

# Briefly

*The Minnesota Senate Week in Review*

February 21, 1992

## Presidential primary delay approved

Members of the Senate reconvened Tues., Feb. 18, after a four week hiatus to continue the second portion of the 77th Legislative session. One of the first actions taken by the Senate was a vote to override the gubernatorial veto of a bill delaying the presidential primary for four years. Sen. John Marty (DFL-Roseville), sponsor of the measure, S.F. 1598, said that the estimated costs of conducting the primary--about \$3 million--places too heavy a burden on local units of government in a time of tight fiscal constraints. He said that local units have delayed setting primary election machinery in motion in the hope that the Legislature would override the veto and delay the primary.

Sen. Douglas Johnson (DFL-Cook) argued against the motion to override the veto. "Primaries generate excitement and involvement in the electoral process; we can find the resources to aid local governments in conducting the primary," Johnson said. Sen. Fritz Knaak (IR-White Bear Lake) also argued against overriding the veto. "It is the party leadership in both parties that are the opponents of the primary, but a primary will broaden public participation," Knaak said.

However, Sen. Pat McGowan (IR-Maple Grove), countered that the delay would allow time for the Legislature to pass a bill that addresses the funding issues and the issues surrounding party declarations. The motion to override the veto was approved by a broad bi-partisan vote of 56-9.

In other action, Senators granted final passage to a measure expanding the list of offenses that result in a person becoming ineligible for a pistol permit. Under the bill, S.F. 1619, sponsored by Marty, a person would not be able to obtain a pistol permit if convicted of a felony or of malicious punishment of a child.

## NW Airlines bill to panel

Members of the Committee on Rules and Administration, chaired by Sen. Roger Moe (DFL-Erskine), met briefly

Thurs., Feb. 20, to deliberate on the appropriate venue for a bill dealing with the Northwest Airlines financing package. The measure, sponsored by Sen. Charles Berg (DFL-Chokio), prohibits Metropolitan Airports Commission bond proceeds from being used to pay down leveraged buy-out debt. Berg said that the bill, which was in the Rules and Administration Committee by a motion made on the floor, should be sent to the full Senate for debate. However, Sen. Sam Solon (DFL-Duluth), offered a substitute motion to send the bill to the Economic Development and Housing Committee. The motion to send the bill to committee for further discussion was approved on a 16-10 roll call vote.

## Sexual harassment and violence

The Early Childhood and Special Populations Subcommittee of the Education Committee met Wed., Feb. 19, and began work on a legislative proposal aimed at the problems of sexual harassment and violence. Senator Judy Traub (DFL-Minnetonka), chair of the subcommittee, said its time for the state to start to invest money in preventing sexual harassment and violence. Traub also pointed out that the proposal makes good economic sense in light of the costly state programs that focus on corrections.

S.F. 1815, authored by Traub, requires school districts to implement a program to reduce physical and emotional violence; identify and reduce the incidents of sexual harassment; and reduce child abuse and neglect. The bill also requires the commissioners of education, human services, and human rights to assist the school districts in developing a program.

The proposal outlines minimum requirements for the programs, including planning materials and information about the impact of violence and sexual harassment, the need for nonviolent conflict resolution, the need for identification of sexual harassment, and the need for parent education. Under Traub's bill, school districts are to develop a comprehensive curriculum for students at all

grade levels on abuse prevention that includes sexual stereotyping awareness and teaches appropriate behavior. The bill also calls for cooperation and coordination among districts and other regional resources, including battered women's programs, sexual assault centers, and community councils. The involvement of parents and other community members is encouraged through the community councils.

The school districts are also required to provide in-service education for all licensed and nonlicensed staff and school board members. One witness told the committee that it was important that all staff be trained because, for example, a student may only be comfortable reporting abuse to a janitor or bus driver whom they trust.

Several witnesses testified in favor of the bill, including Attorney General Hubert Humphrey III, who told the committee violence and harassment prevention must become an integral part of every educational setting. Jeff Gorfine from the Olmsted County Community Action Program testified that without this bill "we will not have a culture that is receptive" to dealing with sexual harassment and violence.

The committee recommended unanimously that the bill pass and rereferred it to the Education Funding Division to consider the financing provisions of the bill. At a later committee hearing, members will hear additional bills relating to prevention and awareness sponsored by Sen. Janet Johnson (DFL-North Branch) and Sen. Jane Ranum (DFL-Mpls.).

## Service for hearing-impaired available

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

# Committee update

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## Agriculture and Rural Development

### Panel discusses needs assessment model

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Thurs., Feb. 20, to consider the final report of the Rural Development Board's Community Needs Assessment Model. According to the report, a number of small communities have received assistance in gaining community input and support for plans to improve the communities' economic situations. Mark Lofthus, director of the Rural Development Board, told the committee that the program has been successful in helping the participating communities to identify their needs and how to address those needs. Rich Majerus, owner of a business in Bellechester, and Rollin Bergman, a business owner from Ada, both stated that the program had brought their communities together in a cooperative effort to identify and solve the communities' problems. They stated further that the program had given their communities a "roadmap" for finding and accessing the services and funding needed to solve their problems.

Sen. Earl Renneke (IR-LeSueur) and Sen. Charles Berg (DFL-Chokio) questioned whether the more fundamental problems of small communities, such as population decrease and loss of small businesses, could be solved through such programs. Sen. Tracy Beckman (DFL-Bricelyn) said that while some negative changes in the economic climate in small communities are inevitable, the state should not have a policy that encourages loss.

Davis concluded by saying that what is needed in smaller communities is a combination of rural development and value added incentives.

## Employment

### Access to employee personnel records

At an Employment Committee hearing on Wed., Feb. 19., Sen. Gene Merriam (DFL-Coon Rapids) presented S.F. 1747. The bill gives employees the right to obtain a copy of their personnel records from their employer.

Under current law, employees are allowed to review their personnel records; however, they can only obtain a copy of

any disputed information in the record, unless the employer voluntarily makes a copy of undisputed information. Proponents of the bill say it is important that employees have such a right because a hard copy of the undisputed information may be needed in a time of job transition or for other personal reasons. Under the bill, the employee has to pay the costs of producing the copies.

Brad Ervin from the Minnesota Chamber of Commerce testified against the bill. Ervin said the bill could possibly give employees a vehicle to harass management by making mass requests for copies of their personnel records. He also said that businesses could have difficulty reproducing some of the records.

Sen. Nancy Braatas (IR-Rochester) said she was concerned that the bill may encourage "fishing expeditions" that could disrupt businesses.

The committee recommended that the bill pass.

Members of the committee also began work on S.F.1608, authored by Sen. Ted Mondale(DFL-St. Louis Park). Mondale's bill requires training and education for video terminal operators. In addition, the bill requires a study of the health risks associated with working on the terminals. Committee Chair Florian Chmielewski (DFL-Sturgeon Lake) said the committee would continue to hear the bill at the next hearing.

## Energy and Public Utilities

### Energy Alternatives and Conservation

Members of the Energy and Public Utilities Committee met Tue., Feb. 18 and listened to representatives of the Public Service Department present a report on the photovoltaic study that the Legislature mandated in 1991 ( A photovoltaic cell is a semi-conductor device that converts sunlight into direct current electricity).

Committee Chair Steven Novak (DFL-New Brighton) stated that the committee is looking for solid conclusions about possible non-fossil fuel energy alternatives. The authors of the photovoltaic study said it identifies cost-effective uses of photovoltaics, based on recent activity in the photovoltaic industry in Minnesota and across the nation. The study points out the potential market for applications in Minnesota state government: lighting for public lake access, trails, and rest

rooms; vehicle battery charging for snow removal equipment and emergency vehicles; and, warning signals, such as, weather warning sirens, traffic advance warning arrow boards, and navigational lights. The committee is considering extending the study to gain more detailed information about alternative energy sources.

The department representatives also presented a review of Minnesota's building code energy conservation measures. Members of the committee stressed the importance of reducing energy costs through energy efficiency in public buildings. In addition, Senators and department officials emphasized the need to educate architects, engineers, contractors, and designers in energy efficiency.

Agency officials are currently developing an energy code and methods to enforce the rules. And the committee may also consider legislation that adopts recommendations and provides model conservation standards.

## Finance

### Telecommunications update presented

Education officials updated members of the Education Division of the Finance Committee on telecommunications activity in Minnesota at a hearing Tue., Feb. 17. Joe Graba, deputy commissioner of the Higher Education Coordinating Board, described the present situation in each segment of the educational system and discussed future plans for expanded use of telecommunications technology.

Schools and colleges use interactive communications networks to offer more classes in rural areas and provide teleconferencing, two-way interactive television, and data transmission, among other services, Graba said. Committee Chair LeRoy Stumpf (DFL-Theif River Falls) pointed out that telecommunications also has the potential to provide higher education to a new market: people at home that cannot afford college or have no access to adequate transportation. Stumpf also said that there are a "lot of hurdles to overcome" in developing a system. Senator Nancy Braatas (IR-Rochester) added that there are many administrative and managerial issues to address.

Mark Nelson from the Department of Administration explained that the State-wide Telecommunications Access Routing System (STARS) will be the

vehicle for the use of telecommunications and instructional technology in educational systems. STARS will also handle other state communications functions such as data transmission between state agencies and long distance phone service. Nelson said that the department plans on implementing STARS in incremental stages beginning later this year.

### **HHS division debates DAC funding**

The Health and Human Services Division of Finance, chaired by Sen. Don Samuelson (DFL-Brainerd), considered testimony Wed., Feb. 19, regarding funding for Day Activity Centers under new legislation allowing for-profit organizations to bid for contracts to provide these services. Robert Meyer, asst. director, Disabilities Division, Department of Health and Human Services, explained that the legislation was needed in order to provide services to all clients in all areas of the state. Charles N. Oakes, administrator, Wadena County DAC and president of the Minnesota DAC Association, requested that the committee not fund the initiative at this time but rather give adequate funds to existing not-for-profit vendors to enable them to expand their programs and meet all clients needs. Several other parties advocated funding that would provide the highest level of service for the largest number of clients. Sen. Earl Renneke (IR-LeSueur) questioned the equity of the current funding formula. Samuelson, before adjourning, asked the department for clarification of its current funding mechanism.

## **Gaming Regulation**

### **Indian gaming presentation**

The Minnesota Indian Gaming Association (MIGA) presented an overview of its programs to the Gaming Regulation Committee, chaired by Sen. Charles A. Berg (DFL-Chokio) Wed., Feb. 19.

MIGA Chairman Myron Ellis introduced MIGA and talked about the role of tribal government in Indian gaming.

Leonard Prescott, MIGA Vice Chairman, discussed the beneficial impact of gaming, telling the committee that gaming had benefited both Indian and non-Indian communities, providing jobs, taxes and benefiting local economies. Prescott said gaming has increased self-sufficiency in the Indian community by putting more Indian families in the mainstream.

The role of government in Indian gaming was addressed by John Jacobson,

an attorney specializing in Indian gaming law. Jacobson discussed state-tribal compacts and the role of state government in Indian gaming. Jacobson told the committee that the state can inspect gaming machines, enter casinos and inspect operations, and review federal audits. Jacobson expressed a concern about a state requirement that all suppliers be licensed by the state. He said he feared this would limit access by tribal entities to Indian casinos.

Gaming Consultant James Maida of Gaming Laboratories International, Inc. described the role of the independent laboratory as that of a "referee." He said that every gaming machine undergoes 200 tests and that Minnesota requires more than 50 additional tests. In addition, all gaming machines in Minnesota are hooked up to an on-line accounting system. Maida described the technology and internal controls of two machines.

The committee was also addressed by James Guccione, security and surveillance specialist, who demonstrated security procedures. Both Guccione and Maida answered questions from committee members on casino security.

The last person to speak to the committee was Rocky Papasadora, Chief of Security, Leech Lake Gaming Division, who described hiring safeguards. Papasadora informed the panel that casino security personnel throughout Minnesota had recently formed the Minnesota Casino Intelligence Unit. According to Papasadora, the unit plans to develop a statewide intelligence network to identify, track and control casino security problems.

Sen. Dean Johnson (IR-Willmar) raised the issue of "a level playing field," and asked the MIGA representatives if they had a position on allowing other forms of gambling to develop. Jacobson said that while MIGA hasn't taken a position, there are legal and historical differences between Indian tribal governments and private enterprises. He said that none of the Minnesota casinos are operated privately.

Ellis stated his belief that a level playing field had never existed. He said he also wanted to remind the committee that the success of Indian gaming had finally provided some economic development for Indians and had concurrently benefited several thousand non-Indians holding jobs in Indian casinos.

Berg, Johnson and Sen. Don Samuelson (DFL-Brainerd) raised questions about taxation at Indian casinos. Jacobson said that Indian tribal governments are

organized under federal law with rights and obligations in regard to other governments. Jacobson said the casino being built in Hinckley is not on trust land so regular sales tax will be in effect there. He added that in private, commercial enterprises on tribal land, sales taxes are collected from non-Indian customers and remitted to the state.

## **Health and Human Services**

### **Moratorium exception advances**

The Health and Human Services Committee held an evening hearing Wed., Feb. 19, to hear overviews on two human services funding issues. The panel, chaired by Sen. Linda Berglin (DFL-Mpls.) also advanced one measure to the Finance Committee and began discussion on two additional bills.

Representatives from the Dept. of Human Services outlined the effects of last year's surcharge program and subsequent federal actions. Specifically, the Legislature acted last year to place a surcharge on hospitals, nursing homes, doctors, dentists and special medical transportation providers to be used as the 47 percent state Medical Assistance match requirement. The surcharge was designed to generate 53 percent in additional federal funds because of a revision in federal health care financing which liberalized requirements for state matching of federal Medicaid. Under the program, the providers are then reimbursed for the surcharge. However, the federal government subsequently enacted legislation to discontinue the match for the surcharge. According to Berglin, the purpose of the hearing was to bring panel members up to date and to bring the issue to the table for further action.

In addition, the committee discussed the issue of property reimbursement to long term care providers. Two measures dealing with the issue were also discussed but laid over for further debate. S.F. 1816 and S.F. 1817, both sponsored by Berglin, deal with the property reimbursement issue. S.F. 1816 modifies the nursing home moratorium exception process and changes the method of determining the property payment rate for nursing homes that have completed a construction project authorized under the moratorium exception review process. S.F. 1817 makes permanent the nursing facility property rates in effect on June 30, 1992, except for increases for facilities that are sold. In addition, the measure provides for determination of the capital repair and replacement rate after June 30, 1993;

# Committee update

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establishes reimbursement for rate years after June 30, 1993 for new debt, interest and equity added after June 30, 1990, related to repair, replacement or addition of capital assets; provides for determination of appraised value; establishes a refinancing incentive; and requires a study of the physical condition of all Minnesota nursing facilities.

Finally, the panel approved a bill extending the deadline for commencing construction of nursing home projects granted nursing home moratorium exceptions. The measure, S.F. 1789, is needed because projects are having difficulty arranging the necessary financing in the time currently allowed, Berglin said. The measure also repeals a provision that ties exceptions to the moratorium to the surcharge. The measure now goes to the Committee on Finance.

## Judiciary

### Conciliation court changes considered

The Civil Law Division of the Senate Judiciary Committee met Wed., Feb. 19, to consider S.F. 1691. The bill, sponsored by Sen. Randy Kelly (DFL-St. Paul), modifies the rules governing access to and representation in conciliation court. Kelly said the bill was needed to streamline and expedite access to the court. A major provision of the bill is an increase in the jurisdictional limit from \$4,000 to \$5,000. In addition, one provision addresses jurisdiction over multiple defendants and foreign corporations doing business in Minnesota. In both instances, a case may be brought in the county where the plaintiff resides. The bill further allows for plaintiffs to be represented by an attorney when the interests of justice would be served. Another provision raises the liability of the party who, after demanding removal to district court, does not prevail. Under the bill, the opposing party would be awarded five percent of the applicable jurisdictional limit.

The committee approved the bill and advanced the measure to the full Judiciary Committee.

### Adult sex offender sentencing

The Criminal Law Division of the Judiciary Committee, chaired by Sen. John Marty (DFL-Roseville), met Wed., Feb. 19, to discuss a bill revamping sentencing for adult sex offenders.

Four witnesses presented testimony on

the bill, S.F. 1687, authored by Sen. Allan Spear (DFL-Mpls.). Among bill provisions are increased penalties for certain sex offenders and life imprisonment for repeat sex offenders.

Bob Johnson, Anoka County Attorney, supported the bill. Johnson said that the bill was an appropriate expansion of the framework for dealing with sex offenders. Johnson stressed the importance of keeping penalties for homicide more stringent than for other felonies, lest perpetrators have a disincentive to keep victims alive. Johnson said, though, that he would like to see additional support for victims.

Jerry Kaplan of the Alpha Treatment Center also supported the bill, suggesting the addition of two more degrees of felony criminal sexual conduct. Kaplan said the existence of six degrees of criminal sexual conduct might make plea bargaining less likely. Spear said that at some point the Senate may need to look at the entire criminal sexual conduct law and see if it needs to be reformulated.

Kaplan also said that he supports Monday through Thursday scheduling of release dates. He said that juvenile sex offenses on record should be treated the same as adult sex offenses on record. Kaplan questioned the need for statutory maximums since the state has a sentencing guidelines system. Kaplan said the state is relying too much on prison based treatment and should rely more on community based treatment.

Because DNA testing is not required of offenders from many states, Kaplan added that it should be required of all offenders who move here. He also suggested that psychopathic personality commitment is best done at time of sentencing.

Kay Pranis, research coordinator of the Citizen's Council, a not-for-profit criminal justice agency, told the division that council data indicates longer sentences and more prison beds won't influence public safety and that "the public does not want to invest scarce dollars in prison beds."

Finally, the division heard from Dr. Glen Just of Nexus Treatment Center, a sex offender treatment program based in Greater Minnesota. Just said that 43 percent of their clients report having been victimized by females. He said he feels that current legislation does not address the problem and in fact addresses only two percent of sex offenders. Just also expressed concern about the demise of treatment programs and the need to base policy decisions on more empirical data.

Spear indicated the division will continue discussion on S.F. 1687 on Fri., Feb. 21.

## Local Government

### Committee looks at lakes, recorder's office

The Local Government Committee, chaired by Sen. Betty Adkins (DFL-St. Michael) met Thurs., Feb. 20, to consider S.F. 1694. The bill, sponsored by Sen. Judy Traub (DFL-Minnetonka) authorizes the Hennepin County Board to appropriate money from the general fund for the improvement, preservation and protection of lakes and waters in the county. The committee also heard statements for and against S.F. 1716, sponsored by Sen. Nancy Brataas (IR-Rochester). The bill authorizes the Olmsted County Board to fill the office of county recorder by appointment rather than election.

Traub stated that Hennepin County now has authorization to appropriate funds to combat water problems such as Eurasian milfoil in local lakes, but no authorization to expend those funds. Eugene Strommen, executive director, Lake Minnetonka Conservation District, speaking in support of the bill, stated that milfoil is already a problem in over 50 lakes in the state.

The committee approved the bill and sent it to the full Senate for approval.

Next the committee addressed S.F. 1716. In support of the measure, Brataas stated that it would save money and help to modernize county government. Several other speakers stated that in addition to saving money, appointing rather than electing the county recorder would assure that the person doing the job is a qualified business manager. Those opposed to the bill asserted that making the position appointed rather than elected would impinge on the democratic process.

The committee approved the bill and sent it to the full Senate.

## Rules and Administration

### Commission, council members named

The Senate Rules and Administration Subcommittee on Committees met Tues., Feb. 18. Sen. Roger D. Moe (DFL-Erskine), chaired the subcommittee. The panel approved the appointments of Sen. Gen Olson (IR-Minnetrista) to replace Sen. Jim Gustafson (IR-Duluth) on the Task Force on Education and Employ-

ment Transitions and Sen. Dennis Frederickson (IR-New Ulm) to replace former Sen. Don Storm (IR-Edina) on the Legislative Commission on Waste Management. The subcommittee then approved the following recommendations to replace Storm on various other legislative bodies: Sen. Earl Renneke (IR-LeSueur) to the Legislative Commission on Long Term Health Care; Sen. Roy Terwilliger (IR-Edina) to the IRIS Coordinating Committee; and Sen. Pat Pariseau (IR-Farmington) to the State Information Systems Advisory Task Force.

The subcommittee next turned to appointments to the Regent Candidates Advisory Council. It was recommended that Hillary Thimmesh, Ron Renier and Ezell Jones be reappointed, and that Manuel Cervantes replace Reatha King. The subcommittee deferred action on a replacement for Katie Sasseville to allow time to study recommendations that would keep a gender and district balance on the council. Finally, the subcommittee approved the request of Sen. Allan Spear (DFL-Mpls.) that he be replaced as Senate ex-officio member on the board of the Minneapolis Institute of Arts by Sen. Judy Traub (DFL-Minnetonka).

## Transportation

### Mail carrier tire bill approved

The Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent) met Thurs. Feb. 20, and approved a bill authorizing the use of metal-studded tires on postal vehicles on routes with less than 10 percent paved roads. Under the bill, S.F. 797, sponsored by DeCramer, mail carriers on such routes could apply for an annual permit authorizing use of the tires between October 15 and May 1.

The committee heard testimony from a rural mail carrier and a U.S. Postal Service representative, who asserted that use of the studded tires would increase the safety of carriers who drive primarily on gravel roads and soft road shoulders.

Richard Borson, Dept. of Transportation, asserted that use of studded tires for rural mail carriers would be acceptable, but expressed concern that allowing their use on one type of vehicle would open the way for use on vehicles driven on paved roads, which in turn would lead to road deterioration problems and necessitate expensive repairs.

Bob McPartlin, Waseca County Engineer, voiced the same concern, and suggested that while the bill limits the use of studded-tire-equipped vehicles for driving to and from the carrier's home and

mail pick-up station and along the delivery route, that inevitably some of the vehicles would be driven on paved roads.

The committee also considered a bill, S.F. 1739, sponsored by Sen. James Metzen (DFL-South St. Paul) that provides an exemption to the open bottle law for passengers of charter buses. Metzen and charter bus industry representatives argued that serving alcoholic beverages on charter buses to and from casinos and sporting events is a commonly accepted practice and should be legalized.

Sen. Joanne Benson (IR-St. Cloud) added that allowing the exemption for buses seems to support the discouragement of drunk driving. An alcoholism awareness trainer's testimony questioned this argument, pointing out that when people leave charter buses, they must get home and are likely to drive.

The Senators also considered liability issues raised by the bill, concluding that such issues are more appropriately handled by the Judiciary Committee. The measure was approved and referred to Judiciary.

## Veterans and General Legislation

### Vets Homes Planning Study

The Veterans and General Legislation Committee met Wed., Feb. 19, to discuss a long range planning study on veterans homes that was mandated in last year's state dept. bill. Chair Joe Bertram (DFL-Paynesville) expressed the wish that mandates concerning veterans issues pass through the veterans committee in the future.

Robert E. Hanson, secretary of the Veterans Homes Board, gave the committee a short historical perspective of the need for the study. The study, produced by an independent consulting firm, looks at the need and feasibility of improvements to the Hastings and Minneapolis Veterans Homes.

John Riley, a consultant from Tronnes Reiling and Associates, outlined the study's findings for the committee. The study found that the need for skilled nursing care and domiciliary care will rise by an estimated 50 percent in the next 30 years. At the same time, Riley explained, the study takes into account current budgetary constraints and recommends no additional beds. The study does recommend certain improvements to the two homes, in particular, the Minneapolis campus. The estimated costs of improvements to the Minneapolis Veterans Home is \$21 million, Riley said. The study also recommends alternative care programs to

reduce costs in care, he said.

Committee members discussed the need for such improvements and there was general agreement that improvements should be made if possible. Riley explained that, on the average, veterans home residents in skilled nursing care are needy to a degree that cannot be met in private facilities. If the state approves the project as a whole, the federal government would match funds provided by the state. Sen. Don Samuelson (DFL-Brainerd) asked whether abandoning the Minneapolis site and starting over was an option. Riley explained that aside from the financially prohibitive nature of such a measure, any proceeds from the sale of land at the current site would revert to the city of Minneapolis and not the state.

Bertram stressed that any work by the Veterans Committee on the proposed changes is finished at the present time. He said that any measure to fund the proposed projects must now be presented to the Finance Committee.

### Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6 the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6 the Metro Cable Network.

Also, watch for Senate Report, a weekly public affairs program, featuring lawmakers from specific regions around the state reviewing legislative issues from a regional perspective. Senate Report is broadcast on PBS stations as well as Channel 6 the Metro Cable Network.

The following is the schedule for broadcast of Senate Report.

Austin KSMQ - 11:30 a.m. Sundays;  
Duluth WDSE - 11:30 a.m. Sundays;  
Appleton KWCM- 11:30 a.m. Sundays;  
Bemidji KAWK/KAWB - 11:30 a.m. Sundays (Beginning Feb. 3); Fargo KFME 11 a.m. - Saturdays (Beginning Feb. 2); and Channel 6, the Metro Cable Network - 6:30 p.m. Mondays and 7:30 p.m. Wednesdays.

### Senate phone numbers

For copies of bills (voice mail)	296-2343
For index and information	296-0504
For committee schedules	296-8088
For TDD	296-0250
For TV comment	296-0264

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# Preview

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## The Minnesota Senate Week at a Glance

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### Monday, February 24

#### Gaming Regulations Committee

Chair: Sen. Charles Berg

8 p.m. Room 107

**Agenda:** S.F. 1632-Sams: Specifying that certain expenditures for senior citizens and conservation programs are lawful. S.F. 1677-Sams: Specifying that certain expenditures for recreational snowmobiling are lawful purposes etc. S.F. 1736-Metzen: Removing certain limitations on real estate taxes and assessments as lawful purpose expenditures; etc. S.F. 1760-Bertram: Authorizing expenditures on facilities and activities for persons age 55 or over as a lawful purposes; etc. S.F. 1806-Pariseau: Authorizing expenditures of net gambling profits on non-cash awards to organization members and other persons for donations of blood and other community services: etc.

#### Education Committee

Chair: Sen. Gregory Dahl

8:30 Room 15 Capitol

**Agenda:** S.F. XXXX: Outcome based education and graduation

#### Employment Committee

Chair: Sen. Florian Chmielewski

10 a.m. Room 107 Capitol

**Agenda:** S.F. 1608-Mondale: Video display terminals health risks study. S.F. 1877-Chmielewski: Workers compensation regulations, medical benefits; managed care. S.F. 1878-Chmielewski: Workers compensation regulating assigned risk plan; administration. S.F. 1879-Chmielewski: Workers compensation; regulating hearing; judicial issues. S.F. 1880-Chmielewski: Workers compensation; regulating benefits and coverage.

#### Judiciary Committee

Chair: Sen. Allan Spear

10 a.m. Room 15 Capitol

**Agenda:** S.F. 1601-Berg: Death penalty

#### Transportation Committee

Chair Sen. Gary DeCramer

12 p.m. Room 112 Capitol

**Agenda:** S.F. 1712-Langseth: Bridge bonding. S.F. 1750-Langseth: MVET and gas tax. S.F. 1881-Langseth: County state aid highways.

### The Senate will meet at 2 p.m.

#### Joint Education Subcommittee on Early Childhood and Special Populations and Health and Human Services Committee

Chairs: Sen. Linda Berglin and Sen. Judy Traub

3 p.m. Room 15

**Agenda:** S.F. 450-Flynn: Requiring junior and senior high schools to establish school based health clinics; establishing standards and authorizing grants. Special presentation by Dr. Jocelyn Elders, commissioner, Arkansas Dept. of Health.

#### Finance Division on Environment and Natural Resources

Chair: Sen. Steven Morse

4 p.m. Room 123 Capitol

**Agenda:** Pollution Control Agency. Report on effect of general budget reduction. Update on agency response and progress stemming from Legislative Auditor Report of 1991. Overview of Water Pollution Control Division.

### Tuesday, February 25

#### Local Government Committee

Chair: Sen. Betty Adkins

9 a.m. Room 107 Capitol

**Agenda:** S.F. 1704-Berglin: Minneapolis; regulating the use of city sales and use tax, permitting use for school readiness programs.

#### Agriculture and Rural Development

Chair: Sen. Charles Davis

10 a.m. Room 112 Capitol

**Agenda:** To be announced.

#### Commerce Committee

Chair: Sen. Sam Solon

1 p.m. Room 25 Capitol

**Agenda:** Presentation of the STAR Consumer Task Force Report on Insurance (People with Disabilities) S.F. 1689-Metzen: Property and casualty insurance agency contracts cancellation provisions and review board membership modifications. S.F. 1855-Metzen: Charitable beneficiary life insurance policies. S.F. 1695-Traub: Real estate brokers leasing commission liens. S.F. XXXX-Solon: Revisions to the MN auto insurance plan.

#### Environment and Natural Resources Committee

Chair: Sen. Bob Lessard

1 p.m. Room 107 Capitol

**Agenda:** S.F. 1699-Finn: Allowing towing of persons with personal watercraft equipped with rearview mirrors. S.F. 1866 Mondale: Protection from liability for releases of hazardous substances. S.F. 1829-Dahl: Changing provisions relating to waste tires. S.F. 1549-Merriam: Moving from OWM to EQB the responsibility for review of siting of waste facilities.

#### Finance Division on Education

Chair: Sen. LeRoy Stumpf

3 p.m. Room 125 Capitol

**Agenda:** Senator Gary DeCramer and representatives from the various higher education systems and the Department of Administration will discuss building code requirements.

#### Health and Human Services Committee

Chair: Sen. Linda Berglin

6 p.m. Room 15 Capitol

**Agenda:** S.F. 574-Cohen: Freedom of Choice Act.

#### Judiciary Division on Criminal Law

Chair: Sen. John Marty

7 p.m. Room 112 Capitol

**Agenda:** S.F. 1822-Spear: Establishing a children's health care mediator; providing for reporting by parent relying on religious or philosophical healing practices. S.F. 273-Ranum: Child abuse; neglect extending to medical neglect caused by reliance on spiritual health care

### Wednesday, February 26

#### Gaming Regulations Committee

Chair: Sen. Charles Berg

8 a.m. Room 107

**Agenda:** Presentation by restaurant, hotel and resort owners and individuals regarding economic impact of Indian Gaming from their prospective.

#### Education Committee

Chair: Gregory Dahl

8:30 a.m. Room 15 Capitol

**Agenda:** Outcome Based Education in practice - discussion with teachers.

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**Employment Committee**

*Chair: Sen. Florian Chmielewski*  
10 a.m. Room 107 Capitol

**Agenda:** S.F. 1877-Chmielewski: Workers' comp.-regulating medical benefits, managed care. S.F. 1878-Chmielewski: Workers comp.-regulating Assigned Risk Plan. S.F. 1879-Chmielewski: Workers comp.-regulating hearing, judicial issues. S.F. 1880-Chmielewski: Workers comp.-regulating benefits and coverage.

**Judiciary Division on Civil Law**

*Chair: Sen. Richard Cohen*  
10 a.m. Room 125 Capitol

**Agenda:** S.F. 1699-Finn: Shorthand court reports regulation and board. S.F. 1644-Flynn: Uniform Commercial Code.

**Judiciary Division on Criminal Law**

*Chair: Sen. John Marty*  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 1687-Spear: Adult sex offender sentencing. S.F. 1757-Riveness: Penalties regarding first degree murders involving forcible criminal sexual conduct. S.F. 1768-Laidig: Concurrent sentencing guidelines for crimes committed by inmates at state correctional facilities. S.F. 1798-Neuville: Expanding the crime of second degree murder to include death caused by domestic assault.

**Elections and Ethics Committee**

*Chair: Sen. Jerome Hughes*  
11:30 a.m. Room 107 Capitol

**Agenda:** Confirmations to the State Ethical Practices Board: Bruce D. Willis; Douglas H. Sillers; Emily Anne Staples; Elsa Carpenter. Recommendations of the State Ethical Practices Board. S.F. 808-Pappas Changing the voting age.

**Environment and Natural Resources Committee**

*Chair: Sen. Bob Lessard*  
1 p.m. Room 107

**Agenda:** S.F. 1252-Flynn: Minnehaha state park. S.F. 1722-Kroening: State lands to city of Minneapolis. S.F. 1615-Lessard: Reduction of deer hunting license fees for residents under 18.

**Finance Division on Health and Human Services**

*Chair: Sen. Don Samuelson*  
3 p.m. Room 125 Capitol

**Agenda:** Update on Bone Marrow Donor Program.

**Health and Human Services Committee**

*Chair: Sen. Linda Berglin*  
6 p.m. Room 15 Capitol

**Agenda:** S.F. 672-Dicklich: Equal Access

to Employment Opportunities for people with severe disabilities S.F. 1790-Berglin: Lead bill

**Thursday, February 27****Finance Division on Education**

*Chair: Sen. LeRoy Stumpf*  
8 a.m. Room 125 Capitol

**Agenda:** Representatives from the Post-Secondary Commission, the Higher Education Coordinating Board and the various higher education systems will speak on job placement for students, assessments process, competency measurements, outcome verification.

**Governmental Operations Committee**

*Chair: Sen. Gene Waldorf*  
8 a.m. Room 15 Capitol

**Agenda:** Policy discussion - occupational licensing. Other items to be announced.

**Local Government Committee**

*Chair: Sen. Betty Adkins*  
8 a.m. Room 107 Capitol

**Agenda:** S.F. 1658-Cohen: Relating to Ramsey County; fixing times for the report of the Ramsey County Local Government Cooperation and Consolidation Study Commission.

**Agriculture and Rural Development Committee**

*Chair: Sen. Charles Davis*  
10 a.m. Room 112 Capitol

**Agenda:** To be announced.

**Metropolitan Affairs Committee**

*Chair: Sen. Don Frank*  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 1725-Frederickson D.R.: Metropolitan Airports Commission bonds investment prohibition. S.F.1770-Frank: Transportation accessibility advisory committee name designation.

**Economic Development and Housing Committee**

*Chair: Sen. Jim Metzger*  
12 p.m. Room 107 Capitol

**Agenda:** S.F. 1721-Kroening: Minneapolis; Extending authority to guarantee certain loans. S.F. 1633-Belanger: Providing for the membership, Bloomington Port Authority. S.F. 1609-Berg: Relating to MAC bond proposals

**Transportation Committee**

*Chair: Sen. Gary DeCramer*  
12 p.m. Room 112 Capitol

**Agenda:** S.F. 1014-Morse: Bicycle registration and fee requirements. S.F. 1015-Morse: Establishment of bikeways and highway planning requirements. S.F. 1575-DeCramer: Rail bank program modifications.

**The Senate will meet at 2 p.m.**

**Education Subcommittee on Governance and Structure**

*Chair: Sen. Tracy Beckman*  
3 p.m. Room 107 Capitol

**Agenda:** S.F. 157-Hughes: Changing appointment of commissioner of education. S.F. 1001-Hughes: Amendment to Minnesota Constitution, Article XIII.

**Health and Human Services Subcommittee on Social Services**

*Chair: Sen. Carol Flynn*  
3 p.m. Room 15 Capitol

**Agenda:** Child support bills. S.F. 1185-Knaak: Marriage dissolution and child support. S.F. 1200-Knaak: Marriage dissolution and child support. S.F. 1818-Berglin: Prohibits downward deviations. S.F. 1643-Traub: suspended licence. S.F. XXXX-Cohen: Child support.

**Health and Human Services Subcommittee on Health Care Access.**

*Chair: Sen. Pat Piper*  
3 p.m. Room 112 Capitol

**Agenda:** Presentation by the Dept. of Health on health occupation regulation and the human services occupations advisory council.

**Friday, February 28****Education Committee**

*Chair: Gregory Dahl*  
8:30 Room 15 Capitol

**Agenda:** A report on teacher preparation and licensing

**Judiciary Division on Civil Law**

*Chair: Sen. Richard Cohen*  
10 a.m. 125 Capitol

**Agenda:** S.F. 1644-Finn: Uniform Commercial Code.

**Judiciary Division on Criminal Law**

*Chair: Sen. John Marty*  
10 a.m. Room 15 Capitol

**Agenda:** S.F. 1687-Spear: Adult sex offender hearing. S.F. XXXX-McGowen: to be announced

**Commerce Subcommittee on Consumer Protection and Regulated Industries**

*Chair: Sen. John Hottinger*  
1 p.m. Room 15 Capitol

**Agenda:** S.F. 1086-Pappas: Imposing health regulations for canning facilities. S.F. 1804-Traub: Requiring locksmith and key makers license

# Minnesota Senate

## Senate Members --- 1992 Session

Party	Phone	Name	Room	Dist.	Party	Phone	Name	Room	Dist.
DFL	296-5981	Adkins, Betty	G-29	Cap. 22	DFL	3205	Langseth, Keith	G-24	Cap. 9
DFL	5713	Beckman, Tracy	G-24	Cap. 29	IR	5655	Larson, Cal	145	SOB 10
IR	5975	Belanger, William V., Jr.	107	SOB 41	DFL	4136	Lessard, Bob	111	Cap. 3
IR	3903	Benson, Duane D.	147	SOB 32	DFL	8869	Luther, William P.	205	Cap. 47
IR	6455	Benson, Joanne E.	153	SOB 17	DFL	5645	Marty, John	G-9	Cap. 63
DFL	5094	Berg, Charles A.	328	Cap. 11	IR	2159	McGowan, Patrick D.	129	SOB 48
DFL	4261	Berglin, Linda	G-9	Cap. 60	IR	8075	Mehrkens, Lyle G.	127	SOB 26
IR	4131	Bernhagen, John	113	SOB 21	DFL	4154	Merriam, Gene	122	Cap. 49
DFL	2084	Bertram, Joe, Sr.	323	Cap. 16	DFL	4370	Metzen, James P.	303	Cap. 39
IR	4848	Brataas, Nancy	139	SOB 33	DFL	2577	Moe, Roger D.	208	Cap. 2
DFL	4182	Chmielewski, Florian	325	Cap. 14	DFL	7-8065	Mondale, Ted	325	Cap. 44
DFL	5931	Cohen, Richard J.	G-27	Cap. 64	DFL	5649	Morse, Steven	G-24	Cap. 34
DFL	5003	Dahl, Gregory L.	235	Cap. 50	IR	1279	Neuville, Tom	123	SOB 25
DFL	2302	Davis, Charles R.	G-24	Cap. 18	DFL	4334	Novak, Steven G.	322	Cap. 52
IR	9457	Day, Dick	105	SOB 30	IR	1282	Olson, Gen	125	SOB 43
DFL	6820	DeCramer, Gary M.	309	Cap. 27	DFL	1802	Pappas, Sandra L.	G-24	Cap. 65
DFL	2859	Dicklich, Ronald R.	235	Cap. 5	IR	5252	Pariseau, Pat	109	SOB 37
DFL	6128	Finn, Harold R. "Skip"	321	Cap. 4	DFL	9248	Piper, Pat	G-9	Cap. 31
DFL	4274	Flynn, Carol	227	Cap. 61	DFL	7809	Pogemiller, Lawrence J.	306	Cap. 58
DFL	2877	Frank, Don	225	Cap. 51	DFL	7-8060	Price, Leonard R.	111	Cap. 56
DFL	5640	Frederickson, David J.	306	Cap. 20	DFL	7-8061	Ranum, Jane	317	Cap. 62
IR	8138	Frederickson, Dennis R.	143	SOB 23	DFL	2889	Reichgott, Ember D.	301	Cap. 46
IR	4314	Gustafson, Jim	119	SOB 8	IR	4125	Renneke, Earl W.	117	SOB 35
IR	4120	Halberg, Chuck	133	SOB 38	DFL	7-8062	Riveness, Phil	309	Cap. 40
DFL	6153	Hottinger, John C.	G-29	Cap. 24	DFL	7-8063	Sams, Dallas C.	G-9	Cap. 12
DFL	4183	Hughes, Jerome M.	328	Cap. 54	DFL	4875	Samuelson, Don	124	Cap. 13
IR	3826	Johnson, Dean E.	131	SOB 15	DFL	4188	Solon, Sam G.	303	Cap. 7
DFL	8881	Johnson, Douglas J.	205	Cap. 6	DFL	4191	Spear, Allan H.	G-27	Cap. 59
DFL	5419	Johnson, Janet B.	303	Cap. 19	DFL	8660	Stumpf, LeRoy A.	G-24	Cap. 1
IR	4123	Johnston, Terry	135	SOB 36	IR	6238	Terwilliger, Roy	115	Cap. 42
DFL	5285	Kelly, Randy C.	G-27	Cap. 67	DFL	7-8064	Traub, Judy	235	Cap. 45
IR	1253	Knaak, Fritz	149	SOB 53	DFL	5650	Vickerman, Jim	122	Cap. 28
DFL	4302	Kroening, Carl W.	124	Cap. 57	DFL	3809	Waldorf, Gene	317	Cap. 66
IR	4351	Laidig, Gary W.	141	SOB 55					

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# Briefly

The Minnesota Senate Week in Review

February 28, 1992

## Senate holds brief floor sessions

At a brief floor session Mon., Feb. 24, Senators granted final passage to S.F. 1666. The measure, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), which had been given preliminary approval Thurs., Feb. 20, authorizes county hospitals to make some capital improvements without referendums. The bill also makes changes in bidding limits which, according to Chmielewski and Sen. John C. Hottinger (DFL-Mankato), have been unchanged since 1959. An amendment introduced by Sen. Jim Gustafson (IR-Duluth), changes the amount a manager can purchase without a bid from \$25,000 to \$15,000. The bill was passed on a 55-5 vote.

In other action, Thurs., Feb. 20, the Senate voted to override the gubernatorial vetoes of S.F. 1596, legislative redistricting, and S.F. 1597, Congressional redistricting. Both overrides carried by a vote of 45 to 21.

The Senate met on Thurs., Feb. 27, to process bills. The Senate also gave preliminary approval to S.F. 1694, sponsored by Sen. Judy Traub (DFL-Mpls.). The bill grants authority to Hennepin County to allocate funds to improve and maintain lake quality. Traub explained that currently the county only has the authority to collect the funds.

## Death penalty bill debated

The Senate Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met in a marathon session Mon., Feb. 24, to consider a bill reinstating the death penalty. S.F. 1601, sponsored by Sen. Charles Berg (DFL-Chokio), reinstates the death penalty for heinous crimes where aggravating circumstances are present and mitigating circumstances are absent. Tony Bouza, former Minneapolis Chief of Police, testified in support of the measure, citing deterrence, punishment and society's desire for retribution as his reasons for supporting the measure. James Cooksie, whose daughter was raped and murdered last year, told the committee he feels the death penalty would deter rapists and murderers. Dean Dainsberg, Pamela Price, Sharon Warren and Arden Neal, all of whom are friends and relatives of murder victims, told of the impact the murders had on their families and urged the committee to approve the bill.

Several people appeared in opposition to the bill. Professor Frank Zimring, University of California-Berkeley School of Law, stated that the United States is the only western industrialized country to still allow executions. He further stated that there is no statistical evidence that the threat of a death penalty has any measureable effect on crime rates. The committee also heard from Don and Mary Streufert, whose daughter was raped and murdered last year and who are opposed to the bill. Steve Zachary of the NAACP said that the death penalty has historically been carried out in a manner that discriminates against blacks and other minorities.

Sen. Ember Reichgott (DFL-New Hope) asked if reinstating the death penalty would send a message to children that violence is an acceptable solution to problems. Reichgott stated that it might be better to address the roots of violence. Sen. Randy Kelly (DFL-St. Paul) suggested that the money that would be spent to carry out the bill might better be spent looking into ways to educate people about preventing violence.

Sen. Patrick McGowan (IR-Maple Grove) moved the committee approve S.F. 1601 and refer it to the full Senate. The committee voted 15 to 2 not to approve the measure.

## Freedom of Choice Act sent to floor

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Tues., Feb. 25, to hear testimony supporting and opposing S.F. 574. The bill, known as the Freedom of Choice Act, is sponsored by Sen. Richard Cohen (DFL-St. Paul). It codifies into statutory law the right to obtain a legal abortion in the state of Minnesota. Cohen stated he introduced the bill because he believes the U.S. Supreme Court will reverse or severely limit the abortion rights granted in its 1973 ruling in *Roe vs. Wade*.

Testifying for the bill, Connecticut State Sen. George Jepsen, author of a similar bill that passed in Connecticut, stated that he feels the American people are ambivalent about abortion, but when faced with the question of whether the government or the individual should decide, most people believe the choice should be left to the individual.

Dr. Calvin Boyd of St. Paul-Ramsey Medical Center, testified as an advocate for women's health care. He said that women seeking abortions come from all walks of life and all socioeconomic groups. He went on to say that genetic defects and severe maternal illness are frequent reasons for seeking abortions.

Several opponents of the measure based their opposition on their belief that legalized abortion is not the solution to women's problems. Olivia Ganz, Director, American Victims of Abortion, stated that women who have had abortions are never the same afterward. She said that her group opposes abortion because it is an unregulated industry that subjects women to violence and disregards the legitimate needs of women and their children, such as poverty, unemployment, family abuse and lack of affordable health care.

The committee also heard testimony from Dr. Michael Ruegsegger, Minnesota Physicians United for Human Life. Ruegsegger echoed Ganz's contention that abortion is not the solution to women's problems. He stated his belief that life begins at conception and that women are actually victims of abortion in that some are traumatized by the experience and others suffer physical after-effects.

