced to the full Senate.

Committee members began the process of reviewing S.F. 95, the state wide recycling bill, but took no action because of time constraints. The measure is sponsored by Lessard.

## Education, recycling bills approved

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), amended and approved S.F. 1480, the omnibus education funding bill, and S.F. 95, the recycling bill, at its evening meeting Mon., May 8.

Amendments adopted to the \$3.4 billion education funding measure include an amendment, offered by Sen. Charles Berg (DFL-Chokio), deleting the cooperative secondary facilities grant. Before amendment, the bill provided the grants would be awarded as incentives to eligible districts that plan to combine; the grants could be used to acquire, construct, remodel, or improve a secondary school building or site.

Also approved was an amendment limiting the amount districts may spend on administration and supervision. The amendment was offered by Sen. William Luther (DFL-Brooklyn Park).

Senators also adopted an amendment, offered by Sen. Gary DeCramer (DFL-Ghent), which DeCramer said was designed to close loopholes and prevent "double-dipping" by districts obtaining various types of revenue.

Sen. Randolph Peterson (DFL-Wyoming) carried the bill, which was sent to the full Senate.

S.F. 95, the recycling bill, was briefly discussed and approved. Senators adopted an amendment, offered by author Sen. Bob Lessard (DFL-Int'l Falls), appropriating money to the Waste Management Board, the Pollution Control Agency, the Dept. of Administration, and the Dept. of Revenue, for purposes of the bill. In addition, the amendment specifies that the revenues derived from taxes outlined in the bill on solid waste collection and disposal services must be credited as follows: 97 percent must be credited to the General Fund; and three percent to the Minnesota Future Resources Account.

Senators approved an amendment, offered by Sen. Gene Waldorf (DFL-St. Paul), including recycling facilities as eligible to receive a reduction in the county landfill abatement fee. The bill was sent to the floor.

## Groundwater protection bill okayed

A bill known as the 1989 Groundwater Protection Act was the highlight of the Tues., May 9 meeting of the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids). Sen. Steven Morse (DFL-Dakota), author of S.F. 262, reviewed appropriations for programs and positions funded through the General Fund. Appropriations are proposed for programs and positions in the Dept. of Natural Resources, the Pollution Control Agency, the State Planning Agency, the Dept. of Agriculture, the Board of Water and Soil Resources, the Dept. of Health, and the U of M. Morse also listed Dedicated Funds not requiring appropriations under the Dept. of Agriculture.

Upon completion of Morse's review, the committee took up amendments. Discussion focused on an amendment offered by Sen. Gene Waldorf (DFL-St. Paul) that increases the water use processing fee for once-through cooling systems. A processing fee of 5 cents per 1,000 gallons is required until Dec. 31, 1991. The fee then increases to 10 cents for 1,000 gallons from Jan. 1, 1992 until Dec. 31, 1996 and to 15 cents for 1,000 gallons after January 1, 1992. The amendment was adopted.

After adopting an amendment that provides for agricultural chemical incident payment and reimbursement, Senators voted to delete a section that provides for the reimbursement for incidents that occurred before the bill's effective date.

Members also adopted an amendment offered by Sen. Earl Renneke (IR-LeSueur) that replaces a Legislative Commission on Water with a joint Senate-House Legislative Committee on Water and an amendment outlining appropriations for the biennium. Sen. Charles Berg (DFL-Chokio) offered an amendment providing that if a person has more than one license for a site where pesticides are stored or distributed, only one surcharge may be imposed to cover all licenses for the site. The amendment was approved.

In other action, members approved S.F. 879, authored by Sen. Steven Novak (DFL-New Brighton). The bill makes statutory changes that enable the state to seek certification to become a federal agent for pipeline inspection. The purpose of the bill is to restructure the dedicated fee mechanism for covering the costs of the Office of Pipeline Safety. Under the bill, after the federal government grants Minnesota interstate agent status, interstate pipeline companies will cover support costs for the Office of Pipeline Safety.

The meeting concluded with the approval of S.F. 1253, sponsored by Sen. Marilyn Lantry (DFL-St. Paul). The bill provides for the regulation of the borrowing authority of the Regional Transit Board (RTB). Senators approved the deletion of a section that provided the board with tax anticipation borrowing authority. In addition, the bill was amended to require that certificates of indebtedness and bonds issued for financial assistance to the Met-

# Committee Capsule

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ropolitan Transit Commission and to the RTB by the Metropolitan Council may not exceed \$62 million. All three bills were sent to the Senate floor.

## Affordable housing bill gains

The Finance Committee held an evening meeting Tues., May 9, to discuss and approve S.F. 522, a comprehensive affordable housing bill sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.). The committee is chaired by Sen. Gene Merriam (DFL-Coon Rapids).

As amended, S.F. 522, among other things, authorizes the establishment of affordable housing programs under the administration of the Minnesota Housing Finance Agency; establishes a neighborhood preservation program; revises specified tenant damage provisions in landlord-tenant actions; creates a rent escrow system; regulates tenant screening services; provides mandatory building repair fines; authorizes a housing calendar consolidation pilot project in Hennepin and Ramsey Counties; requires housing impact statements; revises specified housing receivership provisions; provides limited entry rights to secure vacant or unoccupied buildings; provides for city housing rehabilitation loan programs; establishes the community and neighborhood development organization program; establishes a child development program; and authorizes a neighborhood revitalization program.

Committee members adopted amendments offered by Pogemiller that establish the "Can-Do" program, a statewide grant program to provide neighborhood-based support to enhance the health, development, and school readiness of preschool children; that create the "Way to Grow" school readiness program; and that establish a targeted neighborhood revitalization and financing program. The programs were originally developed by Sen. Linda Berglin (DFL-Mpls.).

S.F. 522 now goes to the full Senate.

## Waste management and right-to-know bills approved

A comprehensive waste management bill, sponsored by Committee Chair Gene Merriam (DFL-Coon Rapids), was advanced by the Finance Committee Wed., May 10. Committee members devoted most of their discussion to provisions of the bill regarding fees for landfill clean-up in Greater Minnesota and the Metropolitan Area.

Among its many provisions, S.F. 530 establishes a greater Minnesota landfill clean-up fund supported by fees of \$2 per cubic yard of solid waste. In addition, the solid waste disposal fee in the metropolitan area is raised from 50 cents to \$2 per cubic yard. The bill also authorizes the transfer of petroleum tank release cleanup funds to a new harmful substance compensation fund for injury claims.

The committee adopted a Merriam amendment deleting a \$750,000 appropriation and striking the hazardous materials incident response advisory council from the bill. Merriam told committee members that, as amended, S.F. 530 requires no general funds. Also discussed were provisions of the bill eliminating the solid waste disposal site inventory process.

In other action, the committee advanced nine bills. S.F. 1099, sponsored by Merriam, appropriates \$585,000 for emergency planning to respond to hazardous substances incidents, and establishes community right-to-know standards consistent with the federal Superfund law.

S.F. 1099 also provides \$645,000 in state disaster assistance to eight Minnesota counties hard hit by flooding of the Red River. Recently declared a major disaster area by the president, the counties will also receive a 75 percent matching share in federal disaster relief. The funds are available to restore state and local government property and help residents of the area recover from flood damage estimated at \$4 million.

S.F. 470, sponsored by Sen. Gary DeCramer (DFL-Ghent), makes several changes in the state wastewater treatment program. De-

Cramer explained that the bill attempts to address community needs resulting from federal aid cuts for local wastewater treatment construction programs. Among the changes, S.F. 470 establishes a dedicated capital improvement fund, combines the independent state grants program with low-interest loans, funds current reimbursement projects, and changes caps on independent state grants and economic development set-aside grants.

S.F. 525, authored by Sen. Ember Reichgott, recodifies non-profit corporation laws. The bill requires greater accountability by non-profit corporations, and authorizes the attorney general to oversee the dissolution of defunct non-profits. In addition, S.F. 525 requires \$25 registration and dissolution fees to recover attorney general costs.

H.F. 786, sponsored by Sen. James Pehler (DFL-St. Cloud), requires that local workers be recruited and paid the local prevailing wage for state-funded railroad rehabilitation projects.

S.F. 1076, authored by Sen. Michael Freeman (DFL-Richfield), appropriates \$213,000 for the commissioner of commerce to regulate real estate appraisers. The bill institutes licensing fees, creates a real estate appraiser advisory board, and requires that all appraisers be licensed and meet standard education requirements.

Another Freeman bill, S.F. 188, appropriates \$109,000 for the commissioner of commerce to regulate the mortgage banking industry, and establishes mortgage lender and mortgage broker licensing fees.

S.F. 1242, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), eliminates seven advisory councils, and authorizes a four-year extension for 52 others. S.F. 1242 also sets a uniform \$48 per diem rate for advisory council members.

S.F. 536, sponsored by Sen. Sam Solon (DFL-Duluth), authorizes increased civil penalties for consumer fraud and deceptive trade practices targeted at senior citizens and other vulnerable adults. In addition, the bill provides that the penalties collected be appropriated for consumer education programs administered by the state Board on Aging.

## Crime package advances

Finance Committee members, chaired by Sen. Gene Merriam (DFL-Coon Rapids), devoted a large portion of the Wed., May 10, evening hearing to consideration and approval of a bill that contains several other measures aimed at tougher criminal penalties and crime prevention. In addition, the panel amended the "Healthspan" bill extensively before sending the bill to the full Senate.

Members limited their consideration of S.F. 3, the omnibus crime bill, to the financial implications of the measure. The bill, sponsored by Sen. Allan Spear (DFL-Mpls.), contains the original S.F. 3, the omnibus drug penalty and drug use prevention bill; S.F. 320, the criminal sexual assault penalty bill; S.F. 314, the sentencing bill; S.F. 643, the bill providing bullet proof vests to law enforcement officers; and S.F. 864, a bill authorizing grants for sexual assault victims programs. The bill provides for an appropriation of \$28,042 million to cover the need for increased prison space brought about by the longer sentences called for in the bill; to provide for sex offender treatment programs; to provide chemical dependency treatment programs; to set up facilities for DNA profiling; to provide drug education and use prevention programs; to provide grants for victims programs; and to provide chemical dependency treatment for pregnant women and mothers.

Debate on the measure was primarily centered on two amendments offered by Sen. Jim Ramstad. The first was to restore language regarding criminal history scores that was dropped from the bill by the division. Spear successfully argued that the amendment was prohibitively expensive because it would necessitate a dramatic increase in prison space. The second amendment, to require the double bunking of prisoners whenever necessary to accommodate correctional facility populations was also defeated.

Committee members substantially amended S.F. 491, the "Healthspan" bill. The measure, sponsored by Sen. Linda Berglin

(DFL-Mpls.), originally called for the establishment of a Health Care Access Commission to study and make recommendations on methods of providing health care to uninsured Minnesotans and carried a \$1 million appropriation for the study. Senators amended the bill to delete references to the Health Care Access Commission and, instead, direct the State Planning Agency to conduct the study. In addition, the amendment deleted references to recommendations for proposed legislation to implement a health care access program and cut the appropriation to \$500,000.

Finally, the committee endorsed a bill making several changes to the boundaries of various state parks and authorizing the acquisition of land for a new park to be called the High Falls State Park. H.F. 450, carried by Sen. LeRoy Stumpf (DFL-Plummer), authorizes an appropriation of \$350,000 for acquisition of land for the new park.

All three measures were sent to the full Senate.

## Ag bill approved

The Finance Committee amended and approved the \$2 million omnibus agriculture bill, S.F. 1404, Thurs., May 11. The measure is sponsored by Sen. Charles Davis (DFL-Princeton).

Some of the major biennial appropriations to the Dept. of Agriculture contained in the bill include \$200,000 for organic certification; \$150,000 for aquaculture; \$200,000 for agriculture land preservation and conservation; and \$125,000 for county and district agricultural societies.

In addition, the bill also appropriates \$160,000 to the Dept. of Trade and Economic Development; \$145,000 to the University of Minnesota; and \$103,000 to the Board of Vocational Technical Education.

Senators adopted an amendment, offered by Sen. Gene Waldorf (DFL-St. Paul), deleting references exempting the commissioner of agriculture from provisions of Chapter 14. Waldorf pointed out that if the exemptions remained in the bill, it would be necessary to refer the bill to the Governmental Operations Committee. The amendment was adopted.

Also amended and approved was S.F. 1433, authored by Sen. Ronald Dicklich (DFL-Hibbing), relating to the energy needs of low-income people. An author's amendment provides that money received by Minnesota as a result of the oil overcharge funds and not otherwise appropriated be divided between the Housing Development Fund for home energy loans, the commissioner of jobs and training for energy conservation projects that directly serve low-income Minnesotans, and the commissioner of administration to establish a fund to finance research and technology transfer projects related to energy conservation and other energy-related issues. In addition, the amendment money to the Dept. of Public Service for the purposes of the act. The amendment was adopted.

Also approved was S.F. 143, sponsored by Sen. Gary DeCramer (DFL-Ghent), appropriating fees charged for escort services provided by the state patrol and for contracted security services provided by the capitol complex security division of the Dept. of Public Safety to the commissioner of public safety to administer and provide the services.

Senators approved S.F. 499, authored by Sen. Jim Vickerman (DFL-Tracy), allowing state airports fund money to be used to provide the state's matching portion for the Federal Essential Air Service Program, and establishing a registration classification for recreational aircraft.

S.F. 594 was amended and approved. As amended, the bill allows the commissioner of agriculture to set plan review fees for reviewing floor plans and specifications submitted by food handlers. The measure is sponsored by Sen. David Frederickson (DFL-Murdock).

The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), adopted an author's amendment to S.F. 631 before approving the bill. S.F. 631 establishes a task force to study issues relating to service area boundary changes and authorizes the Public Utilities Commission (PUC) to assess the costs associated with the study, but not more than \$200,000, to the affected utilities in proportion

to their gross operating revenues. The amendment appropriates the money from the assessments to the PUC for the study until March 1, 1990, after which the money will be transferred to the General Fund. The bill is sponsored by Dicklich.

S.F. 659, authored by Sen. Clarence Purfeerst (DFL-Faribault), increases the fees charged for dealer plates. An amendment, which Senators approved, had the effect of putting fee money into the Highway User Fund, rather than payable as a motor vehicle excise tax. The amendment was offered by Sen. Keith Langseth (DFL-Glyndon). The bill was approved.

Also approved was S.F. 748, authored by Sen. Allan Spear (DFL-Mpls.), establishing a state child mortality review panel and adding one additional complement to the Dept. of Human Services; and S.F. 1197, authored by Sen. Gregory Dahl (DFL-Coon Rapids), appropriating money to the Board of Water and Soil Resources for a task force to study and report on metropolitan water management issues.

Senators also amended and approved S.F. 1200, authored by DeCramer, which he said brings Minnesota into compliance with the Federal Motor Vehicle Safety Act of 1986; and S.F. 1198, authored by Sen. LeRoy Stumpf (DFL-Plummer), setting a fee for the vehicle inspection that is necessary to obtain a certificate of title for a vehicle for which a salvage certificate of title has been issued. In addition, S.F. 1198 appropriates money to the commissioner of public safety to conduct salvage vehicle inspections.

Also amended and approved were S.F. 1377, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), relating to wild rice labeling, packaging, and the record-keeping of persons engaged in buying, selling, processing or marketing wild rice; and S.F. 328, authored by Sen. Lyle Mehrkens (IR-Red Wing), relating to agriculturally derived ethyl alcohol.

## Judiciary

### Anti-takeover bill amended; approved

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met for the final time this session Mon., May 8, to consider the anti-takeover bill. S.F. 1573, sponsored by Sen. William Luther (DFL-Brooklyn Park), had been discussed at an earlier hearing but questions about the constitutionality of several provisions had resulted in the bill being laid over for further study. Immediately upon taking up the bill again at the Monday hearing Luther accepted an amendment from Sen. William Belanger (IR-Bloomington) deleting Article II of the bill; the article providing for Metropolitan Airports Commission approval of the acquisition of a major tenant of the Minneapolis-St. Paul International Airport. Luther then moved to delete Article III, the provisions setting forth fiduciary investment standards. Both amendments were adopted by the committee.

Committee members, however, defeated an amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), to delete most of Article IV, the provisions providing for worker and consumer protections after a leveraged buyout.

The bill was then approved and re-referred to the Committee on Taxes and Tax Laws.

## Taxes and Tax Laws

### Public finance bill gains

The Tues., May 9, Taxes and Tax Laws Subcommittee on Economic Development was devoted to approving a bill that revises existing public debt issuance and use requirements. The subcommittee is chaired by Sen. Ember Reichgott (DFL-New Hope).