Sen. Jim Vickerman (DFL-Tracy) asked Cohen if this bill effectively provides abortion on demand in all situations. Cohen responded that the bill simply codifies the status quo, and that any restrictions already on the books, such as the parental notification or fetal disposal laws, would not be affected.

Sen. Dick Day (IR-Owatonna) moved that the committee lay the bill on the table, but the motion failed on a voice vote. A motion by Sen. Duane Benson (IR-Lanesboro) to refer the bill to the Judiciary Committee also failed on a voice vote. Finally, Traub moved that the bill be recommended to pass and sent to the full Senate. The motion prevailed on a divided voice vote.

### Senate phone numbers

For copies of bills (voice mail)	296-2343
For index and information	296-0504
For committee schedules	296-8088
For TDD	296-0250
For TV comment	296-0264

# Committee update

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## Agriculture and Rural Development

### Turkey plant bill advances

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Tues., Feb. 25 to consider S.F. 1648. The bill, sponsored by Sen. Roger D. Moe (DFL-Erskine), authorizes the state to provide financial assistance to private parties for the purchase of the former Swift-Eckrich turkey processing plant in Detroit Lakes. The bill proposes a \$10 million bond sale to finance the purchase and appropriates \$150,000 from the general fund for the Detroit Lakes Development Authority.

Proponents of the measure included Larry Buboltz, mayor of Detroit Lakes, Marvin Daggett, mayor of Frazee, and Lester Duenow, business representative of Local 310, all of whom testified to the impact the closing of the plant had on the region. Robert Lueben, former general manager of the plant, said that the plant was always clean, well-run and quality-conscious, but that the profit margin in re-opening the plant would be so small it would be impossible for a potential buyer to obtain the needed capital from private sources.

Sen. Tracy Beckman (DFL-Bricelyn) moved for adoption of a short amendment substituting the Rural Finance Authority for the commissioner of trade and economic development as the entity that will issue and sell the bonds. The committee then voted to approve the bill as amended and refer it to the Committee on Economic Development and Housing.

## Commerce

### Anti-smoking bill

The Commerce Consumer Protection and Regulated Industries Subcommittee met Fri., Feb. 21, to discuss a bill that strengthens the Clean Indoor Air Act. Chair John Hottinger (DFL-Mankato) indicated that extensive testimony had been given on the bill during previous committee meetings. Bill sponsor Sen. Carol Flynn (DFL-Mpls) offered a delete-everything amendment to remove some of the more controversial portions of the bill. Flynn explained that she was offering the changes in response to previous testimony to make the bill more palatable to various interests. The amendment was adopted.

The major components of the amended bill clarify existing statute. It amends the

definition of public place by removing the exclusion for private, enclosed offices and by including common areas of apartments and condominiums, Flynn explained. The bill also clarifies the rule-making power of the commissioner of health by extending authority to all of the Clean Indoor Air Act, she said. In addition, the bill removes an exception to smoking prohibitions in health care facilities and clinics that allows smoking by a patient if authorized by the patient's attending physician. The bill also removes an exemption from smoking restrictions for factories, warehouses, and similar places of work not usually frequented by the general public. Finally, the bill clarifies that the word restaurant does not include bars as defined in statute. Sen. Lyle Mehrkens (IR-Red Wing) expressed the concern that the Legislature is establishing the requirement for more rules without saying what those rules are. Flynn responded that she felt confident that any new rules established by the Health Dept. "will reflect all of the input we've gotten from all the testimony over the past months." The bill was approved and sent to the full Commerce Committee.

The panel also heard an overview of state licensure concerns presented by Amy Vennewitz, Senate Research and George McCormick, Senate Counsel. McCormick gave a brief history of the need for state licensure of occupations and Vennewitz explained the various forms of occupational licensure in other states. Hottinger explained that the overview was a preview of a presentation to the Governmental Operations Committee in relation to upcoming legislation clarifying occupational regulation.

### Insurance changes

The Tues., Feb. 25, Commerce Committee meeting focused on several bills that make changes to insurance law. The panel, chaired by Sen. Sam Solon (DFL-Duluth), heard two bills sponsored by Sen. James Metzen (DFL-So. St. Paul). The first of the measures, S.F. 1689, makes changes in the definition of "loss ratio experience" and changes how the third member of the Board of Review is selected. Under the bill, the loss ratio experience definition is changed from premiums paid divided by claims, to claims paid divided by premiums, which was the original intent of the law. The ratio is used as a rough measure to gauge how an individual agent is performing, Metzen explained. The bill also removes

language limiting this ratio to the previous two year period. Opponents argued that insurance companies could choose any two-year period arbitrarily in order to terminate an agent. Proponents of removing the two year limit explained that it would protect agents from being fired.

The bill also removes the ability of the commissioner of commerce to appoint the third member of the Board of Review. Instead, under the bill, the agent member and the insurer member of the three-member board select the third member from names provided by the American Arbitration Association. The bill was approved and sent to the Senate floor.

Another measure, sponsored by Metzen and heard by the committee, allows an individual to name a charity as a beneficiary of a life insurance policy and claim the payments on the policy as a tax deduction. Sen. Allan Spear (DFL-Mpls.) moved to amend the bill to make such a policy irrevocable in order to prevent someone from claiming the tax benefits for a number of years and then changing the beneficiary at a later date. The amendment was adopted. The bill was approved and sent to the full Senate.

Solon presented a bill that makes technical changes to the 1974 Minnesota no-fault auto insurance law. Solon explained that the bill is non-controversial and simply makes changes to the current law that should have been made long ago, such as deleting erroneous references to session laws and technical citations. The bill was approved and sent to the full Senate for final passage.

The committee also heard a presentation of the STAR Governor's Advisory Council on Technology for People with Disabilities Consumer Task Force Report on Insurance. Rachel Wobschall, executive director of the STAR program, told members that the task force recommends changes in insurance that would allow coverage of technological aids for the disabled. She recommended that equipment and technology be included in cost of services covered by insurance and that the definition of medical necessity be expanded to include the highest level of independence provided by technology. Wobschall explained that many disabled people are far less disabled with the help of technology but may not be able to afford it. STAR supports the elimination of exclusions and requirements relating to "pre-existing conditions" and recommends that the Legislature consider alternative

funding mechanisms, such as low interest loans, for funding access to technology for the disabled, Wobschall said.

## Economic Development and Housing

### Move to alter NWA deal fails

A bill to prohibit Northwest Airlines from using the proceeds of MAC bonds to pay down leveraged buy-out debt failed at the Thurs., Feb. 27, meeting of the Economic Development and Housing Committee, chaired by Sen. Jim Metzen (DFL-South St. Paul).

The bill's author, Sen Charles Berg (DFL-Chokio), said S.F. 1609 is "just a 3 line bill that says thou shalt not use \$838 million to pay down your leveraged buy-out debt." Berg told the committee that the NWA financing package is "the biggest scam that's ever been perpetrated on the taxpayers of this state." Berg said his bill deals only with how NWA can spend the money, making the deal "less onerous, less risky for taxpayers."

Sen. Jim Gustafson (IR-Duluth), called the NWA package "a beautiful program" and said he thought it would be a model to other states, adding that even in a worst-case scenario, under conditions he described as "total meltdown," a Minnesota homeowner with a home valued at \$100,00 would only have to pay \$25 a year, and that would be only after NWA had exhausted all of its assets.

Both Sen. Dallas Sams (DFL-Staples), and Sen. Judy Traub (DFL-Minnetonka) expressed concerns about the risk of losing the entire deal if a piece were altered. NWA Senior Corporate Counsel Kathleen Gaylord said using a portion of the MAC funds to pay down the leveraged buy-out debt had been part of the deal from the beginning and that the loss of this portion would probably stop the deal.

Senate Counsel Beverly Owen told the committee that negotiations between the MAC and NWA are still proceeding, with two issues outstanding: flight simulators and public policy covenants.

Traub also said the bill raises serious public policy issues, an idea echoed by Sen. Randy Kelly (DFL-St. Paul), who said the legislature needs policies on the role of the state in economic development. Metzen agreed, reminding the committee that a subcommittee was currently holding hearings on the issue.

When committee members including Sens. Carl Kroening (DFL-Mpls.), and Charles Davis (DFL-Princeton) asked questions as to why S.F. 1609 had come to the committee, Berg said the bill should

have been acted addressed on the Senate floor.

Sams' motion to lay the bill over prevailed.

In other activity, the committee approved S.F. 1721, authored by Kroening. The measure eliminates the loan ceiling for small business loans made by the city of Mpls. S.F. 1633, authored by Sen. William Belanger (IR-Bloomington), was approved, as well. The bill provides for the membership and terms of the commissioners of the port authority of the city of Bloomington.

## Education

### Student services/crime prevention

Members of the Early Childhood and Special Populations Subcommittee of the Education Committee held a hearing Fri., Feb. 21, to hear S.F. 1843. The bill gives school districts the option to hire their choice of additional elementary student service professionals to provide a comprehensive student services program for all elementary school students.

Sen. Judy Traub (DFL-Minnetonka), the bill's author, said the bill addresses the problems that many children from broken homes and dysfunctional families are bringing with them to school. Traub encouraged the committee to recognize students' physical, personal, social, cultural, and institutional challenges that could place them at risk of educational failure. She emphasized that teachers are not always prepared to deal with these problems. Traub suggested that the bill is also a crime prevention measure because it proactively addresses some of the problems that can lead to criminal behavior.

The program is designed to improve elementary student attendance and academic achievement, to decrease student discipline problems, and to address child abuse and neglect, said Traub. The bill is also designed to address issues such as adolescent depression, chemical dependency, student violence, and future social maladjustment.

The committee recommended that the bill pass and rereferred it to the Education Funding Division.

The committee also heard S.F. 1813, authored by Traub. The bill allows children to attend school for 30 days without participating in early childhood development screening. Under current law, if a child is not screened by the first day of school, they are not allowed to attend school until the screening takes place. The bill also allows parents to

decline to answer questions or provide information about family circumstances that might affect the development and identification of risk factors that may influence learning. Finally, the bill provides that the inclusion of a child's health history is an optional screening component.

The committee recommended that the bill pass and sent it to the full Education Committee.

### Outcome based education

Education officials briefed the Education Committee on the development of a proposed state rule that makes major changes in the requirements for graduation from public schools in Minnesota. Witnesses at the meeting on Mon., Feb. 24, chaired by Sen. Gregory Dahl (DFL-Ham Lake), stressed the importance of gaining public input on the proposed outcome based education rule.

If approved, the rule would become effective for the 1996-97 school year. According to literature from the Minnesota Department of Education, "the proposal would require each graduate to demonstrate knowledge, skills, and attitudes which are essential to function in society and to pursue further occupational or academic education." Joan Wallin, chairperson of the department committee responsible for developing the rule proposal, said "the goal of the proposed graduation requirement is to improve learning for all students and increase the number of students who can demonstrate proficiency in the required areas."

Sen. Larry Pogemiller (DFL-Mpls.) urged the officials to make sure the rule is sensitive to the needs of a culturally diverse population. Michael Tillman, an advocate of OBE and a teacher from the Owatonna public schools, assured the committee that the rule would not "undercut cultural diversity."

The Minnesota Department of Education plans to hold a legal hearing for the rule in the summer of 1992 and to achieve legal adoption of the rule in the fall of 1992.

The committee met again on Wed. Feb. 26, to hear testimony from teachers who practice OBE. Butch Halterman, an advanced biology teacher from Montevideo High School, testified that OBE has made him a better teacher and has improved the performance of his students. Halterman said that since he has implemented OBE in his classroom, students are becoming more confident and taking advanced classes. Halterman and other

# Committee update

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teachers told the committee that OBE challenges them because they have to diagnose what the students do not know, then develop individualized teaching methods.

## Adolescent health care

The health care system in Minnesota does not serve many young people, according to Sen. Carol Flynn (DFL-Mpls.) and several witnesses who testified in favor of S.F. 450, a bill that establishes adolescent health care centers. The Early Childhood and Special Populations Subcommittee of the Education Committee and the Health and Human Services Committee listened to testimony on the bill, authored by Flynn, at an informational hearing Mon., Feb. 24.

Flynn stated that access to health care is a key problem, particularly in rural areas. She also pointed out that many times adolescents are too embarrassed about their personal health problems to seek medical attention. And there is a "dearth of providers who deal with young people," said Flynn.

The bill requires junior and senior high schools to provide adolescents within the school community with comprehensive primary health care services, including reproductive and mental health services. Flynn made clear that the services would not be duplicative and that the centers have the ability to bill insurance companies for services that are covered under the policies of those students who are fortunate enough to have insurance. Dr. Robert Blum, chair of the Department of Pediatrics at the University of Minnesota, testified that providing basic preventative health care and emergency treatment of injuries and illness to students who do not have adequate insurance coverage is an important feature of the bill.

Dr. Joycelyn Elders, Arkansas commissioner of health, testified that the bill is a positive approach to addressing the "poverty, ignorance, and enslavement" that burden many young people. Elders stressed the need to prevent unintended pregnancies. She informed the committee that 90 percent of men between the ages of 19 and 29 who are in jail were born to a teenage mother. Elders added that the bill reduces the incidence of abortion, because "if you prevent unintended pregnancies, there will never be a need for abortions."

The reproductive health care services that the bill requires include: diagnosing and treating sexually transmitted diseases; informing adolescents of the dangers of sexually transmitted diseases; informing

adolescents of the serious negative consequences of teen pregnancy for both the teen parents and the baby; encouraging the delay of sexual activity; emphasizing adolescents' responsibility in their sexual activity; and connecting family planning and life planning decisions. The bill also requires the care to include gynecological examinations, prescriptions, and either on-site dispensing of contraceptives or referral to community-based services to provide contraceptives.

The bill requires parents to give the school consent before the minor may receive medical care at the center.

Opponents of the bill said they feared that the bill would encourage abortions and promote sexual promiscuity. In response, Sen. Judy Traub (DFL-Minnetonka) said that their fears are unfounded because the bill makes no mention of abortion or referral. Traub reminded the opponents that "this bill is about preventing pregnancies." Jackie Schweitz from the Minnesota Citizens Concerned For Life, who testified against the bill, said the MCCL had no position on birth control.

Proponents of the bill contended that the opponent's approach is not an adequate response to the immense problems surrounding the mental and physical health of adolescents. Anne St. Germaine from the Minneapolis Adolescent Health Program emphasized the magnitude of the physical and mental health problems that stem from dysfunctional families. St. Germaine said that this bill is needed because "school is the only therapeutic community for students with emotional problems."

The bill remains in the Early Childhood and Special Populations Subcommittee where it will be voted on later this session.

## Elections and Ethics

### Voting age bill discussed

A bill to lower the voting age to 16 provided the focal point of discussion at the Wed., Feb. 26, meeting of the Elections and Ethics Committee. S.F. 808, authored by Sen. Sandra Pappas (DFL-St. Paul), proposes an amendment to the Minnesota Constitution to change the voting age. The bill specifies that if voters approve the amendment, the voting age change would be effective for the 1994 election.

Students from St. Paul Central High School, Como High School, Minneapolis South High School and from Forest Lake testified in favor of the bill. The students

argued that young people who work must pay taxes and are entitled to a voice in how they are represented in government. In addition, the proponents pointed out that there is no set age that indicates maturity and responsibility; some 26 year olds may not be as mature as some 16 year olds.

Pappas said that she sponsored the measure because "I believe in youth empowerment and that it is necessary to continue to engage the involvement of young people."

The panel, chaired by Sen. Jerome Hughes (DFL-Maplewood), laid the bill over for further consideration.

In other action, the committee approved the governor's appointments of former Sen. Douglas Sillers, former Sen. Emily Anne Staples, Bruce Willis and Elsa Carpenter to the Ethical Practices Board. In addition, the panel heard the legislative recommendations of the Ethical Practices Board.

## Employment

### Workers' compensation

Workers' compensation was the key item on the agenda for the Employment Committee's hearings on Mon., Feb. 24, and Wed., Feb. 26. Committee Chair Florian Chmielewski (DFL-Sturgeon Lake) introduced four bills that relate to workers' compensation.

At the two hearings, the committee focused on S.F. 1877, a bill designed to cut costs by addressing the problem of fraud in the workers' compensation system. The bill regulates medical and rehabilitation benefits through a managed care system which is, in part, modeled after a plan used in the state of Oregon. However, as compared to the Oregon plan, the proposal offers more opportunity for injured workers to access care outside of the plan. Under the proposal, a person may access a medical provider with whom the patient has used regularly in the past if that provider agrees to rules under the managed care plan.

Chmielewski said that before the committee votes on any workers' compensation package, they will use the committee time to review the bills, gain public input, and consider amendments.

Next week, the committee will begin to review the other three workers' compensation bills authored by Chmielewski: S.F. 1878, S.F. 1879, and S.F. 1880. The bills make a variety of changes in several areas of workers' compensation laws, including

assigned risk plan, administration, hearings, and benefits and coverage.

At the Mon., Feb. 24, meeting, the committee amended and passed S.F. 1608, a bill that requires a study of video display terminal health risks. The committee removed a section from the bill, authored by Sen. Ted Mondale (DFL-St. Louis Park), that required employers to provide training and education for video display terminal operators.

## Energy and Public Utilities

### Reducing energy demand

Representatives from cooperative and municipal utility companies updated members of the Energy and Public Utilities Committee on conservation improvement programs and the Cold Weather Rule. Members at the Thurs., Feb. 20, hearing, chaired by Sen. Steve Novak (DFL-New Brighton), focused primarily on the utilities' demand side management reports, which are mandated by state law.

The company representatives discussed the effectiveness and potential of a variety of conservation programs; such as, the efficient street lighting conversion programs, the motor efficiency programs in commercial industrial settings, the refrigeration efficiency programs, and the residential air conditioning efficiency programs. Rochester public utilities reported that their efficient street lighting conversion program had an effective savings of about 40 percent with no reduction in available light (lumens). Officials also testified that there is significant potential for energy savings through motor efficiency programs in the industrial sector.

Sen. Janet Johnson (DFL-North Branch) stressed the importance of reducing the need and improving the efficiency of residential air conditioners. Novak encouraged the industry officials to expand their efforts to reduce the demand for energy. Novak also mentioned that further evaluation of the programs will be possible after the data for this heating season is collected.

### Carbon tax study

Officials from the Department of Public Service presented a carbon tax study to the Energy Committee, chaired by Sen. Steve Novak (DFL-New Brighton), Tue., Feb. 25.

Last year, the Legislature directed the Department of Public Service to study the need for and impact of a tax ranging from \$1 to \$75 per ton of carbon emissions.

The study also considered the effects of a tax on the sources and use of energy in the state and on Minnesota's economy.

Mike Roelofs, manager of the Energy Analysis and Support Department of the Department of Public Service, told the committee that the report concluded a tax of \$75 per ton of CO<sub>2</sub> could significantly affect Minnesota's emission of CO<sub>2</sub> and other pollutants. According to the study, the tax would only slow the increase in Minnesota's use of energy and CO<sub>2</sub> emissions--it would not reduce energy use and emissions from their current levels.

Committee members and Department of Public Service officials agreed that the study does not provide any conclusive evidence relating to the economic affects of a carbon tax. At \$75 per ton, the tax will result in \$3.74 billion in state revenues in 1993 and grow to \$4.77 billion in 2010. The officials and Senators also agreed that the impact of the tax on the gross state product would vary greatly depending on how the state used the tax revenues. The officials told the committee that since the governor vetoed the money that the DPS requested for the study, they did not have the resources to evaluate the variety of potential economic effects of the tax.

## Environment and Natural Resources

### Four bills considered

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Tues., Feb. 25 to discuss four bills.

Sen. Harold "Skip" Finn (DFL-Cass Lake) presented S.F. 1669 allowing towing of persons with personal watercraft equipped with rearview mirrors. The measure was approved.

S.F. 1866, authored by Sen. Ted Mondale (DFL-St. Louis Park), provides protection from liability for releases of hazardous substances to persons not otherwise liable. Mondale told the committee that the bill, which he said is supported by the PCA, the attorney general's office and environmental groups, eases the transfer of contaminated property and establishes procedures for cleanup plans. Several committee members expressed concerns about liability for undetected releases and procedures for finding responsible parties. The motion to approve the bill was approved.

The third measure considered, S.F. 1829, is designed to further establish markets for waste tires. The bill was

amended to give priority for market development funds to go to recycled products. The bill, authored by Sen. Gregory Dahl (DFL-Ham Lake), was approved.

A fourth bill, S.F. 1546, authored by Sen. Gene Merriam (DFL-Coon Rapids), moves the responsibility for review of siting of waste facilities from the Office of Waste Management to the Environmental Quality Board. After some initial discussion, the bill was held over for further debate.

### Deer license fees

Wed., Feb. 26, the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), approved three measures including S.F. 1615, reducing deer license fees for those under 16.

Author Lessard told the committee that the number of hunters has been decreasing and that lowering fees will encourage young people to hunt. Lessard also said that those who start hunting while young continue to hunt as adults. The bill, which is supported by the Minnesota Duck Hunters Association, lowers fees for those under 16 from \$22 to \$11. The measure was sent to the Environment and Natural Resources Division of the Finance Committee.

Also approved was S.F. 1722, authored by Sen. Carl Kroening (DFL-Mpls.). The bill releases state interest in a specific property in the city of Minneapolis.

S.F. 1252, authored by Sen. Carol Flynn (DFL-Mpls.), allows the Veterans Board to lease land adjacent to Minnehaha State Park to the Mpls. Park Board for an additional 20 years. The measure was approved and sent to the Veterans and General Legislation Committee.

Sen. Gene Merriam (DFL-Coon Rapids), presented S.F. 1549 for further consideration. The bill establishes procedures for economic and environmental review of proposed large solid waste management facilities. Discussion of the measure is scheduled to continue Weds., Mar. 4.

## Finance

### Pollution Control Agency update

The Environment and Natural Resources Division of the Finance Committee met Mon., Feb. 24 to hear a report from the Pollution Control Agency (PCA).

Chaired by Sen. Steven Morse (DFL-Dakota), the division heard first from Commissioner Charles Williams.

# Committee update

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Williams said that in response to the Jan. '91 auditor's evaluation of the PCA, several changes had been instituted, including the development of a plan for decentralization of the agency to maximize resources and the implementation of Total Quality Management (TQM). Williams said TQM was in place at the agency, with two dozen staff facilitators helping staff teams. He said the auditor's report had allowed him to focus on the role management plays at the PCA and that the agency was developing more efficient enforcement goals. Williams said one agency goal was the elimination of permit backlogs by 1995.

Deputy Commissioner Cynthia C. Jepsen reported to the division on the effect of general budget reduction, saying that the cuts fell hardest on three areas: program administration, technical assistance and aid to local governments, and enforcement activities.

Patricia A. Bloomgren, assistant commissioner, told the division how the report's recommendations were being implemented. To streamline the permitting process, she said, the PCA has implemented a permit-by-rule process, speeding up permitting for some 30 facilities. The agency has also established priorities for permits and developed a "Pronto Permit" for air quality. Other responses include the preparation of more understandable materials for the public and increased efforts to determine compliance.

Numerous questions were raised by division members about the growing permit backlog, increasing dependence on fines, and permitting for above-ground tanks. Discussion will be continued at a later hearing.

## Building Code Requirements

The Education Division of the Finance Committee met Tue., Feb. 25, to discuss the myriad of codes and regulations that pertain to building education facilities. Architects, contractors, education officials expressed concern over changes in code that take place after a project has begun. They testified that sometimes projects be terminated or delayed because the changes significantly increase the cost of the project. All parties agreed that there is a need for better communication between the affected parties and government regulators who are in charge of enforcing building codes. Committee Chair LeRoy Stumpf (DFL-Thief River Falls) said that they need to develop "a

groundwork for enhanced communication" to address the problem.

## Bone marrow program update

The Health and Human Services Division of the Finance Committee, chaired by Sen. Don Samuelson (DFL-Brainerd), held an informational meeting Wed., Feb. 26, to hear presentations on the progress of the Minnesota Bone Marrow Donor Education Program. The program, passed during the 1990 legislative session, seeks to educate the public about the need for bone marrow donors and the opportunities to make donations. Dr. Daniel Weisdorf, associate medical director, Adult Bone Marrow Transplant Program at the University of Minnesota, said that the program has been an effective and imaginative way to enlarge the donor pool without expending large amounts of state money. Henrice Taylor, assistant director for minority recruitment at the National Marrow Donor Program, told the panel that their goal is to provide donors for as many patients as possible, and that more effort is needed to recruit minority donors. The NMDP has been able to find matches for only 55 minority recipients in the last 5 years as compared with 1,045 transplants for non-minority patients.

## Gaming Regulations

### Changes in lawful purpose expenditures

At the Mon., Feb. 24 meeting of the Gaming Regulations Committee, Chair Sen. Charles Berg (DFL-Chokio) said that four bills being presented to the committee would be combined into a committee bill on lawful gambling.

The bills include S.F. 1632, authored by Sen. Dallas Sams (DFL-Staples), specifying expenditures for senior citizens and conservation programs as lawful purpose expenditures. S.F. 1667, also authored by Sams, designates expenditures for recreational snowmobiling as lawful purpose expenditures, as well. S.F. 1806 designates as lawful purpose expenditures dollars spent on non-cash awards to volunteers for donations of blood and community services. Sen. Pat Pariseau (IR-Farmington), author of the bill, offered an amendment to the bill insuring that the fair market value of the gifts to an individual does not exceed an average of \$25 per award. The committee approved the amendment.

Mark Plasha, Coon Rapids American

Legion Post gaming manager, told the committee that expenses for blood drives are being rejected by the Gambling Control Board. Plasha said that all organizations running similar programs are being affected. William Bowman, Blood Program Chairman of V.F.W. Post 353 in Fridley, said donor numbers had dropped after jacket and meal ticket awards were disallowed.

The fourth bill heard, S.F. 1736, removes the cap on real estate taxes and assessments as lawful purpose expenditures. The bill's author, Sen. James Metzen (DFL-South St. Paul), introduced officials from the V.F.W. and American Legion, who told the committee that the cap on real estate taxes was putting a strain on their clubs and had forced several to close.

S.F. 1760, authored by Sen. Joe Bertram (DFL-Paynesville), authorizing expenditures on facilities and activities for persons age 55 or over as a lawful purpose, was laid over for a further hearing, as were the four bills presented.

Several committee members discussed constituent concerns about non-responsiveness of the Gambling Control Board (GCB). Harry Baltzer, GCB Director, outlined GCB procedures and offered to work with Senators in further clarifying lawful purpose expenditures.

## Governmental Operations

### Occupational licensing discussed

The Governmental Operations Committee, at a Thurs., Feb. 27, meeting, laid the groundwork for dealing with upcoming issues of occupational licensing.

The committee, chaired by Sen. Gene Waldorf (DFL-St. Paul) discussed the need for a philosophy from which the Senate can work in making licensing decisions. Sen. William Belanger (IR-Bloomington), brought up the need for a set of criteria that can be applied to every occupational licensing situation, eliminating piecemeal decision-making on licensing.

Amy Vennewitz, Senate Research, described various models available to regulate occupations and outlined policy considerations to be reviewed when weighing licensing decisions. George McCormick, Senate Counsel, presented research discussing the role of licensing in protecting the public versus too narrowly serving the interests of practitioners of licensed occupations.

In other action, the committee ap-

proved a bill providing a procedure for Senate advice and consent for appointments of department heads and members of administrative boards and agencies.

The measure, S.F. 1794, sponsored by Waldorf, specifies that an appointment to fill a vacancy is subject to the advice and consent of the Senate if the appointment of the person whose position is vacant was subject to the advice and consent of the Senate.

S.F. 430, sponsored by Sen. Steven Morse (DFL-Dakota), also cleared the committee. The bill requires payment of an automobile insurance premium tax by those who self-insure rather than purchase automobile insurance. The tax is 2 percent of a comparable insurance premium or \$25 per vehicle. The 2 percent tax already applies to those who purchase insurance.

The committee also approved S.F. 1908, sponsored by Sen. John Marty (DFL-Roseville), a bill lending bi-partisan support to the Minnesota Office on Volunteer Services' application for a federal grant to fund volunteer programs.

## Health and Human Services

### Medical containment considered

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Thurs., Feb. 20. Members heard a presentation by Dr. Paul Griner, University of Rochester (New York) School of Medicine. Griner spoke on the Rochester Hospital Experimental Payment Program, a cooperative project among the three major health care payors and the nine hospitals in the Rochester region designed to reduce health care costs. Major components of the plan were efforts on the part of the hospitals to control their expenditures, accountability of the hospitals for cost increases within their control, and an expectation that, within a regional context, hospitals should be able to predict their expenses and therefore budget and manage accordingly. Berglin asked Griner how he would envision applying the program to the broader medical community outside of hospitals. Griner replied that if incentives to conserve costs are the same for all, cooperation would be assured. Sen. Pat Piper (DFL-Austin) asked Griner how the experimental program group had overcome the political barriers to cooperation. He said that the leadership of local corporations such as Kodak, Xerox, and General Dynamics exerted a large degree of influence. In response to Piper's question about whether the program had

succeeded in lowering overall costs in the Rochester area, Griner said that the average Blue Cross premium in Rochester in 1990 was \$1,600 whereas the national average premium was \$3,500. Berglin stated that the committee would be studying the issue of medical cost containment further.

### Lead abatement bill okayed

A bill to reduce the risk of children being harmed by lead poisoning was advanced by members of the Health and Human Services Committee at a Wed., Feb. 26., evening hearing. The measure, S.F. 1790, sponsored by Chair Linda Berglin (DFL-Mpls.), sets lead abatement standards, provides for education about lead exposure, provides for a lead abatement program and training of "swab teams" to clean areas at high risk for toxic lead exposure, and establishes a lead fund derived from revenues brought in through a wholesale tax on paint and a fee imposed on storage tanks located in St. Louis County and the seven county Metro Area that are subject to the petroleum tank release cleanup fee.

Testifying in support of the bill, Patrick Reagan of the Minnesota Lead Coalition said, "The problem is of epidemic proportions." Studies have shown shifts in I.Q. toward the lower end of the scale with even relatively low levels of lead contamination, he said. Reagan concluded by saying that the bill represented a reasonable effort in reducing the risk of lead poisoning and that "We are trying to make a lead safe environment for children rather than a lead free environment."

The measure was approved and rereferred to the Environment and Natural Resources Committee.

Committee members also advanced a bill designed to improve access to employment opportunities for persons with severe disabilities. The measure, S.F. 672, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), requires that at least one-tenth of one percent of the value of products and services purchased by the Legislature and state agencies with more than 50 employees be from certified rehabilitation facilities and licensed day training and habilitation facilities. In addition, the measure requires that extended employment program services must be targeted to persons with brain injuries, serious and persistent mental health disabilities, and to persons who are not otherwise eligible for day training and habilitation services reimbursed by medical assistance. The bill was approved and rereferred to the Governmental Operations Committee.

## Judiciary

### Limited liability corporation law approved

The Civil Law Division of the Senate Judiciary Committee met Fri., Feb. 21, to discuss S.F. 1740. The bill, sponsored by Sen. Ember Reichgott, (DFL-New Hope), outlines the rules governing the formation of limited liability corporations (LLC). An LLC is a hybrid combining the liability protection characteristics of a corporation with the tax advantages of a partnership. Reichgott stated that these same goals can be achieved under current law, but that the process is complicated and expensive. The new form of organization is more accessible to entrepreneurs who lack the resources to pay for specially tailored organizing agreements.

The committee approved an amendment which brings family farms within the coverage of the bill. The committee then voted to send the bill to the full Judiciary Committee.

### Spiritual healing debate

The Criminal Law Division of the Judiciary Committee, chaired by Sen. John Marty (DFL-Roseville), met Tues., Feb. 25 to consider two measures dealing with the health care of children whose parents rely on spiritual healing.

S.F. 273, authored by Sen. Jane Ranum (DFL-Mpls.), expands the crime of child neglect and expands the scope of the Child Abuse Reporting Act to include children who are neglected due to reliance by a parent or caretaker on spiritual health care.

Ranum, who presented letters of support for the bill from organizations including the National Committee for Prevention of Child Abuse, The Minnesota County Attorneys Association, the Minnesota Chapter of the American Academy of Pediatrics, and the Minnesota Medical Association, said the measure sets a clear standard for parents as to their obligations to their children and eliminates the affirmative defense status of the spiritual healing exemption currently allowed in the criminal statute.

Sen. Allan Spear (DFL-Mpls.), presented S.F. 1822, a measure establishing a children's health care mediator and providing for reporting by parents relying on religious or philosophical healing practices. Speaking in support of the bill, Dr. Arthur Caplan, director of the Center for Biomedical Ethics at the University of Minnesota, said the measure supports priorities that should guide the committee, protecting the best interests of

# Committee update

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children while also protecting families and religious freedom.

Speaking in opposition to the bills was James Van Horne, communications director for the Christian Science Churches of Minnesota, who said Christian Science parents are part of the solution to the neglect of children. Van Horne told the division that he opposes S.F. 273, because criminal law should be used to separate bad people from good people and not to legislate healing, while S.F. 1822 at least sets out a path.

Marty said that all those present were anxious to protect the best interests of children. Several division members expressed concerns about funding the mediator position and about liability issues.

The division rejected S.F. 273, the Ranum measure, and laid over S.F. 1822 for further discussion.

## Concurrent sentencing of inmates

Under current law and under the sentencing guidelines, consecutive sentences for crimes committed by inmates at state correctional facilities are discretionary with the court. S.F. 1786, authored by Sen. Gary Laidig (IR-Stillwater), requires courts to make the new sentences consecutive. When he presented the bill to the Criminal Division of the Judiciary Committee on Wed., Feb. 26, Laidig stressed that "the real intent of the bill is to make felony level crimes carry a real risk in institutions."

Speaking in support of the bill, Richard Hodgson, first assistant Washington County attorney, said inmates can commit whatever crimes they want with impunity because current statute calls for concurrent sentencing. He told the division, chaired by Sen. John Marty (DFL-Roseville), that "this situation robs inmates of the fundamental right to be safe" because inmates can prey on each other with no penal consequences.

Deputy Commissioner Frank Wood of the Department of Corrections said the measure has the potential to reduce prison drug traffic, extortion and terrorism. He said it also enhances the potential for getting inmates to inform.

John Stuart, state public defender, said the bill was overly broad in its application and suggested amending it to include only those inmates who commit a felony against a person. He also told the division that the bill does not provide protection for informers but publicly identifies them, making them vulnerable. Stuart voiced

the concern that there had not been enough discussion of the costs this bill would impose on the judicial system.

Debra Dailey, director of the Sentencing Guidelines Commission (MSGC), agreed that the questions raised by the bill are compelling and suggested that the MSGC coordinate the questions with the guidelines and communicate them.

There was agreement amongst division members that consideration of consecutive sentencing of inmates already in prison be coordinated with the MSGC. Marty suggested that someone in the division draft these issues on to the omnibus crime bill and address this to the MSGC.

S.F. 1768 was informally laid over, with discussion to continue at the next hearing.

Sen. Thomas Neuville (IR-Northfield) presented a bill that adds an extra classification to second degree murder to include deaths caused by domestic assault. The division moved that the measure, S.F. 1787, be added as an amendment to the omnibus crime bill. The motion carried.

## Court reporters, U.C.C.

The Civil Law Division of the Judiciary Committee, chaired by Sen. Richard Cohen, (DFL-St. Paul), met Wed., Feb. 26. The division heard testimony regarding S.F. 1699, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake). The bill provides for the creation of a Board of Minnesota Certified Shorthand Court Reporters and the certification and regulation of court reporters.

Kathleen Czar, exec. dir., Minnesota Court Reporters Association, testified to the importance of complete and accurate court transcripts. She stated that certification is needed to assure the competence, accountability and impartiality of Minnesota's 800 free lance and 250 official court reporters.

Judge Kevin Burke, chair, Minnesota Conference of Chief Judges, testified that the bill is opposed by the Minnesota Supreme Court, the Minnesota Court of Appeals and the Minnesota Conference of Chief Judges. He said that in an era of budgetary constraints the judiciary questions the necessity of the bill. Burke also said that the Supreme Court has had no complaints about court reporters and that the bar association has not reported any problems.

Finn moved that the division refer the bill to the full Judiciary Committee. The motion carried.

The panel then considered S.F. 1644, sponsored by Finn, which proposes changes to Article 3 (Negotiable Instruments) and Article 4 (Bank Deposits and Collections) of the Uniform Commercial Code. Finn moved that the division approve the changes and recommended passage to the full committee. The motion carried.

## Local Government

### School readiness center funding

On Tues. Feb. 25, the Local Government Committee, chaired by Sen. Betty Adkins (DFL-St. Michael), heard testimony about a bill allowing funding for Neighborhood School Readiness Centers in Minneapolis.

Authored by Sen. Linda Berglin (DFL-Mpls.), S.F. 1704 authorizes the city of Minneapolis to appropriate a portion of the proceeds of the convention sales and use tax to the school readiness center board.

Minneapolis Mayor Don Fraser, speaking in support of the bill, said the idea behind the centers is to put in one place three pieces of support for families: kindergarten, Head Start, and family support programs.

David Tilsen, chair of the Mpls. School Board, told the committee that the bill provides space and appropriate delivery models for the centers, which, he said, enjoy broad support.

Also speaking in support of the bill was Mpls. City Council Member Tony Scallon, who suggested the bill be amended to allow already existing private programs to expand their services.

Speaking in opposition to the bill was Mpls. City Council Member Alice Rainville, who told the committee that S.F. 1704 "does damage to two state laws - Truth in Taxation and the law that created Special School District #1." Rainville said the bill's goals can be met by a gradual return to neighborhood schools with the addition of a preschool component.

The bill was laid over for further hearing.

### Ramsey county study commission extended

A bill to extend for two years a Ramsey County Local Government Cooperation and Consolidation Study Commission was approved by the Local Government Committee on Thurs., Feb. 27.

S.F. 1658, authored by Sen. Richard

Cohen (DFL-St. Paul), extends by two years all of the reporting dates required in the original 1991 legislation. Cohen told the committee, chaired by Sen. Betty Adkins (DFL-St. Michael), that the commission's start had been delayed until Sept. '91. While the commission has done a significant amount of work, Cohen said, additional time is needed to continue the process.

The commission was formed to explore cooperative ventures which would be mutually beneficial to the Ramsey county communities involved, to review and recommend ways to eliminate duplication, and to develop a process for sharing or consolidating, processes that Adkins said would be increasingly necessary.

## Transportation

### Mail carrier tire bill approved

The Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent) met Thurs. Feb. 20, approved a bill authorizing the use of metal-studded tires on postal vehicles on routes with less than 10 percent paved roads. Under the bill, S.F. 797, sponsored by DeCramer, mail carriers on such routes could apply for an annual permit authorizing use of the tires between October 15 and May 1.

The committee heard testimony from a rural mail carrier and a U.S. Postal Service representative, who asserted that use of the studded tires would increase the safety of carriers who drive primarily on gravel roads and soft road shoulders.

Richard Borson of the Dept. of Transportation, said that use of studded tires for rural mail carriers would be acceptable, but expressed concern that allowing their use on one type of vehicle would open the way for use on vehicles driven on paved roads, which in turn would lead to road deterioration problems and necessitate expensive repairs.

Bob McPartland, Waseca County Engineer, voiced the same concern, and suggested that while the bill limits the use of studded-tire-equipped vehicles for driving to and from the carrier's home and mail pick-up station and along the delivery route, that inevitably some of the vehicles would be driven on paved roads.

The committee also considered a bill, S.F. 1739, sponsored by Sen. James Metzen (DFL-South St. Paul) that would provide an exemption to the open bottle law for passengers of charter buses. Metzen and charter bus industry representatives argued that serving alcoholic beverages on charter buses to and from casinos and sporting events is a commonly

accepted practice and should be legalized.

Sen. Joanne Benson (IR-St. Cloud) added that allowing the exemption for buses seems to support the discouragement of drunk driving. An alcoholism awareness trainer's testimony questioned this argument, pointing out that when people leave charter buses, they must get home and are likely to drive.

The Senators also considered liability issues raised by the bill, concluding that such issues are more appropriately handled by the Judiciary Committee. The measure was approved and referred to Judiciary.

### Constitutional amendment for transportation

The Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent), met Mon., Feb. 24, to discuss a bill which proposes a constitutional amendment to provide a new structure for allocating transportation funds for Minnesota's highway and public transit needs.

The bill, S.F. 1750, sponsored by Sen. Keith Langseth (DFL-Glyndon), establishes the Minnesota Mobility Trust Fund and specifies that over a five-year period, an increasing percentage of proceeds from the Motor Vehicle Excise Tax (MVET) will be dedicated to the fund. Monies will then be apportioned to a new surface transportation fund and the existing transit assistance fund.

The surface transportation fund is to be used for most transportation needs, including MN/DOT building costs, bridge construction, and transit planning.

The transit assistance fund is to be used for operating assistance and planning and engineering design for public transportation programs. It is also to be used for the purchase and refurbishment of transit vehicles, except in the metropolitan area.

The bill also calls for raising the motor fuel excise tax from 20 to 25 cents per gallon, a measure Langseth said is needed in order to match federal funds and invest in the state's transportation infrastructure.

The bill incorporates language from S.F. 1881, also sponsored by Langseth, providing for resolution of local disapproval of county state-aid highway actions.

The committee heard from representatives of transportation advocacy and environmental groups, who generally testified in support of the bill.

Testimony and discussion will continue at a future meeting, and the committee expects to vote on the measure Thurs., Mar. 5.

### Bicycle registration

The Transportation Committee, Thurs., Feb. 27, discussed a bill requiring registration for bicycles. The bill, S.F. 1014, which is aimed at adult bicyclists, applies only to bicycles with 16-inch or larger wheels.

Under the bill, sponsored by Sen. Steven Morse (DFL-Dakota), bicycle registration stickers are to be purchased every three years or upon purchase of a bicycle. The cost is to be \$7 per bicycle. A single owner may register five to ten bicycles at one time for a single fee of \$25. Revenues from the registration fees are to fund state and city bicycle programs.

The penalty for operating a bicycle on public property without a sticker is to be set at no more than \$10. No conviction will result if the person purchases a bicycle registration within ten days after the violation.

The committee, chaired by Sen. Gary DeCramer (DFL-Ghent), sought Morse's assurance that he would delete the appropriations section of the bill. The committee then approved the measure and re-referred it to the Finance Committee.

### Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6 the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6 the Metro Cable Network.

Also, watch for Senate Report, a weekly public affairs program, featuring lawmakers from specific regions around the state reviewing legislative issues from a regional perspective. Senate Report is broadcast on PBS stations as well as Channel 6 the Metro Cable Network.

The following is the schedule for broadcast of Senate Report.

Austin KSMQ - 11:30 a.m. Sundays;  
Duluth WDSE - 11:30 a.m. Sundays;  
Appleton KWCM - 11:30 a.m. Sundays;  
Bemidji KAWK/KAWB - 11:30 a.m. Sundays (Beginning Feb. 3);  
Fargo KFME 11 a.m. - Saturdays (Beginning Feb. 2);  
and Channel 6, the Metro Cable Network - 6:30 p.m. Mondays and 7:30 p.m. Wednesdays.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 2

#### Education Subcommittee on Governance and Structures

*Chair: Sen. Tracy Beckman*  
8 a.m. Room 15 Capitol

**Agenda:** S.F. 1885-Moe, R.D.: Restoring school board option for a pre-Labor Day start. S.F. 1898-Dahl: Prohibiting tobacco products in public schools.

#### Gaming Regulations Committee

*Chair: Sen. Charles Berg*  
8 a.m. Room 107 Capitol

**Agenda:** S.F. 1760-Bertram: Authorizing expenditures on facilities and activities for persons age 55 or over as a lawful purpose. S.F. 1765-Finn: Establishing a new class of license for organizations with less than \$10,000 gross bingo receipts in a year. S.F. XXXX-Price: Change in horse racing regulations.

#### Employment Committee

*Chair: Sen. Florian Chmielewski*  
10 a.m. Room 107 Capitol

**Agenda:** S.F. 1877-Chmielewski: Workers comp.; regulating medical benefits, managed care. S.F. 1878-Chmielewski: Workers comp.; regulating assigned risk plan, administration. S.F. 1879-Chmielewski: Workers comp.; regulating hearing, judicial issues. S.F. 1880-Chmielewski: Workers comp.; regulating benefits and coverage.

#### Judiciary Committee

*Chair: Sen. Allan Spear*  
10 a.m. Room 15 Capitol

**Agenda:** Confirmation of the commissioner of human rights. S.F. 1644-Finn: U.C.C. articles 3 and 4. S.F. 1691-Kelly: Conciliation Court. S.F. 1699-Finn: Short-hand court reporters. S.F. 1740-Reichgott: Limited liability companies. S.F. 1749-Metzen: Charter carrier exemption from open bottle law. S.F. 1754-Finn: Testamentary additions to trusts. Bills reported out from divisions or subcommittee.

#### Economic Development and Housing Committee

*Chair: Sen. James Metzen*  
12 Noon Room 107 Capitol

**Agenda:** S.F. 1944-Kelly: Authorizing issuance/sale of state bonds for neighborhood land trust program. S.F. 1896-Dahl: Return of money under certain grant programs to be credited to agricultural and economic development account. Confirmations of James Solon, Commissioner of the Minnesota Housing Finance Agency and Wallace Gustafson, Minnesota World Trade Center Corporation Board of Directors.

#### Transportation Committee

*Chair: Sen. Gary DeCramer*  
12 Noon Room 112 Capitol

**Agenda:** S.F. 1869-Pappas: authorizing

privileged highway use for transit buses and requiring instruction in the driver's manual; providing tax credits for transit use; imposing a tax on gasoline sales at retail and requires tax proceeds be used for transit; transportation utility fees. S.F. 1993-Flynn: Tax incentives for use of alternative means of commuting; directing RTB to establish a program to reduce traffic congestion.

### The Senate will meet at 2 p.m.

#### Education Division on Education Funding

*Chair: Sen. Ronald Dicklich*

3 p.m. Room 107 Capitol

**Agenda:** East Metro lifelong learning center

#### Finance Division on Environment and Natural Resources

*Chair: Sen. Steven Morse*

3 p.m. Room 123 Capitol

**Agenda:** Overview of the Pollution Control Agency: water division, groundwater and soil waste division, hazardous waste division, regionalization study.

#### Health and Human Services Committee

*Chair: Sen. Linda Berglin*

3 p.m. Room 15 Capitol

**Agenda:** Confirmation of Orville Pung as commissioner of corrections. S.F. 1821-Berglin: Minority Heritage Preservation Act. Dept. of Human Services Minority Heritage Preservation Act proposal. Bills that have been approved by the Health Care Access Division and the Social Services Subcommittee.

#### Judiciary Subcommittee on Criminal Justice System Oversight

*Chair: Sen. Randy Kelly*

4 p.m. Room 123 Capitol

**Agenda:** S.F. 1996-Kelly: Commitment procedures for psychopathic personalities. S.F. 1846-Kelly: Sex offender treatment. S.F. 1977-Ranum: Sex offender treatment; adult and juvenile chemical dependency treatment. S.F. 1893-McGowan: Sex offender treatment. S.F. 2147-Pogemiller: Juvenile sex offender treatment.

#### Education Subcommittee on Governance and Structures

*Chair: Tracy Beckman*

6 p.m. Room 112

**Agenda:** S.F. 1875-Spear: Providing free press to students in schools. S.F. 1990 Stumpf: Exempting consolidation districts from state aid penalty. S.F. 1738-Dicklich: Minnesota Institute for Advancement of Teaching. S.F. 1690-Dahl: Restoring intermediate district revenue to members of intermediate school districts.

#### Legislative Commission on Pension and Retirement

*Chair: Rep. Leo Reding*

7 p.m. Room 10 SOB

**Agenda:** Presentation on actuarial status of Minnesota public pension plans by Thomas Curtis, Milliman and Robertson. S.F. 1718-Frederickson D.J.: Ambulance personnel; establishing a longevity award and incentive program. H.F. XXXX-Reding: MSRS; Austin highway employee annuity accrual date. S.F. 791-Morse: TRA; pre-age 25/pre 1957 hiree buyback. H.F. 1057-Welle: MSRS; education leave buyback. S.F. 1139-Solon: Statewide funds; service credit for wrongful discharge periods. S.F. 1710-Frederickson, D.R.: PERA; optional annuity for survivor of deceased disabled. S.F. 1665-Solon: Patrol; age limit on service credit for conservation officers eliminated. S.F. 1711-Hottinger: TRA; bounceback for term certain annuitant. H.F. 1979-Jefferson: PERA; buyback for heavy equipment operator. S.F. 1630-Belanger: PERA; permit certain refund repayment, buyback. S.F. 1780-Marty: St. Paul Fire; surviving spouse benefit for certain former spouse.

### Tuesday, March 3

#### Governmental Operations Committee

*Chair: Sen. Gene Waldorf*

8 a.m. Room 15 Capitol

**Agenda:** To be announced.

#### Local Government Committee

*Chair: Sen. Betty Adkins*

8 a.m. Room 107 Capitol

**Agenda:** S.F. 1705-Flynn: Minneapolis; general obligation bond for certain parking, plaza and other improvements. S.F. 1932-Morse: Counties; providing for a tax levy for land management systems. S.F. 1704-Berglin: Minneapolis; Neighborhood Readiness Centers. S.F. 1849-Kelly: St. Paul; setting maximum amounts and conditions for the issuance of capital improvement bonds. S.F. 1013-Kelly: Regarding incorporation, annexations and detachments. S.F. 1921-Chmielewski: Drivers licenses, increasing county fee.

#### Agriculture and Rural Development Committee

*Chair: Sen. Charles Davis*

10 a.m. Room 112 Capitol

**Agenda:** Confirmations to the Board of Animal Health: Russell John Wirt and Patty Christensen. S.F. 1681-Decramer: Livestock disease; modifying requirements for tests.

#### Energy and Public Utilities Committee

*Chair: Sen. Steven Novak*

10 a.m. Room 107 Capitol

**Agenda:** To be announced.

## Metropolitan Affairs Committee

*Chair: Sen. Don Frank*

10 a.m. Room 15 Capitol

**Agenda:** Noise abatement update by Jeff Hamiel, executive director, Metropolitan Airport Commission; Mary Anderson, chair, Metropolitan Council; and John Kari, senior planner, Transportation Division, Metropolitan Council. Public testimony.

## Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*

1 p.m. Room 107 Capitol

**Agenda:** S.F. 1560-Knaak: Hunting while intoxicated. S.F. 1755-Finn: Hubbard County land sale. S.F. 2083-Solon: Lake Superior Center Authority bond.

## Wednesday March 4

### Education Subcommittee on Early Childhood and Special Populations

*Chair: Sen. Judy Traub*

8 a.m. Room 15 Capitol

**Agenda:** S.F. 2041-Dahl: Expanding advanced placement programs. S.F. 1753-Dahl: Expanding revenues for alternative programs. S.F. 1813-Traub: Study of medically-fragile students. S.F. 450-Flynn: Adolescent health centers. S.F. 1946-Finn: Youth employment and education pilot. S.F. 1952-Mondale: Home visits to prevent child abuse. S.F. 1963-DeCramer: Summer health care internships. S.F. 1704-Berglin: Use of Mpls. sales tax for school readiness centers (if referred). S.F. 1156-Pappas: Braille literacy

### Gaming Regulations Committee

*Chair: Sen. Charles Berg*

8 a.m. Room 107 Capitol

**Agenda:** Presentation by restaurant, hotel and resort owners and individuals regarding the economic impact of Indian Gaming from their perspective.

### Employment Committee

*Chair: Sen. Florian Chmielewski*

10 a.m. Room 107 Capitol

**Agenda:** S.F. 1877-Chmielewski: Workers comp. regulations; medical benefits, managed care. S.F. 1878-Chmielewski: Workers comp.; regulating assigned risk plan, administration. S.F. 1879-Chmielewski: Workers comp.; regulating hearing, judicial issues. S.F. 1880-Chmielewski: Workers comp; regulating benefits and coverage.

### Judiciary Division on Civil Law.

*Chair: Sen. Richard Cohen*

10 a.m. 125 Capitol

**Agenda:** To be announced.

### Judiciary Division on Criminal Law

*Chair: Sen. John Marty*

10 a.m. Room 15 Capitol

**Agenda:** Omnibus crime package.

### Veterans and General Legislation Committee

*Chair: Sen. Joe Bertram*

10 a.m. Room 112 Capitol

**Agenda:** S.F. 2068-Mehrkens: Appropriates money to purchase historical land in Goodhue County. S.F. 1252-Flynn: Lease authority to

Minneapolis Veterans Home. S.F. 1502-Frederickson, D.R.: Resolution memorializing the Postmaster General to issue a postage stamp in commemoration of Wanda Gag, American author and illustrator. S.F. 1580-Chmielewski: Relating to cemeteries; providing for burials in all seasons. CVSO study and bill.

### Elections and Ethics Committee

*Chair: Sen. Jerome Hughes*

11:30 a.m. Room 107 Capitol

**Agenda:** S.F. 1638-Samuels: Special elections for county offices. S.F. 1668-Samuels: Mail balloting for certain municipalities. S.F. 1955-Reichgott: Presidential primary polling locations. S.F. 2077-Berg: Prohibiting transfer of campaign funds.

### Commerce Committee

*Chair: Sen. Sam Solon*

1 p.m. Room 112 Capitol

**Agenda:** S.F. 1109-Morse: Motor vehicle lessors additional sales location license requirement exemption. S.F. 429-Flynn: Clean Indoor Air Act. S.F. 1729-Hottinger: Trustee banking institutions investment authority. S.F. 1801-Hottinger: Motor vehicle sale; regulation payments upon franchise termination, cancellation, or nonrenewal.

### Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*

1 p.m. Room 107 Capitol

**Agenda:** S.F. 1549-Merriam: Siting of waste facilities. S.F. 1933-Morse: Permit fees for solid waste facilities. S.F. 2101-Merriam: Split Rock Lighthouse fee structure.

### Taxes and Tax Laws Committee

*Chair: Sen. Douglas Johnson*

3 p.m. Room 15 Capitol

**Agenda:** Discussion of the revenue forecast.

### Education Subcommittee on Early Childhood and Special Populations

*Chair: Sen. Judy Traub*

6 p.m. Room 123 Capitol

**Agenda:** Bills remaining from morning hearing.

### Health and Human Services Committee

*Chair: Sen. Linda Berglin*

6 p.m. Room 15 Capitol

**Agenda:** S.F. 1857-Berglin: Home care licensure. S.F. 1909-Marty: Pilot program to reduce recidivism, juvenile delinquents. S.F. 1482-Ranum: Victims of child abuse. S.F. 1016-Reichgott: Childrens' safety centers. S.F. 1942-Kelly: Hmong community services. S.F. 1969-Berglin: Head Start crime prevention. S.F. 2020-Berglin: Home health abuse prevention.

### Judiciary Criminal Law Division

*Chair: Sen. John Marty*

6 p.m. Room 107 Capitol

**Agenda:** Omnibus crime package.

### Legislative Water Commission

*Chair: Rep. Henry Kalis*

6 p.m. Room 5 SOB

**Agenda:** Update on IPM legislation. Mississippi Headwaters Board legislative

proposals. Report on nitrites and groundwater, and legislative proposals - MD, PCA, LWC. Update on bottle water. Minnesota Department of Agriculture legislative proposals. Once-through heating and cooling legislative proposals. Year 2000 Water Management Report.

### Legislative Commission on Employee Relations

*Chair: Sen. Gene Waldorf*

7 p.m. Room 112

**Agenda:** Presentation of unclassified civil service reports: higher education system criteria, attorney general legal assistants, DOER implementation plan. Testimony by interested parties. Consideration of commission bill.

## Thursday, March 5

### Finance Division on Education

*Chair: Sen. LeRoy Stumpf*

8 a.m. Room 125 Capitol

**Agenda:** Discussion by representatives of the higher education systems, the HECB and the state demographer on job placement for students, assessment processes, competency measurement and outcome verification.

### Governmental Operations Committee

*Chair: Sen. Gene Waldorf*

8 a.m. Room 15 Capitol

**Agenda:** To be announced.

### Local Government Committee

*Chair: Sen. Betty Adkins*

8:30 a.m. Room 107 Capitol

**Agenda:** S.F. 1773-Gustafson: Cities; permitting the appointment of citizen budget advisory committees. S.F. 1828-Vickerman: Relating to local planning and zoning.

### Agriculture and Rural Development Committee

*Chair: Sen. Charles Davis*

10 a.m. Room 112 Capitol

**Agenda:** S.F. 512-Berg: Regulating noxious weeds.

### Energy and Public Utilities Committee

*Chair: Sen. Steven Novak*

10 a.m. Room 107 Capitol

**Agenda:** To be announced

### Metropolitan Affairs Committee

*Chair: Sen. Don Frank*

10 a.m. Room 15 Capitol

**Agenda:** S.F. 1931-Kelly: Funding of Metro Area regional parks.

### Economic Development and Housing Committee

*Chair: Sen. James Metzen*

12 Noon Room 107 Capitol

**Agenda:** To be announced.

### Transportation Committee

*Chair: Sen. Gary DeCramer*

12 Noon Room 112 Capitol

**Agenda:** S.F. 1750-Langseth: MVET and gas tax increase.

The Senate will meet at 1:30 p.m.

### Education Subcommittee on Higher Education

Chair: Sen. John Hottinger  
5 p.m. Room 107 Capitol

Agenda: S.F. 153-Solon: Establishment of joint commission to study primary care programs at University of Minnesota Medical School. S.F. 1635-Hottinger: Setting cost of a attendance for certain student financial aid. S.F. 1991-Stumpf: Authorizing State Board of Technical Colleges to contract to provide services.

The Senate will meet in Joint Convention with the House of Representatives at 6:45 p.m.

Friday, March 6

### Education Subcommittee on Higher Education

Chair: Sen. John Hottinger  
8 a.m. Room 15 Capitol

Agenda: S.F. 1979-Ranum: Requiring post secondary institutions to participate in violence prevention and sexual harassment training. S.F. 1706-Benson, J.E.: Allowing perennial migrant workers resident tuition status. S.F. 1726-Pappas: Requiring the HECB to study feasibility of accelerated baccalaureate degrees. S.F. 1697-Mondale: Requiring state university and community college students to participate in community service.

### Judiciary Division on Civil Law

Chair: Sen. Richard Cohen  
10 a.m. Room 125 Capitol  
Agenda: To be announced.

### Judiciary Division on Criminal Law

Chair: Sen. John Marty  
10 a.m. Room 15 Capitol  
Agenda: Omnibus crime package.

### Commerce Subcommittee on Banking

Chair: Sen. James Metzen  
1 p.m. Room 112 Capitol

Agenda: S.F. XXXX-Solon: Omnibus financial institutions bill. S.F. 1653-Benson, D.: Millville and Dover detached banking facilities limit exception. S.F. 1525-Johnson, J.B.: Scandia detached banking facility. S.F. 1636-Laidig: New Scandia Township detached banking facility. S.F. 1911-Hottinger: Credit union share certificates investment and reverse mortgage loans authority. S.F. 1912-Hottinger: State chartered financial intermediaries checking accounts regulation exemption; drivers licenses alterations susceptibility reductions. S.F. XXXX-Solon: Duluth; authorizing additional detached facilities.

### Environment and Natural Resources Committee

Chair: Sen. Bob Lessard  
1 p.m. Room 107 Capitol

Agenda: S.F. 1950-Mondale: Tax increment financing. S.F. 2096-Lessard: Moratorium on rules re: above ground storage tanks. S.F. 2011-Bertram: Races or exhibitions on water or ice. S.F. 2102-Morse: State wide nitrate data base. S.F. 2146-Morse: Once through cooling systems.

### Finance Division on Environment and Natural Resources

Chair: Sen. Steven Morse  
3 p.m. Room 123 Capitol

Agenda: Continuation of overview of the Pollution Control Agency: air quality fees, FY92 supplemental appropriations, capital budget requests.

### Health and Human Services Committee

Chair: Sen. Linda Berglin  
3 p.m. Room 15 Capitol

Agenda: S.F. 1782-Berglin: Assets bill. Additional agenda items will be announced Thurs., Mar. 5.

### Legislative Commission on Pensions and Retirement

Chair: Rep. Leo Reding

7 p.m. Room 10, Senate Office Building  
Agenda: S.F. XXXX : Volunteer fire plans; simplified time weighted total rate of returns formula. S.F. 1861 Johnson, D.E.: Investment performance reporting; increase in minimum asset threshold for reporting. S.F. 1558-Solon: PERA-P&F; joint consolidation account for Duluth police and fire. H.F. 1486-Reding; IRAP; defined contribution plan coverage for technical college personnel. S.F. XXXX: MSRS and PERA; administrative provisions. H.F. 2025-Reding: Statewide plans; increasing interest rate charged on refund repayments.

Saturday March 7

### Legislative Commission on Pensions and Retirement

Chair: Leo Reding  
9 a.m. Room 10 SOB

Agenda: S.F. XXXX: TRA and TRFAs; deferred compensation program coverage for extracurricular compensation. H.F. 1960-Reding: MPRIF; revision in post retirement adjustment formula. S.F. 1845-Morse: Statewide plans; benefit formula accrual rate increased. S.F. XXXX: Local police and paid fire; retiree medical insurance coverage. S.F. 639-Waldorf: MSRS; provide Medicare plan b medical coverage costs for certain retirees. H.F. 2014 Reding: Local police and paid fire; interest and salary assumption charge with local approval. H.F. 1637-Osthoff PERA - P&F; change in actuarial assumptions for preparing consolidation work. H.F. 2018-Farrell: St. Paul Fire Department relief association; various benefit increases. S.F.-Stumpf: Volunteer firefighters relief associations; various benefit provision changes. S.F. 1304-Luther: Brooklyn Center volunteer firefighters relief association; five year vesting. H.F. 1567-McGuire: Falcon Heights volunteer firefighters relief association; authorizing increased ancillary benefits.

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# Briefly

The Minnesota Senate Week in Review

March 6, 1992

## Floor sessions

The Senate met for a brief floor session Mon., Mar. 2, and granted preliminary approval to three bills on the General Orders Calendar. In addition, one measure was granted final passage on the Senate 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. Amendments may be offered by members to bills on the General Orders Calendar and there is often a great deal of debate on the more controversial bills. Bills approved on the General Orders Calendar are placed on the Senate Calendar and, after at least one day, may be considered for final passage. Bills on the Calendar cannot be amended without unanimous consent of the members. Each bill on the Calendar is given a third reading just prior to the final roll call vote.

At the Mon., Mar. 2, floor session S.F. 1694, sponsored by Sen. Judy Traub (DFL-Minnetonka), was given final passage. The measure authorizes Hennepin County to make expenditures to improve and maintain lake quality.

Three bills were given preliminary approval. S.F. 1608, authored by Sen. Ted Mondale (DFL-St. Louis Park), requires a study of video display terminal operators' health risks. S.F. 1716, sponsored by Sen. Nancy Brataas (IR-Rochester), permits the appointment of the recorder in Olmsted County and authorizes the abolishment and reorganization of the office. S.F. 797, authored by Sen. Gary DeCramer (DFL-Ghent), authorizes the use of studded tires by mail carriers.

The Senate also held a brief floor session Wed., Mar. 4, to process committee reports. The session was needed to facilitate the movement of bills between various policy committees.

Members also met Thurs., Mar. 5, to process committee reports. The Senate then recessed for a special seminar entitled "Roots of Violence." Senate leadership sponsored the seminar in order to help members understand one of the major societal issues confronting the public policy makers.

Later Thursday evening, the Senate met in joint convention with the House of Representatives to hear the governor's budget address.

## Budget shortfall discussed

Members of the Tax Committee, chaired by Sen. Douglas Johnson (DFL-Cook) met Wed., Mar. 4, to review the state's \$569 million budget shortfall.

Commissioner of Finance John Gunyou outlined the causes of the shortfall. The shortfall, according to Gunyou, is due almost entirely to the recession. In addition, revenues were lower than expected and expenditures showed little change. Court rulings and 1992 session actions that restored vetoed funding for post-secondary education added an additional \$49 million to spending estimates, and minor tax changes in the January session reduced projected sales tax receipts by an additional \$3 million.

Gunyou explained measures that could be taken to help moderate the cash flow swings the state is experiencing without resorting to short-term borrowing. They include better timing and metering of payments and collections.

The committee discussed the disadvantages of short-term borrowing to bridge cash flow gaps. Gunyou said that such borrowing negatively affects the state's credit rating, and stressed that borrowing instead of making the difficult spending choices needed to balance the budget sets an unwise precedent.

## Gas tax bill advances

The Transportation Committee, at a Thurs., Mar. 5, meeting approved a bill raising the gasoline tax from 20 to 25 cents per gallon and proposing a constitutional amendment that would dedicate Motor Vehicle Excise Tax (MVET) revenues solely to transportation.

The bill, S.F. 1750, sponsored by Sen. Keith Langseth (DFL-Glyndon), specifies that an increasing percentage of MVET revenues will go to the Minnesota Mobility Trust Fund for five years, increasing to 100 percent by July 1997. At least 25 percent of the funds are to go for public transit spending, and the remainder for primarily highway-related spending.

The bill also authorizes issuance of \$60 million in state transportation bonds for bridge construction and \$37.5 million in state transportation bonds for demonstration projects, including \$23.7 million for replacement of the Bloomington ferry bridge in Shakopee.

The committee, chaired by Sen. Gary DeCramer (DFL-Ghent), approved the bill and re-referred it to the Finance Committee.

## Puppy mill bill

The Consumer Protection/Regulated Industries Subcommittee of Commerce met immediately after the full Commerce Committee, Wed., Mar. 4, to hear S.F. 1841. The bill, authored by Sen. Ted Mondale (DFL-St. Louis Park), regulates the sale of cats and dogs by animal distributors. Mondale explained that the bill was in response to media reports on disreputable animal breeders, who keep and raise companion animals in inhumane circumstances and then sell sick and defective animals to dealers who in turn sell the animals to unsuspecting consumers. The result is that many pet owners wind up paying hundreds of dollars in veterinarians fees. Very often, witnesses testified, the animals die, regardless of treatment.

Mondale explained that the bill requires written disclosure by retail pet dealers to purchasers of animals. The statement must include specific information about the animal including the animal's origin and health. The measure also requires that the animal be examined by a veterinarian before sale and that it not be the same veterinarian used by the breeder.

Supporters of the bill testified that it protects both dealers and purchasers and that there is no way that a reputable dealer or pet store will be harmed by the bill. Opponents of the measure expressed concern that the onus is placed on the buyer and the seller instead of the breeder. Mondale explained that, as things stand, there is no satisfactory way to track down disreputable breeders, but the extra regulation will insure that dealers won't be able to make money by buying from questionable suppliers at reduced cost. The bill was approved and sent to the full Commerce Committee.

# Committee update

## Agriculture and Rural Development

In a short meeting Tues., Mar. 3, the Agriculture and Rural Development Committee recommended confirmation of Russell Wirt and Patty Christensen to the Board of Animal Health.

The committee then considered S.F. 1681 sponsored by Sen. Gary DeCramer (DFL-Ghent). The bill amends existing law by removing the requirement for farmers to test for brucellosis and anaplasmosis in their cattle. T. J. Haggerty, D.V.M., executive secretary of the Board of Animal Health, said that the diseases are no longer prevalent in Minnesota and surrounding areas. DeCramer stated that the measure relieves farmers of a substantial financial burden.

The committee, chaired by Sen. Charles Davis (DFL-Princeton) approved the measure and sent it to the full Senate.

## Noxious weed regulation bill okayed

Members of the Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), devoted the entire Thurs., Mar. 5, hearing to discussion of a bill rewriting the noxious weed law. S.F. 512, authored by Sen. Charles Berg (DFL-Chokio), provides for controlling and eradicating noxious weeds on all lands within the state. The bill sets forth definitions, specifies the duties of the commissioner of agriculture, outlines the responsibilities of landowners, county agricultural inspectors and local weed inspectors, specifies unlawful acts, and provides for controlling or eradicating noxious weeds.

The measure provides that counties and municipalities are not liable for damages from the noxious weed control program for actions conducted in accordance with the law.

Major new provisions in the bill concern appeal processes modeled on the grasshopper law. The measure outlines an appeal procedure for a person ordered to control noxious weeds. Under the bill, the landowner may appeal the notice to the county board and may appeal that decision to the court. In addition, the measure outlines the specific steps in the appeal process for a lien levied for noxious weed control.

The measure was approved and sent to the Senate floor.

## Commerce

### Safety measures considered

The Consumer Protection/Regulated Industries Subcommittee of the Commerce Committee met Fri., Feb. 28, to discuss two consumer protection measures. The committee, chaired by Sen. John

Hottinger (DFL-Mankato), first heard S.F. 1086; a bill regulating tanning facilities, sponsored by Sen. Sandra Pappas (DFL-St. Paul). The panel heard from health officials and consumers on the dangers and practice of using tanning booths. Dr. David Swanson, a practicing dermatologist and a member of the Minnesota Medical Association and the Minnesota Dermatology Association told the committee that a tan is the skin's reaction to trauma and that there are no health benefits associated with tanning. On the contrary, Swanson said, tanning and exposure to ultraviolet rays is the leading cause of skin cancers. He also said that there are numerous other health problems associated with the use of unhygienic tanning booths.

The measure calls for the licensing of all tanning facilities in the state and makes eighteen years the age of consent for tanning booth users. Swanson explained that adolescents are the primary users of tanning facilities and do not use the sort of restraint that is warranted for this activity. He said that the other danger is that longterm effects of ultraviolet exposure are not apparent until 20 or 30 years after use.

Sen. Dick Day (IR-Owatonna) expressed concern that if the bill became law it would close businesses and put people out of work. The bill was defeated on a voice vote.

Another measure, S.F. 1804, authored by Sen. Judy Traub (DFL-Minnetonka), was heard by the committee and eventually laid over for further review. The bill represented an effort to license locksmiths and keymakers, a profession that is currently not licensed. Traub explained that anyone can pose as a locksmith which leaves room for unscrupulous persons to infiltrate the trade.

Several locksmiths testified against the bill, stating that while a genuine need for licensing exists, the Legislature should take more time to hear the concerns of members of the profession and gain their input. The author voluntarily agreed to withdraw the bill and work with locksmiths to draft a more acceptable bill.

### Clean Indoor Air Act

The Senate Commerce Committee met Wed., Mar. 4, to act on S.F. 429, a bill that strengthens the Minnesota Clean Indoor Air Act. The bill, sponsored by Sen. Carol Flynn (DFL-Mpls), removes the exclusion for private offices in work areas under the definition of "public place" and also adds the common areas of apartments and condominiums to the definition. The bill also expands the rule-making authority of the Health Dept. Panel members questioned the far reaching scope of the bill and whether

common areas and private offices really are public places. Flynn responded that they are if defined that way in statute. Sen. Sandra Pappas (DFL-St. Paul) moved to amend the bill by specifying that no smoking be allowed in the State Capitol Building under any circumstance. The amendment was adopted. The bill passed on a 7-6 vote and was sent to the Senate floor.

In other action, the committee approved two bills authored by Sen. John Hottinger (DFL-Mankato). S.F. 1729 allows a banking institution that is a trustee to invest in the securities of a company or trust to which the bank provides services. S.F. 1801 modifies the payment formula that a manufacturer must pay in compensation upon cancellation, termination, or nonrenewal of an motor vehicle dealer franchise. The new language states that the manufacturer must pay current fair rental value of the dealership facilities for a period of one year from the effective date of termination or until the facilities are leased or sold, whichever is less, if the dealer owns the facilities. If the facilities are leased from a lessor other than the manufacturer, the manufacturer must pay a sum equivalent to rent for the remainder of the lease or one year, whichever is less. Both bills were approved and sent to the full Senate for final passage.

The committee also approved S.F. 1109, carried by Sen. Steven Morse (DFL-Dakota), requiring an additional license for motor vehicle lessors when establishing an additional place of business in a second class city outside the Metro Area.

## Economic Development and Housing

### Housing bill gains

S.F. 1944, authorizing the issuance and sale of state bonds for the neighborhood land trust program, was approved by the Economic Development and Housing Committee Mon., Mar. 2.

Sen. Randy Kelly (DFL-St. Paul), the bill's author, told the committee that the measure continues the effort to expand affordable housing throughout Minnesota. The measure provides funding of the neighborhood land trust program by directing the commissioner of finance to issue and sell bonds up to an amount of \$20 million. The money would be appropriated to the Minnesota Housing Finance Agency to provide loan or grant money to cities, counties, housing or redevelopment authorities, or economic development authorities to purchase land and buildings to be used for neighborhood land trust programs. The bill was re-

referred to the Finance Committee.

S.F. 1896, which the committee also approved, expands the funding base of the agricultural and economic development account by receiving money repaid to the state from economic recovery grants and from the Minnesota fund and tourism loan program. This money is currently being repaid to the general fund. The measure's author, Sen. Gregory Dahl (DFL-Hamm Lake), said the bill addresses "a glitch at the state level," explaining to the committee that the Dept. of Trade and Economic Development makes loans that must be repaid to the general fund.

"The bill will create jobs during a recession by freeing up at least \$3.5 million in capital that can be reinvested in new, job-creating economic development projects," said Frank Altman, president of the Community Reinvestment Fund. Altman also told the committee that the bill will attract millions of dollars in private investment to the state that would otherwise be unavailable for development. S.F. 1896 was also re-referred to the Finance Committee.

In other action, the committee, chaired by Sen. James Metzen, recommended to the full Senate the confirmation of James J. Solem as commissioner of the Minnesota Housing Finance Agency.

### Rural economic development

A bill authorizing the commissioner of trade and economic development to certify designated counties, and provide them with tax credits for job creation and research and development (R&D) activities was approved by the Economic Development and Housing Committee.

The measure, S.F. 2066, allows counties that experienced a decline in population from 1980 to 1990 to provide a job creation income tax credit. The credit is equal to \$2,500 for each new full-time employee paid an annual wage of at least \$15,000. The bill, authored by Sen. Tracy Beckman (DFL-Bricelyn), also provides a \$2,500 tax credit for businesses in designated counties spending at least 10 percent of their revenue for R&D. These tax credits extend for 5 years. Credits exceeding tax liabilities may be carried over for up to 10 years. Beckmann said the bill is an attempt to address the economic decline in rural Minnesota.

Sen. Judy Traub (DFL-Minnetonka), expressed a concern that the language be tightened to clarify that the tax credits are for new jobs only. Deputy Commissioner of the Dept. of Economic Trade and Development, David Lecke, said he shared this concern, as well as one stated by Sen. Carl Kroening (DFL-Mpls.), that there are other, non-rural areas that have suffered decline and need job creation.

The committee approved the measure and re-referred it to the Taxes and Tax Laws Committee.

Chair Sen. James Metzen (DFL-South St. Paul) presented a bill establishing a 5 year program delaying assessments on improvements of \$2,000 or less in a limited area of West St. Paul. West St. Paul City Manager, Bill Craig said this is a pilot project to focus on several blighted areas. The project, he said, is revenue neutral. The bill, S.F. 1872, was approved and re-referred to the Taxes and Tax Laws Committee.

A measure to lower the annual interest rate landlords pay on tenant rental deposits was also presented by Metzen. S.F. 2227, which lowers the interest rate from 5.5 percent to 4 percent, was approved.

In other business, the committee recommended the Senate confirm the appointment of Donna Holstine to the Minnesota Public Facilities Authority.

## Education

### Violence prevention, early childhood programs

School districts are directed to establish community violence prevention task forces under S.F. 1812, a bill authored by Sen. Janet Johnson (DFL-North Branch). The bill was heard at an Early Childhood and Special Populations Subcommittee meeting on the evening of Wed., Feb. 26.

The proposal creates a State Violence Prevention Advisory Council, which would consist of 17 members representing all parts of the state. Under the bill, the council provides assistance to community violence prevention task forces that are established within school districts.

Members of the subcommittee also heard testimony on S.F. 1975, a bill that provides for anti-violence education and prevention programs. According to the bill, school boards "may offer, as part of a community education program, an after school program for students in grades 7 through 12 for the purpose of expanding students' learning and community service opportunities." Sen. Joanne Benson (IR-St. Cloud), the bill's author, said the bill will "engage the schools in thinking about what they are doing and what they are not doing "to promote non-violent ways of resolving conflicts."

The subcommittee, chaired by Sen. Judy Traub (DFL-Minnetonka) recommended that both bills pass and re-referred them to the Education Funding Division.

Sen. Ted Mondale (DFL-St. Louis Park) presented S.F. 1662. Mondale said his bill transfers funds from the state budget reserve to pay for increased funding in four programs: early childhood family education aid; individual learning and development aid; head start; and learning readiness. Mondale stressed that his proposal does not create any new bureaucracies. He added that the bill simply provides the necessary level of funding

that the existing programs deserve. Mondale also pointed out that many studies show that state investment in early childhood programs pays large dividends in the form of reduced correctional and social services costs.

The subcommittee approved the bill and referred it to the Education Funding Committee.

### Commissioner appointment process

The Governance and Structures Subcommittee of the Education Committee, chaired by Sen. Tracy Beckman (DFL-Bryclyn), approved S.F. 157 at a Thur., Feb. 27, meeting. Sen. Jerome Hughes (DFL-Maplewood), bill author, said the bill authorizes the State Board of Education, with the approval of the governor, to appoint the commissioner of education. The committee amended the bill so that it becomes effective the first Monday in January of 1995, rather than the day after enactment. A representative of the Minnesota Education Association testified against the bill saying the appointing authority should remain with the governor.

### Teacher preparation and licensing

Instructional delivery in Minnesota must change, according to Gene Mammenga, commissioner of education. Mammenga testified in favor of new teacher preparation and licensing recommendations at an informational hearing of the Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), Fri., Feb. 28.

In 1991, the Legislature directed the Board of Teaching, in cooperation with the State Board of Education and the Higher Education Coordinating Board, to develop policies and goals for making teacher education curriculum more consistent with the purpose of public education. According to the report, the proposed system for teacher preparation and licensing is based on the demonstration of outcomes acquired through the completion of a preparation program that has an explicitly stated philosophy, is outcome based, programmatically coherent, research supported, and clinically focused.

Judy Wain, from the Department of Education, testified that the central piece of the proposal is a requirement for a year-long supervised internship in a professional development school. Wain told the committee that the internship is different from student teaching in that it gives new teachers more exposure to a variety of teaching experiences.

The committee will address the recommendations through legislation at a subsequent hearing.

### Pre-Labor Day school start

Members of the Education Governance and Structures Subcommittee rebuffed an

# Committee update

effort to repeal the no pre-Labor Day School Start Law, which prohibits school districts from starting a new school year before Labor Day. The subcommittee, chaired by Sen. Tracy Beckman (DFL-Brycelyn), voted down S.F. 1885, a bill that would have given school districts the option to start school before Labor Day.

Sen. Roger Moe (DFL-Erskine), bill author, said that "if you fundamentally believe in local control, the right to set the school calendar" is a right that should be left to the local districts. Proponents of the bill testified that given the scheduled future increase in the amount of school days, schools should be allowed to start before Labor Day so that school does not extend too far into June. They also said that it is important that schools give students sufficient time off during the school year because studies show that having a break invigorates the students and greatly increases their learning potential.

Opponents of the bill, representing business and industry groups, testified that the bill will hurt business and will cost the state jobs because of the shortened vacation season for families. They stressed the need for seasonal student workers in the agricultural and tourism industries. Juanita Reed Boniface, youth development director for 4H programs, testified that an earlier start to the school year would interfere with the popular 4H activities at the Minnesota State Fair. She testified that the program is important because it helps to build the competence of the thousands of kids that participate in the program.

## Free press, tobacco free schools

In response to a recent United States Supreme Court decision that held that First Amendment freedom of the press rights do not apply to high school newspapers, Sen. Allan Spear (DFL-Mpls) introduced S.F. 1875. Spear presented the bill to members of the Governance and Structures Subcommittee of the Education Committee, chaired by Sen. Tracy Beckman (DFL-Brycelyn), at a late night hearing Mon., March 2.

The bill provides that students enrolled in a school district have the right to exercise freedom of the press. However, Spear's bill makes clear that students are not authorized to publish: "expression that is obscene; expression that is defamatory; or expression that creates a clear and present danger of material and substantial disruption of the orderly operation of the school for the safety of students, faculty, or employees."

Opponents of the bill testified that schools need the authority to set standards that reflect the shared values of civilized society. They added that most schools do not censor materials; therefore, the

legislation is not needed. Proponents of the bill responded by pointing out that "the threat of censorship is just as detrimental as censorship itself."

The subcommittee recommended that the bill pass and referred it to the full Education Committee.

Members of the subcommittee also approved S.F. 1898, authored by Sen. Gregory Dahl (DFL-Ham Lake). Dahl's bill prohibits the use of all tobacco products in public elementary and secondary schools. Several students testified that because teachers tell them not to smoke, the schools should provide a tobacco-free environment.

In other subcommittee action, members approved S.F. 1990, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls). The bill extends or exempts consolidating school districts from the state aid penalty for failure to meet the deadline for collective bargaining agreements.

Sen. Ronald Dicklich (DFL-Hibbing) presented S.F. 1738, a bill that appropriates money for the Minnesota Institute for the Advancement of Teaching (MIAT). Under the bill, the MIAT would provide K-12 teachers with opportunities to study advanced topics in the humanities, sciences, and arts, and to engage in informed discourse with scholars. Supporters of the measure said the MAIT is intended to complement graduate study programs for teachers. The subcommittee recommended that the bill pass and referred it to the Education Funding Division of the Education Committee.

The subcommittee also approved S.F. 1982, sponsored by Dahl, a bill that allows implementation of the recommendations of a Minnesota Board of Teaching report on teacher preparation and licensing. Senators heard testimony on the report at a full Education Committee meeting last Friday. An amendment was added to the bill that ensures input from teacher educators and other education professionals. The bill now goes back to the full Education Committee.

Finally, the subcommittee recommended that S.F. 1690, also sponsored by Dahl, pass and re-referred it to the Education Funding Division. The bill's provisions restrict intermediate district revenue to members of intermediate school districts; modify and clarify procedures for withdrawal from membership in intermediate districts; eliminates state approval in specific circumstances; authorizes intermediate districts to levy to restore one year's revenue reduction; and repeals intermediate school district revenue for school districts.

## Early childhood and special populations bill

The Early Childhood and Special Populations Subcommittee of the Educa-

tion Committee met in the morning and evening of Wed., Mar. 4, to take action on several bills.

Committee Chair Judy Traub (DFL-Minnetonka) introduced S.F. 1814, a bill that requires the Department of Education to conduct a study of health and educational needs of medically fragile students. The subcommittee approved Traub's bill and referred it to the Education Funding Division.

Sen. Gregory Dahl (DFL-Ham Lake) presented S.F. 2041 to the subcommittee. The bill establishes a state plan to improve and expand advanced placement programs in school districts. The proposal also provides for summer institutes and support plans for teachers of advanced placement programs, and subsidizes examination fees for some pupils. Members of the subcommittee approved the bill and referred it to the Education Funding Division.

The subcommittee amended and approved S.F.450, authored by Sen. Carol Flynn (DFL-Mpls). The delete everything amendment authorizes the commissioner of health to award grants to school districts to establish adolescent health care centers. The measure also establishes standards for adolescent health care centers. The original bill's provision that required schools to provide, with parental consent, reproductive health care services, was removed by the amendment. The bill now goes to the full Education Committee.

S.F.1946, authored by Sen. Harold Finn (DFL-Cass Lake), establishes a youth employment and education pilot program to provide adolescents with opportunities to gain a high school diploma, explore occupations, evaluate vocational options, receive career and life skills counseling, develop and pursue personal goals, and participate in community-based projects. The subcommittee approved the bill, which now goes to the full Education Committee.

Senators on the committee recommended passage of S.F.1952, authored by Sen. Ted Mondale (DFL-St. Louis Park). The bill, which was referred to the Education Funding Division, makes home visits to prevent child abuse and neglect part of the early childhood family education program.

S.F. 1753, authored by Dahl, authorizes revenues to provide aid for private alternative schools. Dahl said the bill does not require additional funding, rather, it simply shifts funds. The subcommittee approved the bill and sent it to the Education Funding Division.

Sen. Linda Berglin (DFL-Mpls) presented S.F. 1704, a bill that regulates the proceeds of sales and use tax in Minneapolis. Senators on the subcommittee approved the bill and referred it to the

Education Funding Division.

Sen. Sandra Pappas (DFL-St. Paul) said S.F. 1156 will help blind students compete on an equal level with their peers. The bill assures that each blind student receives an individualized Braille literacy assessment, and establishes standards of proficiency and instruction for Braille.

The subcommittee approved the bill and sent it to the full Education Committee.

Finally, the committee heard S.F. 1963, authored by Sen. Gary DeCramer (DFL-Ghent). The bill modifies the summer health care intern program. Traub said the subcommittee would continue to work on the bill at a subsequent hearing.

## Education Funding

### Literacy center

There are thousands of adults in need of basic skills instruction, according to supporters of a proposed lifelong literacy center to be located in St. Paul. Members of the Education Funding Division of the Education Committee, chaired by Sen. Ronald Dichlich (DFL-Hibbing), heard testimony on the proposal at a hearing Mon., March 2.

Proponents of the measure said the center would increase the number of adults served, improve the quality of services, and provide coordinated human services. Sen. Sandy Pappas (DFL-St. Paul), author of the proposal, told her colleagues that the state should contribute to the funding of the project "to ensure that all adults in the state are literate and can go out and seek jobs."

The division may consider the proposal again later this session to decide whether the state should sell bonds to help finance the center.

## Elections and Ethics

### Campaign finance reform discussed

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), devoted most of the Wed., Mar. 4, hearing to discussing a bill that requires candidates to have a principal campaign committee, prohibits the transfer of campaign funds and prohibits the formation of "friends of" committees. Although no action was taken on the measure, S.F. 2077, the panel discussed the issue of campaign funding in general and the provisions of the bill. The measure, sponsored by Sen. Charles Berg (DFL-Chokio), was laid over for further discussion. A second campaign finance reform measure, S.F. 2104, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), was also laid over for future discussion.

In other action, the committee also discussed a bill that authorizes mail balloting for municipalities outside the

Metro Area with fewer than 400 registered voters. According to Sen. Don Samuelson (DFL-Brainerd), chief author of the measure, the bill would enable sparsely populated areas to conduct more cost efficient elections. Committee members indicated general support of the bill but delayed taking formal action in order to draft an amendment. The panel did approve, and advance to the full Senate, a bill providing that vacancies in county offices may be filled by special election as well as by appointment by the county board. The measure, S.F. 1638, is sponsored by Samuelson.

## Employment

### Workers' compensation

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), continued its work on workers' compensation reform at hearings on Mon., Mar. 2, and Wed., Mar. 4. Chmielewski said his reform proposal sets forth a system of managed care.

Chmielewski stated that a key aspect of his proposal is to address the problem of fraud by employees, providers, and attorneys. According to staff information, "these practices range from overbilling, delivering questionable treatment, and malingering to collusion among attorneys and health care practitioners to false-front independent contractor designations to avoid paying workers' compensation insurance."

Chmielewski's proposal is centered around four bills: S.F.1877, S.F.1878, S.F.1879, S.F.1880. The bills make a variety of changes in several areas of workers' compensation law, including administration, hearings, benefits and coverage, and the assigned risk plan.

The committee also heard S.F.1940 and S.F.1941, authored by Sen. Steve Morse (DFL-Dakota). S.F. 1940 regulates the insurance rates of employers who are licensed to provide ambulance service. S.F. 1941 classifies rescue squad workers as employees for purposes of workers' compensation. Chmielewski said the committee would consider these bills as members work on his proposal. Sen. John Hottinger (DFL-Mankato) presented S.F. 1820 to the committee. Hottinger said his bill was an alternative to Chmielewski's series of bills. Chmielewski said the committee would continue to review Hottinger's bill at the next committee hearing.

## Energy and Public Utilities

### Telephone ads, wind energy

S.F. 1919, authored by Sen. Steve Novak (DFL-New Brighton), creates new regulations for businesses that offer services that allow people to make recorded advertisements available to the public by means of voice mail and other

message devices. The Energy and Public Utilities Committee, chaired by Novak, met Thur., Feb. 27, and heard the bill, which requires the businesses to verify the placement of an ad with the person who is listed as the advertiser, and provide the business address or telephone in advertisements for the services.

Novak added that the false ads have generated numerous unwanted phone calls to the recipients of the pranks. Moreover, many Senators agreed that the services have the potential to significantly damage people because, under current practices, there is no way to find out from where the calls are being generated.

The committee recommended that the bill pass after the measure was amended to clarify that the regulations do not apply to newspapers or any other medium of mass publication that publishes such ads.

The committee also heard S.F. 1774, a bill that provides a sales tax exemption for wind energy conversion systems and the materials used to manufacture, install, construct, repair, or replace such systems. Sen. Janet Johnson (DFL-North Branch), bill author, said it is important to provide incentives for the use of renewable sources of electric energy. Members recommended passage of the bill and re-referred it to the Taxes and Tax Laws Committee.

### Energy efficient lighting

Representatives of the office of the attorney general and NSP updated Senators at a Tue., Mar. 3, meeting of the Energy and Public Utilities Committee on NSP's Residential Conservation Merchandising Project. Sen. Steven Novak (DFL-New Brighton) explained that the purpose of the project is to offer energy efficient light products to residential customers in an effort to reduce customers' energy bills; promote market acceptance of energy efficient lighting; and encourage the retail mass distribution channels to carry similar energy-related products.

In other committee action, members approved S.F. 2030, authored by Novak. The bill sets forth provisions that prescribe the method of payment of petroleum tank release cleanup fees; require persons who remove basement heating oil storage tanks to remove fill and vent pipes to the outside; change the inspection fee for petroleum products; impose a fee on the sales of propane; and appropriate money to the energy and conservation account for low-income energy assistance programs.

The bill now goes to the Finance Committee.

## Environment and Natural Resources

### Regulation of water use

On Fri., Feb. 28, the Environment and Natural Resources Committee,

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chaired by Sen. Bob Lessard (DFL-Int'l. Falls), approved S.F. 1830, creating an exemption from once-through water use permits.