As amended, S.F. 1582, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), modifies current public financing laws. The bill exempts obligations issued by the Iron Range Resources and Rehabilitation Board from specified state approval procedures; authorizes Dakota County to negotiate bond sales for solid waste projects;

# Committee Capsule

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changes the conditions for an exception to the competitive bidding requirement for housing development projects; authorizes first class cities, counties containing first class cities, and metropolitan commissions to enter into option agreements to buy or sell U.S. government obligations; enables the Metropolitan Council to issue certificates of indebtedness and capital notes; and extends, to 40 years, the maximum term of general obligation bonds issued by the Metropolitan Council to finance waste disposal systems.

In addition, the measure permits the Metropolitan Council to issue revenue bonds for general obligation bond purposes; enables municipalities to establish a bond reinvestment program; revises publishing requirements for prepayable obligation notice calls and bond sale notices; permits municipalities to pay obligations in a foreign currency if the issues total at least \$25 million; waives the public sale requirement for refunding obligations, obligations sold in a bond reinvestment program, obligations sold to a municipality or other governmental unit, and specified installment and lease purchase agreements; provides that a municipal officer's designee may be present at obligation purchase bid openings; and permits municipalities to enter into repurchase agreements with wholly-owned subsidiaries under specified conditions.

Panel members adopted an amendment, offered by Pogemiller, incorporating language from S.F. 1380, a bill he authored that makes technical corrections to state hazardous substance sites and subdistricts laws.

The bill now goes to the full Taxes and Tax Laws Committee.

## Committee advances bills

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Wed., May 10, and approved six bills concerning political candidates, metropolitan government, public finance, a county jail facility, and two watershed districts. In addition, committee members discussed a measure to revise state corporate regulations.

Committee members, by a vote of 9-6, approved S.F. 368, the omnibus elections bill sponsored by Luther. Among other things, the bill changes candidate reporting requirements and disbursements, limits campaign expenditures by congressional candidates that receive public campaign subsidies, provides a public subsidy for legislative candidates in special elections, increases contribution limits for legislative candidates, modifies lobbyist reporting requirements, prohibits specified campaign contributions, permits committee fund and debt transfers, and clarifies and modifies specified multicandidate political party expenditure limits. The bill was re-referred to the Finance Committee.

The following five bills are now headed to the Senate floor.

S.F. 1067, also sponsored by Luther, recodifies existing language relating to the summary and annual budgets of metropolitan agencies. In terms of tax issues, the measure specifies a \$3 million tax levy limit for the Metropolitan Council's Right-of-Way Acquisition Loan Fund for tax payable 1990, and provides a formula for determining tax levies for tax payable 1991 and beyond.

S.F. 1582, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), revises the state's public financing laws. The measure was approved by the Taxes and Tax Laws Subcommittee on Economic Development during its Tues., May 9, meeting.

As amended, S.F. 937, authored by Sen. Donna Peterson (DFL-Mpls.), permits the Hennepin County Board to issue and sell up to \$20 million worth of general obligation bonds to finance the construction of a new jail. In addition, the bill requires that the Hennepin County Board, Attorney, and Sheriff, along with all Fourth Judicial District judges, submit reports to the Legislature on ways to improve the administration of, and reduce costs in, the district's criminal justice system.

S.F. 1436, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), allows the Coon Creek watershed district to not charge specified expenses to individual public ditches, and permits the district to impose an ad valorem tax to reimburse the district's administrative

fund. As amended, S.F. 564, sponsored by Sen. Gary DeCramer (DFL-Ghent), specifies a tax levy formula for the Kanaranzi-Little Rock watershed district.

Senators decided to delay action on S.F. 1573, a corporate takeover bill sponsored by Sen. William Luther (DFL-Brooklyn Park), until Thurs., May 11, in order to provide additional time for members to study its provisions and to review pending amendments. The bill regulates corporate divestment transactions that involve a principal domestic subsidiary, provides for worker and consumer protections after leveraged buyouts, and imposes an excise tax on "golden parachute" compensation agreements. Luther explained that under the bill's provisions, a 10 percent "golden parachute" excise tax is imposed on the amount of an individual's excess compensation payment if the payment is greater than 100 percent of that individual's annual base compensation. He added that a 20 percent "golden parachute" tax is imposed on excess compensation payments that amount to more than 200 percent of an individual's annual base compensation. Sen. John Bernhagen (IR-Hutchinson) offered, and committee members adopted, an amendment specifying that a corporate acquisition can not be treated as a major stock acquisition unless the ratio of debt to equity of the acquired corporation immediately after the acquisition exceeds eight-to-one. As originally proposed, the bill's debt to equity ratio was three-to-one.

## Committee amends, okays takeover bill

The Thurs., May 11, Taxes and Tax Laws Committee was devoted to the continued discussion and approval of a bill that revises Minnesota's corporate regulations. The committee is chaired by Sen. Douglas Johnson (DFL-Cook).

S.F. 1573, a corporate anti-takeover bill sponsored by Sen. William Luther (DFL-Brooklyn Park), underwent several revisions by panel members before gaining approval by a vote of 13-7. An author's amendment that exempts shareholders from the "golden parachute" excise tax as long as they are not corporate officers or "highly-compensated" employees was adopted. By a vote of 10-8, committee members adopted an amendment offered by Sen. Gary Laidig (IR-Stillwater), deleting Article I of the bill. Laidig said that Article I, a provision regulating divestment transactions involving principal domestic subsidiaries, needed further examination before implementation. An amendment to exempt mass layoffs caused by natural disasters from the bill's worker and consumer protection provisions, offered by Sen. John Bernhagen (IR-Hutchinson), was also adopted.

Efforts by Sen. John Brandl (DFL-Mpls.), to lay the bill over for interim study, and by Sen. Jim Gustafson (IR-Duluth), to attach workers' compensation provisions to the measure, were defeated by panel members.

S.F. 1573 is now headed to the Senate floor.

## Thursday, May 4

### Senate passes highway funding bill

Final passage of a highway financing bill highlighted the Thurs., May 4, Senate floor session. Senators also gave preliminary approval to a total of 17 bills on the General Orders Calendar. Bills on General Orders have been reported out of one or more policy committees and may be given preliminary approval by the Senate acting as one large Committee of the Whole.

S.F. 852, the highway funding bill sponsored by Sen. Keith Langseth (DFL-Glyndon), contains two major provisions. The first provision extends, from eight to 11 years, the average time it takes to reach the \$35 minimum license plate fee for passenger cars, vans, and pick-up trucks. The measure also reapportions the five percent set-aside of motor vehicle excise tax (MVET) funding. Langseth said that the fee extension provision will raise \$68 million in additional highway development funds during the 1990-91 biennium. The bill gained final passage by a vote of 38-27.

Senators then began to consider bills on the General Orders Calendar. The following bills gained preliminary approval.

H.F. 1423, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), modifies specified nursing home admission agreement requirements. An author's amendment that makes technical corrections to the bill, and that attaches provisions changing dental assistants' licensure requirements originally proposed by Sen. Nancy Brataas (IR-Rochester), was adopted by committee members.

H.F. 729, sponsored by Sen. Allan Spear (DFL-Mpls.), makes several changes to visitation and child custody laws. Sen. Bob Lessard (DFL-Int'l Falls), said that provisions in the bill regarding the rights of noncustodial parents who fail to comply with court-mandated visitation requirements need further clarification. An amendment offered by Sen. Patrick McGowan (IR-Maple Grove), permitting courts to order noncustodial parents to reimburse custodial parents for child care costs incurred as a result of failure to comply with visitation requirements, failed to be adopted.

H.F. 966, sponsored by Sen. Steven Morse (DFL-Dakota), provides for the recording of transportation corridors other than streets or highways, and removes legislative route 249 from the trunk highway system. H.F. 30, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), requires employers to provide employee work breaks under specified conditions. S.F. 477, authored by Sen. Carl Kroening (DFL-Mpls.), permits regional railroad authorities to enter into agreements with cities, counties, towns, or other regional rail authorities. And as amended, H.F. 1354, sponsored by Sen. William Luther (DFL-Brooklyn Park), regulates insurance agent cancellations and terminations.

S.F. 613, authored by Morse, regulates the Minnesota Housing Finance Agency's powers and duties. H.F. 811, sponsored by Sen. Charles Berg (DFL-Chokio), revises regulations for hunting turtles. H.F. 1454, sponsored by Lessard, authorizes a petition to annex unorganized territory to the Town of Spang. As amended, H.F. 1589, carried by Sen. Donna Peterson (DFL-Mpls.), gives the City of Minneapolis specified powers relating to energy and environmental services delivery, and provides for combined improvement and assessment hearings. And S.F. 1374, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides that race or sex discrimination against a pupil by a teacher may be grounds for discharge or demotion.

As amended, H.F. 186, sponsored by Sen. Ember Reichgott (DFL-New Hope), prohibits employers to hire security guards convicted of specified crimes, and disqualifies people convicted of criminal sexual conduct from holding a private detective or security guard operator's license. As amended, H.F. 1574, sponsored by Luther, makes several modifications in the corporate anti-takeover laws. H.F. 268, authored by Sen. Sam Solon (DFL-Duluth), revises Minnesota's franchise laws. H.F. 1387, authored by Sen. Gary Laidig (IR-Stillwater), prohibits corporal punishment in schools.

H.F. 1447, authored by Solon, defines the effect of leases on motor vehicles. H.F. 1581, sponsored by Sen. Richard Cohen (DFL-St. Paul), exempts over-the-counter securities from registration requirements.

In addition, Senators approved the confirmation of William Heaney to the Ethical Practices Board.

## Friday, May 5 Penalties for "hate crimes" approved

Preliminary approval of 34 bills, including a measure strengthening penalties for "hate" crimes, and the concurrence and re-passage of three other bills highlighted the Fri., May 5, Senate floor session. Senators also granted final passage to 17 bills that gained preliminary approval during the Thurs., May 4, floor session.

Acting as a Committee of the Whole, members gave preliminary approval to H.F. 700, sponsored by Sen. Linda Berglin (DFL-Mpls.), a bill that provides for enhanced penalties for crimes motivated by

bias against the victim's (or another's) actual or perceived race, color, religion, sex, sexual orientation, disability, age or national origin. Members adopted, by a vote of 22-20, an amendment offered by Sen. Duane Benson (IR-Lanesboro), expanding the motivational bias definition to include the term "appearance," along with "actual" or "perceived." Amendments offered by Benson to include an individual's "lawful occupation," by Sen. Mel Frederick (IR-Owatonna) to include "labor union membership or lack of membership," and by Sen. Fritz Knaak (IR-White Bear Lake) to remove "sexual orientation" from the list of necessary prejudicial conditions, all failed to be adopted by committee members.

The Senate concurred with clarifying amendments adopted by the House and repassed three bills sponsored by Sen. Linda Berglin (DFL-Mpls.). S.F. 321 expands the nuisance law to include prior convictions for specified drug and liquor offenses. S.F. 388 contains a resolution that memorializes the President and U.S. Congress to enact legislation to allow the use of flexible highway design standards in the interstate highway 35W corridor, to make federal money available for a light rail transit system, and to make funds available for the completion and repair of federal aid highways. S.F. 493 expands the definition of a child in need of protection or services, broadens the child hearsay exception to include statements regarding the abuse or neglect of another child witnessed by the child making the statement, and clarifies a court's authority to order a child's temporary removal due to immediate endangerment.

Senators also adopted a motion to reconsider a bill defeated during the Wed., May 3, floor session. H.F. 169, sponsored by Sen. Douglas Johnson (DFL-Cook), a bill that authorizes elderly residents to take fish by spearing without a license, was granted final passage by a vote of 34-32.

The following bills gained preliminary approval.

S.F. 662, authored by Sen. Richard Cohen (DFL-St. Paul), authorizes fire department access to criminal history data, limits the use of criminal history data in assessing fire protection agency job applicants, exempts fire protection agencies from requirements relating to rehabilitated criminal offenders public employment, and eliminates the requirement that specified burn injuries must be reported by telephone. H.F. 545, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), provides for the disposal of specified low-grade, state-owned, iron-bearing materials for construction or maintenance purposes. H.F. 97, carried by Cohen, requires courts to order the preparation of presentence investigation reports in gross misdemeanor cases when requested by prosecutors. As amended, H.F. 1435, sponsored by Sen. Don Anderson (IR-Wadena), authorizes the issuance of an on-sale liquor license in Todd County.

Senators granted preliminary approval to a number of other measures during the late afternoon and early evening portion of the floor session. H.F. 1338, sponsored by Sen. James Metzen (DFL-So. St. Paul), restricts access to registration information concerning passenger automobile lessees. H.F. 33, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), permits town ordinances to regulate the burning of vegetation. S.F. 811, authored by Sen. Gary Laidig (IR-Stillwater), expands the purpose for the use of certain dedicated cash payments under the municipal planning law. H.F. 343, sponsored by Stumpf, defines specific mineral data supplied to the commissioner of natural resources as nonpublic data.

Other bills granted preliminary approval include H.F. 630, sponsored by Sen. Donna Peterson (DFL-Mpls.), the Secretary of State's housekeeping bill. Senators approved an amendment, offered by Sen. Gen Olson (IR-Mound), establishing a school district canvassing board for recounts of special referendum levy elections. S.F. 258, authored by Sen. Donald Moe (DFL-St. Paul), regulates state employment practices, regulates the setting of certain salaries and ratifies certain salaries, and authorizes an alternative procedure for discharge of state troopers. An amendment, proposed by Sen. Joseph Bertram, Sr. (DFL-Paynesville), extends the inclusion of veterans in the category of protected groups for

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the purpose of state employment. The amendment was adopted.

S.F. 1227, authored by Metzen, was also given preliminary approval after amendment. The bill regulates real estate closing agents; one amendment, offered by Sen. Michael Freeman (DFL-Richfield), adds a prohibition against a real estate closing agent charging a closing fee at settlement that was not disclosed in writing in the settlement statement at least one business day before the settlement. Another amendment, offered by Sen. Randolph Peterson (DFL-Wyoming), adds a direct employee of a licensed attorney to an exemption provided in the bill for an attorney; and another amendment, offered by Metzen, adds that nothing in the law can obligate the Real Estate Education, Research and Recovery Fund for more than \$250,000 per licensee per year.

Also given preliminary approval was H.F. 400, carried by Stumpf, which requires written notice to the commissioner of natural resources of the vacation of roads, highways, streets, alleys, and similar public grounds that terminate at or abut upon any public water. Senators approved an amendment offered Knaak, adding that various notifications required under the bill do not create a right of intervention by the commissioner.

Senators gave preliminary approval to S.F. 1105, authored by Sen. Keith Langseth (DFL-Glyndon), providing for the suspension of apportioned license plates and fuel tax compact licenses for some interstate vehicle fleet owners who are delinquent in required filings or payments and providing for installment payments by interstate fleet owners. H.F. 1207, carried by Metzen, provides conditions for the disposition of county property. An amendment, offered by Bertram, removed provisions in statute setting some fees charged by sheriffs. The amendment was adopted. S.F. 1502, authored by Bertram, regulates the time when fish houses may be on the ice. S.F. 653, authored by Sen. David Frederickson (DFL-Murdock), requires certain disposable waste containers to be degradable. S.F. 1278, authored by Sen. Jim Gustafson (IR-Duluth), extends the duration of a property tax exemption for land held for economic development by the city of Hermantown.

Other bills given preliminary approval include S.F. 29, sponsored by Sen. Charles Davis (DFL-Princeton), clarifying the authorization for county levy for providing funds for county agricultural societies. S.F. 1252, authored by Sen. Doug Johnson (DFL-Cook), relates to the towns of Crystal Bay, Beaver Bay, Stony River, and the cities of Beaver Bay and Silver Bay, and Unorganized Territory No. 1; permits the establishment of a medical clinic district; permits a hospital appropriation by the Cook County Board; authorizes the establishment of a Cook county hospital district; adds and removes specific unorganized territory from a St. Louis county hospital district; validates hospital referenda; and provides for certain bonded indebtedness of the city of Cook. S.F. 1123, authored by Sen. Sam Solon (DFL-Duluth), authorizes some investments by state banks, regulates lending practices of industrial loan and thrifts, prescribes the qualifications of the directors of certain companies, regulates the lending practices of regulated lenders, regulates delinquency and collections charges on retail installment contract, and requires notice to perfect certain storage liens.