Dick Johnson, vice president of H.B. Fuller, told the committee that in the late 1970's, H.B. Fuller purchased 180 acres of wetland and wooded upland at Willow Lake in Vadnais Heights for the development of corporate headquarters. Ramsey County purchased the remaining 80 wetland acres for open space and flood storage purposes. In 1982, the Willow Lake Nature Preserve Foundation was created between H.B. Fuller and Ramsey County to preserve and protect the site. Fuller uses groundwater from the Jordan Aquifer for heating, cooling, lake level augmentation, aquaculture, irrigation and to minimize consumption of fossil fuels. Also speaking in support of S.F. 1830, authored by Sen. Steven Novak (DFL-New Brighton), was former gov. Elmer Anderson, chairman of the board of Fuller, who told the committee that Fuller seeks to maintain the preserve for its own sake and as a model for industry.

"The Department of Natural Resources cannot support the bill," said Kent Lokkesmoe, director of the DNR's Division of Waters, adding that the level of the Jordan Aquifer is declining. Morse offered an amendment requiring Fuller to follow through on their commitment to develop the preserve. The amendment prevailed and the bill was approved.

The committee began discussion of S.F. 1958, authored by Price, a bill requiring criteria for water deficiency declarations and prohibiting the use of groundwater for lake level maintenance. Price said, "The measure promotes the wise, efficient, coordinated use of water in the metropolitan area."

The measure was laid over for further hearing.

## HWI measure approved

A bill providing for enforcement of sanctions for hunting while under the influence of alcohol or a controlled substance was approved by the Environment and Natural Resources Committee Tues., Mar. 3.

Sen. Fritz Knaak (IR-White Bear Lake), the measure's author, said that H.F. 1132 is an enforcement tool. Supporting this statement was Ray D. Evans of the DNR, who told the committee that enforcement officers have not had authority to make suspects take a test for probable cause.

Sen. Pat Pariseau (IR-Farmington), said she was concerned about the basis on which officers can make arrests. Knaak stressed that even under current law an officer must have probable cause to make an arrest. He emphasized again that the new bill simply provides officers a tool for

requiring a preliminary screening test.

Committee Chair Sen. Bob Lessard (DFL-Int'l. Falls), suggested giving courts discretion to deviate from the mandatory 5 year license suspension currently imposed on violators. His amendment to give judges discretion to suspend licenses for a term up of to five years was approved.

The bill was approved as amended and re-referred to the Judiciary Committee.

The committee continued its discussion of S.F. 1958, which requires criteria for water deficiency declarations and prohibits the use of groundwater for lake level maintenance. Sen. Leonard Price (DFL-Woodbury), author of the bill, said it provides a framework for dealing with potential water shortages, water contamination, and planning for the water needs of the growing metropolitan area.

Executive Director of the Association of Metropolitan Municipalities, Vern Peterson, said the bill was a compromise of local, regional and state interests. Petrona Lee, water quality control specialist for the city of Bloomington, also spoke in support of the bill, which was approved and re-referred to the Finance Committee.

## Split Rock Lighthouse fee bill

Two bills dealing with disparate fee structures were advanced by members of the Environment and Natural Resources Committee Wed., Mar. 4. S.F. 2101, authored by Sen. Gene Merriam (DFL-Coon Rapids), authorizes the Dept. of Natural Resources to enter into negotiations with the Minnesota Historical Society to establish a special fee structure for the Split Rock Lighthouse state historic site within Split Rock Lighthouse state park. Currently, visitors who just want to visit the historic site must also purchase a state park sticker. Under the bill, the two agencies are allowed to negotiate the fee so that visitors would only have to purchase one admission. The measure was approved and re-referred to the Committee on Finance.

A second bill dealing with fee structures, S.F. 1933, authored by Sen. Steven Morse (DFL-Dakota), alters the permit fee structure for solid waste facilities. The bill specifies that the Pollution Control Agency may collect permit fees in amounts not greater than those necessary to cover, in the aggregate, the reasonable costs of reviewing and acting upon applications for agency permits and implementing and enforcing the conditions of the permits. The measure also specifies that the permit fees for solid waste facilities must be based on the volume of waste received at a facility and that the agency may set maximum fees with a minimum fee of at least \$50. Finally, the measure requires that the

agency adopt rules by July 1 for the fees. The bill was approved and re-referred to the Committee on Finance.

In other action, the committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), approved two additional bills. S.F. 1858, authored by Sen. Gary Laidig (IR-Stillwater), requires state agencies to recycle fluorescent lamps to the extent practicable, if recycling facilities are available. The bill was also re-referred to the Committee on Finance. S.F. 1766, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), authorizes the sale of several specific pieces of state land.

## Finance

### Budget discussed

Members of the Senate Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids) received a briefing on the scope of the budget shortfall at a meeting Fri., Feb. 28. Commissioner John Gunyou and State Economist Tom Stinson explained the causes of the current shortfall and detailed the fiscal outlook for the next biennium.

According to Gunyou, the current \$569 million shortfall is due almost entirely to the recession. Gunyou said that a sluggish national economy means less state tax revenue. A lower individual income tax forecast accounts for about 80 percent of the revenue decline, Gunyou said. In addition, general fund expenditures are now forecast to be more than expected at the end of the 1991 session.

Both Gunyou and Stinson also spoke on the cash flow problems the state is encountering. Earlier fears that the state would have to start short-term borrowing this spring may not be realized, Gunyou indicated. However, Gunyou said that the cash flow difficulty will be at its worst in October, according to current data.

Finally, Gunyou said that the shortfall for fiscal year 1994-95 is expected to be \$1.75 billion. "How we solve the \$569 million problem will have a lot of impact on the \$1.75 billion problem later on," Gunyou said. Depending on how the current shortfall is resolved the later shortfall could be reduced considerably, he said.

In addition to hearing the budget presentation, the committee took action on a bill clarifying the Worthington Community College appropriation. The measure, S.F. 1854, sponsored by Sen. Jim Vickerman (DFL-Tracy), was approved and sent to the full Senate.

### PCA overview continues

Representatives of the Pollution Control Agency continued their presentation to members of the Finance Environment and Natural Resources Division

Mon., Mar. 2.

An overview of the PCA's regionalization program was presented to the division by John Chell, assistant commissioner. Chell said the legislative auditor's report had recommended the strengthening of the capabilities of its regional offices. The PCA has been implementing this recommendation, and has already moved 12 out of a planned 60 positions to regional offices in Rochester, Marshall, Detroit Lakes, Brainerd and Duluth. Chell said a one-time, upfront expenditure of \$445,000 will be necessary to complete moving the 60 positions.

Chell told the division, chaired by Sen. Steve Morse (DFL-Dakota), that regionalization will help the PCA to: provide the public with greater accessibility to PCA staff; achieve faster response to inquiries; create more effective feedback loops between agency policy makers, clients, political representatives, and the public; achieve a greater level of effort in maintaining compliance with regulations; provide greater emphasis on issues unique to specific areas; and, respond more quickly to environmental emergencies.

Water Quality Division Manager Tim Scherkenbach, told the division about the efforts of the water quality division to meet increased responsibilities with fewer resources. He said his division had undertaken several projects including streamlining the permit process. Scherkenbach, who told members he had identified 15 positions within his agency he will not be filling, delineated an additional seven positions that will be cut. Scherkenbach further outlined the effect the cuts will have on the PCA's ability to respond to growing demands for permitting, monitoring and enforcement. James Warner, manager of the Ground Water and Solid Waste Division, also addressed members on his department's efforts to carry out the suggestions of the legislative auditor's report.

## Gaming Regulations

### New license considered

A bill establishing a new class of license for organizations with less than \$10,000 gross bingo receipts in a year was presented to the Gaming Regulations Committee, Mon., Mar. 2.

Sen. Harold "Skip" Finn (DFL-Cass Lake), author of S.F. 1765, said the measure allows organizations with small bingo operations to get out from what he called "oppressive paperwork." Gambling Control Board Director, Henry Baltzer, said the language of the measure, which allows the use of up to 50 percent of profits for lawful expenses, is in conflict with Minnesota law and commercializes gambling by permitting advertising.

Baltzer took exception to the language of several sections of the measure. Chair

Sen. Charles Berg (DFL-Chokio) suggested Baltzer and Finn work on the language of the bill and that Finn bring it back to the committee on Mon., Mar. 9 for possible inclusion in the committee lawful gambling bill.

Sen. Leonard Price (DFL-Woodbury) presented a horseracing bill, S.F. 2159. The measure authorizes distribution from the breeders' fund for other breeds. The measure, which deletes limitations on fair racing days, is supported by the Minn. Racing Commission, according to MRC Executive Director Richard Krueger. Also speaking in support of the bill were Greg Jensen, president of Minn. Harness Racing, Inc., and Mary Ann Jensen, president of the Arabian Racing Association of Minn. Jensen told the committee the bill presents an opportunity to race Arabian horses in Minn.

The bill was approved by the committee.

### Impact of Indian Gaming

Members of the Gaming Regulations Committee heard presentations from over a dozen witnesses regarding the economic impact of Indian Gaming.

Most of those addressing the committee Wed., Mar. 4 were from the restaurant, hotel and resort industry. Wayne Kostrowski, president of the Minnesota Restaurant Association, said Indian Gaming spells disaster for many restaurant owners. Kostrowski said his industry wanted "a level playing field." Bob Sherman of Madden Resorts in Brainerd, also stated a desire for "a level playing field," as did Bob Dickerson, operator of a fourth generation family resort.

John Berglund of the Minnesota Licensed Beverage Association said that gaming had adversely affected the hospitality industry. Berglund, who also represents a coalition supporting a video lottery, was asked Sen. Allan Spear (DFL-Mpls.) how more gambling can be the solution to gambling. This question was echoed by Chair Sen. Charles Berg (DFL-Chokio), who asked several witnesses their preference: to ban all gambling or to open gambling to everyone. Both answers were given.

Three members of the Chippewa Tribe from the White Earth Reservation spoke about their objections to Indian Gaming. Educator Erma Vizenor said gaming does not help in any way, that her people are "going to be the greatest losers of all." She said gaming has no part in Chippewa culture. In addition, she is concerned about organized crime coming onto the White Earth Reservation, where, she said, they operate under a closed system of government. "The almighty dollar today is not worth destroying our culture," said Vizenor.

Larry Cloud Morgan, spiritual leader and artist, said "It's open season on Indians and Indian country." Cloud

Morgan told the committee the Shooting Star Casino on the White Earth Reservation is being managed by a Pennsylvania firm that doesn't have a federally approved contract, rather than with an established Minnesota company that offered a better payback to the tribe.

In response to a question by Sen. Pat McGowan (IR-Maple Grove), Terry Brownell of the Gambling Enforcement Division of the Dept. of Public Safety said the state has no authority to limit Indian Gaming to licensed casinos. He said the state's authority is limited to how the gaming is conducted.

In other action, the committee approved S.F. 2159, a horseracing bill. Presented by Price, the bill authorizes distribution from the breeders' fund for other breeds and removes limitations on fair racing days.

## Governmental Operations

### Performance budgeting bill okayed

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), met Tues., Mar. 3, to consider four bills.

The first, S.F. 1512, sponsored by Sen. Phil Riveness (DFL-Bloomington), provides for performance budgeting, a system for tracking the effectiveness of programs in state government. The bill specifies that for each program or activity, the commissioner of finance must submit a performance budget containing a goals statement; performance objectives; performance indicators, including specific measurable outcomes that will result from the program or activity; and performance criteria, which must include standards by which program and activity outcomes can be ranked.

As part of the budgeting process, the commissioner must also state what has been achieved during the previous budget period, including measurable outcomes of the program or activity, and must rank the effectiveness for each program and activity.

Jim Nobles, legislative auditor, spoke in support of the bill, saying that the auditor's office could "probably improve our performance twofold" if given the more usable data the bill is intended to provide.

The bill also contains a provision requiring the commissioner of administration to submit a functional analysis of state government that includes recommendations for reorganizing to eliminate duplication of services and achieve greater efficiency.

The committee approved the measure and re-referred it to the Finance Committee.

Next, the committee considered S.F. 1823, banning the use and disposal of polystyrene packing "peanuts" and

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requiring the state to purchase, use, and require contractors to use loose fill packing materials made of renewable resources.

The bill's sponsor, Sen. Janet Johnson (DFL-North Branch), outlined the advantages of using packing "peanuts" made from corn, wheat, and potato starch. Johnson pointed out that the new packing materials are made from renewable, Minnesota-grown materials, are now competitively priced, and degrade in water, eliminating disposal costs and trash cleanup problems associated with polystyrene materials.

Representatives from the foam polystyrene packing materials industry noted that the industry has made strides in recycling foam packing materials. They also argued that the bill effectively eliminates competition in the industry and would increase shipping charges for mail order businesses because the new materials weigh more.

The committee approved the bill and re-referred it to the Environment and Natural Resources Committee.

The committee also briefly considered and approved S.F. 1917, a bill authorizing technical changes in State Board of Investment procedures. The bill, sponsored by Waldorf, was approved and referred to the full Senate.

Last, the committee heard a brief explanation of a bill, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls), consolidating the state's environment-related functions into one agency. The committee laid over the bill until its Thurs., Mar. 5, meeting.

## DNR reorganization bill discussed

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), met Thurs., Mar. 5, to discuss a bill consolidating the Dept. of Natural Resources, the Pollution Control Agency, the Board of Water and Soil Resources, and the Office of Waste Management into a new Dept. of Environmental Protection and Conservation.

The measure also establishes the Environmental Review Board, a governor-appointed board which investigates rules, permits, orders and decisions of the new department. The board consolidates the functions of several existing environment-related boards.

Another function provided by the bill is the Office of Assistance and Public Advocacy, which will investigate citizen complaints, provide permits coordination, advocate on behalf of the public interest, coordinate programs with local governments, and make recommendations to the commissioner of environmental protection and conservation.

The bill, according to sponsor Sen. Lawrence Pogemiller (DFL-Mpls.), is

intended to reorganize the structure of government relating to environmental matters without changing existing environmental policies. One of its primary aims, according to Pogemiller, is to increase accountability and better define responsibilities in a system that is currently difficult for citizens and businesspeople to navigate.

Ronald Nargang of the DNR argued that bigger agencies do not always produce better accountability and pointed out that Wisconsin legislators are considering dismantling the state's large environmental agency into smaller units.

Sen. Steven Morse (DFL-Dakota), called for a more detailed analysis of how the bill would affect specific programs and said that merely consolidating the functions may not increase their effectiveness.

The bill was laid over for further discussion.

## Health and Human Services

### Child support

During three hours of often heated testimony, the Social Services Subcommittee of the Health and Human Services Committee, chaired by Sen. Carol Flynn (DFL-Mpls.), met Thurs., Feb. 27, to hear arguments for and against bills that affect the assessment and collection of child support in Minnesota.

Sen. Fritz Knaak (R-White Bear Lake) presented S.F. 1185, relating to child support and visitation rights of noncustodial parents, and S.F. 1200, relating to marriage dissolution and shared care of children. S.F. 1185 amends provisions of current law governing visitation and child support. Among other things, the bill provides that the custodial parent may not move the child's residence more than 100 miles from the residence of the non-custodial parent, and that the total award of support, maintenance and fees be limited to 50 percent of the obligor's income. Also, the bill authorizes a court to require a custodial parent to account for the use of child support or public assistance money.

S.F. 1200 replaces present marriage dissolution provisions regarding child custody and visitation rights with "shared care" provisions. It requires the court, unless the parties agree otherwise or the well-being of the children is endangered, to award overnight residential care for at least three months of the year to both parents. The bill also requires the court to adjust child support obligations to reflect the shared parental care.

In support of the bills, former state Sen. Ron Sieloff, representing R-Kids, said his group feels the bills will remove the

presumption that permanent maintenance is needed and make the determination on an individual basis. Regarding the change in custody law, Sieloff stated that current law pushes fathers out of their children's lives and that the bill gives an incentive for non-custodial parents to spend more time with their children.

Representatives from the Association of Minnesota Counties told the panel that the measures create an additional burden on county governments which are already stretched to their limit.

Several speakers testified that S.F. 1200 joint custody arrangements which have been found to be detrimental to a child's need for stability, predictability and constancy.

The subcommittee took no action on S.F. 1185 and S.F. 1200.

At the same meeting, the subcommittee considered S.F. 1643, sponsored by Sen. Judy Traub (DFL-Minnetonka). The bill prohibits the issuance of a driver's license to any applicant who is not in good standing with respect to his or her child support obligation. The bill provides for issuance of a limited license if it is needed for the applicant to be employed. Traub told the panel that the measure is an effective way to press delinquent parents to fulfill their obligations and is cost effective for the state because many families who are unable to collect delinquent child support payments are forced to seek assistance.

The panel voted to refer S.F. 1643 to the full Health and Human Services Committee.

Finally, Sen. Richard Cohen (DFL-St. Paul) presented S.F. 2000, a bill that attempts to enforce child support orders that are delinquent and to provide for equitable sharing of child care obligations.

Cohen said he recognizes that the majority of non-custodial parents try to fulfill their financial obligations, but when that is not the case, families are forced to seek assistance from the state. The bill provides a number of vehicles for collecting delinquent child support including prohibiting state agencies from entering into a contract with an individual who is in arrears in child support payments and suspension of an individual's occupational license if the individual's support payments are in arrears.

The bill also provides for apportionment of child care expenses based on ability to pay and requires the court to consider the need of each child to spend time alone with each parent.

Mark Nygard, a lobbyist for R-Kids, told the panel that joint physical custody is a step in the right direction but that his group would prefer to see a bill that addresses the question of what constitutes child support.

The subcommittee voted to approve S.F. 2000 and refer it to the full Health and Human Services Committee.

### Occupational licensure bill

The Health Care Access Division of the Health and Human Services Committee, chaired by Sen. Pat Piper (DFL-Austin), met Thurs., Feb. 27, to consider occupational licensure.

S.F. 589, sponsored by Sen. Janet Johnson (DFL-North Branch), creates a Board of Nutrition and Dietetics Practice, requires nutritionists and dietitians to be licensed and establishes licensure requirements for these occupations.

A bill, S.F. 422, sponsored by Sen. Sam Solon (DFL-Duluth), establishes a Board of Chemical Dependency Counselors and requires chemical dependency counselors to be licensed. S.F. 422 was amended to exempt counselors who practice in communities of less than 5,000 population.

Finally, the division heard a presentation by Tom Heindlmayr of the Dept. of Health in support of S.F. 1945, sponsored by Piper, which reauthorizes funding for the Human Services Occupations Advisory Council.

The division voted to approve the bills and refer them to the full committee.

### Occupational licensure, child support

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Mon., Mar. 2 to consider bills dealing with occupational licensing and child support.

S.F. 589, sponsored by Sen. Janet B. Johnson (DFL-North Branch), establishes a licensing procedure for nutritionists and dietitians. Pam York of the Minnesota Dietetic Association testified in support of the measure, noting that licensing is necessary to avoid practices which create disease, treat disease inappropriately or sell worthless products to unsuspecting consumers.

Sen. Duane Benson (IR-Lanesboro) questioned the need for the bill and stated that if it passed it would probably have the effect of raising the price of the services of nutritionists and dietitians.

The committee voted to approve the bill and send it the Governmental Operations Committee.

The second licensing measure considered by the committee was S.F. 422, sponsored by Sen. Sam Solon (DFL-Duluth), which establishes a licensing procedure for chemical dependency counselors. The committee adopted an amendment that exempts hospitals from the requirement to employ licensed counselors. The measure was approved and re-referred to the Governmental

Operations Committee.

Next, the committee looked at S.F. 1945, sponsored by Sen. Pat Piper (DFL-Austin), authorizing continued funding for the Human Services Occupational Advisory Council. The committee approved the measure and re-referred it to the Finance Committee.

The panel then turned its attention to the matter of enforcement of child support awards. Two bills, S.F. 1643, sponsored by Sen. Judy Traub (DFL-Minnetonka), and S.F. 2000, sponsored by Sen. Richard Cohen (DFL-St. Paul), were before the committee.

S.F. 1643 provides for denial or suspension of a driver's license for failure to comply with child support requirements. The bill does allow for issuance of a provisional license in cases where the applicant must be able to drive to work in order to meet the child support obligation. In support of the bill, Traub stated that the failure of the non-custodial parent to pay child support is a major contributor to the large number of children who live in poverty and that the custodial parent is often forced to seek public assistance.

The committee approved S.F. 1643 and re-referred it to the Transportation Committee.

S.F. 2000 provides a framework for enforcing child support awards and outlines shared custody arrangements designed to equalize the burden of child rearing between both parents.

The committee voted to approve S.F. 2000 and re-referred the measure to the Judiciary Committee.

Finally, the panel heard testimony regarding S.F. 1821, sponsored by Berglin. The bill states that a child placing agency must give preference to placing a child with a relative or a family with the same racial or ethnic heritage as the child. Testifying in support of the bill, Erin Sullivan Sutton, Dept. of Human Services, stated that the bill provides for protection of the heritage of all children. Carol White, also a proponent of the measure, said that many potential foster and adoptive families are available within the African-American community and that when barriers are removed, all children will have the opportunity to be placed with relatives or within their own communities.

In opposition to the bill, Thorvald Esbensen of the suburban chapter of the NAACP said that the bill does not protect the best interests of the children. He further stated that longitudinal studies have shown that trans-racial adoptions have worked well. A representative from the Council on Black Minnesotans expressed concern that the legislation does not address the needs of the individual child.

The committee took no action on S.F. 1821 at this meeting.

## Judiciary

### Spiritual healing bill approved

To protect children whose parents rely on spiritual healing, the Criminal Law Division of the Judiciary Committee approved S.F. 1822, establishing a children's health care mediator and providing for reporting by parents.

Meeting on Thurs., Feb. 27, the division, chaired by Sen. John Marty (DFL-Roseville) added several amendments addressing concerns about liability and sanctions. Sen. Allan Spear (DFL-Mpls.), the bill's author, offered an amendment providing the mediator with immunity from liability. In response to concerns expressed by Erin Sullivan Sutton, acting director of the Children's Services Division of the Dept. of Human Services, an amendment was offered to insure that any provision for a mediator be in compliance with federal regulations for child abuse reporting. Both amendments were approved.

Division members, including Sen. Pat McGowan (IR-Maple Grove) and Sen. Jane Ranum (DFL-Mpls.), expressed concern that the measure lacked sanctions against parents who failed to report. An amendment making failure to report a misdemeanor, was approved while an amendment offered by Sen. Gene Merriam (DFL-Coon Rapids), to make it a gross misdemeanor failed.

In answer to questions from the division, James Van Horne, communications director for the Christian Science Churches of Minnesota, said that while he believes that criminalization is the wrong approach, the establishment of a mediator is "a better road to walk" and Christian Scientists will abide by the law.

The division approved S.F. 1822 as amended and the measure was referred to the full committee. expressed concern that the measure lacked sanctions against parents who failed to report. An amendment making failure to report a misdemeanor, was approved while an amendment offered by Sen. Gene Merriam (DFL-Coon Rapids), to make it a gross misdemeanor failed.

The division approved S.F. 1822 as amended and the measure was referred to the full committee.

### Anti-violence initiative

The Safe Communities Act of 1992, a major anti-violence initiative, was presented by Sen. Pat McGowan (IR-Maple Grove) to the Criminal Law Division of the Judiciary Committee on Fri., Feb. 28. McGowan told the division, chaired by Sen. John Marty (DFL-Roseville), that S.F. 1983 was a comprehensive bill that had been compiled with input from victims groups, law enforcement associations, the Bureau of Criminal

Apprehension, prosecutors, and the commissioners of the Departments of Public Service and Health and Human Services. McGowan said he had also considered public testimony to the Governor's Commission on Violent Crimes and the Safe Streets Committee.

Key features of the measure include reparations to crime victims; children's safety centers; the establishment of a Violence-Free Minnesota office; determine sentencing with the elimination of "good time"; increased penalties for sex offenders; annual sentencing practices reports; and, funding priority for juvenile sex offender programs.

McGowan said the bill "ensures public safety while changing attitudes." He estimated the cost of the package at \$5.35 million for fiscal '93, \$18 million for '94, and \$19 million for fiscal '95.

Marty said the bill would be considered along with a host of other amendments in further hearings. Two amendments were added to S.F. 1687, the omnibus crime act. The language of S.F. 1757, authored by Sen. Phil Riveness (DFL-Bloomington), which eliminates the possibility of release for those sentenced for first degree murder involving forcible or violent criminal sexual conduct, was added as an amendment to S.F. 1687.

### Data privacy issues debated

The Judiciary Subcommittee on Privacy, chaired by Sen. Jane Ranum (DFL-Mpls.), held a day-long hearing Sat., Feb. 29, to consider privacy provisions in a number of criminal justice bills. The subcommittee worked on seven measures with several bills being incorporated into an omnibus vehicle bill.

S.F. 1735, authored by Sen. Terry Johnston (IR-Prior Lake), authorizes background checks of professional and volunteer child care providers. The measure was approved and advanced to the full committee.

The bill designated as the vehicle for the various privacy bills, S.F. 2006, establishes a criminal and juvenile justice information system. The measure, sponsored by Ranum, was amended to incorporate provisions of three other bills. Portions of S.F. 1850, sponsored by Sen. Randy Kelly (DFL-St. Paul), allowing photographs to be taken of juveniles in custody were amended into S.F. 2006. Several provisions dealing with privacy issues contained in S.F. 1983, the Safe Communities Act, sponsored by Sen. Pat McGowan (IR-Maple Grove), were also amended into S.F. 2006. A third bill, sponsored by Ranum, requiring finger and thumb prints of inmates, parolees and probationers received from other states was also amended into the vehicle measure. After the various amendments were incorporated into S.F. 2006, the subcommittee laid the bill over for further

discussion.

S.F. 2123, also authored by Ranum, requires the retention of juvenile court records beyond the age of 23 if the juvenile committed an act that would be a violation of specific crimes if the juvenile had been an adult at the time. The measure failed to gain the subcommittee's approval.

S.F. 1191, also sponsored by Ranum, creates a domestic abuse data system and requires the collection of data relating to domestic assaults and orders for protection. No action was taken on the measure.

The subcommittee continued work on S.F. 2006, the privacy bill sponsored by Ranum, at another hearing Tues., Mar. 3. The panel approved the measure and referred it to the Criminal Law Division.

In other action the panel approved a bill that gives an individual the right to obtain a copy of his or her employment record. The measure, S.F. 1747 sponsored by Sen. Gene Merriam (DFL-Coon Rapids), was referred to the full committee.

Finally, the committee discussed S.F. 1974. The bill, sponsored by Ranum, amends the Government Data Practices Act to reference laws that appear in other chapters and relate to the Data Practices Act. The panel took no action on the bill.

The subcommittee reconvened on Thurs., Mar. 5, to continue considering privacy legislation. S.F. 2245, sponsored by Sen. Richard Cohen (DFL-St. Paul), authorizes the exchange of immunization data among medical providers, schools, child care facilities and other agencies if they provide services on behalf of an individual. The panel approved the measure and recommended that it be incorporated into S.F. 1974, sponsored by Ranum.

The subcommittee also heard testimony on S.F. 2276, sponsored by Sen. John Marty (DFL-Roseville). The bill authorizes government agencies to charge the market rate for public data released for commercial purposes and allows individuals to request that data about them not be released for commercial purposes. The panel took no action on the measure.

### Limited liability company bill

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Mon., Mar. 2. The first order of business was the confirmation of David L. Beaulieu as the commissioner of human rights. Beaulieu told the committee he supports the goal of the department to insure redress for human rights violations under the state's human rights statute. The committee unanimously recommended confirmation of Beaulieu's appointment and sent it to the full Senate.

The committee then considered S.F.

1740, sponsored by Sen. Ember Reichgott (DFL-New Hope). The bill creates a new form of business entity called a limited liability company which combines the governance and management principles of the corporation with the finance and entity-dissolution principles of a partnership. Reichgott told the committee that nine states now have laws allowing the creation of limited liability companies and 11 states have such legislation pending. Reichgott said that S.F. 1740 is a very well-drafted bill and that it is being used as a model in states considering LLC laws. The committee approved the bill and sent it to the full Senate.

Next, the committee heard S.F. 1735, sponsored by Sen. Terry Johnston (IR-Prior Lake) authorizing child service providers to request a criminal background check to determine if a potential employee or volunteer has been convicted of certain crimes. Johnston said the bill does not mandate background checks or prohibit hiring any individual to work with children, but it does make it possible for organizations that work with children to obtain information about whether people they are considering as employees or volunteers have been convicted of the crimes named in the bill. The panel adopted an amendment that restricts the bill's coverage to felony-level crimes. The committee then voted to approve the bill as amended and to refer it to the Health and Human Services Committee.

Finally, the committee heard testimony regarding S.F. 1739, sponsored by Sen. James Metzen (DFL-South St. Paul). The bill exempts passengers of charter carriers from the open bottle law. Representatives from the Minnesota Charter Bus Operators Association and from MADD raised concerns about where liability would attach if a person who had been drinking alcohol while a passenger on a chartered bus was later involved in an accident. Sen. William Luther (DFL-Brooklyn Park) moved that the committee temporarily lay the measure over until the liability issue is addressed.

### Sex offender treatment discussed

Members of the Judiciary Subcommittee on Criminal Justice System Oversight met Mon., Mar. 2, to discuss provisions of several bills dealing with sex offender treatment. The panel, chaired by Sen. Randy Kelly (DFL-St. Paul), devoted most of the hearing to considering portions of S.F. 1983, the anti-crime measure authored by Sen. Pat McGowan (IR-Maple Grove), that were offered as amendments to S.F. 1846, a sex offender treatment bill authored by Kelly.

Five amendments were discussed but no formal action was taken at the hearing. The amendments included providing for a 20 bed treatment facility for juvenile sex offenders; requiring the legislative auditor

to design an evaluation plan for adult and juvenile sex offenders; setting a funding priority for juvenile sex offender treatment over adult funding; providing for bonding for capital improvements and debt service; and setting requirements for multiple occupancy and separate cells at various correctional institutions.

Subcommittee members also discussed a bill that addresses the need for space at the St. Peter hospital facility. The measure, S.F. 1996, authored by Kelly, authorizes bonding for construction of an addition at the security hospital. The bill also modifies commitment procedures for persons who are mentally ill and dangerous to the public and for psychopathic personalities.

S.F. 1977, authored by Sen. Jane Ranum (DFL-Mpls.), was also discussed by the panel. The measure requires the establishment of certified sex offender treatment programs in correctional facilities. In addition, the measure requires the establishment of chemical dependency treatment programs in all correctional facilities and prohibits "good time" for offenders who fail to complete court-ordered chemical dependency treatment.

No formal action was taken by the subcommittee.

### **Omnibus crime bill**

At its morning session Wed., Mar. 4, the Criminal Law Division of the Judiciary Committee continued working on S.F. 1687, the omnibus crime bill.

The first measure considered, S.F. 1591 creates a grant program for the creation and expansion of mediation programs for crime victims and offenders. Under the terms of the bill, authored by Sen. Allan Spear (DFL-Mpls.), eligible offenders are adults charged with nonviolent crimes and juveniles alleged to have committed nonviolent offenses. Linda Bourbon, whose home was burglarized in July '91, described to the division her positive experience with a mediation program administered by Citizens Council Mediation Services. Spear moved that the measure be folded into the omnibus crime bill, and the motion was carried.

Sen. Randy Kelly (DFL-St. Paul) presented several sections of S.F. 1996, dealing with psychopathic personality provisions. Sen. Pat McGowan (IR-Maple Grove) offered an amendment allowing the attorney general to take over the prosecution in psychopathic personality commitment proceedings at the county attorney's request. Another McGowan amendment bars the attorney general's office from charging for these services. Both of the amendments were approved, and S.F. 1996, as amended, was amended onto the omnibus crime bill.

The division, chaired by Sen. John Marty (DFL-Roseville) held an extensive

discussion of two provisions in S.F. 1850, dealing with juvenile certification. Under current law, a juvenile who previously was referred to adult court must be recertified on a subsequent offense in order to be prosecuted in adult court. Under a provision of S.F. 1850, also authored by Kelly, a child between 14 and 18 may be automatically prosecuted in adult court if the child has been previously referred for prosecution on a felony charge and was convicted of the felony offense for which the child was prosecuted in adult court or of a lesser-included offense. This was amended onto the omnibus crime bill.

Another provision of Kelly's measure requires the Sentencing Guidelines Commission to revise the portion of the guidelines governing criminal history points to address offenses committed when the offender was a juvenile. Ramsey County Juvenile Division Director, Jim Hayes, said the measure is for the 15 percent of serious juvenile offenders who go on to become adult offenders. Hayes said they must be held accountable for their behavior.

Spear said that if these crimes are treated like other crimes, then offenders must be given the same due process given adult offenders. Bob Ellingson of the Board of Public Defense said that in 65 of 87 Minnesota counties, 20 percent or less of juveniles are not even represented by counsel. Sen. Thomas Neuville (IR-Northfield), said the cost of trials to all juveniles would be tremendous and suggested juveniles be certified sooner so that they have access to the due process of adult court.

Hayes shared the concern that juveniles be given equal access to counsel but said the need for immediate action to hold chronic, serious offenders accountable for their crimes was pressing.

The measure was laid over for further hearing at the Fri., Mar. 6, evening meeting of the division.

### **Omnibus crime bill**

The Criminal Law Division of the Judiciary Committee continued its work on S.F. 1687, the omnibus crime bill, Wed. evening, Mar. 4.

An amendment presented by Sen. Pat McGowan (IR-Maple Grove), calling for joint trial when two or more defendants are jointly charged with a felony, was supported by a series of witnesses including Bill Geronimus of the County Attorneys Association. Geronimus said the measure is likely to save money from consecutive trials. The same argument was made by Richard Hodson, first assistant Washington county attorney, who said joinder spares victims the trauma of additional trials.

Division Chair, Sen. John Marty (DFL-Roseville) called on Supreme Court Justice, Esther Tomljanovich, who said

joinder should continue to be a discretionary matter decided by judges. Justice Tomljanovich also told the division that a judicial committee is meeting to formulate new Rules of Criminal Procedure and that McGowan's amendments addressed procedural issues more appropriately handled by Federal rules.

McGowan's joinder amendment was approved, as was a second McGowan amendment altering the order of final argument. Under this amendment, the prosecution may reply in rebuttal to defense's closing argument. Prosecutors Geronimus and Dan Mabley, chief of the Hennepin county attorney's criminal division, supported the amendment. John Stuart, state public defender, opposed it, telling the division it was unfair to sandwich the defense argument between two prosecutorial arguments.

Author of the omnibus crime bill, Sen. Allan Spear (DFL-Mpls.), offered an amendment with McGowan, abolishing the current system of good time and establishing a bifurcated sentencing system under which an inmate receives a set term of imprisonment and a set period of supervised release. If an inmate violates rules in prison, a portion of his supervised release is converted into prison time. The rule is prospective only, applying to sentences after Aug. 1, 1993. An amendment to this amendment, insuring a minimum term of supervised release, from five to fifteen years, for sex offenders was offered. Both of these amendments were approved and will be folded into the omnibus crime bill.

A Spear amendment mandating stiffer sentencing for sex offenders was also approved. Under the terms of this amendment, a life sentence is mandatory for first degree sexual conduct if the person has certain previous criminal sexual convictions. The amendment mandates a 30 year sentence in other cases, and a minimum double departure for certain other sex offenders.

The division will send a letter to the Sentencing Guidelines Commission (SGC) asking them to review the guidelines regarding sentences for offenses committed by inmates at state correctional facilities.

### **Civil law bills advance**

The Civil Law Division of the Senate Judiciary Committee, chaired by Sen. Richard Cohen (DFL-St. Paul), met Wed., Mar. 4, to consider several bills.

The panel first looked at S.F. 1319, sponsored by Sen. James Metzen (DFL-South St. Paul), allowing a sole shareholder to represent his or her corporation in court. Current state law prohibits the practice. The division voted to approve the measure and refer it to the full committee.

Next on the agenda was S.F. 1856,

sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake). The bill incorporates a number of recommendations from the real property section of the Minnesota State Bar Association that amend or clarify existing law relating to mortgage satisfaction, torrens registration, mechanic's lien actions, and other real property transactions. The division approved the bill and referred it to the full committee.

The division then turned to S.F. 1693, a bill sponsored by Sen. Gene Waldorf (DFL-St. Paul), establishing a right to a civil cause of action against a health care provider who assists an individual in attempting or committing suicide. The measure provides that injunctive relief or civil damages may be sought by family members, a potential heir, a beneficiary under a life insurance policy, a health care provider, or a public official authorized to prosecute or enforce the laws of the state.

Dr. Arthur Caplan, director of the Center for Biomedical Ethics at the University of Minnesota, testified in support of the bill. Caplan expressed his belief that the state has a responsibility to promote and protect the lives of all its citizens, especially those who are impaired and vulnerable because of illness, incapacity, age or immaturity. He said the bill is needed because Minnesota should not have a public policy that encourages the taking of life.

Sen. Ember Reichgott (DFL-New Hope) proposed an amendment stating that a health care provider who withdraws or withholds life-sustaining procedure in compliance with the living will statute or in accordance with accepted medical procedure does not violate the statute. The division adopted the amendment and approved the bill as amended.

### Family law bills advance

In an evening session Wed., Mar. 4, the Civil Law Division of the Judiciary Committee, chaired by Sen. Richard Cohen (DFL-St. Paul), considered six bills dealing with family law.

The first bill, S.F. 1749, sponsored by Sen. Jim Vickerman (DFL-Tracy), amends existing law regarding grandparents' visitation rights to clarify that a grandparent may seek visitation rights at any time after a proceeding for dissolution, custody, legal separation, annulment or paternity is brought.

S.F. 1700, sponsored by Sen. Jane Ranum (DFL-Mpls.), amends current law by clarifying the circumstances under which a person other than a parent may seek visitation rights or custody of a child.

S.F. 1720, sponsored by Sen. Dennis Frederickson (IR-New Ulm), amends the statute dealing with the administrative process for child and medical support orders.

Finally, S.F. 1607, sponsored by Sen. Ted Mondale (DFL-St. Louis Park),

amends the "best interests of the child" provisions so that the court may not consider a potential custodian's disability unless it would have a substantial and lasting adverse effect on the child.

The division approved all of the above bills with the understanding that they will be incorporated into S.F. 2000, sponsored by Cohen, a comprehensive bill dealing with child support, visitation and custody.

Ranum also presented S.F. 2005 providing for a commission to study and make recommendations regarding a custodial parent establishing a new place of residence for a child. The panel laid the bill over for further work.

Finally, Cohen presented a summary of S.F. 2000 which modifies provisions dealing with computation and enforcement of child support, joint custody and visitation rights. The division took no action on the measure and anticipated hearing further testimony on Thurs., Mar. 6.

## Local Government

### Municipal Board changes

S.F. 1013, a measure designed to improve land use planning by changing the membership of the Minnesota Municipal Board (MMB) and streamlining the annexation process, was approved by the Local Government Committee Tues., Mar. 3.

At the suggestion of Sen. John Hottinger (DFL-Mankato), chief author Randy Kelly (DFL-St. Paul) offered an amendment changing the makeup of the MMB to five: one representing the city, one representing the township, one designated by the State Planning Agency, and two county board members who would serve as ex-officio non-voting members. The motion carried and the measure was approved. The bill was re-referred to the Governmental Operations Committee.

The committee also approved S.F. 1705, authorizing the city of Minneapolis to issue general obligation bonds to finance land acquisition and construction of a parking garage, plaza and other improvements related to the federal courts facility in downtown Minneapolis. The measure, authored by Sen. Carol Flynn (DFL-Mpls.), was referred to the Economic Development and Housing Committee. Another measure relating to Minneapolis, S.F. 1704, was approved by the committee. The bill, authorizing the city of Minneapolis and Special School District No. 1 to appropriate a portion of the proceeds of the convention center sales tax to the neighborhood school readiness centers, was re-referred to the Education Committee.

Legislation affecting St. Paul was also approved by the Senators. S.F. 1849, authored by Kelly, extends the capital improvement bonding limit for the city of

St. Paul through 1998. The committee, chaired by Sen. Betty Adkins (DFL-St. Michael), re-referred the measure to the Taxes and Tax Law Committee.

In other action, Sen. Steven Morse (DFL-Dakota), presented a bill expanding the purposes of county property tax levies used for land management systems. The bill expands the use of the levy proceeds to cover the costs of control monuments for mapping activities, modernizing land records, and establishing geographic, land and management information systems.

The measure was approved and re-referred to the Taxes and Tax Laws Committee.

## Metropolitan Affairs

### Airport noise discussed

Airport noise continues to be an infuriating daily problem for homeowners who live on airport flight patterns, testified representatives from neighborhood groups at a Tues., Mar. 3, meeting of the Metropolitan Affairs Committee. The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met to receive an update on noise abatement from the Metropolitan Airports Commission (MAC) and to discuss a bill requiring the MAC to budget for noise mitigation.

Richard Keinz of MAC outlined the organization's noise abatement efforts, including its interaction with the Metropolitan Aircraft Sound Abatement Council (MASAC), an advisory group made up of citizens and airline industry representatives.

James Prosser, city manager, city of Richfield, outlined the city's plan to mitigate noise problems, including providing sound insulation for some homes and schools, redeveloping areas currently exposed to noise from one runway, and purchasing some homes.

The committee then discussed S.F. 2271, sponsored by Sen. Phil Riveness (DFL-Bloomington). The bill specifies that 50 percent of the annual budget for capital improvements at the airport must be dedicated to noise mitigation.

Sen. Carol Flynn, (DFL-Mpls.), speaking in favor of the measure, said that the effort to commit more funds for airport noise mitigation is appropriate because funds currently available "don't begin to cover the needs as we've identified them in South Minneapolis."

The committee expects to continue discussion of the bill at a later meeting.

### Gas sales tax advances

The Transportation Committee at a Mon., Mar. 2, meeting, considered two bills aimed at facilitating bus travel, encouraging use of alternative transportation, and funding public transit with a gasoline sales tax.

The committee first considered S.F. 1839. The bill, sponsored by Sen. Sandra Pappas (DFL-St. Paul), imposes a 6 1/2 percent sales tax on gasoline and special fuel at the retail level. Revenues from the sales tax are required to go to the transit assistance fund.

Sen. Keith Langseth (DFL-Glyndon), objected to the sales tax provision, saying that it places a heavier tax burden on drivers in rural areas, where gas prices are higher.

The bill also makes several changes to expedite bus travel, such as authorizing local authorities to designate traffic lanes for buses and giving buses right-of-way in common traffic situations.

Another provision in the bill would permit individual commuters to take an income tax credit of up to 35 percent of the cost of commuting on public transit, and employers to claim a credit for providing transit incentives as employee benefits.

The committee, chaired by Sen. Gary DeCramer, approved the measure and referred it to the Metropolitan Affairs Committee.

The committee also considered S.F. 1993, sponsored by Sen. Carol Flynn (DFL-Mpls.), directing the Regional Transit Board (RTB) to establish a commuter trip reduction program and to establish commuter trip reduction zones. The measure requires employers in the zones to register with the RTB, complete an RTB survey, and formulate a commuter trip reduction plan.

The bill also contains several of the provisions in S.F. 1839. In addition, it establishes a demonstration project to enforce high-occupancy vehicle lane

restrictions by using electronic technology.

The bill was approved and was referred to the Energy Committee.

## Veterans and General Legislation

### State auditor reports

In response to a mandate by the 1991 Legislature, State Auditor Mark Dayton gave the County Veterans Service Offices around the state very high marks. During the Wed., Mar. 4, meeting, chaired by Sen. Joe Bertram (DFL-Paynesville), Dayton cited the major findings of a report titled *The Responsibilities and Importance of Minnesota's County Veterans Service Officers*. Dayton said that the veterans service offices are working extremely well and that it is essential that service continue and even be expanded. The purpose of the veterans service offices is to assist veterans and their families in receiving the benefits and services due them in light of their service to the country, Dayton said. He outlined a number of findings and recommendations, stressing that above all the service provided by these offices not be reduced or eliminated by the state.

In light of the state auditor's report, Bertram presented a bill that establishes a grant program from the commissioner of Veterans Affairs to counties to enhance the effectiveness of county veterans service offices. The bill also provides for an education program for county veterans service officers and provides an unspecified appropriation for fiscal year 1993 for

the grant program. Bertram echoed Deputy Commissioner of Veterans Affairs Jeff Olson, who told the committee, "the cost factor is not significant for the impact it can cause in saving the state money in the long run." The bill was approved and sent to the Finance committee.

The committee also heard and approved three other measures. S.F. 2068, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), appropriates funds to Goodhue County to purchase private land which holds an Indian burial site. Mehrkens explained that state law prohibits the owners of the land from using it and the Goodhue county Historical society would like to develop some kind of historical marker at the site. The measure was approved and sent to the Finance Committee.

Sen. Dennis Frederickson (IR-New Ulm) presented a resolution to the panel that memorializes the U.S. Congress to call upon the Postmaster General to issue a postal stamp commemorating Wanda Gag, an American author and illustrator who was born in New Ulm in 1893. The measure, S.F. 1502, was approved and sent to the consent calendar.

The committee also gave approval to S.F. 1803, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), requiring a public cemetery, to provide for burials at all times of the year, including winter. The public cemetery is authorized to make additional charges for the cost of digging a grave in inclement weather. Chmielewski said that the language of the bill, states that cemeteries should provide a winter burial "whenever possible." The bill was approved and sent to the Senate floor.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 9

#### Education Committee

*Chair:* Sen. Gregory Dahl

8 a.m. Room 15 Capitol

**Agenda:** S.F. 157-Hughes: Authorizing State Board of Education to appoint the commissioner of education. S.F. 1813-Traub: Allowing children to attend school for 30 days without participating in early childhood development screening. S.F. 1898-Dahl: Prohibiting use of all tobacco products in elementary and secondary schools. S.F. 1946-Finn: Establishing youth employment and education pilot program. S.F. 2198-Spear: Prohibiting discrimination in jury service on basis of disability. S.F. 1866-Mondale: Hazardous waste cleanup liability.

#### Veterans and General Legislation Committee

*Chair:* Sen. Joe Bertram

10 a.m. Room 112 Capitol

**Agenda:** H.F. 1652-Dempsey: Resolution memorializing the Postmaster General to issue a postal stamp in commemoration of Wanda Gag, American Author and Illustrator. S.F. 1252-Flynn: Authorizing the commissioner of administration to lease certain land adjacent to Minnehaha state park to the Minneapolis park and recreation board. S.F. 2169-Johnson, J.B.: Clarifying admission standards for the Minnesota veterans home. S.F. 2029-Pariseau: Clarifying procedures for searches of veterans homes residents room or property. S.F. 2076-Larson: Adding a member with military experience to the board of electricity. S.F.

2013-Adkins: Adopting the square dance as the American folk dance of Minnesota.

#### Economic Development and Housing Committee

*Chair:* Sen. James Metzen

12 Noon Room 107 Capitol

**Agenda:** S.F. 1839-Riveness: Richfield: application of fiscal disparities to a certain TIF district. S.F. 1705-Flynn: Minneapolis; authorizing bonds for federal court project. S.F. 2323-Cohen: St. Paul; tourism and cultural district. S.F. 2350-Johnson, J. B.: Emergency mortgage and rental assistance pilot project. S.F. 2314-Kroening: Neighborhood revitalization funds; equitable distribution. Confirmation of Wallace Gustafson to the World Trade Center Cooperation Board. S.F.

2335-Davis: Regarding tax increment financing/manufacturing districts.

### Transportation Committee

*Chair: Sen. Gary DeCramer*  
12 Noon Room 112 Capitol  
**Agenda:** S.F. 2144-Merriam: Transit bonding. S.F. 2145-Kroening: LRT bonding. S.F. 1914-Cohen: Transit operating and nonoperating assistance. S.F. 1723-Solon: Delinquent parking fines. S.F. XXXX-Frank: Special transportation services.

### Judiciary Division on Criminal Law

*Chair: Sen. John Marty*  
1 p.m. Room 15 Capitol  
**Agenda:** Review of S.F. 1687-Spear: Omnibus anti-violence bill.

### The Senate will meet at 2 p.m.

### Education Committee

*Chair: Sen. Gregory Dahl*  
3 p.m. Room 15 Capitol  
**Agenda:** Review of governor's budget.

### Finance Division on Environment and Natural Resources

*Chair: Sen. Steven Morse*  
3 p.m. Room 107 Capitol  
**Agenda:** Governors capital budget proposal.

### Health and Human Services Committee

*Chair: Sen. Linda Berglin*  
3 p.m. Room 15 Capitol  
**Agenda:** Health Care Access Bill. Governor's budget bills; long term care, NH, ICF, DD changes. Long term care, Home care; health Care.

### Legislative Commission on Employee Relations

*Chair: Sen. Gene Waldorf*  
7 p.m. Room 112 Capitol  
**Agenda:** Continuation of consideration of commission bill. Review and approval of negotiated collective bargaining agreement for State University Inter Faculty Organization, Minnesota State University Association of Administrative and Service Faculty. Review and Approval of compensation plan for unrepresented employees of the State University System. Presentation of report on management/supervisory functions in the executive branch.

### Transportation Committee

*Chair: Sen. Gary DeCramer*  
7 p.m. Room 123 Capitol  
**Agenda:** Bills remaining from morning agenda.

## Tuesday, March 10

### Commerce Subcommittee on Banking

*Chair: Sen. James Metzger*  
8 a.m. Room 112 Capitol  
**Agenda:** S.F. XXXX-Solon: Omnibus financial institutions bill. S.F. 1653-Benson,

D.: Millville and Dover detached banking facilities limit exception. S.F. 1525-Johnson, J.B.: Scandia detached banking facility. S.F. 1636-Laidig: New Scandia Township detached banking facility. S.F. 1911-Hottinger: Credit union share certificates investment and reverse mortgage loans authority. S.F. 1912-Hottinger: State chartered financial intermediaries checking accounts regulation exemption; drivers licenses alterations acceptability reductions. S.F. XXXX-Solon: Duluth; authorizing additional detached facilities.

### Governmental Operations Committee

*Chair: Sen. Gene Waldorf*  
8 a.m. Room 15 Capitol  
**Agenda:** S.F. XXXX-Waldorf: Legislative Commission on Employee Relations bill; labor contract ratification, transfer of certain positions into the classified service. Pension bills passed by Legislative Commission on Pension and Retirement.

### Local Government Committee

*Chair: Sen. Betty Adkins*  
8 a.m. Room 107 Capitol  
**Agenda:** S.F. 2208-Brataas: Olmstead County; exemption for the conveyance of certain county property. S.F. 2375-Johnson, D.J.: Ely; local sales tax. S.F. 2210-Pappas: Ramsey County; certification of eligible for county positions. S.F. 2171-Johnson, D.E.: Kandiyohi County; consolidate auditor and treasurer offices. S.F. 2170-Morse: Contracts by public officers. S.F. 1921-Chmielewski: Driver's licenses; fees. S.F. 2009-Chmielewski: Cloquet; bonds for waterline. S.F. 2293-Hughes: Prohibiting publication of pictures of officials in county and city publications.

### Finance Division on Health and Human Services

*Chair: Sen. Don Samuelson*  
8:30 a.m. Room 125 Capitol  
**Agenda:** Budget presentation by the Dept. of Jobs and Training. Budget presentation by the Dept. of Health.

### Agriculture and Rural Development Committee

*Chair: Sen. Charles Davis*  
10 a.m. Room 112 Capitol  
**Agenda:** S.F. 850-Beckman: Central filing system.

### Energy and Public Utilities Committee

*Chair: Sen. Steven Novak*  
10 a.m. Room 107 Capitol  
**Agenda:** To be announced.

### Metropolitan Affairs Committee

*Chair: Sen. Don Frank*  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 1725-Frederickson D.R.: Metropolitan airports commission bonds investment prohibition. S.F. 1504-Olson: Relating to taxation; repealing the tax levy authority of the Metropolitan Mosquito Control District. S.F. 1993-Flynn: Regional Transit Board policy bill. S.F. 2271-Riveness: Requiring Metropolitan Airport Commission budget for noise mitigation.

S.F. 2032-Riveness: Prohibiting the Metropolitan Airports Commission from constructing or extending certain facilities.

### Commerce Committee

*Chair: Sen. Sam Solon*  
1 p.m. Room 112 Capitol  
**Agenda:** S.F. 1841-Mondale: Regulating sale of dogs and cats by animal distributors. S.F. 2274-Dahl: Regulating residential building contractors and remodelers. S.F. 2338-Pappas: Regulating tanning facilities.

### Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*  
1 p.m. Room 107 Capitol  
**Agenda:** S.F. 2319-Davis: Changes to Wetland Conservation Act. S.F. 2185-Merriam: Use of radio equipment in hunting. S.F. 2238-Morse: Control of nuisance aquatic species. S.F. 1554-Morse: Regulating of off-road vehicles. S.F. 2233-Stumpf: Snowmobile and all-terrain vehicle trail grant-in-aid funds. S.F. 2001-DeCramer: Petrofund reimbursement. S.F. 2389-Merriam: Alternative rulemaking procedures/DNR.

### Joint Finance Division on Education and Education Subcommittee on Higher Education

*Chairs: Sen. LeRoy Stumpf and Sen. John Hottinger*  
3 p.m. Room 125 Capitol  
**Agenda:** Higher education board programs report; HECB financial aid; budget adjustment all systems.

### Taxes and Tax Laws Committee

*Chair: Sen. Douglas Johnson*  
3 p.m. Room 15 Capitol  
**Agenda:** The governor's budget proposal.

### Health and Human Services Committee

*Chair: Sen. Linda Berglin*  
6 p.m. Room 15 Capitol  
**Agenda:** To be announced.

### Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*  
7 p.m. Room 112 Capitol  
**Agenda:** Bills not heard at earlier meeting.

### Judiciary Committee

*Chair: Sen. Allan Spear*  
7 p.m. Room 107 Capitol  
**Agenda:** S.F. 1822-Spear: Children's health care mediator. S.F. 1846-Kelly: Anti-violence corrections program and service bill. S.F. 2006-Ranum: Anti-violence criminal justice information Bill. S.F. 1821-Berglin: Minority Heritage Preservation Act.

### Legislative Commission on Pensions and Retirement

*Chair: Rep. Leo. Reding*  
7 p.m. Room Basement Hearing Room SOB  
**Agenda:** S.F. 1793-Waldorf: Legislators and Elected state officers plan. Establish a pension fund. S.F. 1970-Waldorf: Local Police and salaried Firefighter relief associations; eliminate amortization and supplemental

amortization state aid for relief association and consolidation accounts without an unified actuarial accrued liability. S.F. XXXX-Waldorf: PERA and P&F; reduce employee and employer contribution rates to reflect actuarial funding status. Other bills as added by the commission chair.

### Transportation Committee

*Chair: Sen. Gary DeCramer*  
7 p.m. Room 112 Capitol  
**Agenda:** Bills referred from earlier hearing. S.F. 738-Merriam: Hazardous materials. S.F. 2103-Merriam: Increasing drivers' license fees. S.F. 1983-Mehrkens: Directional/Informational signing - City of Zumbrota. S.F. 1972-Kelly: I-94 Directional sign. S.F. 1288-Bernhagen: Studded tires for emergency vehicles. S.F. 1767-Larson: Changing highway route.

## Wednesday, March 11

### Education Committee

*Chair: Sen. Gregory Dahl*  
8 a.m. Room 15 Capitol  
**Agenda:** Pending subcommittee action: S.F. 1982-Dahl: Authorizing board of teaching to implement restructured teacher preparation programs and requirements to become licensed teachers. S.F. 153-Solon: Providing for the establishment for a joint legislative study of educational programs for primary care at the University of Minnesota Medical School. S.F. 1635-Hottinger: Higher education; setting the cost of attendance for certain student financial aid. S.F. 1991-Stumpf: Authorizing the State Board of Technical Colleges to contract to provide services.

### Gaming Regulations Committee

*Chair: Sen. Charles Berg*  
8 a.m. Room 107 Capitol  
**Agenda:** To be announced.

### Judiciary Committee

*Chair: Sen. Allan Spear*  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 1687-Spear: Anti-violence criminal justice omnibus bill.

### Employment Committee

*Chair: Sen. Florian Chmielewski*  
10 a.m. Room 107 Capitol  
**Agenda:** To be announced.

### Veterans and General Legislation Committee

*Chair: Sen. Joe Bertram*  
10 a.m. Room 112 Capitol  
**Agenda:** To be announced.

### Elections and Ethics Committee

*Chair: Sen. Jerome Hughes*  
11:30 a.m. Room 107 Capitol  
**Agenda:** S.F. 2307-Johnson D.: Changing deadlines for certain statutory cities. S.F. 2090-Dicklich: Runner-up candidates to fill vacancies in school board elections. S.F. 2385-Spear: School board elections. S.F. 1668-Samuels: Mail balloting for certain municipalities. S.F. 2077-Berg: Prohibiting transfer of campaign funds. S.F. 2104-

Pogemiller: Prohibiting transfer of campaign funds. S.F. 277-Benson: Limiting legislative terms. S.F. 916-Gustafson: Limiting legislative terms. S.F. 767-Merriam: Unicameral legislation.

## The Senate will meet at 1 p.m.

### Commerce Committee

*Chair: Sen. Sam Solon*  
1 p.m. Room 112 Capitol  
**Agenda:** S.F. 2175-Belanger: Providing for location of school within retail and entertainment complex. S.F. 1649-Solon: Credit card disclosure report requirement. S.F. 2213-Solon: Omnibus financial institutions bill.

### Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*  
1 p.m. Room 107 Capitol  
**Agenda:** S.F. 2301-Price: Land eligible for RIM. S.F. 2310-Price: BWSR dispute resolution committee. S.F. 2311-Price: BWSR/enforcement of city or county controls. S.F. 2298-Price: Watershed districts. S.F. 2231-Price: Establishment of aquatic management areas. S.F. 831-Flynn: Authority of watershed districts. S.F. 2162-Bernhagen: Commercial activities related to wild animals. S.F. 2344-Lessard: Mississippi headwaters area. S.F. 2376-Berg: Management of aquatic vegetation.

### Finance Division on Health and Human Services

*Chair: Sen. Don Samuelson*  
3 p.m. Room 125 Capitol  
**Agenda:** Budget presentation by the Department of Corrections.

### Taxes and Tax Laws Division on Income, Sales and Economic Development

*Chair: Sen. Lawrence Pogemiller*  
3 p.m. Room 15 Capitol  
**Agenda:** To be announced.

### Metropolitan Affairs Committee

*Chair: Sen. Don Frank*  
5:30 p.m. Room 125 Capitol  
**Agenda:** Continuation of bills not heard from Tuesday, Mar. 10 meeting.

### Agriculture and Rural Development Committee

*Chair: Sen. Charles Davis*  
6 p.m. Room 112 Capitol  
**Agenda:** S.F. 2028-Morse: Pesticide registrations. S.F. 2257-Renneke: Rural finance authority.

### Education Committee

*Chair: Sen. Gregory Dahl*  
6 p.m. Room 123 Capitol  
**Agenda:** Pending subcommittee action: S.F. 1875-Spear: Providing free press rights for students in public schools. S.F. 1978-Ranum: requiring facility staff and students in post secondary institutions to participate in violence prevention and sexual harassment training programs. S.F.-Pappas: Assuring that

each blind student receives an individualized braille literacy assessment and appropriate educational services.

### Health and Human Services Committee

*Chair: Sen. Linda Berglin*  
6 p.m. Room 15 Capitol  
**Agenda:** To be announced.

### Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*  
7 p.m. Room 107 Capitol  
**Agenda:** Bills remaining from afternoon hearing.

### Legislative Commission on Pensions and Retirement

*Chair: Rep. Leo Reding*  
7 p.m. Basement Hearing Room SOB  
**Agenda:** To be announced.

## Thursday, March 12

### Commerce Committee

*Chair: Sen. Sam Solon*  
8 a.m. Room 112 Capitol  
**Agenda:** Licensing retail sale of cigarettes.

### Finance Division on Education

*Chair: Sen. LeRoy Stumpf*  
8 a.m. Room 125 Capitol  
**Agenda:** WICHE, HECEB, Department of Education, teaching preparation; capital budget, all systems.

### Governmental Operations Committee

*Chair: Sen. Gene Waldorf*  
8 a.m. Room 15 Capitol  
**Agenda:** S.F. 422-Solon: Chemical dependency counselor licensure. S.F. 559-Johnson, J.B.: Dieticians/nutritionists licensure. S.F. 394-Flynn: Interior Designers' Licensure. S.F. 151-Kroening: Fire sprinkler fitter licensure.

### Agriculture and Rural Development Committee

*Chair: Sen. Charles Davis*  
10 a.m. Room 112 Capitol  
**Agenda:** S.F. 2319-Davis: Technical changes to Wetland Conservation Act of 1991.

### Energy and Public Utilities Committee

*Chair: Sen. Steven Novak*  
10 a.m. Room 107 Capitol  
**Agenda:** To be announced.

### Metropolitan Affairs Committee

*Chair: Sen. Don Frank*  
10 a.m. Room 15 Capitol  
**Agenda:** To be announced.

### Economic Development and Housing Committee

*Chair: Sen. James Metzger*  
12:00 Noon Room 107 Capitol  
**Agenda:** To be announced.

## Transportation Committee

*Chair: Sen. Gary DeCramer*  
12 Noon Room 112 Capitol  
**Agenda:** S.F. 2316-Johnson, J.B.: Drivers license surrender S.F. 878-Knaak: Drivers license-seizure related conditions. S.F. 1986-Mehrkens: Identification fee handicapped persons. S.F. 1784-Waldorf: Classic cars.

**The Senate will meet at 2 p.m.**

## Education Division on Education Funding

*Chair: Sen. Ronald Dicklich*  
3 p.m. Room 107 Capitol  
**Agenda:** To be announced.

## Health and Human Services Committee

*Chair: Sen. Linda Berglin*  
3 p.m. Room 112 Capitol  
**Agenda:** To be announced.

## Governmental Operations Committee

*Chair: Sen. Gene Waldorf*  
6 p.m. Room 15 Capitol  
**Agenda:** Continuation of morning agenda.

## Judiciary Committee

*Chair: Sen. Allan Spear*  
7 p.m. Room 107 Capitol  
**Agenda:** Continuation of anti-violence criminal justice omnibus bill.

**Friday, March 13**

## Education Committee

*Chair: Sen. Gregory Dahl*  
8 a.m. Room 15 Capitol  
**Agenda:** Pending subcommittee action: S.F. 2195-Johnson, J.B.: Establishing an adopt a school program allowing students and the community to voluntarily maintain a public school. S.F. 2221-Finn: Appropriating money to the State University Board to assist in the clean-up of the Kummer landfill. S.F. 1726-Pappas; requiring the HECB to study the feasibility of accelerated baccalaureate degree program.

## Judiciary Committee

*Chair: Sen. Allan Spear*  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 1687-Spear: Anti-violence criminal justice omnibus bill. S.F. 1319-Metzen: Representation of sole shareholder corporation in court. S.F. 1671-Luther: Session law numbering. S.F. 1833-Finn: CHIPS child abuse definition. S.F. 1852-Kelly: Trial court witness reimbursement. S.F. 2086-Cohen: Distribution of revenue from court fines in Ramsey County. S.F. 2111-Solon: Living Will form information. S.F. 2131-Spear: Distance a person in custody may be transferred without an escort of the same sex. S.F. 2232-Marty: State reimbursement of county extradition costs. S.F. 2253-Kelly: Gun shop security. S.F. 2309-Solon: Probate successor extension to cover funeral costs. Bills reported from Civil Law Division (except child support). S.F. 1915-Luther: Asbestos

joint and several limit. S.F. 2088-Reichgott: Nonprofit corporation law amendments. Bills reported from Privacy Subcommittee (except omnibus bill).

## Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*  
1 p.m. Room 107 Capitol  
**Agenda:** S.F. 2297-Chmielewski: Exchange of Aitkin County land. S.F. 2392-Johnson, J.: State parks. S.F. XXXX-Dicklich: Lean ore stock pile. S.F. 2397-Dahl: Prevention of wildfires. S.F. 2083-Solon: Lake Superior Center Authority. S.F. 2399-Lessard: State land exchanges.

## Finance Division on Environment and Natural Resources

*Chair: Sen. Steven Morse*  
3 p.m. Room 123 Capitol  
**Agenda:** Supplemental budget (reductions) Pollution Control Agency, Science Museum, Voyageurs Park Citizens Committee.

## Health and Human Services Committee

*Chair: Sen. Linda Berglin*  
3 p.m. Room 15 Capitol  
**Agenda:** To be announced.

## Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*  
6 p.m. Room 107 Capitol  
**Agenda:** To be announced.

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# Briefly

The Minnesota Senate Week in Review

March 13, 1992

## First deadline approaches

In response to the approach of the first committee deadline Fri., Mar. 13, Senators met for brief floor sessions every day in order to process bills at the Senate Desk. The first deadline means that bills originating in the Senate must be heard by Senate policy committees by the deadline. A second committee deadline, Fri., Mar. 20, requires that bills originating in the House of Representatives must have been heard by Senate policy committees by the deadline date.

In addition, during the Mon., Mar. 9 floor session, the members granted final passage to three measures. S.F. 797, authored by Sen. Gary DeCramer (DFL-Ghent), authorizes the use of studded tires by mail carriers. S.F. 1716, sponsored by Sen. Nancy Brataas (IR-Rochester), permits the appointment of the recorder in Olmsted County and authorizes the abolishment and reorganization of the office. S.F. 1608, carried by Sen. Ted Mondale (DFL-St. Louis Park), requires a study of video display terminal operators health risks.

Finally, acting as one large Committee of the Whole, members of the Senate granted preliminary passage to six measures at the Mon., Mar. 9, session. S.F. 1689, authored by Sen. James Metzen (DFL-South St. Paul), regulates terminations and modifications or changes to exclusive insurance agent agreements. S.F. 1669, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), allows the towing of persons with personal watercraft equipped with rearview mirrors. S.F. 1908, carried by Sen. John Marty (DFL-Roseville), directs the Minnesota Office on Volunteer Services to prepare a federal grant proposal. S.F. 1633, authored by Sen. William Belanger (IR-Bloomington), provides for the membership of the Bloomington port authority. S.F. 1854, sponsored by Sen. Jim Vickerman (DFL-Tracy), clarifies the purposes for which an appropriation may be spent at Worthington Community College. S.F. 1681, authored by Sen. Gary DeCramer (DFL-Ghent), eliminates the requirement for routinely testing cattle for brucellosis and anaplasmosis.

In addition to processing committee reports, Senators also granted concurrence and repassage to a bill at the Tues., Mar.

10, floor session. S.F. 1623, sponsored by Sen. William Luther (DFL-Brooklyn Park), authorizes the city of Brooklyn Park to issue an on-sale license to the city's economic development authority for a restaurant at the Edinburgh, U.S.A. golf course.

## Budget recommendations detailed

The governor's supplemental budget recommendations were outlined to members of the Committee on Finance at a hearing Fri., Mar. 6. Commissioner John Gunyou, Dept. of Finance, reviewed the various elements in the budget recommendations that are intended to resolve the state's \$569 million shortfall. In addition, Gunyou said that the supplemental budget recommendations will reduce the projected \$1.75 billion shortfall in 1994-95 by over \$1 billion.

According to Gunyou, no new taxes are used to resolve the shortfall and miscellaneous revenues and transfers account for only \$23 million of the resolution. Spending reductions totalling \$230 million are 40 percent of the budget solution. Gunyou also said that the budget recommendations enable the state to avoid short-term borrowing.

Gunyou also said that the budget recommendations protect priority programs such as elementary and secondary education, criminal justice and human development.

Hardest hit by the spending reductions are various state agencies, Gunyou said. In addition, the recommended capital budget is limited this year to just \$223 million of emergency and high priority capital projects.

## HealthRight bill advances

A sweeping proposal for revamping Minnesota's health care system was approved by members of the Health and Human Services Committee Tues., Mar. 11. The bipartisan proposal, S.F. 2603, sponsored in the Senate by Sen. Linda Berglin (DFL-Mpls.), Sen. Pat Piper (DFL-Austin), and Minority Leader Duane Benson (IR-Lanesboro), provides health coverage for low-income uninsured persons, establishes statewide and regional cost containment programs, reforms requirements for health insurance

companies and establishes rural health system initiatives.

According to Berglin, chair of the committee, the bill is the product of lengthy negotiations by a bipartisan group of Senators and Representatives, with the support of the Governor, and represents a truly historic step for the state of Minnesota. Benson added that the measure is designed to restrict costs and manage consumption.

Specifically, the bill's cost containment provisions place limits on the rate of growth of health care spending and establish a Minnesota Health Care Commission. Under the bill, the commission is to propose a specific strategy for controlling growth, oversee health care quality, approve the introduction of expensive new technologies and major capital expenditures, designate specialty providers and centers of excellence and conduct consumer education and wellness programs. In the area of insurance reform, the bill spells out provisions for small employer market reform and individual market reform.

The measure also creates the HealthRight Plan, a new program to provide health care coverage for uninsured Minnesotans and their families. Eligibility for coverage is phased in until Jan. 1, 1994 when all Minnesotans will be eligible. Benefits are also phased in over a period of time. The bill specifies that current benefits include outpatient physicians services; diagnostic, screening and preventive services; dental services; immunizations; prescription drugs; and certain outpatient mental health services among other benefits.

The measure is funded through a five cent per pack cigarette increase, a surtax on hospital net patient revenues and a surtax on gross revenue of all licensed health care providers. The taxes are also phased in over a period of time.

## Service for hearing-impaired

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

# Committee update

## Agriculture and Rural Development

### Centralized lien file

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Tues., Mar. 10, to hear testimony regarding S.F. 850, sponsored by Sen. Tracy Beckman (DFL-Bricelyn).

The bill creates a computerized system for recording liens against farm products. Under the bill, records are maintained and distributed to registered farm products buyers by the secretary of state. The purpose of the bill is to provide an easier and more efficient means of tracking liens against farm products than the current system which involves recording on a county-by-county basis, said Beckman.

Secretary of State Joan Growe told the committee that the bill was put together by a task force responding to needs of buyers and bankers who currently must search the records of each county to determine if any liens exist against farm products the farmer is seeking to sell or use as collateral. Growe said the secretary of state's office has a central computer system in place that would only need an upgrade to accommodate the new system.

Several bankers and buyers spoke in support of the bill. Vern Ingvalson of the Minnesota Farm Bureau Federation said the system is efficient and sophisticated and could result in more credit being available to farmers at lower cost.

Those opposed to the measure pointed out that the present system is in place and working well. Tom Webster of the Zumbrot Livestock Auction said the new system is expensive and that the Farmers' Home Administration may not participate. Bob Zalenka, executive director of the Farmers' Elevator Association, said that he opposes the measure on the grounds that it creates an unnecessary, burdensome and inefficient system.

The committee plans to take action on the bill at a later hearing.

### Agriculture bills advance

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton) met Wed., Mar. 11.

The first bill considered by the committee was S.F. 2257, sponsored by Sen. Dallas Sams (DFL-Staples). The measure redefines agricultural business enterprises for purposes of the Agricultural Development Act. Current law limits the ability of small rural businesses to incorporate and apply for R.F.A. financing.

LaVonne Nicolai, executive director of the Rural Finance Authority, told the committee the measure will help small

towns by helping the family farmer to stay in business. The committee approved the measure and sent it to the full Senate.

Next, the committee heard S.F. 2028, sponsored by Sen. Steven Morse (DFL-Dakota). The bill allows the commissioner of agriculture, on an application for pesticide registration, to require information about the analytical standards and methods for the pesticide, pesticide breakdown products or metabolites. Gregory Buzicky of the Agriculture Dept., told the committee the information is needed so that the department knows how to respond when clean-up of toxic materials is needed.

The committee voted to approve the measure and send it to the full Senate.

Sen. Charles Berg (DFL-Chokio), presented S.F. 2432, a bill to regulate aquatic farming. Berg said the measure is needed to streamline the fish-farming business.

Representatives from the Minnesota Aquaculture Commission told the group the bill would remove the uncertain regulatory climate that is an impediment to industry growth.

Concerns about the impact of fish farming on water quality were raised by representatives of the DNR. Berg said those concerns will be addressed before the bill is heard by the Environment and Natural Resources Committee.

The committee approved the bill and re-referred it to the Environment and Natural Resources Committee.

Finally, members considered S.F. 2645, sponsored by Sen. Steven Morse (DFL-Dakota). The bill limits the authority of the Pollution Control Agency to regulate the aquatic farming industry. Morse said that if the state is going to allow fish farming it is also going to have to allow some water degradation.

Pat Bloomgren, assistant commissioner of the PCA, testified that the bill will not solve the aquafarmer's problems. She stated that it compromises good science and environmental concerns.

Committee members voted to approve the measure and re-refer it to the Environment and Natural Resources Committee.

The committee reconvened Thurs., Mar. 12, to consider two bills. The first, S.F. 2572, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), requires labels on wild rice products sold in Minnesota to indicate whether the rice was paddy-grown or cultivated and whether it was harvested by hand or by machine.

The bill is supported by both the paddy rice industry and the cultivated rice companies as an effort to reduce unfair competition from out-of-state rice growers.

The bill was approved and sent to the full Senate.

Next, Davis presented S.F. 2319, which makes minor technical changes and clarifies the intent of the Wetland Conservation Act of 1991. The measure was approved by the committee and sent to the full Senate.

## Commerce

### Omnibus banking bill advances

The Commerce Subcommittee on Banking met Tues., Mar. 10, to consider numerous banking measures that were folded into an omnibus financial institutions bill. The panel, chaired by Sen. James Metzen (DFL-South St. Paul), heard testimony from authors of several bills that were offered and accepted in the form of amendments to the omnibus bill. Four amendments authorized detached banking facilities in Duluth, New Scandia, Millville and Dover.

Sen. John Hottinger, (DFL-Mankato), presented S.F. 1912, which makes exemptions for state financial institutions uniform with exemptions that federal organizations are due under federal law. The bill also requires that drivers' licenses be made as impervious to alteration as possible. Such a change, Hottinger explained will allow banks to accept drivers' licenses as identification without having to check with the Dept. of Public Safety for verification when an applicant applies for bank services.

Another measure, S.F. 1911, also authored by Hottinger, makes substantive changes in investment regulations governing credit unions. The bill authorizes the investment and deposit of state and municipal monies in credit union share certificates and deposit accounts. It also authorizes credit unions to make reverse mortgage loans, exempts credit unions from investment adviser licensing requirements and exempts credit unions from bond and collateral requirements for public money accounts to the extent that the deposits are federally insured. Opponents of the measure argued that credit unions should not enjoy the same investment benefits as private banking institutions because they are not required to pay corporate income taxes or reinvest in the community. Proponents of the bill countered that because credit unions are not-for-profit entities, all of the benefits derived are returned directly to the community. All of the bills, in amendment form, were adopted into the omnibus banking bill.

The measure, S.F. 2213, authored by Sen. Sam Solon (DFL-Duluth), also includes various technical and policy changes to existing law. The bill makes regulatory changes relating to bank charters, the purchase and sale of prop-

erty, relocations, loans, capital and surplus requirements and clerical services. In addition, the bill makes regulatory changes to license requirements, loan security, and interest rates of regulated lenders. The bill, as amended, was approved and sent to the full Commerce Committee.

### **Building contractor licensure**

During an afternoon meeting of the full Commerce committee, Tues., Mar. 10, approval was given to three regulatory measures. The first bill heard, S.F. 2274, authored by Sen. Gregory Dahl (DFL-Lino Lakes), amends and clarifies the Residential Building Contractors and Remodelers Act passed last year. The definition of licensee is amended to include residential remodelers and remove specialty contractors. Under the bill, residential remodelers require licensure if they provide two or more "special skills" from a listing of eight categories defined in statute. The bill also makes numerous technical changes regarding licensing and regulation by the state.

Sen. Lyle Mehrkens (IR-Red Wing) moved to amend the bill to exclude vocational students who may be required to perform two or more of the special skills on a construction project as a requirement for coursework. The amendment was adopted. The bill was approved and sent to the Senate floor.

Sen. Sandra Pappas (DFL-St. Paul) presented a bill which was defeated in subcommittee on a 2-2 vote. The measure, S.F. 2338, regulates the use of tanning booths. Under the bill, tanning facilities are required to adhere to statutorily defined standards of cleanliness and hygiene. The bill also requires record keeping by facilities in an attempt to prevent overuse of the booths. Pappas explained that two of the more controversial portions of the original bill had been removed. The amended version regulates tanning booths but does not require licensing by the state. The measure prohibits anyone under 16 years of age from using tanning facilities, instead of the original 18 years, and requires individuals 16 or 17 years old to get written permission from their parents. The bill also allows for licensing by local units of government. The bill was approved and sent to the full Senate.

A bill to regulate the sale of dogs and cats by animal distributors was also approved and sent to the Senate floor. The bill, S.F. 1841, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), prescribes penalties and remedies, creates a commission on commercial animal facilities and practices and establishes criminal penalties. Mondale explained that pet dealers must supply written disclosures to purchasers, including the health history and origin of the animal. The bill also

requires that dealers must compensate for defective animals as well as veterinary care for defective animals even if the animal is returned. The animal must be examined before and after purchase by separate veterinarians. The bill was approved and sent to the Senate floor.

### **Banking bill to floor**

The full Commerce Committee met Wed., Mar. 11, and approved the omnibus banking bill. The measure, S.F. 2213, makes numerous housekeeping and technical corrections to statutes governing financial institutions. The bill also makes several policy changes including allowing credit unions to invest state and public funds. In addition, the bill, sponsored by Chair Sam Solon (DFL-Duluth), allows for the establishment of detached banking facilities in various outstate communities.

The committee also approved a measure, S.F. 1649, also carried by Solon, requires that creditors report and file information about their credit card services with the office of the state treasurer. The report must contain the interest rate, annual rate, and the grace period of the card. The bill was re-referred to the Finance Committee.

In other action, the panel approved S.F. 2175, which allows liquor store sales within 1,000 feet of a school that is located within a retail and entertainment complex and operated by more than one school district. Bill author, Sen. Bill Belanger (IR-Bloomington) explained that the bill specifically seeks to prevent any conflict in current statute with the proposed establishment of a high school within the Bloomington Megamall. The bill was sent to the Senate floor.

### **Insurance bills discussed**

Members of the Commerce Subcommittee on Insurance, chaired by Sen. William Luther (DFL-Brooklyn Park), met Wed., Mar. 11, to discuss several bills relating to insurance. Two measures were advanced to the full committee.

S.F. 2462, authored by Sen. Allan Spear (DFL-Mpls.), requires an arbitration ruling before termination of no-fault economic loss benefits. Specifically, the bill provides that before a reparation obligor may terminate economic loss benefits subject to mandatory arbitration, the reparation obligor must first receive a ruling that the economic loss benefit at issue is not reasonable or not proximately caused by the subject accident, and give written notice of the ruling to the claimant. S.F. 2498, carried by Luther, requires mandatory arbitration of uninsured and underinsured motorist claims. Both measures were approved and referred to the full committee.

S.F. 2373, sponsored by Luther,

prohibits denial of no-fault automobile coverage due to an applicant's claims history. S.F. 2374, also authored by Luther, requires automobile insurers to fully reimburse insureds for deductible amounts before retaining subrogation proceeds and specifies that recovery of less than the full amount of the deductible does not affect the insured's right to recover the unreimbursed portion of the deductible from the person causing the loss. The panel laid over the bills pending action in the other body.

Two measures creating a Dept. of Health Care Access and establishing the Minnesota Health Assurance Board to implement a health care access plan were also discussed. S.F. 604, authored by Sen. Ronald Dicklich (DFL-Hibbing) and S.F. 1868, sponsored by Sen. Sandra Pappas (DFL-St. Paul), also create a health care analysis unit, require research and data collection initiatives and restrict underwriting and premium rating practices. Both measures were laid over for the year.

## **Economic Development and Housing**

### **Cultural corridor commission**

A bill establishing a commission to assess the development of St. Paul's "Cultural Corridor" was approved by the Economic Development and Housing Committee Mon., Mar. 9.

Sponsored by Sen. Richard Cohen (DFL-St. Paul), the commission, to be known as the Minnesota State Capital City Civic and Cultural Resources Commission will assess and prioritize the proper use of resources to develop St. Paul as a cultural center. The committee, chaired by Sen. James Metzen (DFL-South St. Paul) also approved two bills dealing with tax increment financing (TIF). S.F. 1839, authored by Sen. Phil Riveness (DFL-Bloomington), allows the city of Richfield to change its method of computing tax increments for its Interstate, Lyndale, and Nicollet tax district. The bill was re-referred to the Metropolitan Affairs Committee. A bill by Sen. Charles Davis (DFL-Princeton), expands the use of TIF for manufacturing districts. Under the terms of S.F. 2325, a manufacturing district would be "any project, or portions of a project which the authority finds to be in the public interest." Any such plan must first be approved by the area's county and school district. The bill was re-referred to the Taxes and Tax Laws Committee.

Also re-referred to Taxes and Tax Laws was S.F. 1705, a bill authored by Sen. Carol Flynn (DFL-Mpls.). The measure authorizes the city of Minneapolis to issue general obligation bonds for construction of a plaza and parking facilities for the federal courts project.

# Committee update

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Committee approval was given to S.F. 2314, authored by Sen. Carl Kroening (DFL-Mpls.), requiring an equitable distribution of local funds in neighborhood revitalization programs.

Finally, a bill authorizing the Minnesota Housing Agency to establish a pilot project for emergency mortgage and rental assistance was presented by Sen. Janet Johnson (DFL-North Branch). S.F. 2350 provides up to \$2,000 in rental or mortgage assistance to people who are in danger of losing their housing as a result of unemployment, illness, or other financial problems beyond their control. Members approved the bill and re-referred it to the Finance Committee.

## Education

### Primary care education

Members of the Higher Education subcommittee of the Education Committee, chaired by Sen. John Hottinger (DFL-Mankato), met Thur., Mar. 5, to discuss S.F. 153. Sen. Sam Solon (DFL-Duluth), bill author, said the bill provides for the establishment of a joint legislative commission to study the educational programs for primary care at the University of Minnesota Medical School.

Proponents and opponents of the bill agreed that not enough medical students intend to go into primary care practice, aggravating the shortage of family doctors, especially in rural areas. The testifiers said most students are attracted to the glamour, excitement, and money of specialized areas of medicine.

Doctors in favor of the bill said the commission is needed to provide an objective look at the medical educational process because the University of Minnesota Medical School has vested interests to prevent real change. Doctors against the bill said the legislation is not needed because the medical school is seriously addressing the concerns. The opponents pointed out that Minnesota ranks number one in educating family physicians.

Members of the committee expressed a reluctance to create another legislative commission. The committee laid over the bill after Sen. LeRoy Stumpf (DFL-Thief River Falls) agreed to work on the problem with the doctors at the medical school.

The committee also heard S.F. 1635, authored by Hottinger, a bill that sets the cost of attendance for financial aid at Bethany College. The committee approved the bill and referred it to the full Education Committee. Members of the committee also approved S.F. 1991, authored by Stumpf, and referred it to the full Education Committee. Stumpf said

the bill authorizes a technical college to contract for services.

### Violence prevention discussed

Tougher penalties alone will not prevent sexual harassment and violence, according to Catherine Haukedahl of the attorney general's office. Haukedahl testified in favor S.F. 1978 at a meeting of the Higher Education Subcommittee of the Education Committee, chaired by Sen. John Hottinger (DFL-Mankato), Fri., Mar. 6. Sen. Jane Ranum (DFL-Mpls), bill author, said the proposal requires the faculty, staff, and students in post-secondary institutions to participate in violence prevention and sexual harassment training programs.

Under the bill, the Higher Education Coordinating Board may award grants for multidisciplinary training programs that address the problems of sexual harassment and violence. The bill also requires recommendations from the HECB about curricula and special programs. One witness testified that the bill is needed because "both men and women need to understand their rights and responsibilities."

The committee approved the bill and referred it to the full Education Committee.

Other committee action included approval of S.F. 2221, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake). The bill appropriates money to the state university board to assist in the cleanup of the Kummer landfill. The bill now goes to the full Education Committee.

Sen. Joanne Benson (IR-St. Cloud) presented S.F. 1706, a bill that allows perennial migrant workers resident tuition status. Efren Tovarleon, director of the Migrant Worker's Coalition, testified that the bill helps "break the cycle of poverty by giving the workers technical skills to gain better employment." The committee approved the bill and sent it to the full Education Committee.

### Education bills approved

Members of the Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), heard three bills at a hearing Mon., Mar. 9.

Sen. Judy Traub (DFL-Minnetonka) presented S.F. 1813, a bill that allows children to attend school for 30 days without participating in early childhood development screening; allows parents to decline to provide some screening information without penalty; adds health history as an optional screening component; and requires the addition of height and weight as a component. The committee approved the bill and sent it to the floor.

S.F. 1946, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), establishes a youth employment and education pilot program. The committee recommended passage of the bill and re-referred it to the Health and Human Services Committee.

Members of the committee also approved S.F. 1898, authored by Dahl, a bill that prohibits the use of all tobacco products in public elementary and secondary schools. The bill now goes to the floor.

### Teacher preparation and licensure

The Education Committee met Wed., Mar. 11, and approved three bills. Committee Chair Gregory Dahl (DFL-Ham Lake) presented S.F. 1982, a bill that authorizes the board of teaching to implement recommendations for teacher preparation and licensure. The committee approved an amendment that requires the board to "provide leadership to ensure that teacher preparation programs include cultural sensitivity, gender fairness, violence prevention skills, sexual harassment awareness and prevention, and recognition of the signs of child abuse and neglect." The bill now goes to the floor.

Sen. John Hottinger (DFL-Mankato) offered S.F. 1635, a bill that sets the cost of attendance for financial aid at Bethany College. Members of the committee attached an amendment to the bill that requires the Higher Education Coordinating Board to prorate state grants by the number of credits taken. The committee re-referred the bill to the Finance Committee.

Senators on the committee recommended passage of S.F. 1991, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls). The bill authorizes a technical college to contract to provide services. The committee sent the bill to the floor.

### Free press, campus escort services

"The threat of censorship is just as detrimental as censorship itself," said Tom Rolnicki, executive director of the National Scholastic Press Association, at a late night Education Committee hearing Wed., Mar. 11. Rolnicki testified in favor of S.F. 1875, a bill that provides for free press rights of students in public high schools. Sen. Allan Spear (DFL-Mpls.) pointed out to the committee that the bill sets forth some limitations on expression that creates a clear and present danger, violates an individual's privacy, is obscene, or is defamatory. The committee approved the bill and sent it to the floor.

Members of the committee also approved S.F. 1978, authored by Sen. Jane Ranum (DFL-Mpls.). Ranum said the bill

requires all public post-secondary schools and requests all private post-secondary schools to have a violence prevention and sexual harassment program and to provide an escort service on the campus of the institution. The bill now goes to the Finance Committee.

Migrant workers in Minnesota would be eligible for resident tuition status under S.F. 1706, authored by Joanne Benson (IR-St. Cloud). Senators on the committee recommended passage of the bill and sent it to the Finance Committee.

Sen. Sandra Pappas (DFL-St. Paul) presented S.F. 1156 to the committee. Pappas said the bill assures that each blind student receives an individualized Braille literacy assessment and appropriate educational services resulting from the assessment. The bill also establishes standards of proficiency and instruction for Braille literacy. Senators on the committee approved the bill and sent it to the floor.

## Elections and Ethics

### Terms limits debated

A bill to limit the term of consecutive service in the executive and legislative branches of state government was debated at the Wed., Mar. 11, meeting of the Elections and Ethics Committee. S.F. 916, authored by Sen. Jim Gustafson (IR-Duluth), proposes an amendment to the constitution limiting the term of service of persons to ten consecutive years in the Legislature and limiting the executive officers to two terms of service.

Debate on the measure centered on the issue of choice. Committee Chair Jerome Hughes (DFL-Maplewood) argued that setting term limits restricted voters' freedom of choice to elect the best candidate for a particular office. Gustafson countered, though, that polls show that voters want the opportunity to vote on the constitutional amendment to limit terms.

Members adopted an amendment expanding the question to include all local and federal elected officials. The bill was defeated on a 5-7 roll call vote.

In other action, the panel approved three measures and recommended placement of all three bills on the Consent Calendar. S.F. 2385, authored by Sen. Allan Spear (DFL-Mpls.), allows Special School District No. 1 in Minneapolis to change the years of its school board election to coincide with other elections. S.F. 2307, sponsored by Sen. Dean Johnson (IR-Willmar), changes the deadline for the city of Melrose to abolish existing ward systems. S.F. 1668, authored by Sen. Don Samuelson (DFL-Brainerd) authorizes mail balloting for municipalities outside the Metro Area with fewer than 400 registered voters.

## Employment

### Workers' compensation

"It's time to settle up" on workers' compensation reform, said Sen. Florian Chmielewski (DFL-Sturgeon Lake) Mon., Mar. 9, at an Employment Committee hearing. The committee finished crafting a workers' compensation reform package, authored by Committee Chair Chmielewski, that is centered around four bills: S.F. 1877, S.F. 1878, S.F. 1879, and S.F. 1880. The bills make a variety of changes in workers' compensation law, including benefits and coverage, hearings, administration, and the assigned risk plan.

Chmielewski said the package sets forth a system of managed care that also addresses the problem of fraud in some workers' compensation cases. The committee amended and approved the four bills and sent them to the floor, with the exception of S.F. 1879, which was re-referred to the Judiciary Committee. The committee also amended the four bills into S.F. 2107, another workers compensation measure also authored by Chmielewski, replacing the original language of the bill. The committee approved S.F. 2107 and sent it to the floor.

Sen. John Hottinger (DFL-Mankato) presented S.F. 1820, a bill he described as an alternative proposal that regulates benefits, providers, dispute resolution, and insurance. The committee did not act on the measure.

### Unfair labor practices

Sen. Florian Chmielewski (DFL-Sturgeon Lake) told members of the Employment Committee Wed., Mar. 11, that employers should not be able to discriminate against employees for legal behavior outside of work. Chmielewski presented S.F. 2336, a bill that prohibits employers from discriminating against an employee for engaging in "lawful activities unrelated to the employee's employment and that do not affect the employer's legitimate business interests." The measure also applies to public employers. The committee approved the bill and sent it to the floor.

Sen. Jim Gustafson (IR-Duluth) offered S.F. 2504 to the committee. Gustafson said his workers' compensation reform bill provides significant savings by regulating benefits, providers, dispute resolution, and insurance. The committee took no action on the bill.

The committee also approved S.F. 2336, authored by Sen. LeRoy Stumpf (Thief River Falls). Stumpf said the bill addresses technical problems pertaining to the treatment of American Indian tribal governments as employers for purposes of unemployment compensation insurance payments. Members of the committee approved the bill and sent it to the floor.