Also given preliminary approval was H.F. 627, carried by Stumpf, exempting rear-end dump trucks operated by private agricultural carriers between point of production and point of processing from requirements for rear-end protection. H.F. 278, sponsored by Stumpf, changes specific service signs to tourist-oriented directional signs and includes certain types of businesses as tourist-oriented businesses. H.F. 456, carried by Sen. Ember Reichgott (DFL-New Hope), allows results of job evaluation systems as evidence in discrimination actions. S.F. 1239, carried by Stumpf, increases bonding authority for hospital districts in Roseau County. H.F. 731, carried by Sen. Donna Peterson, provides for classification of law enforcement data on child abuse. H.F. 193, also sponsored by Sen. Donna Peterson, provides that an offender may not demand execution of sentence except under certain circumstances and requires the Board of Pardons to meet at least twice each year. S.F. 1375, authored by Sen. Allan Spear

(DFL-Mpls.), allows assessors to have access to law enforcement data and imposes a time limit for performance of assessment. S.F. 703, authored by Sen. Duane Benson (IR-Lanesboro), reauthorizes program improvement grants and provides an exception to consolidation timelines. Senators approved an amendment, offered by Benson, regarding the school boards and elections districts of the Peterson and Rushford School Districts and adding a local approval provision.

Also amended and approved was S.F. 1358, authored by Sen. Roger Moe (DFL-Erskine), which relates to the Metropolitan Airports Commission (MAC) and to metropolitan airport planning. Senators first adopted an amendment, offered by Moe, altering the membership of the state advisory council on metropolitan airport planning. The Moe amendment was further amended by Sen. Howard Knutson (IR-Burnsville) to include a resident of Eagan and a resident of Mendota Heights on the advisory council. Senators also approved an amendment, offered by Sen. Earl Renneke (IR-Le Sueur), requiring a study on the feasibility of using the St. Cloud Municipal Airport and the Rochester International Airport to relieve congestion at the Minneapolis-St. Paul International Airport.

H.F. 1530, sponsored by Sen. Robert Schmitz (DFL-Jordan), regulates the business relations between manufacturers of heavy and utility equipment and independent retail dealers of those products. S.F. 6, authored by Sen. Bob Lessard (DFL-Int'l. Falls), exempts an Itasca county levy from the penalty in excess of limitations and temporarily exempts an Itasca County levy for economic development from levy limits. H.F. 578, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), grants power to road authorities to mow or till specified highway right-of-ways. H.F. 444, carried by Sen. Gene Merriam (DFL-Coon Rapids), provides for access to private medical examiner data and other medical data by family members.

Senators defeated H.F. 223, carried by Sen. John Marty (DFL-Roseville), which prohibits the sale of tobacco from multiproduct vending machines.

## Monday, May 8

### Omnibus state depts. bill passes

The full Senate approved H.F. 372, the \$1.09 billion omnibus state departments bill on a vote of 62-1. Providing funding for the general legislative, judicial and administrative operations of state government, the bill makes \$847.5 million in General Fund appropriations, \$41 million of which is new spending. Senators also approved a two percent base level cut for all state agencies funded under the bill, except for the trial courts.

Before granting final passage, Senators approved two amendments cutting \$27.5 million from the Finance Committee version of the bill. The first amendment, offered by Sen. Charles Berg (DFL-Chokio), eliminates the state's 1991 contribution of \$10.475 million to the Minneapolis Employees Retirement Fund. The second amendment, sponsored by Sen. Donald Moe (DFL-St. Paul), reduces the \$104.8 million available for state employees salary and benefits supplements by \$17 million.

Appropriations of the omnibus state departments bill include: \$5.6 million for cash bonus and tuition reimbursements for under the National Guard; \$4.8 million for the Dept. of Natural Resources Re-Invest in Minnesota program, \$3.5 million for the state superfund and \$4.2 million to implement the trial court information system.

Among several other amendments to H.F. 372 that were considered, the Senate also approved an amendment offered by Sen. Jim Ramstad (DFL-Minnetonka) that increases appropriations to \$900,000 for Eurasian Water Milfoil research and control.

Nine bills under General Orders were also given preliminary approval by the Senate. H.F. 1016, sponsored by Sen. Richard Cohen (DFL-St. Paul), authorizes the commissioner of public safety to restrict or revoke driving privileges of habitual juvenile offend-

ers. S.F. 139, authored by Sen. Allan Spear (DFL-Mpls.), increases the provisional drivers license age limit to 21, to conform with the state drinking age, and renames the provisional license to the "under-21" license. S.F. 353, sponsored by Spear, requires currency exchanges to be licensed and regulated by the commissioner of commerce and institutes fees for licensure. S.F. 232, authored by Sen. Ember Reichgott (DFL-New Hope), simplifies requirements for filings made with the secretary of state, and authorizes a 2-year pilot project for the secretary of state's office to test new services.

Commonly referred to as revisor's bills, H.F. 862 and H.F. 1197 revise certain laws, respectively removing redundant language and correcting erroneous references. Neither H.F. 862 nor H.F. 1197, sponsored by Cohen, makes substantive changes in current law. H.F. 412, authored by Sen. James Pehler (DFL-St. Cloud), changes the definition of teachers, and of supervisory and support personnel for the purpose of licensure, and reduces the number of members of the Board of Teaching from 17 to 11. H.F. 1285, sponsored by Sen. John Brandl (DFL-Mpls.), makes cost control changes in coverage and administrative procedures of the comprehensive health insurance plan. S.F. 736, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), appropriates \$37,000 for adjusted compensation to veterans, and to compensate state correctional facility inmates for personal injury and property loss claims against the Dept. of Corrections.

Senators granted final passage to 33 of the 34 bills that gained preliminary approval during the Fri., May 5, floor session. Members decided to remove H.F. 630, sponsored by Sen. Donna Peterson (DFL-Mpls.), the Secretary of State's housekeeping bill, from the Senate Calendar and return it to the General Orders Calendar in order to further study a provision that permits statewide election day campaigning.

## Tuesday, May 9

### ATV bill given final passage

In addition to taking action on the education funding bill and the omnibus health and human services bill, Senators also granted final passage to the bills given preliminary approval the previous day. H.F. 333, sponsored by Sen. Jim Vickerman (DFL-Tracy), was among those granted final passage. The bill regulates all-terrain vehicles, sets fees, imposes penalties and revises the liability provisions regarding county administered land used persons operating the vehicles.

A conference committee report was also approved and given repassage. S.F. 206, authored by Sen. William Belanger (IR-Bloomington), provides for the regulation of rule exemptions without prior publication. Concurrence and repassage was granted to S.F. 827. The bill, authored by Sen. Richard Cohen (DFL-St. Paul), increases the membership on the Advisory Council for the Children's Trust Fund.

## Wednesday, May 10

### Lottery bill debated, amended

Senators began debate on the lottery enabling legislation at the Wed., May 10, floor session. The measure was up for preliminary approval on the General Orders Calendar. S.F. 150, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), contains provision for the establishment of a state lottery agency; authorizes the establishment of game procedures; provides for the licensing of lottery retailers; and provides for the distribution of the proceeds from the sale of lottery tickets. In addition, the bill also contains a measure sponsored by Sen. Marilyn Lantry (DFL-St. Paul), that contains provisions designed to strengthen charitable gambling enforcement procedures.

After describing the contents of the bill, Lessard offered an amendment to delete the bill's current prohibition on advertising and to allow advertising with a number of restrictions. The

amendment was defeated on a vote of 23-36. Two amendments were adopted, however, over Lessard's objections. Sen. Michael Freeman (DFL-Richfield) sponsored an amendment to prohibit the establishment of "instant winner" games. Freeman successfully argued that charitable gambling provides an opportunity for "instant winner" games and that the lottery would be in direct competition. Sen. Cal Larson (IR-Fergus Falls) offered an amendment limiting lottery prizes to \$1 million. Both amendments were adopted on roll call votes of 32-31. Lessard then asked that the bill be progressed and no further action was taken on the measure.

The Senate also granted concurrence and repassage to several bills. S.F. 297, authored by Sen. Charles Berg (DFL-Chokio), authorizes party hunting for small game and party fishing by angling. S.F. 1031, sponsored by Lantry, establishes notice requirements for emergency medical services personnel who are first responders. S.F. 1269, authored by A.W. "Bill" Diessner (DFL-Afton), requires notice to the public and to employees of the consequences of participating in cash awards for video games of chance. S.F. 1417, authored by Sen. Steven Novak (DFL-New Brighton), authorizes the sale of state lands that border on public waters in a number of counties.

Senators then acted on bills on the General Orders Calendar. Bills on the General Orders Calendar have been reported out of one or more standing committees and may be given preliminary approval by the Senate acting as one large Committee of the Whole.

S.F. 775, authored by Sen. Don Frank (DFL-Spring Lake Park), requires a report on recodification and simplification of the Workers' Compensation Law. S.F. 957, also authored by Frank, provides for the transfer of programs under the Minnesota Agricultural and Economic Development Board to the Dept. of Trade and Economic Development. S.F. 1221, sponsored by Sen. Phyllis McQuaid (IR-St. Louis Park), authorizes the establishment of special service districts for the city of Hopkins. S.F. 54, authored by Sen. Donald Storm (IR-Edina), authorizes the city of Edina to operate a public transit system and to acquire the necessary equipment, land, and interests in land.

S.F. 764, authored by Sen. James Pehler (DFL-St. Cloud), changes conditions for the establishment and operation of special service districts in St. Cloud. S.F. 989, sponsored by Sen. Betty Adkins (DFL-St. Michael), authorizes the town of Otsego to establish an economic development authority and to exercise tax increment financing powers. As amended, S.F. 84, authored by Diessner, provides for the titling of watercraft. S.F. 837, authored by Freeman, criminal penalties for racketeering, money laundering and other drug gang-related activities.

H.F. 461, authored by Sen. Donna Peterson (DFL-Mpls.), modifies the limitations provision governing damage actions brought by sexual assault victims. As amended, S.F. 784, sponsored by Sen. William Belanger, Jr. (IR-Bloomington), prohibits car rental companies from holding renters liable for damages, except under particular circumstances. An authors amendment was adopted that limits the liability of an authorized driver to \$200. H.F. 135, authored by Sen. Richard Cohen (DFL-St. Paul), limits the juvenile court's authority to transfer legal custody of a child for the purpose of obtaining special treatment or care. As amended, H.F. 761, authored by Frank, limits the bankruptcy judgement exemption for employee pension benefits to the value of \$30,000. The bill was amended to apply the limit at age 65 or older using a interest rate of eight percent per year.

H.F. 1221, authored by Sen. Tracy Beckman (DFL-Bricelyn), allows schools to become certified medical providers. H.F. 146, sponsored by Sen. Randolph Peterson (DFL-Wyoming), recodifies sections of the education code. In addition, H.F. 1355, authored by Sen. William Luther (DFL-Brooklyn Park), was amended before approval was granted. The bill modifies provisions for the award of sentimental property and family allowances. S.F. 1435, sponsored by Freeman, prohibits the termination of sales representative agreements under particular circumstances. The bill was amended

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to include that a "sales representative" is a person, other than an employee, who contracts with a principal to solicit wholesale orders and who is partly or wholly compensated by commission. A person who places orders or purchases exclusively for the person's own account for resale is excluded from the "sales representative" definition. H.F. 1560, sponsored by Sen. Douglas Johnson (DFL-Cook), authorizes the Elephant Creek impoundment in St. Louis County and authorizes the construction of a dam.

H.F. 1353, sponsored by Luther, requires insurers to pay the insured's deductible first when recovering from an uninsured motorist under a subrogation claim. H.F. 245, carried by Sen. LeRoy Stumpf (DFL-Plummer), exempts generators of small amounts of hazardous waste from administrative regulation.

## Meeting schedules

As this edition of Briefly went to press, Senate floor sessions and conference committee meetings for the week beginning Monday, May 15, had not been announced. It is anticipated that the Senate will hold floor sessions every day until the end of the legislative session Monday, May 22. Conference committees on all the major spending bills, the omnibus tax bill and a large variety of other bills will be meeting throughout the week. Please call the Senate Information Office at 296-0504 or the Senate Hotline at 296-8088 for up-to-date information.

## Briefly subscription procedures

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## Branches of government outlined

Government at the state and federal levels consists 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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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.

## Service for hearing-impaired available

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

## How a bill becomes law

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

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

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

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

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

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

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body on the General Orders Calendar. The entire body then resolves itself into a Committee of the Whole to consider the bill and discuss the merits of the proposal. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least 24 hours before being placed on the Senate Calendar and considered for final passage. The bill is given a third reading prior to the vote for final passage. After final passage, the bill is sent to the other body.

In the Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If one body makes a change to the bill and the other body does not accept that change, a conference committee is established to work out a compromise version. The compromise version must then be repassed by both bodies.

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

## Facts about the Minnesota Legislature

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

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

# SENATE COMMITTEE ASSIGNMENTS

## AGRICULTURE AND RURAL DEVELOPMENT (15)

CHAIR: 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.  
Frederickson, D.R.  
Freeman  
Larson  
Morse  
Renneke  
Vickerman

## COMMERCE (17)

CHAIR: 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

## ECONOMIC DEVELOPMENT AND HOUSING (13)

CHAIR: Frank  
OFFICE NO: G-10  
MEETS: M, Th; Room 15; 12-2 p.m.  
MEMBERS:  
Beckman Decker  
Bernhagen Dicklich  
Cohen Frank  
Dahl Gustafson  
Kroening  
McGowan  
Morse  
Reichgott  
Storm

## EDUCATION (21)

CHAIR: 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

## EDUCATION AIDS DIVISION (14)

CHAIR: 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 (12)

CHAIR: Hughes  
OFFICE NO: 328  
MEETS: W; Room 107; 11:30 a.m.-1:00 p.m.  
MEMBERS:  
Cohen Johnson, D.J.  
Hughes Laidig  
Johnson, D.E. Luther  
McGowan  
McQuaid  
Metzen  
Moe, R.D.  
Peterson, D.C.  
Samuelson

## EMPLOYMENT (11)

CHAIR: 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 (16)

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

## FINANCE (30)

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

## GENERAL LEGISLATION AND PUBLIC GAMING (9)

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

## GOVERNMENTAL OPERATIONS (13)

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

## HEALTH AND HUMAN SERVICES (15)

CHAIR: 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)

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

## LOCAL AND URBAN GOVERNMENT (11)

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

## PUBLIC UTILITIES AND ENERGY (12)

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

## RULES AND ADMINISTRATION (31)

CHAIR: 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  
Storm  
Taylor

## TAXES AND TAX LAWS (25)

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

## TRANSPORTATION (12)

CHAIR: 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 AND MILITARY AFFAIRS (11)

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

# MINNESOTA STATE SENATE

## Senate Members—1989 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	DFL	4136	Lessard, Bob	111 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William	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	2159	McGowan, Patrick D.	132B SOB	48
IR	3903	Benson, Duane D.	109 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	309 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	IR	5252	Pariseau, Patricia	151 SOB	37
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4241	Pehler, James C.	G-9 Cap.	17
IR	0415	Decker, Bob	109 SOB	4	DFL	4274	Peterson, Donna C.	G-27 Cap.	61
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	9248	Piper, Pat	325 Cap.	31
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	105 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	121 SOB	38	IR	9457	Taylor, Glen	147 SOB	24
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	5650	Vickerman, Jim	G-29 Cap.	28
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	3809	Waldorf, Gene	124 Cap.	66
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

May 19, 1989

### Session enters final days

The final countdown to the end of session began this week as legislators concentrated on completing work by the constitutional deadline of Mon., May 22. Long hours in floor sessions and numerous conference committee meetings occupied legislators almost around the clock. Compromise versions of the five major spending bills, the tax bill and a variety of other bills will be before the members of the Senate over the course of the weekend. The lottery bill, the groundwater protection bill, the crime package and numerous other measures are in various conference committees. Other measures will again be before the Senate for concurrence and repassage.

The remaining days of the session will have the result of establishing the state's budget for the next two years, of providing for education over the course of the biennium and of deciding the tax policy under which the state will operate. As the midnight deadline approaches, the Senate sessions will be marked by flurries of activity as conference committee reports reach the floor interspersed with periods of waiting for messages and reports to reach the Senate desk.

Minnesotans in the Metro Area with cable TV will be able to view the wrap-up of the legislative session on Regional Cable Channel 6. Senate Media Services will be broadcasting live from the beginning of the session until 5:30 p.m. Fri., May 19; from the beginning of session until 5:30 p.m. Sat., May 20; and from the beginning of session 5:30 and again from 10:30 p.m. until midnight on Mon., May 22.

### Lottery bill gains Senate approval

By a vote of 40-27, Senators granted final passage to S.F. 150, the lottery enabling legislation sponsored by Sen. Bob Lessard (DFL-Int'l Falls). The action was taken on the bill Fri., May 12, two days after Lessard had progressed the bill because of amendments added by lottery opponents.

The bill was amended several times by Senators prior to gaining final passage with the result that amendments added to the bill during the earlier consideration were removed. Sen. Gene Waldorf (DFL-St. Paul), offered, and the Senate adopted, an amendment to allow restricted lottery advertising. Senators also adopted an amendment offered by Sen. Sam Solon (DFL-Duluth) to permit "instant winners." An amendment sponsored by Sen. Richard Cohen (DFL-St. Paul) and accepted by the Senate removed the \$1 million cap on lottery prizes. And, an amendment offered by Sen. Dennis Frederickson (IR-New Ulm) to determine the Charitable Gambling Control Board's political party composition also gained Senate acceptance. Two amendments offered by Sen. John Marty (DFL-Roseville) were adopted. The first prohibits lottery officials from presenting the lottery as a "form of entertainment or recreation" in advertising campaigns. The second limits a single lottery prize to no more than \$10 million. In addition, a Waldorf amendment that removes the word "charitable" from the bill's "charitable gambling" provisions was adopted.

During the discussion on the bill, proponents emphasized that voters had approved the concept of a lottery overwhelmingly last fall by approving the constitutional amendment and that popular environmental programs would receive funds from the lottery. Opponents, however, argued that the state should not be in the gambling business. Sen. Charles Berg (DFL-Chokio), said that the bill's purpose is to "pick the pockets of the poor and gullible" in the state. Lessard replied that the measure was drafted "to carry out the wishes of Minnesota voters" after voters approved, in November 1988, a constitutional amendment permitting the lottery's establishment.

### Omnibus crime bill passed

Members of the Senate took action on the omnibus crime bill Fri., May 12, and unanimously granted final passage. H.F. 59, carried by Sen. Allan Spear (DFL-Mpls.), targets a variety of crimes, including murder, drug and criminal sexual assault offenses, and crimes committed by habitual offenders by establishing stronger penalties. The bill incorporates language from several Senate bills including: S.F. 3, sponsored by Sen. William Luther (DFL-Brooklyn Park), strengthening drug penalties; S.F. 314, authored by Sen. Donna Peterson (DFL-Mpls.), a sentencing bill that increases sentences for a variety of crimes; and S.F. 320, carried by Spear, increasing penalties, establishing treatment programs and strengthening enforcement related to criminal sexual assault. Provisions of the bill include: increasing the minimum parole eligibility date for persons serving a life sentence for first degree murder; permitting courts to sentence dangerous or patterned sex offenders to longer periods of incarceration and supervision; providing a mandatory minimum sentence for use of an illegal weapon during a dangerous felony; and imposing a gross misdemeanor penalty for selling tobacco to a minor. The bill appropriates \$28 million for the biennium with \$21.4 million going towards prison capacity expansion.

After hearing a review of the bill, Senators took action on 21 amendments. Eleven of the amendments were adopted. An amendment offered by Sen. Donna Peterson provides increased penalties for parental kidnapping. Sen. Richard Cohen (DFL-St. Paul) offered an amendment that will enable fire departments to have access to criminal history data. Senators adopted an amendment carried by Sen. Patrick McGowan (IR-Maple Grove) that decreases the number of prior felony convictions from six to four under the career offenders increased sentences provision. The bill was also amended to include that a pregnant woman who has engaged in habitual and excessive use of controlled substances is defined as a chemically dependent person. An amendment offered by Sen. Fritz Knaak (IR-White Bear Lake) requiring that a person who is convicted of a criminal sexual conduct crime be tested for the presence of HIV antibody was adopted on a 33-22 vote. In addition, the amendment allows the Dept. of Health to inform victims of such crimes of the HIV blood tests results. An amendment carried by Sen. Jim Ramstad (IR-Minnetonka) that allows the incarceration of two persons per cell was defeated on a 24-38 vote. Also defeated on a 31-31 vote was an amendment that abolishes the Sentencing Guidelines Commission.

### Presidential primary amendment okayed

The latter portion of the Wed., May 17, floor session was devoted to considering bills on the General Orders Calendar. While discussing a routine "housekeeping" measure dealing with the secretary of state's duties concerning elections, Senators approved an amendment that would institute a presidential primary in Minnesota. The original bill, H.F. 630, sponsored by Sen. Donna Peterson (DFL-Mpls.), mainly clarifies provisions of the laws relating to elections. The amendment, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), provides for a presidential primary on the fourth Tuesday in February in 1992. The date is the same as that of precinct caucuses. The amendment, however, calls for polls to be closed at 7:30 p.m. so that interested persons could attend the 8 p.m. precinct caucuses. Dicklich argued, successfully, that the primary would involve more citizens in the election process and would give Minnesota a prominent role in the presidential nominee selection process. The amendment was adopted on a voice vote and the bill was given preliminary approval. A final vote on the bill was pending at the deadline for this edition of Briefly.

# Committee Capsule

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## Finance

### Vets home study bill advances

A bill authorizing a statewide study of the need for additional veterans homes was advanced by the Finance Committee Fri., May 12. Sen. Gene Merriam (DFL-Coon Rapids) chairs the committee.

Sponsored by Sen. Keith Langseth (DFL-Glyndon), S.F. 272 appropriates \$290,000 for the study and establishes detailed criteria to determine the need and siting for potential, new veterans homes in the state. The bill also authorizes the commissioner of human services to seek federal waivers on veterans' income and asset limitations, thus permitting certain veterans to receive medical assistance for community nursing home care.

Committee members adopted an author's amendment removing a controversial authorization for a veterans home in Luverne. However, debate continued to focus on the Luverne proposal, and several amendments were offered to provisions of the bill regarding site priority for a new veterans home in southwestern Minnesota. After considerable discussion, Senators agreed to an amendment establishing Luverne as the site, if the statewide study indicates that a veterans home should be built in southwestern Minnesota.

In other action, the committee approved six additional bills. S.F. 237, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), appropriates \$475,000 for the regulation of the disposal of infectious wastes. The bill also establishes fees for infectious waste generators, transporters and incinerators.

S.F. 1416, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), makes several changes in workers' compensation law regarding truckers and loggers. Committee members focused on provisions of the bill setting fees and making appropriations aimed at lowering workers' compensation insurance rates for both industries. Regarding the truckers' provisions, committee members approved a special compensation fund appropriation of \$381,860 for a truckers' rehabilitation pilot study.

The logging provisions of S.F. 1416 establish an assessment on wood mills of 25 cents per cord intended to buydown the loggers' high insurance rates. Chmielewski said that the assessment is expected to lower loggers' workers' compensation rates by about 40 percent, from the current \$46 per hundred to approximately \$30 per hundred. Critics argued unsuccessfully that the assessment will not lower the high rates, but merely shift the burden of paying for them. The bill also appropriates \$25,000 to establish a logging safety program.

S.F. 1081, sponsored by Sen. Allan Spear (DFL-Mpls.), appropriates \$200,000 to establish a study on the prevalence of racial bias in the judicial system in Minnesota.

S.F. 539, authored by Sen. Roger Moe (DFL-Erskine), provides \$100,000 to promote the 100th anniversary of the state park system.

Committee members also briefly considered S.F. 895, sponsored by Sen. Steven Novak (DFL-New Brighton). The committee deleted provisions of the conservation reserve program bill that authorize the sale of bonds for the Re-Invest in Minnesota (RIM) program. The omnibus capital bonding bill, passed by the full Senate in April, contained \$5 million for RIM cropland easements.

The committee also began to discuss S.F. 890, sponsored by Sen. Richard Cohen (DFL-St. Paul), which transfers financial responsibility for Minnesota trial courts to the state. The bill was laid over for further consideration.

### Committee advances court financing bill

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Sat., May 13, and approved S.F. 890, which appropriates nearly \$21 million to restructure the trial court financing system.

Among its provisions, S.F. 890 transfers district court law clerks and district administration staff from county to state employment;

provides state funding of the trial court information system; includes the second and fourth judicial districts in the public defender system and provides for appointment of public defenders in those districts. Sen. Richard Cohen (DFL-St. Paul) sponsored the bill.

In other action, the committee approved 12 additional bills. S.F. 345, sponsored by Sen. Linda Berglin (DFL-Mpls.), establishes a distribution formula for St. Paul, Minneapolis and counties to receive federal maternal and child health block grant funds. Before granting its approval, the committee eliminated a 3 percent cost-of-living increase in grants for Minneapolis, St. Paul and a group of small counties.

S.F. 548, authorizes the use of state grants to guarantee working capital loans to businesses owned or operated by socially or economically disadvantaged persons. Sen. John Marty (DFL-Roseville) authored the bill.

S.F. 1383, sponsored by Sen. Donald Moe (DFL-St. Paul), provides \$250,000 to establish a commission to study small business procurement programs targeted for minority and women's businesses.

S.F. 431, authored by Sen. Jerome Hughes (DFL-Maplewood), requires statewide regulation of passenger and freight elevators. The bill sets fees, establishes penalties for elevator safety violations and appropriates \$324,000 from the special revenue fund for the Dept. of Labor and Industry to conduct periodic elevator inspections.

S.F. 1001, sponsored by Merriam, makes changes in the community dispute resolution program. The bill establishes eligibility criteria for grant recipients, and appropriates \$200,000 for the State Planning Agency and the State Court Administrator to jointly administer the program.

S.F. 1036 establishes procedures to assist workers dislocated by permanent closures or substantial layoffs. The bill, sponsored by Sen. Michael Freeman (DFL-Richfield), also appropriates \$400,000 in grants for prefeasibility studies and to provide services to dislocated workers.

H.F. 892, authored by Merriam, strengthens state smoke detector regulations, and requires smoke detectors to be installed in all dwellings. In addition, the bill authorizes local governmental units to adopt more stringent standards, and appropriates \$114,000 to the commissioner of public safety for enforcement and fire safety education.

S.F. 532, sponsored by Sen. Steven Morse (DFL-Dakota), appropriates \$124,000 to transfer original government survey records to microfilm, and to make the microfilmed records accessible statewide. The bill also provides for the preservation of the original documents.

S.F. 161, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), provides eligibility for death benefits for fire and rescue unit members, and for first responders.

S.F. 1254, authored by Sen. James Pehler (DFL-St. Cloud), provides \$200,000 to fund the Minnesota chair in real estate at St. Cloud State University.

S.F. 575, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), establishes a legislative task force on minerals to study issues relating to the environmentally sound development of the state's minerals industry.

S.F. 556, sponsored by Sen. Jim Ramstad (R-Minnetonka), provides handicap access to precinct caucuses and party conventions. The bill also appropriates \$39,000 to reimburse major political parties for costs of providing interpreter services at political caucuses and conventions.

### Pension, campaign financing bills defeated

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), amended and defeated S.F. 799, a pension bill, and H.F. 629, the campaign financing bill, Thurs., May 18.

S.F. 799, carried by Sen. Steven Morse (DFL-Dakota), requires increased contributions of more than \$194 million over the biennium.

nium. The major expense in the bill involves level benefits, according to Sen. Donald Moe (DFL-St. Paul).

Also defeated was the controversial H.F. 629, which was amended to contain the language of S.F. 368, the campaign financing bill. The bill, carried by Sen. William Luther (DFL-Brooklyn Park), provides for public financing for eligible congressional candidates who agree to spending limits. The bill was defeated on a vote of 11-12.

Committee members approved S.F. 621, authored by Sen. Linda Berglin (DFL-Mpls.), declaring that money or assets in court-supervised settlement accounts are not available to a minor child or the child's parent or guardian until released by the court; and H.F. 1146, sponsored by Sen. Don Frank (DFL-Spring Lake Park), dedicating seat belt violation fines to the Emergency Medical Services Relief Account.

## Governmental Operations

### Pension benefit bill okayed

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), met to discuss a bill that proposes to increase public employee pension benefits. S.F. 799, sponsored by Sen. Steven Morse (DFL-Dakota), provides for seven increases in benefits. The bill provides for a level benefit formula for members of Minnesota State Retirement System (MSRS), Teachers Retirement Association (TRA), Public Employee Retirement Association (PERA), and the first-class city teacher plans. In addition, existing members may choose between the current benefit formula and the current reductions for early retirement, plus the Rule of 90 or the level-benefit formula before July 1, 1992. Employees who are hired after June 30, 1989 are covered by the level benefit formula. The bill also provides for a permanent increase and floor of benefits to pre-73 retirees; provides for earlier eligibility for post-retirement fund increases; adds an automatic bounceback provision; increases interest on refunds of employee contributions from five percent to six percent; and provides for three year vesting instead of five. One half of the funding of improved benefits will be covered by an increase in the employee contribution rate. The employer contribution to the improved benefits will be adjusted in the Finance Committee. Upon approval, S.F. 799 was re-referred to the Finance Committee.

## Taxes and Tax Laws

### Committee okayes court financing bill

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Wed., May 17, and approved a bill that initiates a state assumption of trial court financing costs.

As amended, S.F. 890, sponsored by Sen. Richard Cohen (DFL-St. Paul), provides for the transfer of law clerks and district administration staff employment from counties to the state; specifies that guardians ad litem are county employees for tort claim purposes; clarifies tort liability for specified court employees; provides state funding for the trial court information system; specifies the inclusion of the Second and Fourth Judicial Districts in the public defender system; allows public defender appointments in the Second and Fourth Judicial Districts; provides for conciliation court fees; transfers specified fees to the state; and authorizes the Minnesota Supreme Court to adopt transition rules necessary to implement the bill's provisions.

Johnson said that the bill's property tax portions will be incorporated into the 1989 Omnibus Tax Bill, while the bill's remaining sections will be incorporated into the omnibus state departments bill.

## Thursday, May 11

### Affordable housing bill gains

Preliminary approval of an affordable housing bill highlighted

the afternoon Senate floor session. In addition, twelve other bills gained preliminary approval on the General Orders Calendar. Bills on General Orders have been reported out of one or more policy committees and may be considered by the Senate acting as one large Committee of the Whole.

S.F. 522, the comprehensive affordable housing and urban revitalization bill sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), underwent several revisions. Committee members adopted an author's amendment specifying that the bill's Success by Six and Way-to-Grow programs should not be built into the state budget's base. Amendments offered by Sen. Linda Berglin (DFL-Mpls.), permitting Minnesota cities to establish Indian housing authorities, and by Sen. Sam Solon (DFL-Duluth), allowing landlords to remove and store tenant property under specified conditions, were also adopted.

H.F. 260, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), provides for employee personnel record reviews, and permits the removal or revision of disputed information contained in employee personnel records. An amendment offered by Sen. Nancy Brataas (IR-Rochester), allowing a former employee to review his or her personnel record once within six months of separation; requiring an employer, upon the request of an employee, to provide a copy of disputed personnel file information and permitting the employer to recover the attendant copying costs; and prohibiting an employee from bringing a legal defamation suit against an employer for information contained in the personnel record except under specified conditions, was adopted. Sen. Fritz Knaak (IR-White Bear Lake) offered, and committee members adopted, an amendment establishing a six-month time limit for the bill's personnel record information sharing requirement.

H.F. 166, authored by Sen. Steven Novak (DFL-New Brighton), revises and clarifies state motor carrier statutes and regulations. An amendment offered by Sen. Robert Schmitz (DFL-Jordan), removing a provision that requires permits for specified intrastate construction transporters and adequate insurance for motor transportation brokers, was adopted. Panel members, by a vote of 27-33, failed to adopt an amendment offered by Sen. William Belanger (IR-Bloomington), that requires competitive bidding for highway construction work, and that prohibits state agencies from restricting competitive bidding practices.

H.F. 1432, sponsored by Sen. Gary DeCramer (DFL-Ghent), requires nonrailroad lessors to comply with specified procedures before property interests are sold. S.F. 1323, sponsored by Sen. Donna Peterson (DFL-Mpls.), increases penalties for parental kidnapping where a weapon is used, the child is abused, or when ransom is demanded. The bill also prohibits concealing a child abducted in another state. H.F. 162, authored by Sen. John Marty (DFL-Roseville), regulates insurance information collection, use, disclosure, access, and correction practices, and requires the disclosure of reasons for adverse underwriting decisions.

H.F. 1287, sponsored by Sen. James Metzen (DFL-So. St. Paul), exempts nonissuer securities sales issued by the state, its subdivisions, or instrumentalities from regulation. S.F. 1541, carried by Sen. Carl Kroening (DFL-Mpls.), provides for a chief administrative deputy sheriff in the unclassified service in Hennepin County, and authorizes specified county sheriffs to appoint a chief deputy or first assistant. H.F. 1502, authored by Sen. Cal Larson (IR-Fergus Falls), extends the Pine Point Experimental School's authority. S.F. 1253, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), regulates the Regional Transit Board's borrowing authority.