## Energy and Public Utilities

### Transportation, electric utilities

The state needs to promote public transportation and discourage the use of single occupancy vehicles, according to Sen. Carol Flynn (DFL-St. Paul), author of S.F. 1993. Flynn presented the bill to the Energy and Public Utilities Committee Thur., Mar. 5.

Flynn's bill provides tax incentives for the use of alternative means of commuting; directs the Regional Transit Board to establish a program to reduce traffic congestion; increases the penalty for assaulting a transit officer; prohibits right turns in front of buses; provides public transit operations priority in the event of an energy supply emergency; and establishes a demonstration enforcement project for high occupancy vehicle lane use.

The committee, chaired by Sen. Steven Novak (DFL-New Brighton) recommended passage of the bill and re-referred it to the Metropolitan Affairs Committee.

In other committee action, members approved S.F. 1298, authored by Sen. Ronald Dicklich (DFL-Hibbing). The bill provides for equal representation on the board of electric cooperatives that select directors on a district or local unit basis. The committee approved the bill and sent it to the floor.

The committee also approved S.F. 1297, also authored by Dicklich, a bill that applies the open meeting law to electric cooperatives that have more than 50,000 members. The bill now goes to the floor.

Members of the committee began work on S.F. 1434, a bill that allows electric utilities to extend electric lines to serve their own property and facilities. Novak, bill author, said the committee will finish taking testimony and vote on the bill Tue., Mar. 10.

### Caller identification bill

On a 5-6 vote Tue., Mar. 10, the Energy and Public Utilities Committee defeated S.F. 1434, a bill that allows electric utilities to extend electric lines to serve their own property and facilities. Committee Chair Steven Novak (DFL-New Brighton), bill author, amended the measure to provide compensation to affected rural cooperatives and to clarify the limited intent of the bill. However, opponents of the bill said the amendments did not totally alleviate their concerns. Novak argued unsuccessfully that the legislation is intended to "guarantee that cities can control the appendages that they have historically controlled."

Members of the committee approved S.F. 2094, authored by Sen. Dennis Frederickson (IR-New Ulm). The bill authorizes land surveyors to receive location information related to under-

# Committee update

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ground facilities. The bill now goes to the floor.

The committee began work on S.F. 1802. Sen. Fritz Knaak (IR-White Bear Lake) said the bill allows telephone companies to offer caller identification service to subscribers. Novak said the committee would hear the bill again at the next hearing.

## Environment and Natural Resources

### Once-through cooling systems

The Environment and Natural Resources Committee met Fri., Mar. 6, and considered a variety of environmental protection measures. The committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls), heard two bills carried by Sen. Steven Morse. The first measure, S.F. 2146, makes a change in the dedication of funds collected from businesses and organizations using once through cooling systems. Morse explained that when the 1989 Legislature passed the initial prohibition on once-through cooling systems, 50 percent of the fees assessed from owners of buildings still using the systems were placed in a fund. The fund was created to award grants for the purpose of retrofitting once-through systems. The measure, Morse said, deposits all fees collected in a retrofitting and conversion grant account in the general fund. Morse said that the bill is revenue neutral. The bill was approved and sent to the Senate Finance Committee.

Another measure, S.F. 2102, authored by Morse, creates a statewide nitrate database to assist various state and local agencies in tracking nitrate contamination around the state. Morse said that the minimal appropriation of \$150,000 for start-up costs would be repaid from fees collected by the state for sealing wells. The bill was approved and sent to the Committee on Governmental Operations.

In other action, the panel considered a measure to allow businesses to use tax increment financing to clean up contaminated property. Bill author, Sen. Ted Mondale (DFL-St. Louis Park), explained that the bill makes no change in liability of responsible parties or in the Superfund Law. The measure merely encourages economic development of contaminated sites by assisting businesses in clean-up. Mondale said the measure applies in the instance where there is no identifiable responsible party, and that polluters would still be held accountable. The bill was approved and sent to the Committee on Taxes and Tax Laws.

Sen. Joe Bertram (DFL-Paynesville) presented a bill that eliminates the

appeals process to the commissioner of natural resources in cases where a local sheriff refuses a permit for races or exhibitions on water or ice because of safety concerns. The bill was approved and sent to the Senate floor.

### Wildlife bills okayed

Members of the Environment and Natural Resources Subcommittee on Fish and Wildlife, chaired by Sen. Charles Berg (DFL-Chokio), met Mon., Mar. 9, to consider two measures. S.F. 2162, sponsored by Sen. John Bernhagen (IR-Hutchinson), revises various statutes concerning commercial activities related to wild animals. The measure provides for the regulation of ginseng harvest and sale; provides for the licensure and regulation of taxidermy; provides for the regulation of fur dealers and trappers; and makes miscellaneous changes concerning other commercial activities related to game and fish. The bill was laid over for further consideration.

In other action, the panel approved a bill establishing an agricultural crop protection assistance program to assist farmers in protecting their crops from destruction by wild animals. The measure, S.F. 2143, authored by Sen. Steven Morse (DFL-Dakota), also provides for a free deer hunting license for owners of agricultural land in consideration for allowing access for hunting. An amendment was adopted that specifies that in providing assistance, the commissioner must prioritize projects based on their relative benefit-cost ratios and that first priority be given to fencing projects required by court order. The amendment also specifies that if a landowner has received assistance in the form of materials with a design life of more than five years but sells the property within five years of installation, the landowner must reimburse the commissioner for the value of the materials, prorated over the remainder of the five year period.

### Children's presentation

The Wed., Mar. 11, meeting of the Environment and Natural Resources Committee began with a presentation by the Minnesota Earth Team, a children's advisory council on the environment.

Sen. John Bernhagen (IR-Hutchinson), presented S.F. 2162, allowing possession, transportation, and sale of inedible portions of wild animals. The bill also expands circumstances under which game and fish licenses are void for violations of the law. Bernhagen said the bill, which was approved, will expand the taxidermy industry.

The committee approved S.F. 2344, presented by chair Sen. Bob Lessard (DFL-Int'l Falls). The bill updates and

changes provisions relating to activities of the Mississippi Headwaters Board. S.F. 2376, a bill suggested by the Department of Natural Resources, was also approved. Among the provisions of this measure, authored by Sen. Charles Berg (DFL-Chokio), is the requirement of a license for harvesting or selling wild rice or wild ginseng root. The bill also mandates that the commissioner adopt rules governing contests for selecting a design for waterfowl stamps. Another provision exempts migratory waterfowl hunters from wearing blaze orange on waters or in a stationary blind.

Wednesday evening, the committee took action on five bills authored by Sen. Leonard Price (DFL-Woodbury). S.F. 2331 requires the establishment of aquatic management areas to protect and manage bodies of water adjacent to wetlands. S.F. 2301 allows all riparian land to be eligible for the Reinvest in Minnesota (RIM) program. Both of the bills were approved. S.F. 2310 changes the composition of the Board of Water and Soil Resources (BWSR) dispute resolution committee. The committee advanced S.F. 2310, as well as S.F. 2311, authorizing agreements by soil and water conservation districts for enforcement of city or county controls. Finally, S.F. 2298 was approved. The measure requires an open appointments process for watershed district managers; removes the existing exemption political subdivisions have from watershed district permit fees; requires a district's audit be performed by a CPA or the state auditor's office at least once every five years; and, makes the procedure for challenging a watershed district rule consistent with the procedure for challenging a county or municipal ordinance.

## Finance

### Budget requests considered

The Environment and Natural Resources Division of the Finance Committee discussed budget requests from several divisions Mon., Mar. 9.

Minnesota Zoo Director, Kathryn Roberts, said the zoo had only one request in the governor's budget, \$1.8 million for repairs to the physical plant. Roberts said the funds would be used to replace roofs on a number of zoo buildings. According to Roberts, the zoo would like to find funding for the dolphin center, which, she said, is being carefully watched by animal rights activists. Roberts estimated a renovated dolphin center would increase zoo attendance by 40-50 percent.

Kent Lokkesmoe of the Department of Natural Resources (DNR) reported that the governor had recommended \$400,000 for emergency dam repairs. Lokkesmoe

said the DNR had originally requested \$1.2 million, an amount that would have included the removal of three dams. Jack Skrypek told the division, chaired by Sen. Steve Morse (DFL-Dakota), that the governor had approved \$1.25 million for fish hatcheries.

Rich Sandberg of the Pollution Control Agency told division members that the governor had approved a request for \$13.05 million for the Combined Sewer Overflow (CSO) Program. CSO was established by the Legislature in 1985 to provide financial assistance to Minneapolis, St. Paul, and South St. Paul for the purpose of separating sanitary and stormwater sewers. Sandberg said the program, slated to be complete by 1995, is on schedule.

### HHS budgets reviewed

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met Tues., Mar. 10. R. Jane Brown, commissioner of Jobs and Training, updated the panel on funding for the Displaced Homemakers Program, the Dislocated Worker Program, and the Head Start Program. Members also heard from representatives of the Self Start Program (formerly Work Readiness) and the Dept. of Health.

Kevin Wilkins, director of the Dislocated Worker program, told the division that, under the governor's supplemental budget recommendations, the Displaced Homemaker Program will be covered by the Dislocated Worker Program. The change results in a reduction of funds for dislocated workers.

Connie Greer, director of the Head Start Program, said that the governor has recommended an additional \$1 million per year for the program. She noted that this level of funding would increase the total number of children served by the state and federal governments to 42 percent of potential participants.

The division met again Wed., Mar. 11, to hear presentations from the Dept. of Health and the Dept. of Corrections. Barbara Nerness, assistant commissioner, Dept. of Health, spoke of reductions in funding for the Bone Marrow Donor Program, noting that two of the three biennial objectives of the program have been substantially accomplished. Reductions in funding for the maternal and child health program should have minimal impact on activities for the current biennium because sufficient funds will remain in the carry-forward account.

Commissioner Orville Pung, Dept. of Corrections, addressed the division regarding the capital budget for his department. He told the panel that changes in the law regarding penalties for possession of cocaine have increased the corrections population. Anti-violence

bills being considered this session could drive the population up further.

### Arts and humanities programs profiled

Members of the Finance Division on Agriculture, Transportation and Regulation met Tues., Mar. 10, to hear overviews of the Humanities Commission, the Minnesota State Arts Board and the Minnesota Historical Society.

Sam Grabarski, executive director of the Minnesota State Arts Board, explained the role of the board and detailed the fiscal year 1992 general support grantees. Cheryl Dickson, director of the Humanities Commission, profiled the work of the commission.

Nina Archabal, director, Minnesota Historical Society, presented information on the institutional goals and objectives of the historical society and outlined the impact of the governor's reduction recommendations.

The panel, chaired by Sen. Keith Langseth (DFL-Glyndon), will continue hearings on the impact of the supplementary budget recommendations.

### Higher education systems merger

The Education Division of the Finance Committee and the Education Subcommittee on Higher Education held a joint hearing, chaired by Sen. LeRoy Stumpf (DFL-Thief river Falls) and Sen. John Hottinger (DFL-Mankato), Tue., Mar. 10, to discuss mutual concerns related to higher education.

The joint hearing focused on the preliminary plan and time table for merging the State University System, the Community College System, and the Technical College system. Sen. Roger Moe (DFL-Erskine) urged the committee to "stay the course." Moe said the merger will be difficult, but that it is necessary because of the "great need for coordination in higher education."

In other action, representatives of the Higher Education Coordinating Board updated members on student financial aid policy, particularly the policy that requires students to take 15 credits to qualify for full-time financial aid. Senators expressed a desire to have the HECB more precisely prorate the financial aid awards for students taking less than 15 credits.

### Gaming Regulations

#### Omnibus lawful gambling bill

The Gaming Regulations Committee began work to finalize an omnibus lawful gambling bill.

Chair Sen. Charles Berg (DFL-Chokio), offered an amendment to substitute a delete-everything amendment to S.F. 1605, an earlier version of a omnibus

gambling package he had authored. Berg said he wanted to incorporate into the bill suggestions from the Lawful Gambling Control Board (LGCB), the attorney general's office, and various measures presented to the committee earlier in the session. Members at the Mon., Mar. 9, meeting approved the amendment.

Changes in the new amendment include making recreational facilities and activities for senior citizens a lawful purpose expenditure; making up to 50 percent of real estate taxes and assessments a lawful purpose expenditure; and making noncash gifts awarded to blood donors a lawful purpose expenditure. One new section places a one year prohibition on LGCB members from obtaining employment in the gambling industry after leaving the board.

At the suggestion of the attorney general's office, language designed to provide more flexibility in denying gambling licenses was added. The language, known as the "Nevada" language, was added to give the state additional flexibility in denying licenses to individuals who might damage the image of lawful gambling. King Wilson, president of Allied Charities of Minnesota, said he was concerned that part of the Nevada language dealing with persons whose "reputation, habits, and associations" might deny them licenses would be detrimental to people wishing to enter the industry. Mary Magnuson of the attorney general's office, said the language was intended to be broad and that "it provides an important tool to preclude undesirable entities from engaging in gambling."

Sen. LeRoy Stumpf (DFL-Thief River Falls), presented S.F. 2071, designed to permit organizations to conduct card games like smear or whist for senior citizens. Magnuson said the bill, as written, would allow Indian tribal governments to hold whist, smear, bridge, and gin rummy games as Class 2 gambling. Stumpf said he would rework the language of his bill.

Berg said the committee would work to finalize the omnibus package at its Wed., Mar. 11, meeting.

#### Gambling bill approved

In a Wed., Mar. 11, roll call vote, the Gaming Regulations Committee unanimously recommended S.F. 1605, the omnibus lawful gambling bill, to pass and referred it to the Senate floor.

The committee, chaired by Sen. Charles Berg (DFL-Chokio), approved several amendments to the package. New language allows the Department of Public Safety to inspect distributors and manufacturers of slot machines. Another section includes a provision granting the Department of Revenue the right to inspect manufacturer's records.

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Two new lawful purpose expenditures were approved: recreational activities conducted by a non-profit organization and intended for those 55 and over that are not being conducted primarily for members of the contributing organization, and, 50 percent of the real estate taxes and assessments for premises used for lawful gambling. Buildings acquired or constructed before Aug. 1, 1990 would be able to deem 100 percent of their real estate taxes as lawful purpose expenditures.

Also approved was a higher cap on bingo prizes and a clarification of the definition of Bonanza bingo. In Bonanza, an organization calls a pre-designated quantity of bingo numbers before the actual playing of each game. Cards can be sold throughout the bingo session. However, no cards may be sold after the organization calls the next continuous number during the actual game. A player wins if all the numbers for the predetermined bingo pattern on the player's card have been called.

## Governmental Operations

### Labor agreements ratified

The Governmental Operations Committee approved a bill that ratifies labor contracts and compensation plans for state employees at its Tues., Mar. 10 meeting. The contracts and plans provide an average increased cost of 4.4 percent for this biennium, including salary and benefits.

The bill, S.F. 2505, sponsored by Waldorf, also makes classification changes for some state employees. In one affected group are marketing representatives for the state lottery, who are changed from unclassified to classified employees.

Another provision in the measure requires the Department of Employee Relations to evaluate and submit a report to the Legislature on appropriate salary ranges for the heads of two quasi-state agencies--the Minnesota State High School League and the State Fair. Presently there is no statutory limitation on the salaries for these positions.

The committee, chaired by Sen. Gene Waldorf approved S.F. 2505 and re-referred it to the Finance Committee.

The committee also approved S.F. 2486, sponsored by Waldorf, changing the examination procedure for licensing optometrists to include a clinical test. The measure was approved and sent to the full Senate.

The committee then turned to several pension-related bills. S.F. 1718, sponsored by Sen. David Frederickson (DFL-Murdock), establishes a pension-related

program for career ambulance personnel. The bill was approved and re-referred to the Finance Committee. S.F. 2354, sponsored by Sen. John Marty (DFL-Roseville), authorizes full vesting at five years of service for members of the Falcon Heights Volunteer Firefighters Relief Association. The bill was approved and sent to the full Senate.

Last, the committee heard two bills aimed at mitigating pension difficulties for specific individuals. S.F. 1710, sponsored by Sen. Dennis Frederickson (IR-New Ulm), allows application by a surviving spouse in a case in which a PERA member died before completing disability forms. S.F. 2354, sponsored by Sen. Pat Piper (DFL-Austin), corrects an apparent processing problem within the Dept. of Transportation and restores one month of benefits to a pensioner. Both bills were approved and sent to the full Senate.

## Health and Human Services

### Bills advance

On Fri., Mar. 6, the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met to discuss a number of bills.

Sen. Allan Spear (DFL-Mpls.) presented the first of two bills designed "to provide relief for beleaguered counties." S.F. 2246 amends the Minnesota Commitment Act to define "commitment" as the period of time that begins on the date the initial commitment order is filed. According to Cory Carlson, Assistant Hennepin County Attorney, the changes are needed because regional treatment facilities have sometimes been unable or unwilling to admit patients immediately after a commitment order. The patient is then kept in a private hospital until space is available in the regional facility. This results in enormous costs to the county. The new language shifts the cost of treatment during the interim to the state. The bill also allows the commissioner flexibility as to where to send the patient.

The committee voted to approve S.F. 2246 and re-refer the measure to the Finance Committee.

The second bill, S.F. 2247, sponsored by Sen. Carl Kroening, (DFL-Mpls.), was presented by Berglin. It requires the commissioner of human services to assume the duties of public guardian or conservator of adults with mental retardation. Mary Beth Davidson, representing Hennepin County, told the committee that a potential conflict of interest exists where one person acts as both case manager and guardian. She said that the guardian or conservator should be from outside the agency making the decisions about how money should be spent. The

new bill removes the conflict of interest.

S.F. 2247 was approved by the committee and sent to the full Senate.

S.F. 1701, sponsored by Sen. Dick Day (IR-Owatonna), was presented by Sen. Duane Benson (IR-Lanesboro). The bill provides child care assistance for AFDC recipients who do not qualify for the STRIDE program. The committee voted to approve the measure and re-refer it to the Finance Committee.

In further action, the committee considered S.F. 2249, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake). The bill allows funeral directors and mortuaries to dispose of unclaimed cremation remains after one year and raises the amount the county may spend on funeral expenses for AFDC recipients to the amount the county would pay for funeral expenses for indigents.

The committee approved S.F. 2249 and re-referred it to the Finance Committee.

Sen. Judy Traub (DFL-Minnetonka) presented S.F. 2186, a bill extending the American Indian Advisory Task Force and renaming it the American Indian Child Welfare Advisory Council. The measure was approved by the committee and re-referred to the Government Operations Committee.

Finally, the committee turned to two bills sponsored by Berglin. The first, S.F. 1994, provides an exception to the negotiated rate facility moratorium to allow Hennepin County to build a facility of up to 80 beds to provide housing for chronic inebriates. The measure is designed to alleviate a problem that arises when a chronic inebriate is homeless and no space is available in a detox center.

S.F. 1994 was approved by the committee and re-referred to the Finance Committee.

The last bill considered was S.F. 1782, which requires assets that are determined to be available to an institutionalized spouse who is receiving Medical Assistance to be used for the health care and personal needs of that spouse. The measure also lists activities that will be considered to be giving away property for the purpose of determining eligibility for Medical Assistance. Other provisions authorize the state or county medical assistance agency to file liens against real property owned by a recipient or the recipient's spouse and make unenforceable any clause in a trust that makes the trust income or assets unavailable if the beneficiary applies for or receives Medical Assistance.

Frances Long, an attorney and co-chair of the Elder Law Section of the Minnesota bar, told the committee that, while she shares Berglin's concern that medical assistance be available only to those who truly need it, changes should be made to

bring Minnesota law in line with federal law and to assure people that they will be able to protect some of their assets for daily needs and to pass on to their children.

Berglin moved that the committee recommend passage of the bill. The members approved the measure and referred it to the Judiciary Committee.

## Judiciary

### SLAPP suits, corporations, probate

The Civil Law Division of the Judiciary Committee, chaired by Sen. Richard Cohen (DFL-St. Paul), met Fri., Mar. 6, to hear testimony on a variety of bills.

S.F. 1809 was presented by its sponsor, Sen. Ted Mondale (DFL-St. Louis Park). The measure is an attempt to deter so-called SLAPP (Strategic Lawsuits Against Public Participation) lawsuits, actions filed by government or business entities against individuals or groups in retaliation for reports of suspected wrongdoing by the government or business entity. Supporters of the bill contend that these lawsuits have had a chilling effect on First Amendment rights of free expression because the fear of retaliatory action might cause some individuals or groups to refrain from reporting problems.

John Grzybek, testifying in support of the bill, stated that there have been a rash of SLAPP suits in recent years and the intent of the bill is to deter the filing of the suits and to redress the harm caused by them. Mondale stated that, by shifting the burden of proof in a summary judgment motion to the party who originally brought the lawsuit and providing for fees and damages to be awarded upon a successful motion for summary judgment, the bill substantially reduces the chilling effect.

Sen. Harold "Skip" Finn (DFL-Cass Lake) and Sen. Fritz Knaak (IR-White Bear Lake) questioned whether existing law is sufficient to redress any harm the suits might cause. Mondale responded that he is willing to work with Finn and Knaak to put the bill into a form that will pass next session. By mutual agreement, the bill was laid over until next year.

S.F. 2088, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides several technical amendments to the nonprofit corporation act. It also clarifies the definition of "director" to include a member of the board with voting rights. Sen. William Luther (DFL-Brooklyn Park) proposed an amendment which provides that any member or director of the nonprofit may inspect the corporation's articles, bylaws or minutes. The amendment was adopted and the division voted to approve the bill as amended and

refer it to the full Judiciary Committee.

Finally, the panel took up S.F. 1859, a bill, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), designed to adopt miscellaneous changes in probate and trust law recommended by the probate and trust law section of the bar association. The division voted to approve the measure and refer it to the full Judiciary Committee.

### Corrections bill okayed

The Judiciary Subcommittee on Criminal Justice System Oversight met Fri., Mar. 6, and approved a bill establishing a statewide sex offender treatment system to be administered by the commissioner of corrections.

The bill, S.F. 1846, sponsored by Sen. Randy Kelly (DFL-St. Paul), requires the certification of community-based sex offender treatment programs by the commissioner. It also establishes a sex offender treatment fund that pays for court-ordered and voluntary treatment for high-risk persons whose health insurance and personal resources are not adequate to pay for the treatment.

The bill also directs the legislative auditor to prepare a plan for implementing an outcome-based evaluation and quality management program for sex offender treatment programs. The evaluation program is to gather data about the effectiveness of the programs in reducing recidivism and protecting public safety, compare the effectiveness of different treatment approaches, and compare offenders who receive treatment with those who do not.

The committee considered an amendment offered by Sen. Patrick McGowan (IR-Maple Grove) authorizing construction and remodeling at the Red Wing correctional facility to provide secure confinement for at least 35 juveniles who present a threat to the public safety. The committee took no action on the amendment.

Language from S.F. 1977, sponsored by Sen. Jane Ranum (DFL-Mpls.) was incorporated into S.F. 1846. The incorporated provision directs the commissioner of corrections to establish a probation standards task force to study several critical probation issues and report to the Legislature by January 1993.

The committee, chaired by Kelly (DFL-St. Paul), approved S.F. 1846 and sent it to the full committee.

The committee also discussed S.F. 2123, a bill sponsored by Kelly requiring probation officers who supervise sex offenders and violent offenders to undergo a special training program.

Another provision in the bill is aimed at alerting probation officers more quickly when persons on supervised release programs fail to report. The provision

requires all programs serving inmates on supervised release to notify the probation officer within 12 hours after an inmate fails to make a required report or after officials receive information that an inmate may have left the area in which he is required to remain. The bill also appropriates money from the general fund for the creation of an absconder's fund to reimburse local corrections officials for the cost of hiring professional investigators to track down persons on supervised release who fail to report to their probation officers.

S.F. 2123 was laid over pending discussions of technical questions with the Health and Human Services Committee.

The committee also briefly considered S.F. 2280, sponsored by Kelly, establishing a grant program to fund additional secure beds for juveniles who cannot be certified as adults but pose a severe public safety risk. The bill was laid over until a future meeting.

Committee members also discussed and laid over S.F. 1996. The measure modifies commitment procedures for people with psychopathic personalities or who are dangerous to the public and authorizes bonding for construction of an addition at the Minnesota security hospital at St. Peter.

### Omnibus crime bill

At the first of two meetings held Fri., Mar. 6, the Criminal Law Division of the Judiciary Committee continued work on S.F. 1687, the omnibus crime bill.

Portions of S.F. 1973, authored by Sen. Jane Ranum (DFL-Mpls.) were amended onto the omnibus bill, authored by Sen. Alan Spear (DFL-Mpls.). The provisions approved increase penalties for criminal vehicular homicide, second degree assaults, and terroristic threats. Also approved was language to allow hate crime reporting based on determination by the victim as well as the reporting officer.

Sections of another Ranum measure, S.F. 2224, were also amended onto the omnibus package, including the establishment by the Supreme Court of a judicial education program on domestic abuse. New procedures for orders for protection, including statewide application, were approved for amendment onto S.F. 1687, as well.

Language calling for county and city attorneys to develop and implement plans for the prosecution of domestic abuse cases was amended onto the omnibus bill. The language was taken from S.F. 2133, authored by Sen. Ember Reichgott (DFL-New Hope).

Work continued in an evening session. Members approved an amendment offered by division chair, Sen. John Marty (DFL-Roseville), requiring law enforcement

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training courses concerning crimes of violence against women and children. Three measures authored by Sen. Ted Mondale (DFL-St. Louis Park), were amended onto the package. These included the enhancement of penalties for repeat harassment offenses, a provision for restitution under orders for protection, and a clarification of the law requiring separate waiting rooms for victims and defendants.

A Spear amendment requiring an assessment of the need for sex offender treatment for all persons convicted of criminal sex conduct was approved, as was a Ranum amendment allowing the court in any juvenile adjudication to order a chemical use assessment.

The division approved several amendments offered by Sen. Pat McGowan (IR-Maple Grove). These included a provision that requires post-secondary schools to adopt written policies on sexual harassment and sexual violence. Also approved from the McGowan package were increased sentences for career offenders; the establishment of a criminal penalty for failure to produce a car rental or lease agreement; and, standardization of pistol permits. Members also approved McGowan language making domestic abuse convictions less than two years old from other states count toward gross misdemeanors, and making it a misdemeanor for a convicted felon to fail to report a name change to the Bureau of Criminal Apprehension.

Finally, members approved two measures, one by Sen. Gene Merriam (DFL-Coon Rapids), clarifying provisions relating to probation orders in delinquency cases, and one by Marty, requiring courts to inform convicted felons that they must relinquish their pistols.

## Omnibus crime bill approved

On Mon., Mar. 9, The Criminal Law Division of the Judiciary Committee approved S.F. 1687, the omnibus crime bill.

Sen. Pat McGowan, (IR-Maple Grove), complimented the bill's author, Sen. Alan Spear (DFL-Mpls.), for his efforts to make the bill reflect the best efforts of both parties.

The division, chaired by Sen. John Marty (DFL-Roseville), advanced the bill to the full committee.

## Bills advance

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Mon., Mar. 9, to advance a raft of bills.

The committee first considered S.F. 1693, sponsored by Sen. Gene Waldorf (DFL-St. Paul). The bill establishes a cause of action against a health care

provider who aids a suicide or attempted suicide and authorizes awards of compensatory and punitive damages. Parties with standing to sue include family members, heirs or beneficiaries under a life insurance policy, a health care provider, or certain public officials.

The committee approved the measure and re-referred it to the Health and Human Services Committee.

S.F. 1644, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), amends Articles 3 and 4 of the Uniform Commercial Code. The committee approved the measure for passage to the full Senate.

S.F. 1699, also sponsored by Finn, provides for certification and regulation of shorthand court reporters. After adopting the Civil Law Division's report, the committee voted to approve the bill and re-refer it to the Governmental Operations Committee.

Spear presented S.F. 2177, a bill prohibiting discrimination in jury selection on the basis of disability. He told the committee that blind people have been barred from jury service in some parts of the state. A representative from the National Federation for the Blind testified that he had served on a jury and required only minimal extra explanation of evidence.

The committee approved the measure and sent it to the full Senate.

Sen. William Luther (DFL-Brooklyn Park) presented S.F. 1671 which amends the statute relating to assigning chapter numbers to bills. Current law requires the Revisor to assign chapter numbers based on the order of the date of the legislature's last vote. Under the new provision, this will be done "as far as practical." The bill was approved without discussion and sent to the full Senate.

S.F. 1691, sponsored by Sen. Randy Kelly (DFL-St. Paul), amends existing law regarding conciliation court. The new law raises the jurisdictional limit to \$5,000 and eliminates the limit on claims involving consumer credit. It also authorizes an officer, partner or employee to appear on behalf of a corporation, partnership, sole proprietorship or association. Other provisions deal with student loans, jurisdiction over foreign corporations, and representation by attorneys.

The committee approved S.F. 1691 and sent it to the full Senate.

Sen. Ted Mondale (DFL-St. Louis Park) presented S.F. 1866 which provides protection from liability under the Superfund Act for persons not otherwise liable who undertake and complete environmental cleanup actions under an approved cleanup plan. Mondale told the committee the legislation is needed to encourage people to enter into agreements

to clean up pollution or contamination for which they were not originally responsible.

The committee approved the bill and re-referred it to the Finance Committee.

Finally, the committee considered S.F. 1985, sponsored by Sen. Pat Piper (DFL-Austin), declaring a state policy of zero tolerance of violence and encouraging state agencies to act to implement a zero-tolerance policy. After amending the bill to provide that it does not create civil liability on the part of the state, the committee approved the measure and sent it to the full Senate.

## Spiritual healing bill advanced

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Tues., Mar. 10 to take action on several major bills.

S.F. 1822, sponsored by Spear, provides for a children's health care mediator to facilitate the provision of medical treatment in cases where a child's serious health condition would go untreated because his parents' religious or philosophical beliefs preclude such treatment.

Spear told the committee that the bill provides the best possibility that a child will get necessary medical attention. Sen. Ember Reichgott (DFL-New Hope) expressed concern that the bill provides no accountability for parents who neglect to seek medical attention for their seriously ill child. Spear answered that punitive sanctions would not be helpful because parents with strongly held religious or philosophical beliefs about medical practice are not likely to change their decisions about their children's health care because of the threat of consequences.

The committee approved the bill and re-referred it to the Finance Committee.

The committee also considered S.F. 2006, sponsored by Sen. Jane Ranum (DFL-Mpls.). The bill provides for the creation of a commission on criminal and juvenile justice information. The purpose of the commission is to develop an integrated system for maintaining and sharing criminal justice information. An amendment providing for creation of an advisory task force on the juvenile justice system was adopted by the committee and the bill, as amended, was approved and re-referred to the Governmental Operations committee.

Members of the committee then turned to S.F. 1846, sponsored by Sen. Randy Kelly (DFL-St. Paul). The bill requires the commissioner of corrections to certify community-based adult and juvenile sex offender treatment programs that are not offered in state or local correctional facilities. The bill also establishes a fund to pay for the programs.

The committee approved the measure and re-referred it to the Health and Human Services Committee.

Finally, the committee heard testimony in favor of S.F. 1821. The bill, sponsored by Sen. Linda Berglin (DFL-Mpls.), amends existing law to provide that statutes dealing with the protection of heritage or background in the placement of children in foster or adoptive care remove limitations on application of the statutes to children of a minority race or ethnic heritage. The committee agreed to continue hearing testimony on the bill at a later hearing.

### **Omnibus crime bill debated**

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.) met Wed., Mar. 11, to discuss S.F. 1687, the anti-violence omnibus criminal justice bill.

The measure, sponsored by Spear, contains provisions dealing with many areas of criminal law, including sentencing and treatment of sex offenders, treatment of juveniles, domestic abuse, mediation programs for crime victims and offenders, and training of peace officers.

The sections of the bill dealing with sex offenders provide for mandatory life imprisonment for repeat offenders, increased supervision of sex offenders following release from prison and elimination of the "good time" reduction in a prison sentence unless the offender satisfactorily completes a treatment program while in prison.

The committee adopted several amendments to the bill. Sen. Randy Kelly (DFL-St. Paul) sponsored an amendment that provides that a peace officer may take a child into immediate custody if the officer reasonably believes the child to be truant from school. Kelly sponsored another amendment providing for confinement in a correctional facility for an adjudicated delinquent found to be in possession of a firearm at the time of commission of an offense. Sen. John Marty (DFL-Roseville) proposed a change in the amendment providing that the offender instead be ordered to relinquish the firearm and perform community service, in addition to any other disposition the court deems proper. This amended amendment was adopted by the committee. Finally, the members adopted an amendment sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.) providing for a crime victimization survey and appropriating money to do the survey.

The committee will continue deliberations on S.F. 1687 at a later hearing.

## **Local Government**

### **Ban on officials' photos**

A measure prohibiting the use of photos of elected officials in county and city

publications was approved by the Local Government Committee.

Sen. Jerome Hughes (DFL-Maplewood), told committee members at the Tues., Mar. 10, meeting that such photos provide incumbents with free publicity. Sen. Judy Traub (DFL-Minnetonka) offered an amendment to exempt directories of public servants provided by county, home rule charter or statutory cities. S.F. 2293 was approved as amended.

A measure sponsored by Sen. Nancy Brataas (IR-Rochester), allowing Olmstead County to convey the county courthouse by contract without reserving mining rights was passed. The bill, S.F. 2208, will make possible the sale of the courthouse to the Mayo Foundation. The bill was approved, as was S.F. 2210, authored by Sen. Sandy Pappas (DFL-St. Paul), allowing employees displaced by the closure of the Lake Owasso residence to remain Ramsey County employees.

The committee approved S.F. 2171, presented by Sen. Dean Johnson (IR-Willmar). The bill permits both Kandiyohi and Chippewa Counties to consolidate the offices of county auditor and treasurer. S.F. 2375, permitting the city of Ely to impose a sales tax of up to one percent and an excise tax up to \$20 on motor vehicles was approved, as well. Revenues would be used to pay for the Ely Wilderness Gateway Project. The measure, authored by Sen. Douglas Johnson (DFL-Cook), was re-referred to the Taxes and Tax Laws Committee.

Sen. Steven Morse (DFL-Dakota), presented S.F. 2170, permitting government officials to apply for loans and grants from the housing and redevelopment authority with whom the local unit of government has entered into a contract. The bill, which was approved, also defines a franchise agreement for city utility services.

Two bills sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), were approved. S.F. 2009 permits the city of Cloquet to issue general obligation bonds of up to \$2.2 million for the acquisition and improvement of a water line extension to the Fond Du Lac Community College. S.F. 1921 raises fees for Minnesota driver's licenses by \$2.00. Bob Renner, Jr. of the Minnesota Deputy Registrar's Association told the committee, chaired by Sen. Betty Adkins (DFL-St. Michael), that the \$1.00 administrative fee enacted in 1973 had the purchasing power of 33 cents in 1990.

## **Metropolitan Affairs**

### **Metro Park Funding**

A bill to restore \$3 million in vetoed funding to the regional open space system was approved Thurs., Mar. 5, by members of the Metropolitan Affairs Committee,

after an amendment to strike specific appropriations was adopted. Sen. Randy Kelly (DFL-St. Paul) told committee members that the open space system within the Metro Area will suffer greatly if some kind of funding is not restored. The panel heard testimony from numerous park and regional council officials of the parks' benefits to the Metro Area and to the state as a whole. Kelly said that while the state parks get funded completely with state dollars the majority of funds for metro regional parks are raised through local area property taxes. Kelly asked members to compare that with attendance figures of state and regional parks. State parks get approximately 8 million visits a year to 60 parks, while regional parks get 16 million visits a year to 40 parks. The wear and tear to the system is enormous, Kelly said, and without restoration of the vetoed funds the parks will experience closures and severely reduced services. The committee approved the bill and re-referred it to the Finance Committee.

Chair of the committee, Sen. Don Frank (DFL-Spring Lake Park) presented a bill, S.F. 1770, that designates a formal name to the advisory committee established to advise the Regional Transit Board (RTB) on its statutory duty to contract services for special transportation. Under the measure the advisory committee will be named the Transportation Accessibility Advisory Committee. Although RTB officials objected to the name designation, the bill was approved and sent to the Senate floor. Two airport-related measures were heard by the committee but not acted upon. S.F. 1725, authored by Sen. Dennis Frederickson (IR-New Ulm), prohibits investment by the State Board of Investment in bonds issued under the Northwest Airlines financing package. State Board of Investment Director Howard Bicker requested that the measure be laid over to give the board a chance to examine the legislation. The bill was laid over.

The other airport related bill, S.F. 2032, authored by Sen. Phil Riveness (DFL-Bloomington), prohibits the construction of a new runway, extension of an existing runway, or the construction of a new or substantially expanded terminal facility until 1996. The panel heard extensive testimony from a former FAA official, Robert L. Colette. Colette explained that extending runway 4-22, a measure currently under consideration for noise abatement purposes, would cost nearly \$18 million and make no appreciable difference in air traffic congestion or noise abatement. In addition, Colette said, if the airport remains where it is and the proposed new north-south runway is built, the 4-22 extension will be obsolete. Riveness said groups opposed to airport expansion and groups in favor of airport expansion have reported their opposition

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to the temporary stopgap measure of extending runway 4-22. The bill was laid over due to time constraints.

## Investment prohibition bill okayed

The Metropolitan Affairs Committee, at a Tues., Mar. 10, meeting, continued discussion of S.F. 1725, a bill that would prevent the State Board of Investment from buying the bonds issued under the Northwest Airlines financing package. According to the bill's sponsor, Sen. Dennis Frederickson (IR-New Ulm), the principle behind the bill is to ensure that no pension funds will be invested in bonds issued by entities that are not publicly traded and are not required to file annual financial statements. The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), approved the bill and sent it to the full Senate.

The committee next considered S.F. 1504, which repeals the taxing authority of the Metropolitan Mosquito Control District. Sen. Gen Olson (IR-Minnetrista), the bill's sponsor, told the committee that the district has an "\$11 million reserve--more than their annual budget." Olson said that purpose of the bill is not to cease mosquito control efforts, but to call into question whether non-elected entities should have taxing authority. The committee laid the bill over until a future meeting.

The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park) discussed and heard testimony on S.F. 2032, a bill prohibiting the Metropolitan Airports Commission (MAC) from constructing or extending a runway or constructing a new or substantially expanded terminal until 1996, or until the completion of the new airport site selection and planning process is completed, whichever occurs earlier. The bill, sponsored by Sen. Phil Riveness (DFL-Bloomington), is aimed at prohibiting the extension of runway 4/22. Jeff Hamiel, executive director of the MAC, testified that the airport currently has no runway that can adequately accommodate long haul, nonstop flights and that the extension is essential in order to keep the airport a "competitive part of the national air transportation system." Neighborhood and city groups have argued that the runway extension has no noise mitigation value, and will expand noise problems over a larger area. The committee defeated the measure on a tie rollcall vote.

## Transportation bill advances

The Metropolitan Affairs Committee also met Wed., Mar. 11, and considered S.F. 1993, a bill sponsored by Sen. Carol Flynn (DFL-Mpls.) aimed at facilitating commuting in the metropolitan area. The

bill, S.F. 1993, called the Metropolitan Congestion Reduction Act, permits individuals and employers tax credits for transit use. Another provision in the bill directs the Regional Transit Board (RTB) to establish a commuter trip reduction program and to establish commuter trip reduction zones. Under the bill, employers in the specified zones must register with the RTB, complete an RTB survey, and formulate a commuter trip reduction plan. The bill also gives buses right-of-way in common traffic situations and establishes a demonstration project using electronic camera technology to enforce high-occupancy vehicle lane restrictions on I-394. The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), approved the measure and re-referred it to the Taxes and Tax Laws Committee.

The committee also considered S.F. 2144, a bill authorizing the Metropolitan Council to issue up to \$116 million in bonds for the Metropolitan Transit Commission (MTC).

The bill authorizes up \$87.4 million to be spent for MTC fleet replacement, facilities and capital equipment and \$29.1 million for transit hubs, park and ride lots, community-based transit vehicles, and intelligent vehicles highway system projects. After hearing an explanation of the measure from its sponsor, Sen. Gene Merriam (DFL-Coon Rapids) and the MTC, the committee laid the bill over.

S.F. 1504, a bill requiring county auditor to send detailed property tax notices to taxpayers, also received a hearing. The measure, sponsored by Sen. Gen Olson (IR-Minnetrista), includes a provision that the notice must state the amount of tax that is payable to the Metropolitan Mosquito Control District. The bill no longer includes a previously offered provision repealing the mosquito control district's tax levy authority. The bill was laid over for further discussion.

## Taxes and Tax Laws

### Budget recommendations outlined

The governor's proposed budget recommendations were the focal point of discussion at the Tues., Mar. 10, meeting of the Committee on Taxes and Tax Laws. Commissioner John Gunyou, Dept. of Finance reviewed the proposed solutions to the \$569 million shortfall and Commissioner Dorothy McClung, Dept. of Revenue, outlined the tax issues that will come before the committee.

According to McClung, the governor's budget recommendations include eight tax proposals that will need committee action. The governor's proposal recommends reimposing a maximum on the annual dollar amount of the special property tax refund payment. A second

recommendation is to replace the current property tax refund schedule for renters with a credit equal to a fixed percentage of rent paid. The third recommendation is the complete elimination of the state's political contribution refund program. A fourth recommendation is that fiduciaries be required to make estimated tax payments on a quarterly basis. Another proposal encompasses changes made to conform with federal tax laws. Changes in occasional and isolated sales tax laws make up the sixth recommendation. Seventh, the governor recommends replacing the ocean marine profits tax with the two percent tax on gross premiums. Finally, the governor recommends reducing the non-school Local Government Trust Fund state aids by \$66 million and crediting those savings to the general fund.

Several committee members, led by Chair Douglas Johnson (DFL-Cook), took exception to the reduction to the Local Government Trust Fund because the reduction would fall on already distressed local units of government. McClung responded that the reduction represents an approximate 1.1 percent in total fiscal year 1993 statewide revenues for local units.

### Ed deduction bills heard

Two bills designed to aid taxpayers by broadening the application of the deduction for educational expenses were discussed by members of the Taxes and Tax Laws Division on Income, Sales and Economic Development at the Wed., Mar. 11, division meeting. S.F. 1984, sponsored by Division Chair Lawrence Pogemiller (DFL-Mpls.), allows taxpayers who do not itemize to deduct certain dependent education expenses. S.F. 1730, authored by Sen. Gene Waldorf (DFL-St. Paul), raises the amount of the deduction. Currently, a subtraction of \$650 is allowed for certain education expenses for each child in kindergarten through sixth grade and a subtraction of \$1,000 is allowed for each child in grades seven through twelve. S.F. 1730 raises the amounts to \$1,000 and \$1,500, respectively.

Division members also discussed a bill providing for the refund of taxes on cigarettes and tobacco products if the tax is deemed to be a bad debt. The measure, S.F. 2025, authored by Sen. Bob Lessard (DFL-Int'l. Falls), also provides that the refund may be taken as a credit against cigarette and tobacco product taxes due from the wholesaler.

A measure authored by Sen. Ember Reichgott (DFL-New Hope) was also heard. S.F. 1740 authorizes the formation of limited liability companies and specifies that the companies are treated as partnerships for tax purposes.

## Transportation

### Gas tax bill advances

The Transportation Committee, at a Thurs., Mar. 5., meeting approved a bill raising the gasoline tax from 20 to 25 cents per gallon and proposing a constitutional amendment that would dedicate Motor Vehicle Excise Tax (MVET) revenues solely to transportation.

The bill, S.F. 1750, sponsored by Sen. Keith Langseth (DFL-Glyndon), specifies that an increasing percentage of MVET revenues will go to the Minnesota Mobility Trust Fund for five years, increasing to 100 percent by July 1997. At least 25 percent of the funds are to go for public transit spending, and the remainder for primarily highway-related spending.

The bill also authorizes issuance of \$60 million in state transportation bonds for bridge construction and \$37.5 million in state transportation bonds for demonstration projects, including \$23.7 million for replacement of the Bloomington ferry bridge in Shakopee.

The committee, chaired by Sen. Gary DeCramer (DFL-Ghent), approved the bill and re-referred it to the Finance Committee.

### Transit bonding approved

A bill authorizing the Metropolitan Council to issue up to \$116.5 million in bonds for the Metropolitan Transit Commission cleared the Transportation Committee at its Mon., Mar. 9, meeting.

Under the bill, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), \$87.4 million may be spent on MTC fleet replacement, facilities and capital equipment, and \$29.1 million may be spent on expenses such as community-based transit vehicles, heated transit hubs, park and ride lots, and intelligent vehicles highway system projects. The committee, chaired by Sen. Gary DeCramer (DFL-Ghent), approved the measure and re-referred it to the Metropolitan Affairs Committee.

A bill that would allow the Metropolitan Council to issue up to \$320 million in bonds for the development of a light rail transit corridor also came up for a vote. S.F. 2145, sponsored by Sen. Karl Kroening (DFL-Mpls.), authorizes bond revenues to be used for the costs of acquisition, improvement of right-of-way, and for capital equipment for LRT. The bill was defeated on a roll call vote.

The committee next considered S.F. 1914, a technical bill sponsored by Sen. Richard Cohen (DFL-St. Paul), that provides funding for Greater Minnesota Transit, allowing for the purchase of buses. The measure was approved and sent to the full Senate.