S.F. 536, sponsored by Solon, provides for enhanced civil penalties for deceptive acts targeted at senior citizens or the handicapped. As amended, H.F. 1160, authored by Sen. David Frederickson (DFL-Murdock), authorizes school district participation in specified energy efficiency projects. As amended, S.F. 1101, sponsored by Solon, regulates St. Louis County budget procedures, establishes St. Louis County recorder fees, and allows St. Louis County to recover maintenance costs for television relay service by assessing users of the service.

# Floor Action

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## Groundwater bill advances

The entire evening floor session Thurs., May 11, was devoted to debating the groundwater bill. According to chief author Sen. Steven Morse (DFL-Dakota), "S.F. 262 is a method of protecting one of our purest and most valuable resources." The bill is crafted to provide a general framework to prevent further groundwater degradation and to provide a mechanism to respond to immediate problems, Morse said.

Specifically, the bill known as the 1989 Groundwater Protection Act has the stated goal of degradation prevention where prevention is practicable. The bill provides for groundwater protection, water research information and education, well protection, boring specifications, underground uses, safe drinking water supply funding, water conservation, pesticide law changes, agricultural chemical incident response funding, recodification of laws on fertilizers, soils and plants and sets fees and license requirements.

Discussion on the bill revolved primarily on a series of amendments offered to the bill. In all, 18 amendments were offered and members adopted eight. The first, offered by Sen. Michael Freeman (DFL-Richfield), requires that a study on the health and response risks of agricultural chemicals include a plan for assessing surcharges. The second amendment that was adopted, also offered by Freeman, specifies that the surcharge structure in the bill may not be exceeded prior to legislative review. The third successful amendment, offered by Sen. Duane Benson (IR-Lanesboro), provides for the recovery of legal expenses on the part of defendants in suits brought by the state. An amendment offered by Sen. Gregory Dahl (DFL-Ham Lake), relating to metro area watershed districts was also adopted. Another successful amendment, offered by Sen. Don Samuelson (DFL-Brainerd), relates to sand point wells. An amendment, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), including land around sink holes in the definition of sensitive area was also adopted. Sen. Gene Waldorf (DFL-St. Paul), successfully offered an amendment that removed the exemption of government buildings from fees for once-through cooling systems. Finally, Morse offered, and members accepted, a technical amendment to clarify language in the bill.

S.F. 262 was given preliminary approval on a voice vote.

In other action, Senators granted concurrence and repassage to five bills. S.F. 834, sponsored by Lantry, requires disclosures to consumers when they are sold motor vehicles that have been damaged and rebuilt. S.F. 218, sponsored by Berglin, requires health facilities to make reasonable efforts to notify family members if a patient enters the facility unconscious, comatose or physically unable to communicate. S.F. 391, authored by Mehrkens, relates to civil actions and excludes certain structures, such as grain bins, from the statute of limitations in the Uniform Commercial Code. S.F. 331, sponsored by Sen. Donald Moe (DFL-St. Paul), repeals surety bond requirements for notaries public. S.F. 829, authored by Freeman, prohibits insurers from maintaining subrogation action against insureds.

Senators also granted final passage to all 19 bills that gained preliminary approval under General Orders during the Wed., May 10, floor session.

## Friday, May 12

### Senate passes lottery bill

The early portion of the Fri., May 12, Senate floor session was devoted to amending and granting final passage to a bill that establishes a Minnesota lottery. Legislators also concurred and repassed four other measures, and gave final passage to 14 bills on the Senate Calendar.

Senators granted concurrence and repassage of the following four bills. S.F. 1020, sponsored by Sen. James Pehler (DFL-St. Cloud), authorizes and establishes sale procedures for the Minnesota Educational Computing Corporation. As amended, S.F. 1039, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), permits or-

ganizations to treat legal expenses as an allowable expense and to use profits derived from their charitable gambling activities for property repair and maintenance. S.F. 163, authored by Sen. Don Frank (DFL-Spring Lake Park), specifies traffic and safety regulations for school buses and passenger vehicles. Senators also repassed H.F. 527, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), a measure that requires collection facilities for recycling containers in state parks, after adopting the bill's conference committee report.

All but one bill given preliminary approval during the Thurs., May 11, Senate floor session, gained final passage on the Senate Calendar. The exception was S.F. 1253, a measure that regulates the Regional Transit Board's borrowing authority, sponsored by Sen. Marilyn Lantry (DFL-St. Paul). The bill was sent to the Secretary of the Senate for comparison with the House companion bill. In addition, Senators granted final passage to H.F. 146, sponsored by Sen. Randolph Peterson (DFL-Wyoming), a bill that recodifies the state's education code.

Senators also designated S.F. 277 a Special Order and granted the measure final passage. The bill, authored by Spear, establishes a treatment program for compulsive gamblers.

## Recycling bill debated

During the evening portion of the Fri., May 12 floor session, members began discussion of S.F. 95 while acting as a Committee of the Whole. The bill, carried by Lessard, requires statewide mandatory recycling. Provisions of the bill include requiring a charge for solid waste collection on a volume basis, and providing financial assistance to counties for collection, transportation, processing, handling, and secondary market development of recyclables. In addition, fees are imposed for land disposal of solid waste, a recycling and waste reduction program for use in schools is developed, incineration and land disposal of recyclable materials is prohibited, and a plan is provided for processing and disposal of solid waste problem materials. Under the bill, a 6 percent sales tax is imposed on garbage collection and disposal. The bill also sets a 25 percent recycling goal by mid-1993 for rural counties and a 35 percent recycling goal for the Metropolitan Area.

After voting down an amendment that removed the required uniform labeling and packaging provision of the bill, Senators voted in favor of an amendment that repeals the language effective June 30, 1990. Senators also adopted an amendment offered by Sen. James Pehler (DFL-St. Cloud) that redistributes the funding allocations from state-level waste abatement activities and gives it to 52 larger counties. Lessard temporarily progressed S.F. 95.

## Monday, May 15

### Senate passes Regional Transit Board bill

The first half of the Mon., May 15, Senate floor session resulted in granting final passage to H.F. 1137, a bill that regulates the Regional Transit Board's borrowing authority. The measure, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), appeared on the Senate Calendar. In addition, Senators also gave preliminary approval to the following seven bills on the General Orders Calendar. Bills on General Orders have been reported out of one or more policy committees, and may be considered by the Senate acting as one large Committee of the Whole.

As amended, H.F. 796, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes the sale of specified tax-forfeited land bordering public waters in Pine and Fillmore Counties. H.F. 1548, authored by Sen. Randolph Peterson (DFL-Wyoming), regulates loan and credit extension charges and fees assessed by financial institutions. H.F. 740, sponsored by Sen. Gary DeCramer (DFL-Ghent), changes the name "technical institutes" to "technical colleges." S.F. 756, sponsored by Sen. Nancy Brataas (IR-Rochester), regulates the payment of supplemental benefits for new workers' compensation claims.

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S.F. 1087, authored by Sen. Carl Kroening (DFL-Mpls.), provides standing for specified associations to bring an action for tenant remedies in connection with landlord-tenant disputes. H.F. 1155, sponsored by Sen. Donna Peterson (DFL-Mpls.), is the Dept. of Commerce's life and health insurance bill. Committee members adopted an amendment offered by Sen. James Metzen (DFL-So.St.Paul), establishing limits on the amount of credit life insurance that can be written. S.F. 38, authored by Chmielewski, imposes taxes on park trailers.

## **Human rights changes, waste management bills okayed**

The second half of the Mon., May 15, floor session continued the consideration of bills on the General Orders Calendar. Two of the more controversial bills to gain preliminary approval included H.F. 950, changing the state's human rights laws and S.F. 530, changing the laws relating to waste management. H.F. 950, authored by Sen. Ember Reichgott (DFL-New Hope) modifies the definition of familial status, limits exceptions for age discrimination, modifies requirements dealing with reasonable accommodations in employment and requires reasonable accommodations by public accommodations, expands the prohibition of credit discrimination and requires disclosure of medical information that adversely affects an employment decision. One section of the measure, prohibiting discrimination in services because of social or economic conditions in a neighborhood, prompted considerable discussion. An amendment, offered by Sen. Randolph Peterson (DFL-Wyoming), deleting that portion of the bill, was adopted. Senators also debated a provision requiring places of public accommodation to make reasonable changes to meet the needs of handicapped patrons. An amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake) to restrict the requirement to businesses with 10 or more employees failed to gain approval. A second amendment offered by Knaak, providing for a tax credit for making changes to meet the needs of handicapped patrons, also failed to gain adoption. The bill was then granted preliminary approval.

A second bill sparking considerable debate was S.F. 530, the bill making numerous changes to the laws relating to waste management. The bill, authored by Sen. Gene Merriam (DFL-Coon Rapids), was amended several times before it was given preliminary approval. One amendment, sponsored by Merriam, provides for a sewage sludge ash demonstration project and provides for limiting state liability. A second amendment, offered by Sen. James Metzen (DFL-So. St. Paul), clarifies that a metropolitan county may enter into an agreement with any local government unit or the U of M for the purpose of compensating for the local risks, costs, or other effects of a waste processing facility. A third amendment, offered by Sen. Bob Lessard (DFL-Int'l. Falls), provides that a county may contract for recycling services as well as purchase and lease materials. Another Lessard amendment added language relating to financial assurance and closure requirements for closed municipal landfills. A fifth amendment, offered by Sen. Jim Gustafson (IR-Duluth), provides that the agency may award grants for transfer stations that will initially transfer waste to landfills if the transfer stations are part of a planned resource recovery project and if other conditions are in existence. An amendment, offered by Sen. Michael Freeman (DFL-Richfield), provides for the composition of a market development coordinating council. Two amendments, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), provide for the evaluation of the Greater Minnesota Landfill Cleanup Fund and for the use of the Greater Minnesota Landfill Cleanup fee. The final amendment to gain adoption, offered by Sen. Gregory Dahl (DFL-Ham Lake), adds language relating to county recycling goals, interim monitoring and county solid waste plans.

In other action, the members also granted preliminary approval to several additional bills. S.F. 481, authored by Sen. Donald Moe (DFL-St. Paul), is a Dept. of Finance bill and clarifies provisions regarding the administrative duties of the commissioner, permits

specific financial arrangements and clarifies a provision relating to the Beginning Farmer Loan Program. H.F. 907, sponsored by Sen. Steven Novak (DFL-New Brighton), makes changes to the laws regulating pipelines, provides for accommodation to federal laws in order to allow inspection of interstate pipelines and imposes penalties. S.F. 470, sponsored by Sen. Gary DeCramer (DFL-Ghent), provides for the regulation of municipal wastewater treatment funding. H.F. 786, carried by Sen. James Pehler (DFL-St. Cloud), requires the hiring of local workers and the payment of wages equal to those of railroad workers on railroad projects assisted with state money.

S.F. 564, also sponsored by DeCramer, increases the amount of levy for the Kanaranzi-Little Rock watershed district administrative fund. H.F. 341, sponsored by Merriam, proposes the Emergency Planning and Community Right-to-Know Act and requires reports on hazardous substances and chemicals, creates an emergency response commission, and provides for penalties. H.F. 1448, sponsored by Sen. Donna Peterson (DFL-Mpls.), permits Hennepin County to issue bonds for a new jail. S.F. 748, sponsored by Sen. Allan Spear (DFL-Mpls.), establishes a state child mortality review panel, provides protection for data generated by the panel and clarifies the definition of neglect or endangerment of a child.

S.F. 499, sponsored by Sen. Jim Vickerman (DFL-Tracy), specifies that state airports fund money may be used as state's match of costs of the federal essential air services program and establishes a registration classification for recreational aircraft. S.F. 1122, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), limits the payment of temporary partial workers' compensation benefits under specific circumstances.

## **Tuesday, May 16**

### **Light rail transit bill given okay**

Senators granted preliminary approval to H.F. 1408, the light rail transit bill, at the Tues., May 16, floor session. Sen. Gene Merriam (DFL-Coon Rapids), offered two amendments to the bill, one of which adds a requirement that a light rail transit plan be approved by the Metropolitan Council, and one of which removes provisions in the bill regarding the membership of the Regional Transit Board. Neither amendment was adopted. The measure is sponsored by Sen. Steven Novak (DFL-New Brighton).

In addition, Senators gave preliminary approval to S.F. 462, authored by Sen. LeRoy Stumpf (DFL-Plummer), which clarifies, modifies, and recodifies tax court powers and procedures, makes technical corrections, and eliminates redundant and unnecessary language and obsolete references. Senators adopted two amendments, offered by Sen. Richard Cohen (DFL-St. Paul), that address the issues of erroneous liens and automatic reinstatement of petitions. Senators also spent considerable time discussing whether judges on the Tax Court should be required to be attorneys; ultimately, Senators voted that it was an unnecessary requirement.

Also amended and given preliminary approval was S.F. 491, authored by Sen. Linda Berglin (DFL-Mpls.), requiring a health care access study. Senators approved an amendment, offered by Berglin, creating a health care access commission, and approved an amendment to the amendment regarding the composition of the commission and changing the method of selection of the commission's chair from gubernatorial appointment to election by the commission.

Senators also granted preliminary approval to a number of measures on the General Orders Calendar. S.F. 1582, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides conditions and requirements for the issuance and use of public debt, makes technical corrections to provisions relating to hazardous substance sites and subdistricts, and enables Chisago, Kanabec, Isanti, Pine, and Mille Lacs Counties to sell bonds at public or private sale. S.F. 1242, also sponsored by Pogemiller, extends the expiration date

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# Floor Action

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on some advisory councils, increases the compensation of members of administrative boards and agencies, reduces the maximum compensation of members of advisory councils, and eliminates a requirement for appointment of a state employees' assistance program advisory committee. Senators adopted an author's amendment to the provision extending the expiration dates of the Technical Advisory Committee to the Pollution Control Agency and the Advisory Council on Workers' Compensation. S.F. 143, authored by Sen. Gary DeCramer (DFL-Ghent), appropriates fees charged by state patrol and capitol complex security division for escort and contracted security services. H.F. 450, sponsored by Stumpf, is the omnibus parks bill.

Also amended and given preliminary approval was S.F. 895, authored by Novak. The bill amends provisions relating to the conservation reserve program and changes the authority over the program from the commissioner of agriculture to the Board of Water and Soil Resources; defines terms; changes criteria for eligible land; prohibits grazing of land under future agreements; provides conditions and payment for wetland restoration; provides for enforcement and liability for damages for violation of the terms of a conservation easement or agreement; authorizes the board to adopt rules; authorizes the commissioner of agriculture to allow town boards to suspend the duty of owners and occupants to control noxious weeds under certain conditions; withdraws some marginal land and wetlands from sale by the state unless restricted by a conservation easement; requires certain acquisition procedures before the commissioner of natural resources accepts agricultural land or farm homesteads in fee from the federal government; and authorizes aliens and non-Americans to own certain agricultural land in order to comply with pollution control laws or rules. Senators adopted an author's amendment to the bill.

By a wide margin, Senators approved S.F. 1, establishing the Office of Waste Management. The bill, sponsored by Merriam, transfers the powers and duties of the abolished Waste Management Board from the Pollution Control Agency to the new independent agency. S.F. 659, sponsored by Sen. Clarence Purfeerst (DFL-Fairbault), increases fees for car dealer license plates. Purfeerst explained that the new fee, which is closer to the fee for registering a new car, is an attempt to eliminate abuses of dealer plates. H.F. 1143, sponsored by Sen. Nancy Brataas (IR-Rochester), authorizes an extension of the Rochester one cent city sales tax. Revenues generated by the tax provide funding for local flood control projects. H.F. 1697, sponsored by Novak, prohibits vehicles from being towed from public property within four hours of traffic violations. Certain exceptions are provided in the bill.

H.F. 415, authored by Sen. Lyle Mehrkens (IR-Red Wing), clarifies eligibility for payments to producers of agricultural ethanol. H.F. 579, sponsored by Sen. William Luther (DFL-Brooklyn Park), establishes a new article in the Uniform Commercial Code governing personal property leases. H.F. 611, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), modifies insurance regulations, particularly regarding Medicare supplement plans. S.F. 542, authored by Sen. Charles Davis (DFL-Princeton), amends agricultural land preservation law. Among the changes, S.F. 542 revises termination, land use and recordkeeping procedures for agricultural preserves.

S.F. 525, authored by Reichgott, recodifies non-profit corporation laws. Senators adopted three amendments to S.F. 525, including one by Sen. Michael Freeman (DFL-Richfield) that broadens the authority of the attorney general to oversee non-profits. S.F. 188, sponsored by Freeman, establishes licensing fees and directs the commissioner of commerce to regulate mortgage banking industry. The committee also approved H.F. 1283, an omnibus property and casualty insurance bill sponsored by Luther. S.F. 1377, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), clarifies requirements for packaging and labeling of wild rice, and provides penalties for false packaging and labeling.