S.F. 2328, a bill aimed at mitigating a number of problems in the Metro Mobility

system, was also heard. The bill, sponsored by Sen. Don Frank (DFL-Spring Lake Park), more closely specifies the definition of "special transportation services." It also specifies that the holder of any class of driver's license must have a special vehicle transportation service vehicle endorsement if providing special transportation services. Other provisions of the bill repeal requirements that persons the endorsement must pay a duplicate license and examination fee and hold a commercial license. The bill was approved and sent to the full Senate.

Finally, the committee considered S.F. 1723, establishing an electronic checking system for collecting delinquent parking fines. The bill also prohibits courts from arresting people with delinquent parking fines, a practice that is currently used. Under the bill, sponsored by Sen. Sam Solon (DFL-Duluth), the deputy registrar must check a computerized record system for parking fines when a person renews a motor vehicle registration or makes changes in a registration. The system is to be funded with an additional \$1 fee on all parking violations. The measure was laid over for further consideration.

### LRT bonding bill approved

The Transportation Committee approved a pared-down version of a bonding bill for light rail transit (LRT) at a Tues., Mar. 10, meeting.

Sen. Phil Riveness (DFL-Bloomington), presented an amendment to the bill that provides for \$94 million in bonds to be issued by the Metropolitan Council for development of LRT in the central corridor between downtown St. Paul, the U of M Minneapolis campus, and downtown Minneapolis. A previously-defeated version of the measure would have allowed \$320 million in bonding. One of the bill's chief supporters, Sen. Sandra Pappas (DFL-St. Paul), said that \$94 million is the minimum amount the state must present to participate in the federal process for obtaining matching funds. The measure was adopted and re-referred to the Metropolitan Affairs Committee.

The committee also considered S.F. 738, a bill requiring the commissioner of public safety, in consultation with a number of other departments, to implement a statewide hazardous materials incident response plan. The measure, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), also requires certain transporters of hazardous materials to register and pay an annual fee. Other provisions in the bill establish a hazardous materials incident response account to pay for costs of establishing and operating the program, including maintenance of a state 24-hour emergency response center. Representatives from affected industries testified generally in favor of the bill but expressed concerns about details of its

implementation. S.F. 738 was approved and re-referred to the Judiciary Committee.

S.F. 2103, sponsored by Merriam, also received a hearing at the meeting. The bill enables the commissioner of public safety to produce drivers licenses that are less susceptible to alteration than the type of license currently used. Lieutenant Lundholm of the St. Paul Police Department told the committee that citizens and merchants in the state currently lose an estimated \$10 million per year in crimes involving altered licenses. The change is to be funded by a \$1 increase in drivers' license fees. The committee approved the measure and re-referred it to the Finance Committee.

Next, the committee heard S.F. 1972, a bill directing the commissioner of transportation to provide a sign on I-94 indicating the exit for Metropolitan State University, to be paid for by the university. Richard Borson, Dept. of Transportation, told the committee that the sign request failed MnDOT's review process because there isn't enough space for the sign. Borson said that bypassing the review process with legislation sets an unfortunate precedent. However, the measure, sponsored by Sen. Randy Kelly (DFL-St. Paul), was adopted.

The committee considered two other bills. S.F. 1767, sponsored by Sen. Cal Larson (IR-Fergus Falls), turns back a portion of trunk highway 59 in Fergus Fall to the local jurisdictions. S.F. 1288, sponsored by Sen. John Bernhagen (IR-Hutchinson), allows emergency motor vehicles to use studded tires from November 1 to April 15. Both bills were approved and sent to the full Senate.

## Veterans and General Legislation

### Vets home lease provision

The Veterans and General Legislation Committee met Mon., Mar. 9, to consider a measure that authorizes the commissioner of administration to lease land adjacent to Minnehaha state park to the Minneapolis Park and Recreation Board. Bill author, Sen. Carol Flynn (DFL-Mpls.), explained that the bill, S.F. 1252, authorizes but does not mandate such a lease. The current 20-year lease is up in 1993, Flynn explained, and the bill will enable the city to renew. The measure was approved and sent to the Senate floor.

Another bill relating to veterans homes, authored by Sen. Janet Johnson (DFL-North Branch) was considered by the panel. The bill makes changes in admission standards for Minnesota veterans homes, specifying that veterans must be state residents to be admitted into Minnesota veterans homes. Currently, Johnson explained residents need only

have served in a Minnesota regiment. The change is in response to situations where neighboring state's try to cut their health care costs by sending residents to Minnesota because of past service in a Minnesota regiment, Johnson said. Panel members expressed concern over the definition of resident as well as eligibility requirements for residents as defined in current statute. With the author's concurrence the bill was tabled for interim study.

Sen. Pat Pariseau (IR-Farmington) presented S.F. 2029, which grants a veterans home administrator permission to designate someone to search a resident's room if the administrator is not available. The bill was approved and sent to the Senate floor.

A measure adopting the square dance as the American folk dance of Minnesota was approved and sent to the full Senate. The bill, S.F. 2013, is sponsored by Sen. Betty Adkins (DFL-St. Michael).

The committee also reapproved two bills in need of technical corrections; H.F. 1652, sponsored by Sen. Dennis Frederickson (IR-New Ulm) and S.F. 2322, authored by Committee Chair Joe Bertram (DFL-Paynesville).

### Arts measure advances

A bill that increases specific sales tax rates and dedicates tax revenues for the support of nonprofit arts organizations was presented to the Veterans and General Legislation Committee, Wed., Mar. 11. Bill author Sen. Richard Cohen (DFL-St. Paul) explained that S.F. 2197 will provide badly needed funding to stabilize

and maintain arts programs that have taken serious cuts in the past year. Cohen told panel members that the money spent yearly by Minnesotans on arts events outdistances even the amounts brought in by the Super Bowl. The bill raises the excise tax in the cities of St. Paul and Minneapolis, the excise tax collected on the sale or use of video and audio tapes, the furnishing of cable television service and the sale of concessions at the metropolitan airport to seven percent. The bill specifies that after deposit in the general fund, one percent of tax revenues from the proposed changes be credited to the state arts account. The bill also dedicates eight percent of the net proceeds from the state lottery be credited to the state arts account. The bill was approved and sent to the Committee on Taxes and Tax Laws.

The committee, chaired by Sen. Joe Bertram (DFL-Paynesville) also approved S.F. 1165, sponsored by Sen. Randy Kelly (DFL-St. Paul). The bill eliminates the requirement that public impounding facilities holding unredeemed stray animals must make the animals available to licensed research institutions. The measure was sent to the full Senate.

Sen. Don Samuelson (DFL-Brainerd) sponsored a bill, S.F. 2289, that appropriates \$8.9 million from the bond proceeds fund to the adjutant general for the construction of educational, housing, and other support facilities at Camp Ripley. The bill was approved and re-referred to the Finance Committee.

Sen. Sam Solon (DFL-Duluth) presented S.F. 2173, a bill that allows

cemetery associations with permanent care and improvements funds to charge sellers of plots a percentage of the difference between the original price and the subsequent sale price for deposit in the fund. Solon explained that the measure only applies to sale of a cemetery plot to a non-family member. The bill was approved and sent to the full Senate.

Sen. Jim Gustafson (IR-Duluth), sponsored S.F. 2378 that establishes a loan program to assist owners of existing multi-family residential properties and other multiple dwelling buildings, such as resorts and lodges, in installing automatic fire-safety sprinkler systems. The bill was approved and re-referred to the Finance Committee.

A bill that provides for a public hearing before the adjutant general closes an armory was also approved by the committee. The bill, S.F. 2286, carried by Sen. Jim Vickerman (DFL-Tracy), was sent to the Senate floor.

A resolution memorializing the U.S. Congress to authorize doctors of chiropractic to be commissioned officers was also approved and sent to the Senate floor. The measure was sponsored by Sen. Janet Johnson (DFL-North Branch).

### Senate phone numbers

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# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 16

#### Employment Committee

Chair: Sen. Florian Chmielewski  
10 a.m. Room 107 Capitol

Agenda: S.F. 2393-Piper: Leaves of absence; school conferences. S.F. 2136-Mondale: Railroads acquisitions; employee protection. S.F. 2529-Chmielewski: Mandatory arbitration.

#### Finance Division on Agriculture, Transportation and Regulation

Chair: Sen. Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Board of Architectural/Engineering. Ethical Practices Board. Board of Accountancy. Department of Commerce.

#### Judiciary Division on Civil Law

Chair: Sen. Richard Cohen

10 a.m. Room 15 Capitol

Agenda: S.F. 2000-Cohen: Child support.

#### Judiciary Division on Criminal Law

Chair: Sen. John Marty

10 a.m. Room 125 Capitol

Agenda: S.F. 897-Marty: Omnibus DWI bill. S.F. 2012-Bertram: Enforcement of motor vehicle insurance law. S.F. 1132-Knaak: Sanctions against hunting while under the influence of alcohol or a controlled substance.

#### Veterans and General Legislation Committee

Chair: Sen. Joe Bertram

10 a.m. Room 112 Capitol

Agenda: Presentation on downsizing military.

#### Transportation Committee

Chair: Sen. Gary DeCramer

12 Noon Room 112 Capitol

Agenda: S.F. 695-DeCramer: Motor carrier policy. S.F. 2637-Pappas: Courier service. S.F. 2665-Vickerman: Motor carrier modernization act. S.F. 1575-DeCramer: The railbank program modifications. S.F. 2057-Chmielewski: Passenger transport regulation. S.F. 2520-Mehrken: License plate costs. S.F. 2062-Vickerman: Rail improvements

#### Economic Development and Housing Committee

Chair: Sen. James Metzger

12 Noon Room 107 Capitol

Agenda: To be announced.

The Senate will meet at 2 p.m.

**Education Division on Education Funding**

*Chair: Sen. Ronald Dicklich*  
3 p.m. Room 107 Capitol  
**Agenda:** S.F. 633-Stumpf: Red Lake maximum effort school loan. S.F. 1684-Johnson, J.B.: Rush City maximum effort school loan. S.F. 1704-Berglin: Neighborhood early learning centers. S.F. 1771-Metzen: South St. Paul fund balance limit exception. S.F. 450-Flynn: Adolescent health care centers. S.F. 2255-Johnson, J.B.: Discretionary equity program; secondary cooperative facilities grant.

**Finance Division on Environment and Natural Resources**

*Chair: Sen. Steven Morse*  
3 p.m. Room 123 Capitol  
**Agenda:** Supplemental budget reductions. Department of Natural Resources; concentration on recommendations in forest management, non-programmatic accounts, and field operations support.

**Health and Human Services Committee**

*Chair: Sen. Linda Berglin*  
3 p.m. Room 15 Capitol  
**Agenda:** Department bills not completed at the Fri., Mar. 13, meeting. Bills that met the first deadline in the other body.

**Tuesday, March 17**

**Local Government Committee**

*Chair: Sen. Betty Adkins*  
8 a.m. Room 107 Capitol  
**Agenda:** S.F. 1852-Frederickson, D.J.: Relating to Big Stone, Chippewa and Kandiyohi counties; consolidation of offices of auditor and treasurer. H.F. 1957-Johnson, D.J.: Relating to Cook County Hospital District; terms of board members.

**Governmental Operations Committee**

*Chair: Sen. Gene Waldorf*  
8 a.m. Room 15 Capitol  
**Agenda:** To be announced.

**Finance Division on Health and Human Resources Committee**

*Chair: Sen. Don Samuelson*  
8:30 a.m. Room 125 Capitol  
**Agenda:** Budget presentation by the Department of Human Services.

**Agriculture and Rural Development Committee**

*Chair: Sen. Charles Davis*  
10 a.m. Room 112 Capitol  
**Agenda:** S.F. 2069-Stumpf: Seed potatoes. S.F. 2408-Johnson, D.E.: Mint oil extraction. S.F. 2517-Frederickson, D.J.: Ethanol. S.F. 2321-Bertram: Food handlers license fees.

**Energy and Public Utilities**

*Chair: Sen. Steven Novak*  
10 a.m. Room 107 Capitol  
**Agenda:** To be announced.

**Metropolitan Affairs Committee**

*Chair: Sen. Don Frank*  
10 a.m. Room 15 Capitol  
**Agenda:** To be announced.

**Commerce Committee**

*Chair: Sen. Sam Solon*  
1 p.m. Room 112 Capitol  
**Agenda:** To be announced.

**Environment and Natural Resources Committee**

*Chair: Sen. Bob Lessard*  
1 p.m. Room 107 Capitol  
**Agenda:** S.F. 2347-Moe: Wild rice watershed district. S.F. 2482-Dahl: Watershed district administrative fund levy. S.F. 1292-Morse: Municipal wastewater treatment funding. S.F. 2205-Laidig: Washington county landfill. S.F. 1401-Benson, J.E.: Repealing certain pipeline authority of the DNR.

**Finance Division on Education**

*Chair: Sen. LeRoy Stumpf*  
3:00 Room 125 Capitol  
**Agenda:** Allocations.

**Finance Division on Agriculture, Transportation and Regulation**

*Chair: Sen. Keith Langseth*  
3 p.m. Room 118 Capitol  
**Agenda:** Department of Transportation.

**Finance Division on State Departments**

*Chair: Sen. Carl Kroening*  
3 p.m. room 123 Capitol  
**Agenda:** Capitol budget presentation- Department of Administration.

**Tax and Tax Laws Committee**

*Chair: Sen. Douglas Johnson*  
3 p.m. Room 15 Capitol  
**Agenda:** H.F. 2031-Reichgott: Valuation and assessment of vacant platted property.

**Taxes and Tax Law Division on Property Taxes**

*Chair: Sen. Ember Reichgott*  
Immediately following full committee Room 15 Capitol  
**Agenda:** Property tax portions of governor's budget recommendations. S.F. 2495-Reichgott: Department of Revenue technical bill.

**Judiciary Division on Civil Law**

*Chair: Sen. Richard Cohen*  
6 p.m. Room 112 Capitol  
**Agenda:** S.F. 2000-Cohen: Child support.

**Health and Human Services**

*Chair: Sen. Linda Berglin*  
6 p.m. Room 15 Capitol  
**Agenda:** To be announced.

**Wednesday, March 18**

**Judiciary Committee**

*Chair: Sen. Allan Spear*  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 738-Merriam: Hazardous materials response plan. S.F. 1747-Merriam: Employee personnel records. S.F. 1856-Finn: Mortgages and contracts for deed. S.F. 1929-Hottinger: Certificate of title; will be offered as amendment to S.F. 1856. S.F. 2368-Finn: Transfer of security registration on death; will be offered as amendment to S.F. 1856. S.F.

1859-Merriam: Probate amendments. S.F. 1983-Pappas: Landlord assignment of drug eviction rights. S.F. 2413-Reichgott: Domestic corporation registration. Bills reported from Criminal Law Division.

**Veterans and General Legislation Committee**

*Chair: Sen. Joe Bertram*  
10 a.m. Room 10 SOB  
**Agenda:** Presentation by Harry Balzer of the Lawful Gambling Board at a joint meeting of the House and Senate Veterans Committees.

**Commerce Committee**

*Chair: Sen. Sam Solon*  
1 p.m. Room 112 Capitol  
**Agenda:** To be announced

**Environment and Natural Resources Committee**

*Chair: Sen. Bob Lessard*  
1 p.m. Room 107 Capitol  
**Agenda:** S.F. 2199-Merriam: Waste Management Acts amendments.

**Finance Division on Health and Human Resources**

*Chair: Sen. Don Samuelson*  
3 p.m. Room 125 Capitol  
**Agenda:** Continuation of the budget presentation by the Dept. of Human Services.

**Finance Division on State Departments**

*Chair: Sen. Carl Kroening*  
3 p.m. Room 123 Capitol  
**Agenda:** Operating budgets: Courts, Board of Public Defense, and Department of Administration.

**Environment and Natural Resources Committee**

*Chair: Sen. Bob Lessard*  
6 p.m. Room 107 Capitol  
**Agenda:** S.F. 2199-Merriam: Waste Management Act Amendments.

**Governmental Operations Committee**

*Chair: Sen. Gene Waldorf*  
6 p.m. Room 15 Capitol  
**Agenda:** To be announced.

**Health and Human Services**

*Chair: Sen. Linda Berglin*  
6 p.m. Room 112 Capitol  
**Agenda:** To be announced

**Thursday, March 19**

**Commerce Committee**

*Chair: Sen. Sam Solon*  
8 a.m. Room 112 Capitol  
**Agenda:** To be announced.

**Finance Division on Education**

*Chair: Sen. LeRoy Stumpf*  
8 a.m. Room 123 Capitol  
**Agenda:** Finalize allocations.

**Governmental Operations Committee**

*Chair: Sen. Gene Waldorf*  
8 a.m. Room 15 Capitol  
**Agenda:** To be announced.

**Agriculture and Rural Development Committee**

*Chair: Sen. Charles Davis*  
10 a.m. Room 112 Capitol  
**Agenda:** Bills carried over from Tues., Mar. 17; others may be added.

**Energy and Public Utilities Committee**

*Chair: Sen. Steven Novak*  
10 a.m. Room 107 Capitol  
**Agenda:** To be announced.

**Metropolitan Affairs Committee**

*Chair: Sen. Don Frank*  
10 a.m. Room 15 Capitol  
**Agenda:** To be announced.

**Economic Development and Housing Committee**

*Chair: Sen. James Metzen*  
12 Noon Room 107 Capitol  
**Agenda:** To be announced

**Transportation Committee**

*Chair: Sen. Gary DeCramer*  
12 Noon Room 112 Capitol  
**Agenda:** Bills remaining from Mon., Mar. 16. H.F. 1833-Pogemiller: Handicapped parking enforcement. S.F. 1999-Cohen: School bus recreational and educational use. S.F. 1015-Morse: Bicycles - Interstate pilot project. S.F. 1778-Laidig: Motorcycle helmet resolution.

The Senate will meet at 2 p.m.

**Finance Division on Environment and Natural Resources**

*Chair: Sen. Steven Morse*  
3 p.m. Room 118 Capitol  
**Agenda:** Supplemental budget reductions; continuation of Dept. of Natural Resources.

**Finance Division on State Departments**

*Chair: Sen. Carl Kroening*  
3 p.m. Room 123 Capitol  
**Agenda:** Operating budgets - Attorney general, state auditor, state treasurer and Dept. of Trade and Economic Development.

**Education Division on Education Funding**

*Chair: Sen. Ronald Dicklich*  
3 p.m. Room 107 Capitol  
**Agenda:** Continuation of bills from Mon., Mar. 16.

**Health and Human Services Committee**

*Chair: Sen. Linda Berglin*  
3 p.m. Room 112 Capitol  
**Agenda:** To be announced.

**Agriculture and Rural Development Committee**

*Chair: Sen. Charles Davis*  
6 p.m. Room 118 Capitol  
**Agenda:** Bills carried over from morning meeting.

**Governmental Operations Committee**

*Chair: Sen. Gene Waldorf*  
6 p.m. Room 15 Capitol  
**Agenda:** To be announced.

**Judiciary Committee**

*Chair: Sen. Allan Spear*  
7 p.m. Room 107 Capitol  
**Agenda:** S.F. 2000-Cohen: Child support. S.F. 1700-Ranum: Qualifications to seek child visitation.

**Friday, March 20**

**Finance Division on Agriculture, Transportation and Regulation**

*Chair: Sen. Keith Langseth*  
10 a.m. Room 123 Capitol  
**Agenda:** Dept. of Labor Industry. Dept. of Public Service.

**Judiciary Committee**

*Chair: Sen. Allan Spear*  
10 a.m. Room 15 Capitol  
**Agenda:** Bills reported from Criminal Law division. Bills reported from Privacy Subcommittee. Referrals from other committees

**Commerce Committee**

*Chair: Sen. Sam Solon*  
1 p.m. Room 112 Capitol  
**Agenda:** To be announced.

**Environment and Natural Resources Committee**

*Chair: Sen. Bob Lessard*  
1 p.m. Room 107 Capitol  
**Agenda:** To be announced.

**Finance Division on Environment and Natural Resources**

*Chair: Sen. Steven Morse*  
3 p.m. Room 123 Capitol  
**Agenda:** Board of Water and Soil Resources. Office of Waste Management. Minnesota Zoo. Legislative Commission on Minnesota Resources.

**Health and Human Services**

*Chair: Sen. Linda Berglin*  
3 p.m. Room 15 Capitol  
**Agenda:** To be announced.

**Environment and Natural Resources Committee**

*Chair: Sen. Bob Lessard*  
6 p.m. Room 107 Capitol  
**Agenda:** To be announced.

**Governmental Operations Committee**

*Chair: Sen. Gene Waldorf*  
6 p.m. Room 112 Capitol  
**Agenda:** To be announced.

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# Briefly

The Minnesota Senate Week in Review

March 20, 1992

## Anti-violence bill advances

"This is truly a committee bill," said chair Sen. Allan Spear (DFL-Mpls.) after the Judiciary Committee, at its meeting Fri., Mar. 13, voted unanimously to approve S.F. 1687, the omnibus anti-violence bill of 1992, and re-refer it to the Finance Committee.

The bill provides life imprisonment for certain repeat sex offenders, increased penalties for a number of sex offenses and increased supervision of sex offenders following release from prison. The bill also eliminates "good time" reduction in prison sentences for sex offenders unless the offender satisfactorily completes a treatment program in prison.

Several amendments to the bill were introduced by Sen. Jane Ranum (DFL-Mpls.). The first authorizes the county welfare board, upon request of the court, to investigate the personal and family history and to conduct a chemical use assessment of a minor who comes under the court's jurisdiction.

Another amendment defines murder in the first degree punishable by life imprisonment to include death caused during the commission of first or second degree criminal sexual conduct, burglary, aggravated robbery, kidnapping, first degree arson, escape from custody, or unlawful sale of a controlled substance. The provision also applies to the death of a peace officer or guard or to the death of a victim of child abuse or domestic abuse, when a pattern of such abuse is shown.

Ranum's third amendment provides that a person is guilty of a gross misdemeanor when he or she assaults an agricultural inspector, child protection worker, public health nurse or probation or parole officer while the public employee is engaged in the performance of an official duty.

After the committee adopted all of Ranum's amendments, Sen. John Marty (DFL-Roseville) moved that S.F. 1687 as amended be recommended to pass and re-referred to the Finance Committee. The members voted their unanimous approval

and Spear thanked the committee for its diligent work in putting the bill together.

## Omnibus DWI bill

The Criminal Law Division of the Judiciary Committee began consideration of the omnibus DWI bill.

Author Sen. John Marty (DFL-Roseville), chair of the division, told members Mon., Mar. 16, that S.F. 897 represents "some of the most significant changes" to DWI legislation in a long time. The bill's provisions include stiffer penalties for repeat DWI violators, expanding the scope of the plate impoundment law, increasing license revocation periods, and making refusal to submit to testing under the implied consent law a crime. The bill also updates laws relating to operating snowmobiles, boats and aircraft while intoxicated.

Sen. Allan Spear (DFL-Mpls.), expressed concern about the bill's original provision making it a felony to have a fifth DWI conviction within five years. Spear said that while there is public outrage over drunk driving, putting short term offenders into the state prison system might not be the best use of state resources. Spear said that these offenders need to stop drinking and "I'm not sure four to five months in prison is going to do that." At the suggestion of Sen. Randy Kelly (DFL-St. Paul), the committee discussed the idea of seeking commitment for drunken drivers through civil court proceedings as an alternative to imprisonment. Kelly suggested converting a hospital to a treatment center for drunken drivers would be more cost-effective than taking up prison space.

Spear offered an amendment specifying that after a fourth conviction the court must determine whether the person should be committed for chemical dependency treatment. The amendment was approved and the bill, as amended, advanced to the full Judiciary Committee.

Members also approved H.F. 1132, providing for enforcement of sanctions for hunting while under the influence of

alcohol. The committee reinstated a provision providing the state with immunity from liability based on the custody of hunting equipment and the physical control of the person arrested. The measure, authored by Sen. Fritz Knaak (IR-White Bear Lake), will also be considered by the full Committee.

## Milk prices, ACRRRA

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Thurs., Mar. 19, and discussed dairy pricing.

S.F. 2640, sponsored by Sen. Dallas Sams (DFL-Staples), appropriates \$50,000 from the general fund to the commissioner of agriculture to assist in the lawsuit against the U.S. secretary of agriculture challenging the federal milk market order system. Sams told the committee that the system discriminates unfairly against Minnesota milk producers in that higher prices are paid to producers in other areas of the country. He said the result is that Minnesota producers are not receiving a fair price for their product and that dairy farmers are being driven out of business.

The committee approved the measure and re-referred it to the Committee on Finance.

Sams also sponsored S.F. 2728, establishing an over-order premium milk price. The bill provides that the minimum price for class I milk be not less than \$1.50 per hundredweight higher than the class I price specified in the federal milk market order system. The measure would yield approximately \$7.8 million, or about \$780 per dairy farmer.

The committee approved the bill and sent it to the full Senate.

The last bill considered by the committee was S.F. 2655, sponsored by Sams. The measure makes municipalities and towns eligible for reimbursement from the agricultural chemical response and reimbursement (ACRRRA) fund account. The bill was approved and re-referred to the Finance Committee.

# Committee update

## Agriculture and Rural Development

### Seed potatoes, mint oil

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Tues., Mar. 17, to advance several bills.

S.F. 2069, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), adds Roseau and Koochiching Counties to the restricted seed potato growing area. Richard Zink of the Dept. of Agriculture told the committee the measure is necessary in order to check the spread of insect-borne diseases that threaten potato crops. The committee approved the bill and sent it to the full Senate.

S.F. 2408, sponsored by Sen. Dean Johnson (IR-Willmar), provides that boilers used for mint oil extraction are considered to be used for agricultural or horticultural purposes, exempting such use from licensing requirements. Rep. Sylvester Uphus (IR-Sauk Centre) told the committee that no other state requires a boiler operator license for mint extraction. The bill was approved and sent to the full Senate.

The committee also considered S.F. 2321, sponsored by Sen. Joe Bertram (DFL-Paynesville), establishing two additional food handler license categories. The measure was approved and re-referred to the Finance Committee.

Finally, members heard S.F. 2517, sponsored by Sen. David Frederickson (DFL-Murdock). The bill changes the maximum annual ethanol producer payments. According to Frederickson, the measure "renews the commitment of the Legislature to the fledgling ethanol industry." The committee approved the bill and re-referred it to the Finance Committee.

## Commerce

### Tobacco sales to minors

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth) met Thurs., Mar. 12, and approved a measure that imposes a petty misdemeanor penalty on juveniles (under 18) who purchase tobacco products. Bill author, Sen. Tracy Beckman (DFL-Bricelyn), told the panel that under current law it is illegal for minors to use tobacco products, but not to buy them. In addition, Beckman said, under current law, merchants are charged with a gross misdemeanor if they sell tobacco to a minor. The intention of S.F. 2475 is to place some responsibility on minors for their actions, he explained. Sen. Allan Spear (DFL-Mpls.) moved to amend the bill by adding a clause that

exempts juveniles who purchase tobacco under the direct supervision of an adult for the purposes of training, education, research, or law enforcement. A section that lessened the charge for selling to minors from gross misdemeanor to misdemeanor was removed. The measure was approved, as amended, and sent to the Senate floor.

Another bill relating to tobacco was heard by the committee. The bill, S.F. 304, sponsored by Sen. John Marty (DFL-Roseville), licenses the retail sale of cigarettes. The measure requires local units of government to license each sales location separately, including each vending machine. The bill also charges an administrative penalty of \$50 for any individual who sells tobacco to a minor. The panel heard extensive testimony in support of the bill. The measure was laid over due to time constraints.

### Tobacco sales licensing approved

In a continuation of the morning meeting, the Commerce Committee approved S.F. 304, Thursday evening, Mar. 12. The bill, carried by Sen. John Marty (DFL-Roseville) requires local governments to license the retail sale of cigarettes. The measure also imposes a \$50 fine on individuals who sell cigarettes to minors.

In other action, the committee heard S.F. 2191, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls). The bill changes the way liquor liability insurance is calculated by providing that the insurance rates be figured on volume of liquor sold by the licensee. While the liquor sold calculation is mandatory, the rate can be calculated on other factors as well, Lessard said, such as site of establishment. The current practice for some insurers is to use the dollar volume sold. Lessard told panel members that small liquor establishments will benefit from the change. The bill was approved and sent to the Senate floor.

The panel also heard a bill, S.F. 1997, sponsored by Sen. John Hottinger (DFL-Mankato), that requires insurance companies to pay costs for the repair or replacement of automobile window glass, by specifying that the company pay all "reasonable costs" of the repair. Hottinger explained that the measure is more specific than current statute, which states that insurance cover the cost "at a price generally available in the area." The measure makes it an offense for the insurer to require that the repair or replacement of glass be performed at a specific location or by a predetermined company. Hottinger told members that the bill also makes it an offense for an insurer to engage in any kind of intimidation or inducement to cause a customer to use a particular

company or location. The measure was approved and sent to the full Senate.

### Omnibus liquor bill

The Commerce Committee approved the omnibus liquor bill, S.F. 2483, sponsored by Chair Sam Solon (DFL-Duluth). The measure makes a number of changes in the laws governing liquor control and sales. The bill also authorizes a number of local municipalities to authorize on-sale liquor licenses for a variety of purposes, including the city of Blaine, the city of Duluth, Lake Township in Roseau County and South Bend Township in Blue Earth County. In addition, Solon explained that the bill also authorizes the use of unmarked vehicles by the division of liquor control. Another section of the measure authorizes the sale of confectionery containing alcohol in confectionery stores. The measure was approved and sent to the Senate floor.

A bill that defines the responsibilities of ski area operators and skiers and limits the liabilities of operators and employees was also approved by the committee. Bill author, Sen. Janet Johnson (DFL-North Branch) explained that the bill legally defines liability as it relates to ski area operators and sets safety standards to which both operators and skiers must adhere. Johnson said the bill has the wide support of ski area operators. The bill was sent to the full Senate.

The panel also considered S.F. 2662, a measure that increases the portion of real estate broker, sales person, and closing agent licensing fees earmarked for the real estate education, research and recovery fund, from \$5 to \$25 for renewal fees and from \$40 to \$50 for initial fees. Sen. Sandra Pappas (DFL-St. Paul), author of the measure, explained that the purpose of the fund is to recompense people who have been defrauded by real estate agents. Usually, Pappas explained, it is in the area of securities fraud that the unscrupulous agents operate. Pappas told members that the Dept. of Commerce has asked for the measure in response to an overwhelming need to compensate people who have been defrauded. The bill will allow the victims to regain the full amount of the principal lost, where at present they will be lucky to get 50 percent on the dollar, she said.

Pappas offered an amendment, supported by the Real Estate Association, that requires that any real estate broker or agent who sells a vendor's interest in more than ten contracts in a year is classified as a "broker-dealer" and therefore must be bonded. The amendment also lowers the maximum amount for which claims may be made to the fund, from \$250,000 to \$150,000. The vast majority of claims are

under \$30,000, Pappas explained. The amendment was adopted and the bill was approved and sent to the Senate floor.

### HealthRight bill advances

The health care access bill cleared another hurdle Tues., Mar. 17, when members of the Commerce Committee approved the measure and forwarded it on to the Governmental Operations Committee. S.F. 2602, sponsored by Sen. Linda Berglin (DFL-Mpls.), Sen. Duane Benson (IR-Lanesboro) and Sen. Pat Piper (DFL-Austin), provides for health care cost containment, insurance reform, and establishes a program to enable uninsured Minnesotans to obtain health care insurance.

Commerce Committee members, chaired by Sen. Sam Solon (DFL-Duluth), scrutinized the sections dealing with insurance reform. The measure provides reform in both the small employer market and the individual market. In the small employer market, the measure requires two new benefits plans -- a co-payment plan and a deductible plan -- to be offered. The measure also specifies that coverage be portable, that small employer plans cannot be canceled or refused based on claims experience or health status, that there be limits on rate variations. The bill also prohibits gender based rating and sets a minimum loss ratio of 75 percent. In the area of individual market reform, the measure provides for the same general reforms as for the small employer market except that there is no provision for guaranteed issue. The bill also restructures the division of regulatory authority between the Dept. of Health and the Dept. of Commerce, and provides for requesting ERISA waivers to allow more flexibility. Finally, the measure requires a study of health lifestyle premium reductions.

Committee members added two amendments to the bill. The first, sponsored by Berglin, expands the Public Employers Insurance Program to include private employers. The new Pooled Employers Insurance Program will have the advantages of a large pool for insurance purchasing, Berglin said. A second amendment, offered by Sen. William Luther (DFL-Brooklyn Park), requires uniform claims forms and uniform billing and record keeping practices. Both amendments were adopted.

### Insurance solvency changes okayed

The Wed., Mar. 18, meeting of the Commerce Committee was marked by discussion of changes to last year's insurance solvency bill. The bill under discussion, S.F. 2463, sponsored by Sen. William Luther (DFL-Brooklyn Park), makes mostly technical changes to the new law. Several amendments were adopted that follow recommendations of

the National Association of Insurance Commissioners. One amendment, offered by Sen. Allan Spear (DFL-Mpls.), did spark considerable debate, however. The amendment incorporates language of a bill that requires an arbitration ruling before the termination of economic benefits in no-fault claims. An amendment to the amendment restricting the language to wage loss benefits was adopted; however, the full amendment failed to be adopted on a divided voice vote. The measure was then approved and sent to the full Senate.

The panel, chaired by Sen. Sam Solon (DFL-Duluth), also approved a second measure. S.F. 2509, sponsored by Sen. Jim Gustafson (IR-Duluth), provides for the redefinition of petroleum products, updates sections of the statute relating to gasoline price posting, provides for octane level enforcement and provides for oxygenated fuel standards enforcement. The measure was approved and re-referred to the Committee on Finance.

## Economic Development and Housing

### Jobs program approved

Under S.F. 2605, jobs will be created through a wage subsidy program known as MEED, Minnesota Employment and Economic Development.

At the Thurs., Mar. 12, meeting of the Economic Development and Housing Committee, author Sen. Douglas Johnson (DFL-Cook), said job seekers in Minnesota outnumber job openings by more than seven to one. Christine Jacobson, Director of Jobs Now Coalition, said "MEED is a program with a proven track record and a built-in payback through increased tax collections and a decline in public assistance expenses." Jacobson added that the rate of return on public investment in MEED is 11.9 percent. The bill was approved and re-referred to the Taxes and Tax Laws Committee.

Chair James Metzen (DFL-South St. Paul), presented S.F. 2291, the Tax Increment Act of 1992. The bill offers major changes in tax increment financing (TIF) including: requirements for creating TIF districts; two options for determining the tax increment of each district; a formula for determining original tax capacity; and, duration of tax increment payments. The measure was also approved and re-referred to Taxes and Tax Laws.

A bill creating a regional housing revitalization program, S.F. 2489, was presented by Sen. Randy Kelly (DFL-St. Paul). Kelly said the bill addresses the regional housing crisis. The bill, which imposes an additional deed tax on residential property in the seven county Metropolitan Area, is supported by the Association of Metropolitan Municipali-

ties and the Metropolitan Council. Glen Dorfman of the Minnesota Association of Realtors spoke in opposition to the measure, saying, "This is a regressive tax. It hurts the people who can least afford to pay."

Committee members approved S.F. 2489 and re-referred it to Taxes and Tax Laws.

Members discussed S.F. 2073, requiring the commissioner of finance to allocate \$20 million in bonding authority annually to the Higher Education Coordinating Board for use as student loans. The bill requires the commissioner to allocate bonding authority from the unified pool including residential rental bonds, redevelopment bonds, and mortgage bonds. The measure, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), was laid over.

### Housing bill reconsidered

S.F. 2489, a bill establishing a regional housing revitalization fund, was reconsidered by the Economic Development and Housing Committee Fri., Mar. 13. The measure, authored by Sen. Randy Kelly (DFL-St. Paul), imposes an additional deed tax on was re-referred to the Metropolitan Affairs Committee.

Kelly also presented S.F. 2110, allowing Ramsey County to establish a housing and redevelopment authority (HRA). Kelly told the committee, chaired by Sen. James Metzen (DFL-South St. Paul), that Ramsey is the only metropolitan county without the ability to have an HRA, limiting their ability to access available federal funds. The bill was approved.

Members continued their discussion of S.F. 2073, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls). As amended, the bill provides reservations and a carryforward for bonding authority for student loan bonds issued by the Higher Education Coordinating Board. The bill was approved and re-referred to the Taxes and Tax Laws Committee.

Two bills suggested by the Minnesota Housing Finance Agency (MHFA) were presented. S.F. 2496, authored by Sen. Janet Johnson (DFL-North Branch), modifies provisions relating to rehabilitation loans, lease-purchase housing, and urban and rural homesteading. The bill allows the MHFA to make loans for new housing in the Metropolitan Area for a limited time. A measure by Metzen raising MHFA's aggregate debt ceiling from \$1.99 billion to \$2.4 billion was amended onto S.F. 2496, and the bill was approved and re-referred to the Committee on Taxes and Tax Laws.

### Housing bills advance

The Economic Development and Housing Committee met Mon., Mar. 16, and advanced several bills providing for housing development. S.F. 2626, spon-

# Committee update

sored by Sen. Randy Kelly (DFL-St. Paul), authorizes housing and redevelopment authorities to use general obligation bonds to provide security for revenue bonds issued to finance low income housing projects. The bill specifies that the maximum amount of general obligation bonds that may be issued is one-half of one percent of the taxable market value of the general jurisdiction governmental unit or \$3 million, whichever is greater. The measure was approved and re-referred to the Committee on Taxes and Tax Laws.

S.F. 2059, also sponsored by Kelly, specifies that the HOME match account is a separate account in the housing development fund and that funds may be granted to participating jurisdictions to be used as state match for federal funds available under the home investment partnerships program. Further, the bill provides that the funds must be allocated based on each participating jurisdiction's share of Minnesota's allocation of federal funds under the home investment partnership program. The measure was approved and re-referred to the Committee on Finance.

In addition, the committee, chaired by Sen. James Metzen (DFL-South St. Paul), also approved three economic development measures. S.F. 2401, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), permits the city of Red Wing to amend its development district plan and tax increment financing plan for District I to authorize the expenditure of revenue from tax increments to finance capital, administrative or debt service costs for District II. The measure was re-referred to the Committee on Taxes and Tax Laws.

S.F. 2617, carried by Sen. William Luther (DFL-Brooklyn Park), authorizes and establishes procedures for the privatization of the World Trade Corporation. S.F. 2422, authored by Sen. Ronald Dicklich (DFL-Hibbing), establishes an affirmative enterprise program to encourage the full-time employment of disabled persons in areas of high unemployment. Both measures were re-referred to the Finance Committee.

## Education

### Budget discussions

Members of the Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Thur., Mar. 12, to discuss the state education budget. Officials from the Department of Education said no reductions are proposed for elementary and secondary education funding. Senators on the committee also discussed the 20 percent cut the department received in 1991. The officials pointed out a few of the myriad program cuts the department is currently implementing including:

reductions in funding for art education, for environmental education, for technology preparation, and for libraries.

### Education bills

Members of the Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Fri., Mar. 13, and took action on several bills that members previously addressed in subcommittees.

Sen. Dean Johnson (IR-Willmar) presented S.F. 2195, a bill that authorizes recipients of a cooperative secondary facilities grant to have a temporary school board for four years after they consolidate. The committee approved the bill and sent it to the floor.

Sen. Jerome Hughes (DFL-Maplewood) offered S.F. 157 for discussion. Hughes said the bill authorizes the state board of education to appoint the commissioner of education. Hughes suggested that his colleagues think about the concept, then asked that the bill be laid over.

Senators on the committee also approved S.F. 2221, authored by Sen. John Hottinger (DFL-Mankato). Hottinger said the bill appropriates money to the state university board to assist in the cleanup of the Kummer landfill and repair fire damage at Mankato State University. The committee amended the bill to address a technical problem relating to a land exchange in St. Cloud; to permit the state university board to demolish and replace the Anishinabe Center on the Bemidji State University campus; and to permit the Bemidji State University Foundation to advance money for a new bookstore on the Bemidji State University campus. The bill now goes to the Finance Committee.

Finally, the committee recommended passage of S.F. 2195. Sen. Janet Johnson (DFL-North Branch) said the bill establishes an adopt-a-school program allowing students and the community to voluntarily maintain a school. The committee sent the bill to the floor.

### Higher education savings plan

The Higher Education Subcommittee of the Education Committee met Mon., Mar. 16, to discuss a higher education financing alternative. Sen. Thomas Neuville (IR-Northfield) offered S.F. 2555, a proposal that establishes a higher education savings plan that is coordinated with federal policy incentives.

Neuville said the proposal encourages people to recognize the need to save early for education by providing a savings strategy that offers an option for taking income tax and property refunds in the form of United States savings bonds. Under the bill, the bonds are tax-exempt if used for higher education purposes. Moreover, the plan offers state supple-

ments to individual contributions, which do not adversely affect a student's eligibility for financial aid. The bill now goes to the full Education Committee.

Sen. John Hottinger (DFL-Mankato), committee chair, presented S.F. 2219, a bill that transfers powers and responsibilities for licensing private business, trade, and correspondence schools to the Higher Education Coordinating Board. The committee recommended that the bill pass and sent it to the full Education Committee.

### PER report

The Governance and Structures Subcommittee of the Education Committee met Wed., Mar. 18, to hear S.F. 2556, authored by Sen. Gen Olson (IR-Minnetrista). Olson said the bill includes in the Planning, Evaluation and Reporting process (PER) policy a procedure for parents to review the content of instructional materials, and adds requirements to the school district PER report. The committee amended the bill to adopt the language from H.F. 2318. Proponents of the amendment said the House File language gives school boards more flexibility in addressing the issue. However, the language from S.F. 2556 that adds requirements to the PER report was maintained. The bill now goes to the full Education Committee.

## Education Funding

### Funding bills discussed

Members of the Education Funding Division met Mon., Mar. 16, and began to sort through the plethora of education bills that impact the state budget. Committee Chair Ronald Dicklich (DFL-Hibbing) said the committee would hear the various bills, but not act on the measures, except one, until later at a subsequent hearing.

The committee acted on S.F. 1704, authored by Sen. Linda Berglin (DFL-Mpls.), a bill that authorizes the creation of a neighborhood learning center board; the acquisition and betterment and operation of neighborhood learning centers; and the pledge and expenditure of local sales and use taxes. The bill now goes to the full Education Committee.

The committee heard the following nine bills that may become part of the division's funding package. S.F. 1771, authored by Sen. James Metzen (DFL-South St. Paul), provides fund balance limit exceptions and levy aid adjustments to the South St. Paul school district. S.F. 1684, authored by Sen. Janet Johnson (DFL-North Branch), approves a maximum effort school loan program capital loan. S.F. 2687, authored by Sen. Gary DeCramer (DFL-Ghent), modifies the

cooperative secondary facilities program; and authorizes the sale of bonds. S.F. 450, authored by Sen. Carol Flynn (DFL-Mpls.), authorizes the commissioner of health to award grants to school districts to establish adolescent health care centers, and establishes standards for adolescent health care centers. S.F. 348, authored by Sen. Phil Riveness (DFL-Bloomington), authorizes school districts to levy for replacement and restoration of certain facilities. S.F. 2255, also authored by Johnson, establishes a discretionary equity levy and aid program. S.F. 633, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), approves a maximum effort school loan program capital loan.

## Employment

### Parental leave law

"Young people are very important to society," said Sen Pat Piper (DFL-Austin) at an Employment Committee hearing Mon., Mar., 16. Piper presented H.F. 2142, a bill that amends the parental leave law. Piper told the committee parental leave policies benefit society by nurturing the relationships between children and their parents, and by reducing the incidence and expensive ramifications of abuse.

The bill amends the parental leave law to change it from 16 hours a school year to 16 hours a calendar year. The measure also broadens the definition of school conference and classroom activity to include child care, including nursery schools, day care, and extended school day programs, according to staff information. Piper said other provisions in the bill address problems with enforcement and awareness of the current parental leave law. The committee approved the bill, which now goes to the floor.

The committee also approved S.F. 2136, authored by Sen. Ted Mondale (DFL-St. Louis Park). Mondale said the bill protects the interests of workers by giving the employees and their bargaining agent particular rights following railroad acquisitions or divestitures. Committee Chair Florian Chmielewski (DFL-Sturgeon Lake) offered S.F. 2529, a bill that provides for mandatory and binding arbitration in some collective bargaining situations at the request of either the employer or the exclusive bargaining representative. Members recommended that the bill pass and sent it to the floor.

## Energy and Public Utilities

### Caller identification

A home phone device that informs a person of who is calling was discussed by Senators at a meeting of the Energy and Public Utilities Committee Thur., Mar., 12. Sen. Fritz Knaak (IR-White Bear

Lake) said S.F. 1802 allows telephone companies to offer caller identification service to its customers. Knaak noted that the device can be very useful for detecting the source of harassing phone calls.

The committee approved an amendment that clarifies the role of the Public Utilities Commission in regulating the service. Another amendment requires telephone companies that provide the service to offer "blocking" to phone customers. Sen. John Marty (DFL-Roseville) said blocking prevents the caller identification device from deciphering the caller's number. Marty argued that blocking is necessary to ensure anonymity to callers of help hot-lines and other confidential services. Members recommended that the bill pass as amended and sent it to the floor.