Senators also approved several employment-related amendments to H.F. 564, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), a bill authorizing benefits for certain volunteers injured while per-

forming public service. However, H.F. 564 was progressed for later consideration.

In other action, Senators also adopted conference committee reports and gave repassage to a number of measures. S.F. 169, authored by Sen. Mel Frederick (IR-Owatonna), allows a second set of handicapped license plates to be issued to a physically handicapped person who is furnished a vehicle as part of employment, allows the custodial parent of a handicapped minor to obtain special license plates for the handicapped, defines a handicapped person for the purposes of parking privileges; and allows the commission of public safety to waive requirements of a physician's statements in some circumstances. S.F. 486, authored by Berglin, requires reasonable efforts to prevent placement of children in need of protection or services proceedings; amends the duty of juvenile court to ensure placement prevention and family reunification; defines reasonable efforts; clarifies definitions, jurisdiction, and services for Indian children; requires preference for racial or ethnic heritage for appointment of guardian ad litem; requires consideration of reasonable efforts in factors determining neglect; requires that a child be in imminent danger for detention; permits social services to release for detention; provides for notice to grandparents; and imposes requirements for disposition case plans.

H.F. 956, sponsored by Sen. Donna Peterson (DFL-Mpls.), clarifies the calculation of underinsured motorist benefits. H.F. 1107, sponsored by Sen. John Marty (DFL-Roseville), authorizes emergency proceeding for loss of essential services. H.F. 943, sponsored by Sen. Jim Vickerman (DFL-Tracy), requires postsecondary students to submit a statement of immunization and provides for exemptions. H.F. 949, sponsored by Sen. Glen Taylor (IR-Mankato), increases penalties for persons convicted of DWI after a previous conviction for criminal vehicular operation or for another impaired driving crime.

H.F. 371, sponsored by Marty, authorizes the commissioner of corrections to take photographs of juveniles for management and law enforcement purposes. The bill also requires that parents are liable for juvenile theft of \$500 or less. H.F. 456, sponsored by Reichgott, authorizes the commissioner of human rights to use any comparable worth plan as evidence in a discrimination case.

In addition, Senators granted final approval to the 19 bills from the General Orders Calendar given preliminary approval Monday.

## Wednesday, May 17

### Final passage granted

Senators granted final passage Wed., May 17, to 19 bills given preliminary approval the previous day. S.F. 525, sponsored by Sen. Ember Reichgott (DFL-New Hope), providing for changes in the laws relating to nonprofit corporations, was not granted final passage but was sent to the Secretary of the Senate for comparison with H.F. 1203.

Senators also granted concurrence and repassage to four bills. S.F. 126, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), provides for the suspension of driver's licenses of persons who fail to appear in court. S.F. 535, authored by Sen. William Luther (DFL-Brooklyn Park), abolishes residual marital interests in real property. S.F. 339 adds anabolic steroids to the list of controlled substances and S.F. 200 regulates continuing insurance education. Both S.F. 339 and S.F. 200 are carried by Sen. Sam Solon (DFL-Duluth).

Senators began the process of giving advice and consent to gubernatorial appointments to various positions in the administrative branch. Senators approved the appointments of Commissioner John James to the Dept. of Revenue; Edward Matonich, Janna Merrick, Lawrence Redmond, Raul Salazar, and Charlotte Anderson to the Board on Judicial Standards; and David R. Miller and John Phillips to the Hazardous Substance Injury Compensation Board. The appointments of Dr. Harvey Charles Aaron, Pamela K. Barrows,

Daniel Bolhouse, Robert E. Hansen, Stephen J. O'Connor, Michas Ohnstad, Dr. Robert W. Reif, James G. Sieben, and Emily Spensieri were confirmed to the Veterans Homes Board of Directors. Commissioner Gerald L. Willet, Marcia Gelpe, Van R. Ellig, William Bryson, Dr. Daniel D. Foley, and Milton Radjenovich were confirmed to the Pollution Control Agency while William Brown was confirmed as the chief administrative law judge for the State Office of Administrative Hearings. Also confirmed were Earl Gustafson to the Tax Court; Richard C. Pranke and Edward Toussaint, Jr., to the Workers' Compensation Court of Appeals; Commissioner Kenneth Peterson to the Dept. of Labor and Industry; Cynthia Kitlinski to the Public Utilities Commission; and Susan K. Edel, Marilyn A. Krueger, and Gena Doyscher to the Public Facilities Authority. Andrea Schmidt, Andy Hilger, Peter X. Fugina were approved to the Higher Education Coordinating Board. Senators approved the appointments of Carol A. Blomberg, Steve Senich, Earl Herring, and Kathryn Jarvinen to the Higher Education Facilities Authority. Julie Bleyhl, Erin McCabe and Rodney Searle were approved to the State University Board, and Audrey Eickhof, H. Ted Grindal, Owen Husney, Mary Ingebrand-Pohlad and William Richards were confirmed to the Board of the Minnesota School and Resource Center for the Arts. Members also approved Patricia Allinder, Donna Anderson and Alan Olson to the State Board of Vocational Technical Education, and Patricia Goldman, Cynthia R. Hanson, and B. Elaine Markey to the State Board for Community Colleges. Thomas Lindquist and Douglas Wallace were confirmed to the State Board of Education. Martha C. Brand was confirmed to the Environmental Quality Board, and Donald Ogaard was confirmed as chair of the Board of Water and Soil Resources. To the Racing Commission, Senators approved the appointments of Dan Gustafson, Ralph Strangis, Marilyn Rose and Thomas Metzen. Other appointments that were approved are Richard Faricy, Leonard Nadasdy, James Nardone, and Isabelle Robinson to the Board of Arts; Andrew Walters to the Rural Finance Authority; and Henry Banal and Allan Routh to the Board of Animal Health. The appointments of notaries public were also approved.

## Fishing opener change okayed

Senators approved two conference committee reports during the latter half of the Wed., May 17 floor session. S.F. 1267, sponsored by Sen. Don Frank (DFL-Spring Lake Park), provides for the reorganization of Anoka County government and authorizes the appointment of the auditor, recorder and treasurer. H.F. 831, sponsored by Sen. Jim Vickerman (DFL-Tracy), changes the opening day of fishing to the Saturday that falls two weeks before Memorial Day. Currently, the opener is the Saturday closest to May 15. Because the change will cause the opener to fall on Mothers Day weekend more often than is currently the case, the bill also contains a "Take Mom Fishing Weekend" provision that allows mothers to fish without purchasing a license on those Mothers Day weekends that fall on the fishing opener.

In other action, the Senate approved an additional ten bills on the General Orders Calendar. H.F. 1425, authored by Sen. Randolph Peterson (DFL-Wyoming), makes numerous adjustments in the state's laws concerning wiretaps, pen registers, trap and trace devices and mobile tracking devices. H.F. 1150, also sponsored by Randolph Peterson, is the omnibus data privacy bill and contains a variety of changes to the laws relating to the collection, access to and dissemination of data as well as the classification of data. S.F. 1067, authored by Sen. William Luther (DFL-Brooklyn Park), provides standards for the metropolitan government development guide, regulates budget reporting and provides for tax levy formulas for the Metro Council. H.F. 1046, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), sets fees for the inspection of motor vehicles for which a salvage certificate of title has been issued. The measure was amended to include the language of S.F. 38, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), providing for a registration tax on park trailers.

S.F. 1081, authored by Sen. Allan Spear (DFL-Mpls.), provides for

a study by the Supreme Court of racial bias in the judicial system. S.F. 237, authored by Sen. Gregory Dahl (DFL-Ham Lake), regulates the disposal of infectious and pathological wastes. S.F. 1001, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), gives the State Planning Agency joint responsibility with the State Court Administrator's Office for administration of the community dispute resolution program and establishes eligibility criteria for grant recipients. S.F. 345, authored by Sen. Linda Berglin (DFL-Mpls.), provides for the distribution of maternal and child health block grant funds.

S.F. 431, authored by Sen. Jerome Hughes (DFL-Maplewood), regulates the operation and operators of elevators. S.F. 556, authored by Sen. Jim Ramstad (R-Minnetonka), provides for handicap access to precinct caucuses and party conventions, provides for interpreters at precinct caucuses and conventions, and provides for making convention and caucus materials available to the visually impaired.

## How a bill becomes law

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

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

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

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

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

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

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body on the General Orders Calendar. The entire body then resolves itself into a Committee of the Whole to consider the bill and discuss the merits of the proposal. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least 24 hours before being placed on the Senate Calendar and considered for final passage. The bill is given a third reading prior to the vote for final passage. After final passage, the bill is sent to the other body.

In the Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If one body makes a change to the bill and the other body does not accept that change, a conference committee is established to work out a compromise version. The compromise version must then be repassed by both bodies.

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

# MINNESOTA STATE SENATE

## Senate Members—1989 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	DFL	4136	Lessard, Bob	111 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William	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	2159	McGowan, Patrick D.	132B SOB	48
IR	3903	Benson, Duane D.	109 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	309 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	IR	5252	Pariseau, Patricia	151 SOB	37
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4241	Pehler, James C.	G-9 Cap.	17
IR	0415	Decker, Bob	109 SOB	4	DFL	4274	Peterson, Donna C.	G-27 Cap.	61
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	9248	Piper, Pat	325 Cap.	31
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	105 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	121 SOB	38	IR	9457	Taylor, Glen	147 SOB	24
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	5650	Vickerman, Jim	G-29 Cap.	28
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	3809	Waldorf, Gene	124 Cap.	66
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

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

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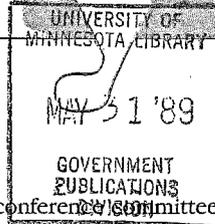
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# Briefly

## The Minnesota Senate Week in Review



May 23, 1989

### Senate adjourns

The customary flurry of the last minutes of a legislative session ended with Senate President Jerome Hughes (DFL-Maplewood), gaveling an end to the first half of the 76th Legislative Session at midnight Mon., May 22.

Earlier in the day, Senators had acted on conference committee reports establishing a state lottery, funding K-12 education, and providing protection for Minnesota's groundwater. In addition, the state departments bill funding the operation of various state agencies was also repassed and sent to the governor.

With the close of the 1989 legislative session, the Majority Leader, Sen. Roger Moe (DFL-Erskine), moved that the Senate adjourn until 2 p.m. Feb. 12, 1990.

### Tax compromise approved

Late Sat., May 20, members of the Senate adopted the conference committee report on the tax bill and repassed the measure. The bill, H.F. 1734, sponsored by Sen. Douglas Johnson (DFL-Cook), now goes to the governor for signature.

In his remarks on the bill, Johnson emphasized that the measure was "carefully designed to balance the needs of all parts of the state. The most prominent feature of the bill is property tax relief and reform for all Minnesotans."

Under the compromise version, the bill contains \$270 million to control and reduce property taxes for homeowners, farmers, renters, and businesses, Johnson said. In addition, Johnson said that the bill contains language providing for stricter adherence to levy limits on the part of local units of government and "truth in taxation" provisions to provide for more accountability. The measure is expected to hold down property tax increases to 2.5 percent, less than the rate of inflation, Johnson said.

The chairs of the Taxes and Tax Laws Committee divisions explained the various articles of the bill and answered questions about specific provisions of the bill. Debate focused primarily on provisions relating to tax increment financing and on the property tax relief earmarked for specific areas of the state. Sen. Florian Chmielewski argued that the property tax relief was aimed at the wealthier portions of the state. However, a number of Senators countered that high property values have been skewed by the real estate market and that high values did not necessarily mean high incomes.

Sen. Duane Benson (IR-Lanesboro) argued that the legislature needed to make fundamental changes in the entire tax system and urged defeat of the bill. However, Johnson emphasized that the conference committee worked to meet the needs of the inner city, suburbs and rural parts of the state and that the measure represented a balanced approach to property tax relief and reform. The bill was sent to the governor on a vote of 37-29.

### State lottery established

After heated debate and a little drama, Senators voted to establish a Minnesota state lottery Mon., May 22. After a motion to recommit

the bill to the conference committee was defeated, Senators agreed to adopt the conference report and repassed H.F. 66 on a vote of 38-29.

H.F. 66, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), authorizes the appointment of a commissioner of gaming to oversee the lottery, charitable gambling and horse racing. Among other major provisions, H.F. 66 permits the lottery to be promoted as entertainment and authorizes a cap of 2.75 percent of gross lottery receipts for the advertising. The bill establishes no cap on prizes.

The lottery is expected to gross about \$300 million in the first two years. Under the bill, the lottery proceeds will be split between the environmental trust fund and the Greater Minnesota Corporation. Instant games are expected to be on sale by Dec., 1989. Lotto games should be operational by July 1, 1990.

While some Senators opposed the lottery in general, others objected that the conference committee did not uphold the Senate position. Sen. Donna Peterson (DFL-Mpls.), who was a conferee, but did not sign the conference agreement, explained that her opposition to the bill centered on three Senate provisions that were dropped from the final version: a \$10 million cap on prizes; a one percent cap on ad expenses; and the stipulation that the lottery should not be promoted as entertainment. Lessard said that the other body was immovable on those issues and attempts to compromise had been futile. Further, Lessard said the bill is "the strongest most carefully crafted lottery law of any state" and that the measure reflects the will of the people.

### Anti-crime package approved

Calling H.F. 59, "clearly the most significant and toughest anti-crime legislation in our time," bill sponsor Sen. Allan Spear (DFL-Mpls.) won unanimous Senate support to adopt the conference report and grant repassage to the \$61 million anti-crime bill.

In overview remarks of the conference agreement, Spear said that H.F. 59 targets "those criminals most dangerous to society." The bill establishes stronger penalties for a variety of crimes including murder, drug and criminal sexual assault offenses, and crimes committed by habitual offenders. Among its major sentencing provisions, H.F. 59 requires life-without-parole sentences for convicted murderers who committed prior heinous crimes; increases the present 17-year mandatory minimum sentence to 30 years for first degree murder; and establishes a mandatory 25-year minimum sentence for a person convicted of a third criminal sexual offense. The bill also authorizes a 200-bed correctional facility at the Faribault regional treatment center.

In addition to tougher sentences, H.F. 59 provides funding for a number of treatment and crime prevention programs, including chemical dependency and sex offender treatment for adults and juveniles; the Drug Abuse Resistance Education (DARE) program, aimed at school children; and grants to develop programs for sexual assault victims. The bill also provides \$7 million for the community resources program, a neighborhood improvement and crime prevention program.

# Floor Action

Thursday, May 18

## Workers' compensation bill gains

H.F. 564, a controversial bill that cuts benefits and costs of the Minnesota workers' compensation system, was given preliminary approval by the full Senate Thurs., May 18. Proponents say that H.F. 564 will reduce businesses' workers' compensation costs by about 10 percent and would require a 10 percent cut in insurance premiums next fall.

Seven separate workers' compensation measures were rolled into H.F. 564, expanding the scope of the original bill. Sponsored by Sen. LeRoy Stumpf (DFL-Plummer), H.F. 564 initially extended workers' compensation benefits to volunteers injured while performing public service.

Among the several measures folded into H.F. 564, a principle Stumpf amendment restructures benefits for injured employees, with projected savings ranging from \$80 to \$105 million.

Insurance regulation provisions require a 10 percent reduction in workers' compensation premiums Oct. 1, 1989, and provide discretionary authority for the governor to impose a "prior approval" system in 1991. Under this system, the state would pass judgment on new insurance rates before they could take effect. Other regulation provisions establish a flexible rating system, authorizing the commissioner of commerce to review rates increasing more than 12 percent in a 12-month period.

The Stumpf amendment also phases out temporary partial benefits over three years; guarantees 65 percent of the statewide average weekly wage (SAWW) in supplemental benefits for long-term, permanent, total disability cases; adds staff and modifies the appeals process to facilitate cases heard by the Workers' Compensation Court of Appeals.

Five other workers' compensation amendments were also attached to H.F. 564. The first amendment reduces supplemental workers' compensation benefits by establishing an offset for recipients who also collect Social Security benefits. Under the amendment, supplemental benefits are provided only to recipients whose benefits fall below 65 percent of the statewide average weekly wage (SAWW). Second, an amendment aimed at highly-paid professional athletes limits temporary partial benefit payments, so that the benefit plus the injured worker's wage cannot exceed 300 percent of the SAWW. Third, employees who are hired and regularly perform their work outside the state are exempted from coverage under Minnesota workers' compensation law. Fourth, exemption from workers' compensation coverage is extended for certain family farm units paying less than \$20,000 in cash wages, and which have insurance coverage equal to \$300,000 in total liability and \$5,000 in medical payments. Fifth, H.F. 564 requires that examinations by employers' physicians must be scheduled within 150 miles of the injured employee's residence.

In other action, Senators gave preliminary approval to several additional bills on the General Orders Calendar. H.F. 306, sponsored by Sen. Randolph Peterson (DFL-Wyoming), revises trust and estate regulation law. Senators adopted an amendment offered by Sen. Gary Laidig (R-Stillwater), that modifies the rule against perpetuities. As amended, H.F. 306 allows trusts to be rewritten to comply with the rule that trusts be vested within a certain time period.

H.F. 1421, sponsored by Sen. Michael Freeman (DFL-Richfield), authorizes the Dept. of Administration to acquire surplus federal property at Fort Snelling for lease to a non-profit organization that will rehabilitate it to provide housing for homeless families. H.F. 762, sponsored by Sen. Dennis Fredrickson (R-New Ulm), ratifies an amendment to the U.S. Constitution, requiring that pay raises for members of Congress be delayed until an election is held and the next Congress convenes. Among its provisions, H.F. 159, sponsored by Sen. Donald Moe (DFL-St. Paul), provides for the termination, cancellation, and forfeiture of real estate interests based on the seizure of illegal drugs or contraband. S.F. 890, sponsored by Sen. Richard Cohen (DFL-St. Paul), initiates a state assumption of trial court financing costs.

Senators also gave concurrence and repassage to S.F. 353, which requires currency exchanges to be licensed and regulated by the commissioner of commerce. The bill, sponsored by Sen. Allan Spear (DFL-Mpls.), also institutes fees for licensure.

H.F. 611 was reconsidered and given final passage on a vote of 62-0. H.F. 611, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), modifies insurance regulations, particularly regarding Medicare supplement plans.

## Joint custody bill passed

During the late afternoon portion of the floor session, Senators granted repassage to the following seven bills, including a measure that revises state joint custody laws, upon adoption of conference committee reports.

H.F. 729, sponsored by Sen. Allan Spear (DFL-Mpls.), requires courts to consider domestic abuse when determining joint custody, provides for the appointment of visitation expeditors to resolve ongoing visitation disputes, provides for visitation by persons who have resided with a child, provides that either parent may request visitation rights on behalf of the child, requires courts to restrict or modify visitation under specified circumstances, includes the primary caretaker standard as a factor to be considered in custody decisions, requires specific findings on each factor and prohibits courts from relying exclusively on one factor in determining custody, and modifies marital property valuation provisions.

H.F. 300, sponsored by Sen. Pat Piper (DFL-Austin), makes changes to the 1983 Employee Right-To-Know Act. H.F. 472, authored by Sen. Clarence Purfeerst (DFL-Faribault), increases the length of specified semitrailers, defines mobile cranes and provides for their maximum length, deregulates persons who provide passenger transportation service under contract to, and with assistance from, the Dept. of Transportation, and requires a highway cost allocation study. H.F. 489, carried by Sen. Michael Freeman (DFL-Richfield), regulates fair share fees, unfair labor practices, arbitration procedures, and grievance procedures. H.F. 412, sponsored by Sen. James Pehler (DFL-St. Cloud), changes the definitions of teachers and of supervisory and support personnel for licensure purposes, clarifies and changes the kinds of personnel licensed by the Board of Teaching, the State Board of Vocational Technical Education, and the State Board of Education, changes the Board of Teaching's composition, and places specified limits on the Board of Teaching.

H.F. 1506, authored by Sen. Sam Solon (DFL-Duluth), regulates specified real property rentals, membership camping practices, and subdivided land sales. H.F. 193, sponsored by Sen. Donna Peterson (DFL-Mpls.), provides that criminal offenders may not demand sentence execution except under specified circumstances, and requires the Board of Pardons to meet at least twice each year.

Friday, May 19

## Presidential primary bill approved

Senators gave final approval to H.F. 630, instituting a presidential primary, Fri., May 19. Under the bill, presidential primaries must be held the fourth Tuesday in February of each year of a presidential election. H.F. 630, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), is also the secretary of state's housekeeping bill.

Also granted approval was H.F. 564, carried by Sen. LeRoy Stumpf (DFL-Plummer), which was given preliminary approval Thurs., May 18, after a large amendment relating to workers' compensation was added to the bill. Senators rejected a proposal by Sen. Don Frank (DFL-Spring Lake Park) to strike the bill from the Calendar and return it to General Orders.

Other bills on the Senate Calendar given final approval were H.F. 1203, carried by Sen. Ember Reichgott (DFL-New Hope), providing for the organization, operation, and dissolution of nonprofit corporations and imposing penalties. H.F. 1425, sponsored by Sen. Randolph Peterson (DFL-Wyoming), modifies standards for disclosure of communications by electronic communications services; limits use of

contract personnel; modifies reporting requirements; modifies procedures for the use of pen registers and trap and trace devices; requires orders for the use of mobile tracking devices; provides for civil causes of action; removes the sunset on the privacy of communications act; authorizes the attorney general and county attorneys to issue administrative subpoenas; creates crimes that prohibit warning subjects of investigations, electronic surveillance, or search warrants; and imposes penalties.

The Senate also granted final passage to H.F. 1046, sponsored by Stumpf, setting the fee for inspection of some motor vehicles for which a salvage certificate of title has been issued. S.F. 1081, authored by Sen. Allan Spear (DFL-Mpls.), provides for a study by the Supreme Court of racial bias in the judicial system and appropriates money. S.F. 1001, authored by Sen. Gene Merriam (DFL-Coon Rapids), gives the State Planning Agency joint responsibility with the court administrator's office for administration of the Community Dispute Resolution Program, establishes eligibility criteria for grant recipients and appropriates money. S.F. 345, authored by Sen. Linda Berglin (DFL-Mpls.), provides for the distribution of maternal and child health block grant funds. S.F. 431, carried by Sen. Jerome Hughes (DFL-Maplewood), regulates the operation and operators of elevators, imposes penalties, and appropriates money.

Other bills given final passage include H.F. 762, sponsored by Sen. Dennis Frederickson (IR-New Ulm), a resolution memorializing Congress of ratification of a proposed amendment to the Constitution of the United States to provide for a delay in an increase of compensation to members of Congress until an intervening election of representatives has occurred. H.F. 306, carried by Sen. Randolph Peterson, provides for the creation, validity, administration, and supervision of trusts, provides for the sale of real property, relates to legal estates in real and personal property and relates to estates. H.F. 1421, carried by Sen. Michael Freeman (DFL-Richfield), directs the commissioner of natural resources to seek acquisition of surplus property of the United States government and directs the commissioner to lease the property to a nonprofit organization for development as housing for homeless veterans and their families. H.F. 159, carried by Sen. Donald Moe (DFL-St. Paul), provides for the termination, cancellation, and forfeiture of real estate interests related to contraband or controlled substance seizures. S.F. 890, authored by Sen. Richard Cohen (DFL-St. Paul), provides for the transfer of law clerks and district administration staff from county to state employment; provides that guardians ad litem are county employees for purposes of tort claims and clarifies tort liability for other court employees; provides for state funding of the trial court information system; provides for inclusion of the Second and Fourth Judicial Districts in the public defender system; provides for the appointment of public defenders in the Second and Fourth Judicial Districts; provides for Conciliation Court fees and transfers fees to the state; authorizes the Supreme Court to adopt transition rules; and appropriates money. Senators approved a motion by Sen. Randolph Peterson (DFL-Wyoming), to strike H.F. 1150, sponsored by Peterson, from the Calendar and return it to General Orders. The bill relates to the collection, access to, and dissemination of data.

Senators also adopted a number of conference committee reports on House and Senate Files and gave the bills final approval. H.F. 95, carried by Sen. Donna Peterson (DFL-Mpls.), clarifies criminal crime provisions; authorizes the deposit of unclaimed and abandoned restitution payments in the Crime Victim and Witness Account; increases the maximum amount of reparations payable for funeral, burial, or cremation expenses; authorizes the payment of reparations to Minnesota residents injured by crimes committed elsewhere; and clarifies the authority of the reparations board to deny reparations on the basis of claimant's contributory misconduct. H.F. 811, carried by Sen. Charles Berg (DFL-Chokio), changes provisions relating to the taking of turtles. H.F. 700, carried by Berglin, increases penalties for some crimes when committed because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability, age, or national origin; increases penalties for using the mail or making telephone calls and falsely impersonating another for the purpose

of harassing, abusing, or threatening another person; and authorizes the commissioner of public safety to report on additional bias-motivated criminal activity not covered by the bias crime reporting law. H.F. 1160, sponsored by Sen. David Frederickson (DFL-Murdock), allows school districts to enter into contracts to reduce energy and operating costs.

Other conference committee reports adopted, and bills given final approval, include H.F. 1435, carried by Sen. Don Anderson (IR-Wadena), authorizing issuance of an on-sale licenses in Todd County; and H.F. 1530, sponsored by Sen. Robert Schmitz (DFL-Jordan), regulating business relations between manufacturers of heavy and utility equipment and independent retail dealers of those products.

Senators approved a motion by Sen. Gene Merriam (DFL-Coon Rapids) to reject the conference committee report on H.F. 166, carried by Sen. Steven Novak (DFL-New Brighton), and return the bill to the conference committee. H.F. 166 provides that certain information submitted to the Dept. of Transportation is public data, provides for the development of internal auditing standards, and makes various other changes relating to transportation. The conference committee report on H.F. 162, carried by Sen. John Marty (DFL-Roseville), was also rejected and the bill sent back to conference committee. The bill relates to the collection, use, disclosure, access and correction of insurance information. The motion to reject the report was made by Sen. Mel Frederick (IR-Owatonna).

In addition, Senators discussed at length a \$1.5 billion pension package for public employees carried by Sen. Sam Solon (DFL-Duluth). Sen. Lawrence Pogemiller (DFL-Mpls.) offered an amendment to not grant concurrence and repassage of S.F. 783 which affects 350,000 state employees. Pogemiller said that while many of the provisions in the bill are good, S.F. 783 had not gone through the legislative process and should be sent to conference committee. Senators voted 34-33 in favor of the Pogemiller amendment.

## Semi-states conference bill passed

The evening portion of the Fri., May 19, floor session was concerned primarily with the consideration of a number of conference committee reports. The first of the five major spending bills to complete the conference committee process gained final passage as did the compromise transportation funding bill.

The \$2.5 billion agriculture, transportation and semi-states bill conference committee report was adopted and repassed on a 43-4 vote. Sen. Keith Langseth (DFL-Glyndon), chair of the division responsible for the bill described the work of the conference committee. Under the compromise version, major changes from the original Senate bill include \$6.8 million for light rail transit, \$23 million for Metro Mobility, \$2.1 million for the World Trade Center Corporation for operation and conference expenses, \$8.3 million for the Board of the Arts, the creation of the Great River Road Account, increasing the deputy registrars fees from \$3.25 to \$3.50, and providing for a three year lease purchase agreement for an automated fingerprint identification system.

Senators also adopted the conference committee report on H.F. 1764, the transportation funding bill, and repassed the measure on a vote of 37-22. The bill, sponsored by Langseth, provides for an increase in revenue by lengthening the time before license fees reach the minimum level. In addition, the bill transfers an additional 5 percent of the Motor Vehicle Excise Tax (MVET) fund for a total of 35 percent. According to Langseth, the measure also increases funding for township roads and for park roads.

Six additional conference committee reports were approved during the evening session. H.F. 1016, sponsored by Sen. Richard Cohen (DFL-St. Paul), authorizes the juvenile court to place juvenile alcohol or controlled substance offenders on probation and authorizes the juvenile court to require the commissioner of public safety to revoke the driver's license or permit of habitual petty offenders or to deny driving privileges to them if they do not have a license or permit. The conference committee changes included authorizing the court to

# Floor Action

allow driving privileges in order to travel to and from work and clarifying language concerning parental liability for theft by minors. S.F. 104, authored by Sen. Tracy Beckman (DFL-Bricelyn), makes changes in the Rural Finance Authority Loan Program. The conference committee altered language concerning eligibility for beginning farmer loans and provided for a study on the feasibility of implementing a program for assistance to persons entering or reentering farming through seller-participation contracts for deed.

S.F. 1358, sponsored by Sen. Roger Moe (DFL-Erskine), provides for metropolitan airport planning. The measure requires a number of reports to the Legislature and specifies that the Metropolitan Council must report by 1990 on the steps necessary to protect a new airport search area from conflicting development. The measure also provides for comprehensive existing airport planning and planning for a new airport. Finally, the measure establishes a state advisory council on metropolitan airport planning. H.F. 245, sponsored by Sen. LeRoy Stumpf (DFL-Pummer), exempts generators of small amounts of hazardous waste from administrative regulation.

H.F. 266, also carried by Stumpf, is a technical Dept. of Revenue bill making corrections, clarifications and administrative and enforcement changes to property taxes, premium taxes, cigarette taxes and other types of taxes. H.F. 826, carried by Sen. Gene Merriam (DFL-Coon Rapids), provides access to private and confidential data related to delinquent acts for purposes of victim restitution.

Members of the Senate also designated H.F. 878 a Special Order for immediate consideration and final passage. The bill, sponsored by Sen. Charles Davis (DFL-Princeton), is the omnibus agriculture bill. The measure provides partial premium payment for federal crop insurance, requires lawn waste containers to be degradable, establishes uniformity with federal regulations, requires the use of soy-oil based inks for state printing where practicable, provides Minnesota-grown coupons to Women, Infants and Children (WIC) coupon recipients at test sites, authorizes the investigation of cheese marketing institutions, establishes a grass hopper control program and extends the farmer-lender mediation act and clarifies various provisions of the act. Most of the debate on the measure centered on amendments offered to the bill. An amendment, offered by Sen. Charles Berg (DFL-Chokio), providing that the Family Farm Security Program is terminated and that the administration of existing loans be transferred to the Rural Finance Authority, was adopted. A second amendment, offered by Sen. John Bernhagen (IR-Hutchinson), providing for hay-related drought relief reimbursement, was also adopted. The measure was given final passage on a vote of 44-0.

The members also devoted some time to consideration of amendments to a bill on the General Orders Calendar but took no final action. H.F. 257, sponsored by Sen. Donald Moe (DFL-St. Paul), is the Dept. of Administration housekeeping bill. An amendment, sponsored by Moe, altering the membership of the technology and communications task force created in the bill was adopted. An amendment, offered by Sen. Ember Reichgott (DFL-New Hope), providing for the Workers' Compensation Court of Appeals judges appointment, terms and status was also adopted. An amendment, offered by Sen. Don Storm (IR-Edina), to delete a section of the bill limiting the authority of the commissioner to lease buildings to house state government offices was also adopted.

## Saturday, May 20

### Vets home bill approved

Senators spent the majority of the Sat., May 20, floor session receiving messages from the House and acting on conference committee reports. In addition, conference committees continued to work throughout the day.

After considerable discussion, Senators granted final approval to H.F. 723, sponsored by Sen. Keith Langseth (DFL-Glyndon), after substituting the language of S.F. 272. The bill requires the commissioner of administration to conduct a study to help the Legislature determine if additional veterans homes should be established in any region

of the state, and where the homes should be located if they are necessary. The bill also appropriates \$290,000 for the study.

Several bills were given final approval from the Senate Calendar. H.F. 1181, carried by Sen. William Luther (DFL-Brooklyn Park), relating to metropolitan government, regulates budgets, and clarifies the valuation of agricultural land. H.F. 661, carried by Sen. Gregory Dahl (DFL-Coon Rapids), regulates the disposal of infectious and pathological wastes, provides for penalties for violation, and appropriates money. H.F. 354, sponsored by Sen. Jim Ramstad (IR-Minnetonka), provides for handicap access to precinct caucuses and party conventions, provides for interpreters at precinct caucuses and party conventions, makes convention and caucus materials available to the visually impaired, and appropriates money.

The Senate also adopted committee reports and granted repassage to a number of bills. S.F. 180, authored by Sen. Tracy Beckman (DFL-Bricelyn), regulates the use of names for business entities and provides a procedure for contesting the registration of a name. H.F. 1285, carried by Sen. John Brandl (DFL-Mpls.), changes coverage and administrative procedures relating to the Comprehensive Health Insurance Plan and requires a report. H.F. 1137, carried by Sen. Marilyn Lantry (DFL-St. Paul), regulates the borrowing authority of the Regional Transit Board. S.F. 299, authored by Sen. Gene Merriam (DFL-Coon Rapids), requires restitution for wild animals that are illegally killed or injured, and provides that the funds be used to replace the wild animals.

H.F. 761, carried by Sen. Don Frank (DFL-Spring Lake Park), provides a reasonable exemption for employee benefits. H.F. 1423, sponsored by Lantry, prohibits the use of blanket waivers of liability by continuing care facilities and nursing homes, and prohibits the use of blanket consents for treatment. H.F. 837, the Racketeering Influenced Corrupt Organizations (RICO) act, establishes criminal felony penalties and civil penalties for racketeering, money laundering and other drug gang-related activities. Sen. Michael Freeman (DFL-Richfield) sponsored H.F. 837.

H.F. 827, sponsored by Sen. John Bernhagen (IR-Hutchinson), contains several provisions. Among them, H.F. 827 authorizes the taking of muskrats causing damage; establishes exceptions to the game and fish license notarization requirement; prohibits hunter harassment; and establishes special hunting seasons and fees.

Several bills were given final passage under Special Orders. S.F. 631, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), establishes a task force to study issues related to public utilities service area boundary changes. H.F. 1443, sponsored by Sen. Donald Moe (DFL-St. Paul), establishes a commission to study and make recommendations to reconstruct the state small business set-aside program for minority and women's businesses. S.F. 575, sponsored by Dicklich, authorizes \$10,000 to establish a task force to study the development of the state's minerals industry. H.F. 1146, authored by Sen. Don Frank (DFL-Spring Lake Park), dedicates all seat belt violation fines to the emergency medical services relief account. H.F. 391, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), provides eligibility for death benefits for certain fire and rescue units and other first responders.

### HHS omnibus bill repassed

Senators also unanimously approved the conference report and granted repassage to H.F. 1759, the \$2.668 billion omnibus health and human services bill Sat., May 20.

Referring to H.F. 1759 as "a good compromise," Senate Conference Committee Chair Don Samuelson (DFL-Brainerd) highlighted several major spending proposals contained in the omnibus bill. Expenditures include \$14 million to implement the regional treatment center proposal; \$9 million for the Head Start Program; \$10 million in additional child care funding; an additional \$7.75 million for veterans homes; \$4 million for MEED, the Minnesota Employment and Economic Development program; \$7 million for mental health programs; \$5 million in incentives and changes for nursing homes; an additional \$6 million for alternative care grants; and \$9.7 million to implement the MAXIS computer system.

In addition, Samuelson pointed out that H.F. 1759 contains an au-

omatic \$200 million increase for income maintenance entitlements. Over one-half of the measure provides funding for income maintenance programs, such Medical Assistance and General Assistance Medical Care.

Senators also discussed the long-term financial implications of transferring residents of regional treatment centers to community-based facilities.

## Senate passes higher ed bill

The early evening portion of the Senate floor session was devoted to granting final passage to the higher education funding bill. Senators also granted final passage to 13 other bills.

Just prior to a 65-0 vote granting final passage, Senators adopted the conference committee report to S.F. 1625, the higher education funding bill sponsored by Sen. Gene Waldorf (DFL-St. Paul). The bill appropriates \$1.96 billion to the Higher Education Coordinating Board, the State Board of Vocational Technical Education, the State Board for Community Colleges, the State University Board, the University of Minnesota, and the Mayo Medical Foundation. Waldorf said that the appropriation represents a \$253.6 million increase over current higher education funding levels.

Senators also adopted conference committee reports and granted final passage to three other bills. S.F. 738, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), provides for special permits for vehicles that transport pole-length pulpwood, funds railroad grade crossing and rail service improvements, and clarifies the purpose of regional rail authorities. S.F. 139, authored by Sen. Allan Spear (DFL-Mpls.), increases the provisional drivers license age limit to 21, to conform with the state drinking age, and renames the provisional license the "under-21" license. H.F. 1454, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), authorizes a petition to annex unorganized territory to the Town of Spang.

In addition, members granted concurrence and repassage to S.F. 536, providing for enhanced civil penalties for deceptive acts targeted at senior citizens or the handicapped, sponsored by Sen. Sam Solon (DFL-Duluth).

Senators also granted nine Special Orders bills final passage. As amended, H.F. 927, authored by Sen. Gary DeCramer (DFL-Ghent), restructures Minnesota's commercial motor vehicle laws in order to bring them into compliance with federal standards contained in the 1986 Commercial Motor Vehicle Safety Act. H.F. 624, sponsored by Sen. Michael Freeman (DFL-Richfield), regulates real estate appraisers and creates the Real Estate Appraiser Advisory Board. Senators adopted an amendment, offered by Sen. Mel Frederick (IR-Owatonna), that revises real estate appraiser licensing and education requirements. Members also adopted an amendment offered by Sen. Fritz Knaak (IR-White Bear Lake), that reduces real estate appraiser license fees. As amended, H.F. 1532, carried by Sen. Ronald Dicklich (DFL-Hibbing), designates the Dept. of Public Service as the agency responsible for coordinating energy policy for low-income Minnesotans.

H.F. 1108, sponsored by Sen. Charles Davis (DFL-Princeton), repeals an existing state law specifying that grain sellers may require averaging of multiple grain loads delivered within two days. H.F. 42, authored by Sen. John Marty (DFL-Roseville), permits state agencies and local jurisdictions to invest in a working capital fund. H.F. 996, sponsored by Sen. Donna Peterson (DFL-Mpls.), allows school boards to compel the attendance of enrolled pupils under the age of seven. S.F. 805, sponsored by Sen. William Luther (DFL-Brooklyn Park), updates the laws governing public defenders, requires a person requesting a public defender appointment to submit a financial statement to the court, and raises the limits for payment for expert services.

As amended, H.F. 13, also authored by Luther, raises the jurisdictional limit on claims heard in conciliation court, and permits bail in civil contempt cases to be used to satisfy the judgement. Knaak offered, and members adopted, an amendment specifying that conciliation court claims that involve consumer credit transactions are limited to \$2,000. H.F. 909, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), requires employers to provide preventive rabies

treatment for workers exposed to the disease in the course of their employment. Senators adopted three author's amendments establishing an asbestos health screening pilot project, clarifying medical data access procedures, increasing the expedition of specific workers' compensation litigation cases, and making other technical corrections to the bill.

## Bonding bill repassed

In addition, to acting on the omnibus tax bill, Senators also adopted the conference committee report and repassed the bonding bill during the late night Sat., May 20, floor session.

The compromise bonding bill, H.F. 46, carried in the Senate by Sen. Michael Freeman (DFL-Richfield), provides a total of \$157 million in funding authorization for state building construction and improvements. The major differences in the conference version from the Senate version were the inclusion of \$11.2 million for an addition to the Mankato State University Memorial Library, \$10.3 million for a Health and Applied Sciences Building at Winona State University and authorization for \$29 million for handicapped accessibility, Freeman said. In addition, the bill contains provisions for the planning and construction of state operated community service facilities (SOCS), \$23 million for wastewater treatment, and \$8 million of the RIM program. The conference committee report was adopted and repassed 59-6.

In other action, the Senate took action on two bills designated Special Orders. H.F. 1194, sponsored by Sen. William Luther (DFL-Brooklyn Park), requires insurance companies to issue insurance identification cards and specifies that drivers must be able to produce the identification cards or face a misdemeanor penalty and the loss of driving privileges. The bill was given final passage on a vote of 41-0.

The second bill, H.F. 257, authored by Sen. Don Moë (DFL-St. Paul), is a Dept. of Administration bill making numerous changes to the laws concerning the department. Discussion on the bill revolved around several attempts to limit the authority of the commissioner to lease space to house state government agencies. After considerable debate, the provisions limiting the authority failed to gain adoption and were thus not included in the bill. The bill was given final passage on a vote of 48-12.

## Monday, May 22

### Recycling bill amended, approved

Final passage of H.F. 417, the comprehensive recycling bill sponsored by Sen. Bob Lessard (DFL-Int'l Falls), highlighted the early afternoon floor session. Senators also granted concurrence and repassage to two bills, and gave repassage to four bills upon adoption of conference committee reports. In addition, Senators granted final passage to bills that revise dairy and seed inspection laws, that strengthen smoke detector regulations, and that modify data collection and access procedures.

Before the recycling bill gained final passage by a vote of 53-12, Senators amended the measure several times. Senators adopted an amendment, offered by Sen. James Pehler (DFL-St. Cloud), that increases recycling funding levels for Greater Minnesota counties. An amendment by Sen. Charles Berg (DFL-Chokio), that prohibits political subdivisions from banning plastic labels and packages until 1993, was also adopted. Sen. Gene Merriam (DFL-Coon Rapids) offered, and members adopted, an amendment specifying that the bill's taxes also apply to all public and private mixed municipal solid waste collection and disposal services, and permitting the Waste Management Board to develop household battery collection, processing, and disposal programs. Senators also adopted an amendment by Sen. Gen Olson (IR-Mound), that provides for a \$400,000 1990-91 biennial appropriation to the University of Minnesota's College of Natural Resources for paper and wood fiber recycling research and education purposes. An amendment to replace the bill's six percent sales tax

# Floor Action

with a tonnage tax, offered by Sen. Linda Berglin (DFL-Mpls.), failed to be adopted by a vote of 26-35.

Senators also granted concurrence and repassage to two bills. S.F. 542, sponsored by Sen. Charles Davis (DFL-Princeton), changes the agricultural land preservation law. S.F. 1378, authored by Berg, regulates the use of specified prescription veterinary drugs and revises certain veterinarian licensing procedures. Berg said that the other body attached an amendment creating an animal population control study commission.

Senators adopted conference committee reports to the following four bills just prior to granting them repassage. H.F. 341, carried by Merriam, proposes the emergency planning and community right-to-know act, requires reports on hazardous substances and chemicals, and creates an emergency response commission. H.F. 162, sponsored by Sen. John Marty (DFL-Roseville), regulates insurance information collection, use, disclosure, access, and correction practices, and requires reasons for adverse underwriting decisions. H.F. 166, carried by Sen. Steven Novak (DFL-New Brighton), is the Minnesota Dept. of Transportation's bill. H.F. 65, authored by Sen. Gregory Dahl (DFL-Ham Lake), authorizes local jurisdictions involved in economic development to participate in secondary markets.

Members also granted final passage to H.F. 1445, a bill that makes technical changes to the state's seed and dairy inspection laws sponsored by Sen. Steven Morse (DFL-Dakota). In addition, final passage was granted to H.F. 892, sponsored by Merriam. The bill deals with the enforcement of smoke detector requirements. An author's amendment that removes a provision requiring everyone to get a smoke detector was adopted. Merriam said that the provision would be difficult to enforce. He added that the bill still mandates smoke detector requirements for new homes.

Senators also granted final passage to H.F. 1150, authored by Sen. Randolph Peterson (DFL-Wyoming), a bill that pertains to the collection, access to, and dissemination of data. Members adopted, by a vote of 42-10, an amendment offered by Sen. Duane Benson (IR-Lanesboro), that applies the "open meeting" law to the Minnesota Legislature. An author's amendment that permits a public hospital to hold a closed meeting to discuss marketing activity was adopted on a 22-15 vote.

## Pension bill approved

Senators spent a great deal of the late afternoon portion of the Mon., May 22, floor session debating various provisions regarding pensions. H.F. 557, sponsored by Sen. Steven Morse (DFL-Dakota), contains various pension provisions which Morse described as mostly non-controversial. Sens. Lawrence Pogemiller (DFL-Mpls.) and Roger Moe (DFL-Erskine) offered a delete-everything amendment that provides a level formula for determining benefits in the major funds and provides a five-year window for current Minnesota State Retirement System (MSRS), Teachers Retirement Association (TRA), and first-class city teacher fund members to opt for current benefits and the Rule of 90 instead of the new formula.

Speaking in support of the amendment, both Moe and Pogemiller stressed that the amendment did not contain provisions for legislative pensions. Pogemiller said that he did not want the issue of legislative pensions to sink the entire bill. However, the amendment was defeated 26-38. H.F. 557 was laid on the table.

Senators then approved a motion by Sen. Gen Olson (IR-Mound) to reconsider the vote, taken last week, whereby S.F. 783, authored by Sen. Sam Solon (DFL-Duluth), had been sent to a conference committee. (S.F. 783 had been returned to the Senate upon approval of a motion made earlier Monday.) Solon moved that the Senate concur in the House amendments and grant the bill, which provides an increase in pension benefits for public employees and legislators, final passage. A number of Senators argued that the Senate should defeat the bill because of the pension increase for legislators. However, the Senate voted to concur to the House amendments, and the bill was granted final approval 40-26.

The Senate granted concurrence and repassage to a number of measures. S.F. 659, sponsored by Sen. Clarence Purfeerst (DFL-Fari-

bault), increases and allocates fees and motor vehicle excise tax for dealer plates. S.F. 462, authored by Sen. LeRoy Stumpf (DFL-Plummer), is the tax court bill. Senators adopted the conference committee report to S.F. 530, containing amendments to the Waste Management Act, and granted the bill, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), final passage. Senators also adopted the conference committee report to S.F. 522, which author Pogemiller said is the omnibus affordable housing bill, and gave the bill final passage.

## Education aids, housing and groundwater bills approved

Senators approved conference reports and granted repassage to 8 bills during the late afternoon hours of the Mon., May 22, floor session. Major bills gaining repassage included S.F. 522, the affordable housing bill; S.F. 262, the groundwater bill; and H.F. 654, the school aids bill.

H.F. 654, sponsored by Sen. Randolph Peterson (DFL-Wyoming) provides \$3.47 billion in state aid to school districts over the next two years. Among changes in the Senate position, the conference committee agreed that the state should provide 50 percent of the \$45 per pupil funding for the Assurance of Mastery program. The bill also authorizes funding for the state arts center.

After hearing an overview of the conference agreement, Senators also discussed the uncertain fate of two-tier hockey in the state. Contrary to a provision in the omnibus state departments bill requiring two-tier hockey, H.F. 654 authorizes the High School League to determine whether there should be two hockey tournaments.

S.F. 522, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), appropriates \$18.5 million for affordable housing initiatives. Among the authorizations, S.F. 522 provides \$3 million for low-income rental housing and \$1.5 million for statewide neighborhood housing preservation programs. In addition, the bill appropriates \$11 million for the Urban Revitalization Action Program (URAP), \$1 million over the Senate conference position.

The groundwater protection bill conference committee adopted "very few substantive changes" to the Senate version of S.F. 262, said Conference Chair Steven Morse (DFL-Dakota). However, conferees did trim \$3 million from the Senate bill, providing \$13 million for groundwater protection initiatives.

While the Senate repassed S.F. 262 on a vote of 60-2, provisions regarding the well sealing cost share program drew considerable criticism from Sen. Charles Berg (DFL-Chokio) and Sen. Earl Renneke (IR-LeSueur). Morse responded that the law already requires abandoned wells to be sealed. The bill provides limited funding of \$530,000 for state cost-sharing to seal abandoned wells.

In other action during the late afternoon, the Senate approved conference reports and granted repassage to 5 other bills. S.F. 491, the Healthspan bill sponsored by Sen. Linda Berglin (DFL-Mpls.), establishes a 15-member commission to study and develop a plan to provide health care access to all Minnesotans. The commission must provide a final report and implementation plan by Jan. 1, 1991.

H.F. 723, sponsored by Sen. Keith Langseth (DFL-Glyndon), appropriates \$200,000 for a statewide study of the need for additional veterans homes, and establishes detailed criteria to determine the need and siting for potential, new veterans homes. H.F. 723 also authorizes the commissioner of human services to seek federal waivers on veterans' income and asset limitations, thus permitting certain veterans to receive medical assistance for community nursing home care.

Langseth explained a change in the conference report from the Senate position that permits the controversial Luverne, Minnesota, veterans home to be built if the federal government provides construction funding by Dec. 1, 1989. However, if the federal funding is not secured in that time period, the statewide study would determine if and where any new veterans home would be built in the state. H.F. 723 was repassed 58-0.

Senators gave unanimous approval to three bills. H.F. 702, sponsored by Pogemiller, provides that in petty misdemeanor cases, fail-

# MINNESOTA STATE SENATE

## Senate Members—1989 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	DFL	4136	Lessard, Bob	111 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William	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	2159	McGowan, Patrick D.	132B SOB	48
IR	3903	Benson, Duane D.	109 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	309 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	IR	5252	Pariseau, Patricia	151 SOB	37
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4241	Pehler, James C.	G-9 Cap.	17
IR	0415	Decker, Bob	109 SOB	4	DFL	4274	Peterson, Donna C.	G-27 Cap.	61
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	9248	Piper, Pat	325 Cap.	31
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	105 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	121 SOB	38	IR	9457	Taylor, Glen	147 SOB	24
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	5650	Vickerman, Jim	G-29 Cap.	28
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	3809	Waldorf, Gene	124 Cap.	66
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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