The committee, chaired by Sen. Steven Novak (DFL-New Brighton), also amended and approved S.F. 2428, authored by Sen. Janet Johnson (DFL-North Branch). Johnson said the bill requires the use of energy efficient lighting for highways, streets, and parking lots; establishes minimum energy efficiency standards for lamps, motors, showerheads, faucets, and replacement commercial heating, ventilating, and air conditioning equipment; and requires continuing education in energy efficiency standards in building codes for licensed building contractors, remodelers, and specialty contractors. Members on the committee approved an amendment to the bill that removed a provision requiring all new residential combustion appliances be unable to spill combustion gases into homes regardless of the airtightness or operating condition of the home. The bill now goes to the floor.

Sen. Jim Gustafson (IR-Duluth) presented S.F. 2509, a measure regulating octane and oxygenated fuels. The committee approved the bill and sent it to the Commerce Committee.

### Energy bills

The Energy and Public Utilities Committee met Tue., Mar. 17, and began work on H.F. 1943, authored by Chair Steven Novak (DFL-New Brighton). Novak said the amended version of the bill clarifies the authority of the Public Utilities Commission to reinstate the original rate for a telephone service for emerging competition on finding the proposed rate is below incremental cost or is not just and reasonable. The bill also requires the commission to make a final decision within a specified period of time on rate increases of telephone service subject to effective competition when a contested case hearing is not held. Finally, the bill provides for telephone company promotion activities. Novak said the committee would continue to work on the bill at a subsequent hearing.

In other action, the committee approved S.F. 2503, authored by Sen. John Marty (DFL-Roseville). Marty said the bill authorizes the Telecommunications Access for the Communication-impaired Persons' Board to advance money to contractors under some conditions. The committee re-referred the bill to the Finance Committee.

## Environment and Natural Resources

### Tax forfeited land sale

In the first of two meetings Fri., Mar. 13, the Environment and Natural Resources Committee acted on nine bills.

Three bills authorizing the sale of tax-forfeited lands were approved. S.F. 2308, authored by Sen. Dean Johnson (IR-Willmar), authorizes the sale of land in Kandiyohi County; S.F. 1787, authored by Sen. Duane Benson (IR-Lanesboro), permits the sale of lands bordering public water in Fillmore County; and S.F. 2511, authored by Sen. Charles Davis (DFL-Princeton), allows the public sale of land in Mille Lacs County.

Davis also presented S.F. 2499, a bill authorizing the establishment of the Mille Lacs preservation and development board. The measure was approved.

Committee chair Sen. Bob Lessard (DFL-Int'l. Falls), presented S.F. 2421, extending by two years the terms of timber permits. The bill was approved, as was another Lessard measure, S.F. 2399, defining "substantially equal value" for purposes of state land exchanges. Lessard said the bill, which is supported by the DNR, will make it easier to promote land exchanges.

A bill requiring regional development commissions to establish permit and license information centers was approved as well. S.F. 2256, presented by Sen. Tracy Beckman (DFL-Bricelyn), provides regional sources for information maintained by the bureau of business licenses.

Before recessing, the committee heard two bills dealing with environmental cleanup. The first, S.F. 2001, expands the eligibility of cities and towns for reimbursement from the petroleum tank release cleanup account. Mark Chalfant of the attorney general's office said the bill, authored by Sen. Gary DeCramer (DFL-Ghent), allows cities and towns to take corrective action to clean up tank releases. The bill was approved. Sen. Dallas Sams (DFL-Staples) presented a bill instructing the PCA to adopt rules with respect to competence and fees of underground tank installers. Chalfant said the focus of S.F. 2430 is to bring fiscal discipline to the petrofund and to address abuses like fraudulent submittals. The bill was laid over until the committee's evening meeting.

# Committee update

Sams offered an amended version of S.F. 2430 Fri. evening. The amended version includes a provision requiring consultants and contractors to register with the board in order to participate in the petrofund clean up program. S.F. 2430 was approved as amended and will go the Senate floor.

The committee reconsidered S.F. 2399, amending it to authorize construction of dams to benefit wildlife at three sites. The bill was approved as amended. The committee discussed S.F. 2397, changing fire prevention statutes. Authored by Sen. Gregory Dahl (DFL-Ham Lake), the bill updates terminology and makes statutes compatible with MPCA rules. The bill was laid over. A DNR park boundary bill, authored by Sen. Janet Johnson (DFL-North Branch), was approved. The measure also authorizes an easement and regulates campground use at McCarthy Beach State Park.

The Blufflands Trail System, trails primarily for nonmotorized riding and hiking, will be developed in southeastern Minnesota, according to S.F. 2299, a bill presented by Sen. Steven Morse (DFL-Dakota). Members approved the measure as well as another Morse measure providing technical assistance for the protection of agricultural crops from destruction by wild animals. Morse said S.F. 2143 deals with the conflicting interests of deer population management and agriculture. Besides providing technical assistance, the bill sets up a coupon system allowing hunters on affected farms to take a deer without a license. Speaking in favor of the bill was orchard owner, Todd Harvey, who said, "The deer have resumed feeding on our trees and our hands are tied." Ralph Yates, manager of Fruit Acres, Inc., spoke against the bill, saying he has been satisfied with the way the DNR is handling the problem. Andy Henderson of the Minnesota Deerhunters Association and Lance Ness of the Legislative Fish and Wildlife Alliance told the committee they objected to the appropriation for the bill coming from the Fish and Wildlife Fund.

The bill was approved and re-referred to the Finance Committee.

Finally, two aquaculture bills were considered. S.F. 2432, authored by Sen. Charles Berg (DFL-Chokio), regulating aquatic farming, was approved and re-referred to the Finance Committee. S.F. 2645 providing for requirements, permits and monitoring for discharges from aquatic farms was presented by Morse and approved by the committee. The bill will go to the Senate floor.

## Wastewater treatment funding

A bill requiring annual evaluations of wastewater disposal needs by municipalities was approved by the Environment and

Natural Resources Committee.

Author of S.F. 1292, Sen. Steven Morse (DFL-Dakota), told committee members at the Tues., Mar. 17, meeting, that the bill responds to recommendations of a 1991 report by the Legislative Water Commission. The bill, which will go to the Finance Committee, also establishes a program of supplemental financial assistance for the construction of municipal wastewater disposal systems.

Several Senators expressed concern about the requirement for annual assessment and reporting. Rich Sandberg of the Department of Natural Resources (DNR), said this requirement will help cities plan for their wastewater disposal needs and will help the DNR identify potential problems.

A DNR bill, H.F. 1013, repealing pipeline approval authority of the commissioner was approved, as well. Andy Brewer of the DNR said the Environmental Quality Board, of which the commissioner is a member, already reviews cases where there is environmental impact. The bill, sponsored by Sen. Joanne Benson (IR-St. Cloud), was placed on the Consent Calendar.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), approved S.F. 2482, presented by Sen. Phil Riveness (DFL-Bloomington). The bill provides for an administrative fund levy for six watershed districts: Nine Mile Creek, Riley-Purgatory, Bluff Creek, Wild Rice, Minnehaha Creek, Coon Creek, and, Lower Minnesota River. The bill was re-referred to the Taxes and Tax Laws Committee.

Sen. Gary Laidig (IR-Stillwater), presented a bill authorizing the private sale of land in Washington County. Deputy DNR Commissioner, Ron Nargang, said the land is the site of the old prison farm from Stillwater prison. He said that part of the property is open to hunting, and that the surrounding area is being rapidly developed. The property also contains a small waste site, and the potential buyer, The Anderson Corporation, has offered to front the money for the clean up, Nargang says. The bill, S.F. 2205, which was amended to include the designation of Old Sibley County Courthouse as the Joseph R. Brown Historical Center, was approved and re-referred to the Finance Committee.

## Finance

### WICHE

Representatives from the Western Interstate Commission for Higher Education (WICHE) updated members of the Education Division of the Finance Committee Thur., Mar. 12, on the

commission's activities. Western states established WICHE in the 1950s as a regional agency for research, service, and planning, according to the representatives. They added that Minnesota affiliated with WICHE in 1990 to participate in regional activities that promote and facilitate resource sharing and collaboration among 16 states and their colleges and universities. Senators discussed how Minnesota students can receive a reduced tuition rate at out-of-state institutions that are affiliated with WICHE.

The committee, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), also discussed teacher preparation and licensure, in addition to the capital budget and budget adjustments.

### Capital budget requests

Members of the Education Division of the Finance Committee, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), met Tue., Mar. 17, to discuss the capital budget and budget adjustment items. Representatives of the technical colleges, community college system, state university system, and University of Minnesota presented their respective capital budget requests to the committee. The representatives and Senators discussed the merits and priority of individual projects.

### Budget presentations heard

Members of the Finance Division on Agriculture, Transportation and Regulation, chaired by Sen. Keith Langseth (DFL-Glyndon) met Fri., Mar. 13 to continue a series of budget presentations. The panel met throughout the week to discuss budgets for the various departments under the division's jurisdiction.

The panel considered the governor's supplemental budget recommendations for the Board of Peace Officer Standards and Training and for the Dept. of Public Safety. The governor has recommended general reductions from various programs in the Dept. of Public Safety in the amounts of \$750,000 in fiscal year 1992 and \$917,000 in fiscal year 1993. The affected programs include the Bureau of Criminal Apprehension, the state fire marshal, driver and vehicle services, drug policy, and the private detective board.

The Mon., Mar. 16, meeting was devoted to consideration of the supplemental budget recommendations of the Board of Architecture, Engineering, Land Surveying, and Landscape Architecture; the Board of Accountancy; the Ethical Practices Board and the Dept. of Commerce. The governor is recommending an increase for the Board of Architecture, Engineering, Land Surveying and Landscape Architecture for increased operating costs. The board will increase biennial

license fees from \$58 to \$70 to cover the added cost. The governor is also recommending that registration and reporting fees be charged to lobbyists, political committees, political funds and campaign committees to partially recover the Ethical Practices Board's costs. However, since the board must notify clients of the change and collect and deposit the receipts, a \$15,000 budget increase is proposed to pay for postage, printing and supplies.

One of the recommendations for the Dept. of Commerce is that the term of abandonment for unclaimed property be changed from five years to three years. The change is estimated to provide an additional \$4.5 million in fiscal year 1993 and about \$.5 million each year thereafter.

At the Tues., Mar. 17, hearing, the panel discussed the supplemental budget recommendations for the Dept. of Transportation. In addition, Ed Cohoon, deputy commissioner, introduced various departmental officials to discuss the capital budget request and the governor's recession response plan. Building projects contained in the capital budget request range from storage facilities and welding shops to rest areas throughout the state.

The panel also discussed the necessity of leveraging the maximum amount of federal matching funds in order to complete some of the projects. For instance, \$10.12 million is needed to match federal bridge discretionary funds to complete the Bloomington Ferry Bridge and \$5 million is needed to match federal bridge funds available for other local road systems with bridges that are 20 feet or longer.

Eliot Seide, representing AFSCME Council 6, spoke to the panel on the necessity of providing a preventative maintenance program on Minneosta's highways. Seide advocated a gas tax increase to address the needs of the highway system.

### **Budget requests considered**

Sixty-five percent of the Science Museum of Minnesota's (SMM) operating income is earned from admission fees, classes, memberships and store sales, according to Ann Bitter of the SMM.

Bitter spoke to members of the Environment and Natural Resources Division of the Finance Committee Fri., Mar. 13. She said there was no further room for growth in private funding, making the biennial reduction of \$121,000 recommended by the Governor difficult. Bitter said SMM will have to increase fees and reduce services for students and teachers in Greater Minnesota.

Several members of the Voyageur's Park Citizen's Council spoke to the division. Chair Milt Knoll said the council represents the views of Minnesota before the National Park Service, and if the council

is cut, as the governor has recommended, citizens' views will not be heard. Division Chair Sen. Steven Morse (DFL-Dakota), said he felt a council brochure he'd seen indicated a bias in favor of snowmobilers. Council member Larry Hunter said the council represents the interest of all the citizens of Minnesota.

Ann Glumac, assistant commissioner of the Pollution Control Agency (PCA), reviewed the cuts the governor has recommended in the PCA budget. Glumac said the reductions will mean a continuation of the extended time required for review and approval of plans and specifications of wastewater treatment facilities. Reductions will also delay work on ash utilization rules, solid waste rules, and industrial waste rules, according to Glumac.

### **Dept. of Admin capital budget**

The Finance Division on State Departments began review of the various budget recommendations and proposals for agencies under its jurisdiction at a hearing Tues., Mar. 17. The panel, chaired by Sen. Carl Kroening (DFL-Mpls.), heard the capital budget request of the Dept. of Administration presented by Dennis Spalla, assistant commissioner.

Many of the building requests are to meet life and fire safety standards. Kroening said that he wanted to focus on two specific areas in the capital budget request: the renovation of the Ford Building and the agency relocation proposals. Spalla said that the department is requesting funds to develop a strategic long-range plan to study and fund adequate office space for state agencies in the Metropolitan Area and in the Capitol Complex. Spalla said that the strategic plan includes a comprehensive plan to update the mechanical/electrical distribution systems within the Capitol Area, and the development of a travel management plan in the Capitol Area. Kroening, however, questioned the need for including the entire Metro Area in the strategic plan.

One of the current capital requests is for the overall renovation of the Ford Building in order to eliminate health and safety problems and to make needed office space available in the Capitol complex. In addition, the panel discussed two reports that have involved redevelopment of the block in which the Ford Building is located on University Ave. A study sponsored by the Capitol Area Architectural Board projects a mixed use development of both government office and parking while retaining the Ford Building and the Christ Lutheran Church at the corner of Rice St. and University Ave.

### **Judicial budgets**

The cost of operating Minnesota's judicial system is increasing significantly,

according to judges and judicial officials who testified before the State Departments Division of the Finance Committee Wed., Mar. 18. The judges cited the increase in the severity of criminal sentences as a key reason for the growing caseloads. The officials presented evidence that displayed that the increase in the need for judges has far outpaced the increase in actual judges.

Representatives from the Board of Public Defense also expressed concern over the fact that the increase in caseloads has exceeded the capacity of current personnel levels. Committee Chair Carl Kroening (DFL-Mpls.) told the testifiers that solving their budget problems may not be possible this session because of the current state shortfall.

The division also reviewed the Department of Administration's budget requests. Commissioner Dana Badgerow said the department is asking for some increases in spending, but that it has made several cuts that will return money to the general fund for the purposes of balancing the state budget. Badgerow added that the department is recommending some fee increases to gain new revenues; for instance, she said the state should increase the price of parking at some lots around the Capitol Complex.

### **HHS budgets reviewed**

The Finance Division on Health and Human Services met Tues., Mar. 17, to hear further reviews of budgets in the Dept. of Human Services.

Shirley Patterson, director of Developmental Disabilities, told the division that combining the funding limits of home care and waived services for persons with developmental disabilities will stop the current upward cost trends of concurrent use of these services.

John Gostovich of the department said that the proposed reduction in the consolidated chemical dependency treatment fund for non-entitled clients will result in approximately 300 people being denied service.

The division will continue to hear budget presentations from the department at a later meeting.

The division continued their discussion of budget recommendations from the Dept. of Human Services on Wed., Mar. 18.

Sen. Harold "Skip" Finn (DFL-Cass Lake) and Sen. Thomas Neuville (IR-Northfield) joined the division to question Asst. Commissioner James Stroebner about several program reductions.

Finn expressed concern about the department's plan to eliminate funding for nursing home beds at residential treatment centers. He told Stroebner the plan indicates the department is implementing policy initiatives without involving the Legislature in the process.

# Committee update

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Neuville expressed "profound dismay on behalf of the Faribault community" about the department's plan to close the Faribault Regional Center. He told Stroebner the decision will have a tremendous impact on the Faribault area's economy and should not have been made without the involvement of the community, Neville and Rep. Peter Rodosovich (DFL-Faribault).

Neuville also noted that the clients at the Faribault center are "the most fragile we care for" and that a move could be very damaging to them. Stroebner acknowledged that a move would be difficult but said that the department is under mandate to reduce costs.

The division will continue to hear budget presentations at future meetings.

## Governmental Operations

### Licensing bills discussed

The proposed licensing of three professional groups was the topic of discussion at the first of two meetings of the Governmental Operations Committee Thurs., Mar. 12.

Three bills were under consideration. S.F. 422, sponsored by Sen. Sam Solon (DFL-Duluth), provides for licensing of chemical dependency counselors and establishes a board of chemical dependency counselors. S.F. 589, sponsored by Sen. Janet Johnson (DFL-North Branch), requires licensure for dietitians and establishes a board of nutrition and dietetics practice. S.F. 394, sponsored by Sen. Carol Flynn (DFL-Mpls.) requires the licensing of interior designers and incorporates interior design issues into the scope of the Board of Architecture, Engineering, Land Surveying, and Landscape Architecture Design Professions, which is renamed the Board of Design Professions.

The committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), laid the bills over for later consideration.

### Licensing bills and pensions

The Governmental Operations Committee met Thurs., Mar. 12, to take action on several bills. Much of the testimony focused on proposals for occupational licensure. Sen. Gene Waldorf (DFL-St. Paul), committee chair, expressed a general philosophy that if the government is to regulate an occupation it should first take the least regulatory option, unless the need for regulation is substantially proven. Waldorf said that some of the proposals asking to create regulatory boards should instead create advisory councils. Waldorf explained that if a council's authority is proven to be

inadequate, the Legislature can increase its authority to the level of a board.

Senators discussed S.F. 1699, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), a bill creating a board of certified shorthand court reporters. The committee laid the bill over. Members amended and approved S.F. 31, authored by Sen. Carl Kroening (DFL-Mpls.), a measure that creates the Minnesota advisory council on fire protection systems; requires licensure and certification of the fire protection industry; provides for rules and an exception; and imposes a penalty.

In other action, the committee recommended that: S.F. 422, relating to chemical dependency counselor licensure, be passed as amended and sent to the floor; S.F. 589, relating to dietician/nutritionist licensure, be passed as amended and sent to the floor; S.F. 394, relating to interior designer licensure, be passed as amended and sent to the floor; S.F. 2156, relating to STARS services and subleases to non-profit organizations, be recommended to pass as amended and sent to the floor; S.F. 2450, relating to STARS master planning development, be recommended to pass and re-referred to the Finance Committee; S.F. 2485, relating to a telecommunications grant and loan program for public entities, be passed as amended and re-referred to the Finance Committee; S.F. 2389, relating to alternative rule making procedures for the commissioner of natural resources, be recommended to pass as amended and sent to the floor; S.F. 2235, relating to standards and requirements of accountability for governmental units, be passed and re-referred to the Finance Committee; S.F. 2396, relating to first class city teachers, be passed as amended and sent to the floor; S.F. 1558, relating PERA police and fire consolidation, be passed as amended and sent to the floor; S.F. 2182, relating to Duluth teachers post retirement adjustment, be passed as amended and sent to the floor; S.F. 1780, relating to St. Paul fire relief association survivor benefit, be passed as amended and sent to the floor; S.F. 2531, relating to escalator calculator revision, Virginia police, be passed as amended and sent to the floor; S.F. 2023, relating to expanded employer contribution transfer to IRAP for certain persons, be passed and sent to the floor; S.F. 1819, relating to PERA change in annuity deduction due to reemployment, be passed and re-referred to the floor; S.F. 1230, relating to volunteer firefighters, be passed as amended and sent to the floor; S.F. 2412, relating to St. Paul police, retirees and surviving spouses participation in board elections, be passed as amended and sent to the floor; S.F. 1970, relating to the elimination of amortization aid for relief associations without an

unfunded liability actuarial accrued liability, be passed as amended and sent to the floor; S.F. 1916, relating to an increase in the interest rate charged on refund payments, be passed as amended and sent to the floor; S.F. 1934, relating to the Metropolitan Airport Commission to apply for state aid, be laid over; S.F. 1793, relating to restructuring the legislator's retirement plan, be passed and re-referred to the Finance Committee.

### Role of commissions discussed

The Governmental Operations Committee met until the midnight deadline Fri., Mar. 13, in order to clear the agenda of Senate bills. The panel, chaired by Sen. Gene Waldorf (DFL-St. Paul), acted on a total of 19 bills.

Many of the bills were heard by the panel because of provisions relating to various task forces, commissions and councils. S.F. 2006, sponsored by Sen. Jane Ranum (DFL-Mpls.), creates a commission on criminal and juvenile justice information, a partnership council on criminal and juvenile justice information, a criminal justice data practices study commission, an advisory task force on the juvenile justice system and a probation standards task force.

Sen. Lawrence Pogemiller (DFL-Mpls.), argued against the creation of the panels without a stringent mechanism for disbanding them once the task was accomplished. Ranum and the other members agreed and the bill was amended to eliminate the need for the commission on criminal and juvenile justice information and the data practices commission by requiring the appropriate persons to submit recommendations. In addition, the amendment altered the composition of the remaining bodies. The bill was approved and re-referred to the Committee on Finance.

S.F. 2186, authored by Sen. Judy Traub (DFL-Minnetonka), provides for the appointment of another member to the Child Abuse Prevention Advisory Council and provides for an American Indian Child Welfare Advisory Council. The measure was amended to delete the provisions concerning the American Indian Child Welfare Advisory Council and to delete a provision that the Child Abuse Prevention Advisory Council does not expire as provided by law. The measure was approved and sent to the full Senate.

S.F. 2102, sponsored by Sen. Steven Morse (DFL-Dakota), establishes a nitrate data advisory task force. The measure was approved and re-referred to the Committee on Finance.

S.F. 2156, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), was

amended to require that the Dept. of Administration study issues related to the expansion of the Statewide Telecommunications Access Route System (STARS) to serve nonprofit organizations. The bill was approved and re-referred to the Finance Committee.

A bill providing for the licensure of short-hand court reporters failed to clear the committee. S.F. 1699, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), failed to gain committee approval on a voice vote.

Two measures sponsored by Sen. Sam Solon (DFL-Duluth) were approved. S.F. 2115 provides that for purposes of doing business with the state, cement manufactured in Canada for a specific firm may be considered to have been manufactured in the United States. S.F. 1139 provides for crediting service and salary when back pay is awarded in the event of a wrongful discharge. Both measures were sent to the Senate floor.

S.F. 2282, authored by Sen. John Hottinger (DFL-Mankato), revamps various statutes relating to administrative rulemaking. Under the measure, the revisor's office is directed to submit bills to the Legislature clarifying and correcting administrative rules; the attorney general and administrative law judge are directed to disregard harmless errors and dual notices are regulated. The measure was approved and sent to the Senate floor.

Two bills sponsored by Sen. Leonard Price (DFL-Woodbury) were approved and sent to the full Senate. S.F. 2002 provides a procedure for determining claims under the public safety officer's death benefit program. S.F. 2037 requires the commissioner of the Bureau of Mediation Services to adopt a uniform baseline determination document and a uniform collective bargaining agreement settlement document.

Two measures dealing with prohibiting vacation and sick leave pay for elected officials were also approved. The first measure, sponsored by Sen. Ember Reichgott (DFL-New Hope), also fixes local accounting procedures, provides for investments and the uses of public facilities. The measure was approved and re-referred to the Local Government Committee. The second measure, S.F. 1728, sponsored by Sen. Jim Gustafson (IR-Duluth), deals only with the vacation and sick leave prohibition. The measure was amended to strike the original language and insert similar language from the Reichgott bill. The measure was then approved and sent to the full Senate.

The panel then turned its attention to the consideration of several pension bills. S.F. 2367, sponsored by Morse, expands individual retirement account plan coverage to administrative higher education employees. S.F. 2048, authored by Sen. LeRoy Stumpf (DFL-Thief River

Falls), makes various changes to the administration, benefits and investment practices of the Minnesota State Retirement System. S.F. 1935, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for the elimination of the remarriage penalty in the Minneapolis Employees Retirement Fund. S.F. 2547, also carried by Pogemiller, provides for the recodification of the laws applicable to the Minneapolis Police Relief Association. S.F. 2382, authored by Pogemiller, provides for surviving spouse benefits for the Minneapolis Police Relief Association and the Minneapolis Fire Department Relief Association. All of the measures were approved and sent to the Senate floor.

S.F. 1837, carried by Morse, changes the rates of contributions to the Higher Education Individual Retirement Account Plan. S.F. 2300, authored by Morse, validates appropriations for volunteer firefighters supplemental benefits. Both bills were approved and re-referred to the Committee on Finance.

## Health and Human Services

### Panel hears testimony

Members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), devoted the entire Wed., Mar. 11, evening meeting to hearing testimony on proposals implementing the governor's budget recommendations.

Specifically, panel members discussed S.F. 2540, carried by Sen. Duane Benson (IR-Lanesboro). The measure places limits on personal care services, limits home care services, limits private duty nursing services and implements budget reductions in medical assistance. Several additional bills incorporating gubernatorial recommendations were also on the agenda for consideration. No formal action was taken in order to continue hearing public testimony.

### Suicide bill advances

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Thurs. night, Mar. 12.

The committee took up S.F. 1693, sponsored by Sen. Gene Waldorf (DFL-St. Paul), establishing a civil cause of action against a health care provider who aids a person in committing suicide. The measure also amends current law by including aiding suicide in the list of conduct that is prohibited and subject to disciplinary action by the Board of Medical Practice. The measure was approved and sent to the full Senate.

The committee also took action on S.F. 1888, sponsored by Sen. Joe Bertram (DFL-Paynesville). The bill authorizes medical assistance coverage of nursing

care provided in a hospital swing bed to a patient in the last stage of a terminal illness. The measure was approved and re-referred to the Finance Committee.

S.F. 2117, sponsored by Berglin, places restrictions on withdrawals from earned income savings accounts by requiring the signature of both the client who holds the account and an authorized representative of the residential facility. The purpose of the bill is to assist residents of group homes to make appropriate choices about how to spend money. The measure was approved and sent to the full Senate.

Sen. Pat Piper (DFL-Austin), sponsor of S.F. 1899, called the bill the "Mazebuster program" and said its purpose is to build self-esteem and self-reliance of AFDC recipients. The measure requires the commissioner of human services to establish a program to promote community involvement by public assistance recipients. The program will include training, group support and volunteer work. The measure was approved and sent to the Finance Committee.

The committee also considered several departmental bills. S.F. 2536, carried by Sen. Duane Benson (IR-Lanesboro), modifies provisions concerning dislocated worker fund disbursements. The measure was approved and re-referred to the Governmental Operations Committee.

The committee deferred action on S.F. 2534, S.F. 2535, S.F. 2540 and S.F. 2541, departmental bills carried by Benson.

### Work readiness; MA dental plan

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), held a marathon meeting Fri., Mar. 13, to advance a number of bills.

S.F. 2650, sponsored by Berglin, repeals time restrictions on work readiness participation and requires county agencies to establish a grant diversion program for payment of a general assistance or work readiness recipient's grant to an employer. Sen. Don Samuelson (DFL-Brainerd) introduced an amendment that he said corrects problems in general assistance and addresses the needs of people who have difficulty obtaining employment but are available for work and physically able. The committee adopted Samuelson's amendment then voted to approve S.F. 2650 as amended and re-refer it to the Finance Committee.

The committee also advanced S.F. 2686, sponsored by Berglin, requiring the commissioner to contract with Delta Dental to provide dental services to recipients of Medical Assistance, General Assistance Medical Care, and the Children's Health Plan. The committee approved the measure and re-referred it to the Finance Committee.

The committee went on to consider a number of other bills. S.F. 2458, spon-

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sored by Samuelson, provides that occupational and physical therapy assistants satisfy the medical assistance requirement of supervision if the instructing therapist is physically located in the facility where the services are provided. The measure was approved and sent to the Finance Committee.

S.F. 2411, also sponsored by Samuelson, authorizes the commissioner of human services to approve county pilot projects to improve the quality of social services, eliminate administrative and procedural mandates, consolidate program funds to permit flexibility, encourage intercounty and regional cooperation and determine the feasibility of using outcome-based performance standards. The measure was approved by the committee and sent to the Finance Committee.

S.F. 2325, also sponsored by Samuelson, requires the commissioner of human services to recalculate hospital operating and property payment rates using 1991 as the base year. The measure was approved and sent to the Finance Committee.

Sen. Sandra Pappas (DFL-St. Paul) sponsored S.F. 1979, providing for demonstration projects to test alternatives to the delivery of mental health services. The committee approved the bill and re-referred it to the Finance Committee.

Sen. Carol Flynn (DFL-Mpls.) sponsored S.F. 2337, authorizing Medical Assistance coverage of personal care services provided outside the home when authorized by the responsible party and allowing recipients to request continuation of services at a previously authorized level while an appeal is pending. The measure was approved and sent to the full Senate.

Flynn also sponsored S.F. 1876, amending existing law relating reciprocal licensing by the medical licensing board. The measure was approved and sent to the full Senate.

S.F. 1976, sponsored by Berglin, extends for one year, until June 30, 1993, the current exception from the negotiated rate cap for Medical Assistance certified boarding care homes and nursing homes declared to be institutions for mental disease before January 1, 1989. The bill was approved and re-referred to the Finance Committee.

S.F. 1735, sponsored by Sen. Terry Johnston (IR-Prior Lake), requires the Bureau of Criminal Apprehension to develop procedures to allow a children's service provider to request a background check to determine whether a children's service worker has been convicted of certain felony-level crimes. The committee approved the bill and sent it to the full Senate.

S.F. 2216, sponsored by Berglin, provides for state takeover of the county

share of costs of growth in emergency General Assistance. The measure was approved and re-referred to the Taxes and Tax Laws Committee.

Finally, the committee heard testimony on S.F. 2539, a departmental bill being carried by Sen. Roy Terwilliger (IR-Edina). The measure implements many of the medical program budget cuts proposed in the Governor's 1992 supplemental budget and makes a number of non-budgetary changes in the administration of medical programs. The committee deferred action on the bill until a later hearing.

## Bills advance

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Mon., Mar. 16, to hear a number of bills.

S.F. 1946, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), establishes a juvenile employment and education pilot program. The bill is designed to help targeted youth in the 14-18 age group gain important education, employment and living skills. The bill was approved and re-referred to the Finance Committee.

S.F. 1846, sponsored by Sen. Randy Kelly (DFL-St. Paul), requires community-based sex offender treatment programs and outcome-based evaluation and quality management systems for the programs. S.F. 2254, sponsored by Sen. Jane Ranum (DFL-Mpls.), was folded into Kelly's bill as an amendment. Ranum's measure requires the commissioner of health, in coordination with the commissioner of education and the commissioner of human services, to design and implement a coordinated prevention effort to reduce the incidence of fetal alcohol syndrome and the number of drug-exposed infants. Kelly's bill, as amended by Ranum's proposal, was approved and re-referred to the Finance Committee.

The committee next considered S.F. 2523, sponsored by Sen. Pat Piper (DFL-Austin). The bill amends several sections of the Human Services Licensing Act. Among other things, it defines HIV minimum standards and provides that an adult foster care license holder may also provide adult day care for adults age 60 or over if no persons in the program have serious and persistent mental illness or a developmental disability. The measure was approved and re-referred to the Governmental Operations Committee.

Finally, the committee heard further testimony on S.F. 2539, a departmental bill being carried by Sen. Roy Terwilliger (IR-Edina). Assistant Commissioner Nancy Dagg of the Dept. of Human Services explained the bill to the committee. Sen. Judy Traub (DFL-Minnetonka)

questioned Dagg about the provisions reducing Medical Assistance asset limits from the current level of \$3,000 for a single person and \$6,000 for a couple to \$2,000 for a single person and \$3,000 for a couple. Another provision reduces the Medical Assistance income standard for aged, blind and disabled persons from 120 percent of AFDC income standards to 100 percent.

The committee deferred action on the bill until a later hearing.

## Judiciary

### Heritage Preservation Act

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Thurs., Mar. 12, to hear further testimony on S.F. 1821, known as the Minority Heritage Preservation Act. The bill, sponsored by Sen. Linda Berglin (DFL-Mpls.), requires that child placing agencies give preference to placing a child with a relative, a family with the same racial or ethnic heritage as the child, or a family of a different racial or ethnic heritage from the child which is knowledgeable and appreciative of the child's racial or ethnic heritage.

The committee heard from opponents of the bill first. Thor Espensen of the Suburban Branch of the NAACP told the committee that the bill is being used to promote a "political agenda" at the expense of foster and adoptive children.

Dr. C.L. Moore, a psychologist and marriage/family therapist who counsels many adoptive and foster children, opposes the bill because of the possible damage that will be done to children who are moved from secure, loving homes where they have formed attachments. He said that implementing the mandates of the bill could force children to be moved to a new home when they would have felt more comfortable staying in their familiar surroundings.

Lester Collins, director of the Council on Black Minnesotans, spoke in support of the bill. Collins said, "We are losing our children," and urged the committee to approve the bill so that available minority families will be given preference in the placement of minority children.

An amendment sponsored by Spear provides that a relative means a grandparent, great-grandparent, aunt, uncle, great-aunt, great-uncle, first cousin, or sibling of the child, or a person who resided in a household with the child or with whom the child has established emotional ties creating a parent and child relationship. The committee adopted the amendment, approved the bill, and sent the measure to the full Senate.

## Variety of bills advance

After completing work on the anti-violence bill Fri., Mar. 13, the committee turned to the business of advancing the large number of bills awaiting consideration.

S.F. 2383, sponsored by Sen. Patrick McGowan (IR-Maple Grove), gives qualified federal law enforcement officers the authority of peace officers when assigned to special state and federal task forces. The measure was approved and referred to the full Senate.

S.F. 2111, sponsored by Sen. Sam Solon (DFL-Duluth), amends the declaration form for living wills to include a statement as to whether the declarant had agreed in another document to donate organs. The measure was approved and sent to the full Senate.

S.F. 1319, sponsored by Sen. James Metzger (DFL-South St. Paul), amends current law regarding the unauthorized practice of law to allow the sole shareholder of a corporation to appear on behalf of the corporation in court. The bill was approved and sent to the full Senate.

S.F. 2232, sponsored by Marty, requires the state to reimburse counties for extradition expenses from any forfeited bail of a defendant or probationer that had been forwarded to the state treasury. The committee approved the bill and referred it to the Finance Committee.

S.F. 1782, sponsored by Sen. Linda Berglin (DFL-Mpls.), provides that assets available for an institutionalized spouse must be used for that spouse's health care or personal needs, expands the limitations on transfers made to gain eligibility for medical assistance, prohibits trusts that make assets or income unavailable to the beneficiary if the beneficiary becomes eligible for public assistance and gives the Medical Assistance agency a lien on real property of a recipient or recipient's spouse. The committee approved the bill and sent it to the full Senate.

S.F. 1900, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), provides for nursing homes to establish quality assurance review procedures under medical assistance and Medicare and to limit access to certain physicians and pharmacists on the basis of quality review activities. The measure was approved and sent to the full Senate.

The committee next considered S.F. 2086, sponsored by Sen. Richard Cohen (DFL-St. Paul). The bill changes the distribution of fines or penalties collected in Ramsey County so that 70 percent goes to the city of St. Paul and one-half of the remainder goes to the treasurers of each other municipality in Ramsey County. The bill was approved and re-referred to the Taxes and Tax Laws Committee.

S.F. 2088, sponsored by Sen. Ember Reichgott (DFL-New Hope) was next on

the agenda. The bill makes miscellaneous changes in provisions dealing with the organization and operation of non-profit corporations. The measure was approved and sent to the full Senate.

S.F. 2124, sponsored by Spear, increases the distance an accused or convicted person may be transferred without an escort of the same sex from 25 to 100 miles. The measure was approved and placed on the Consent Calendar.

Spear also sponsored S.F. 2229, a bill that makes a number of amendments to the paternity statutes and procedures under which paternity may be established. The bill's most significant feature is the establishment of a procedure for executing a recognition of parentage that has the legal effect of a paternity adjudication by a court. The measure was approved and sent to the full Senate.

A bill sponsored by Sen. Leroy Stumpf (DFL-Thief River Falls) provides that recipients of Minnesota Trail Assistance Program funds from counties or municipalities have the protections and are held to the same standard of liability as a landowner for activities associated with snowmobile trails. S.F. 2233 was approved and sent to the full Senate.

Rounding out the evening's agenda was S.F. 2384, sponsored by Spear, which provides that a mortgagor gives up the right to any redemption period and the right to receive proceeds from the sale of the mortgaged property that exceed the amount of the mortgage. In addition, the mortgagee would waive any right to a deficiency judgment. The measure was approved and sent to the full Senate.

## Child support bill advances

The Civil Law Division of the Judiciary Committee, chaired by Sen. Richard Cohen (DFL-St. Paul), met Tues. evening, Mar. 17, to discuss S.F. 2000, sponsored by Cohen.

The bill sets up a number of mechanisms for computing and enforcing child support awards. It provides that a state agency that enters into a contract with an individual who is in arrears on child support payments must apply payments owed under the contract toward the arrearages. The bill further provides for suspension of the occupational license of a person who is in arrears on child support.

The measure also amends the definition of joint custody in the marriage dissolution statutes to provide that, for purposes of child support calculations, joint custody means that a child lives not more than 60 percent of the time with one parent.

The bill provides that medical insurance premiums and bills for non-covered expenses are to be apportioned according to a parent's ability to pay.

The measure also makes a number of amendments to the child support guidelines. It provides that the court shall

order parents owing a duty of support to pay an amount determined to be in the best interests of the child, rather than reasonable or necessary for the child's support. The amounts to be paid are determined by a set formula that takes into account the income and expenses of each parent and the costs inherent in rearing a child.

The division approved the bill and sent it to the Judiciary Committee.

## Miscellaneous bills advance

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.) met Wed., Mar. 18, to advance a number of bills.

S.F. 2309, sponsored by Sen. Sam Solon (DFL-Duluth), changes existing law to provide that, for purposes of probate law, the definition of "successor" includes a funeral director or county government that provides the funeral and burial of a decedent. The purpose of the provision is to allow the county or funeral director to be paid for burial expenses without having to go through the probate process. The committee approved the measure and sent it to the full Senate.

S.F. 1856, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), provides that a mortgage held by more than one mortgagee can be satisfied by less than all of the mortgagees. S.F. 1929, sponsored by Sen. John Hottinger (DFL-Mankato), abolishes the issuance of duplicate certificates of title and duplicate certificates of possessory title (CPTs) for use by lessees and mortgagees of registered land. S.F. 1856 was amended to include S.F. 1929 and the amended version of S.F. 1856 was approved by the committee and sent to the full Senate.

Sen. Sandra Pappas (DFL-St. Paul) sponsored S.F. 1938. The bill allows landlords to assign to the county attorney the right to evict a tenant for selling or allowing the sale of controlled substances within the rental premises. The measure was approved and sent to the full Senate.

A bill to provide better response to hazardous materials emergencies was sponsored by Sen. Gene Merriam (DFL-Coon Rapids). S.F. 738 provides that members of a regional hazardous materials response team operating outside their geographic jurisdiction are "employees of the state" for purposes of the State Tort Claims Act. The measure also provides that a person who provides personnel and equipment under the same circumstances and at the request of a government unit is not liable for any civil damages unless the person acts in a willful and wanton or reckless manner in providing the personnel and equipment. The bill was approved and sent to the Finance Committee.

Merriam also sponsored S.F. 1747 which requires employers to provide to an employee a copy of that person's employ-

# Committee update

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ment record upon written request after the employee has reviewed the record. The measure was approved and sent to the full Senate.

A third bill sponsored by Merriam was S.F. 1859. The measure contains a number of miscellaneous changes recommended by the probate and trust law section of the bar association. Areas affected include merger of trusts, certificates of trust, affidavits of trustees and powers of attorney. The measure was approved and sent to the full Senate.

S.F. 2437, sponsored by Sen. Joe Bertram (DFL-Paynesville), provides that a person holding a mechanic's lien against a motor vehicle must provide notice to all secured creditors listed on the certificate of title 45 days before exercising the right to sell the motor vehicle. The measure was approved and sent to the full Senate.

Bertram also sponsored S.F. 2012, a bill that enforces mandatory insurance requirements for vehicles. The penalty provision of the bill was amended by Finn to provide that the court has the discretion, in the case of an indigent defendant, to impose community service in lieu of the \$100 fine for failure to provide proof of insurance. The bill, as amended, was approved and sent to the Finance Committee.

S.F. 1847, sponsored by Sen. Randy Kelly (DFL-St. Paul), clarifies existing law regarding law enforcement powers, makes technical corrections to the eligibility criteria for possession of a pistol and increases penalties for unlawfully carrying a pistol. The measure was approved and sent to the full Senate.

S.F. 2368, sponsored by Finn, enacts the Uniform Transfer on Death Security Registration Act. The measure allows securities to be transferred on the death of the owner without going through probate. Finn told the committee the measure is necessary to eliminate the competitive disadvantage imposed on securities brokers in Minnesota caused by the fact that other states have such legislation. The committee approved the measure and sent it to the full Senate.

S.F. 2413, sponsored by Sen. Ember Reichgott (DFL-New Hope), modifies provisions dealing with the registration of business corporations. The measure provides that a corporation that is statutorily dissolved may retroactively reinstate its existence by filing a single annual registration and paying a fee. The measure was approved and sent to the full Senate.

S.F. 2622, sponsored by Sen. Thomas Neuville (IR-Northfield), is a revisor's bill that corrects numerous textual errors in existing statutes. The bill was approved and sent to the full Senate.

## Local Government

### Manitou golf course

According to the terms of S.F. 1755, the city of White Bear Lake will be paid by Ramsey County for improvements made to the Manitou Ridge golf course.

Sen. Fritz Knaak (IR-White Bear Lake), told the Local Government Committee at the Thurs., Mar. 12, meeting, that Ramsey County had rejected White Bear Lake's bid to buy the golf course, which the city has been operating since 1973. The original language of Knaak's bill allowed White Bear Lake to purchase and manage the course. Sen. John Bernhagen (IR-Hutchinson), offered an amendment ordering the county to compensate the city for city-financed improvements, leaving ownership in county hands. Greg Mack, director of parks and recreation for Ramsey County, said that "It is in the public's best interest" that Ramsey County manage the golf course to assure equal access and fees for the people of the county. The committee, chaired by Sen. Betty Adkins (DFL-St. Michael), approved the bill as amended.

Bernhagen offered a bill authorizing the city of Hutchinson to set up a special service district to provide services including parking services, development services, and other municipal improvements. S.F. 2444 was approved and referred to the Taxes and Tax Laws Committee.

Also approved and re-referred to Taxes and Tax Laws was S.F. 2403, authored by Sen. Don Frank (DFL-Spring Lake Park), amending the public advertisement requirements under the truth in taxation law. The measure was amended to sunset truth in taxation as of Dec. 31, 1993.

The committee approved S.F. 2461, authored by Sen. Joe Bertram (DFL-Paynesville), clarifying the partitioned fence law. S.F. 2514, a local bill authored by Sen. David Frederickson (DFL-Murdock), was approved. The bill allows the Yellow Medicine county hospital district to elect a nine member board with three year terms, with one-third to be elected each year. A measure authored by Sen. Sam Solon (DFL-Duluth), permits St. Louis County to bond jointly with the other three counties of the Arrowhead region (Cook, Lake and Carlton) to provide funding for their regional correctional facilities. S.F. 2630 was approved and referred to Taxes and Tax Laws.

A bill presented by Sen. Ronald Dicklich (DFL-Hibbing), raises from three to five the membership of the Hibbing Public Utilities Commission. S.F. 1376, which was approved, also provides that commission compensation be determined by the Hibbing City Council.

## County service consolidations

Two bills approved by the Local Government committee Tues., Mar. 17, reflect a growing trend toward the consolidation of services by counties.

H.F. 1852, authored by Sen. David Frederickson (DFL-Murdock), authorizes the county boards of Big Stone, Chippewa, and Kandiyohi Counties to combine the offices of auditor and treasurer. Chippewa County Treasurer, Jon Clauson, told committee members that the changes allow enable counties to do a far greater amount of work with fewer people.

Sen. Fritz Knaak (IR-White Bear Lake), presented S.F. 2694, calling it "the final step in a painful process" in consolidating Ramsey County Courts. The bill authorizes the county to provide a court facility at one centrally located suburban location and permits the issuance of general obligation bonds in an unspecified amount to finance construction.

Finally, the committee, chaired by Sen. Betty Adkins (DFL-St. Michael), approved H.F. 1957. Presenting the bill, Sen. Douglas Johnson (DFL-Cook), said it will prevent elected officials in Cook County from accumulating vacation or sick leave. The measure prohibits a compensation plan for elected officials that includes provisions for vacation or sick leave and provides for the election of county hospital board members to staggered terms of four years.

## Metropolitan Affairs

### Airport noise mitigation bill

A bill requiring the Metropolitan Airport Commission (MAC) to dedicate a portion of its budget for noise mitigation efforts cleared the Metropolitan Affairs Committee Thurs., Mar. 12.

Jeff Hamiel, executive director of the MAC, testified that the MAC has a request pending with the Federal Aviation Administration (FAA) to collect a passenger facility charge of \$3 per passenger. Under S.F. 2271, sponsored by Sen. Phil Riveness (DFL-Bloomington), an increasing portion of the fee is required to be budgeted for noise mitigation efforts, such as land acquisition, corrective land use management measures, and installation of soundproofing and air conditioning in homes, schools, and other public buildings.

Hamiel said that dedicating part of the fee for noise mitigation would disrupt plans already in place to use the money for the next three years for on-airport programs needed to keep the airport a competitive part of the national transportation system. He also cautioned that the FAA has not yet approved the passenger facility charge. Riveness argued that at

the MAC's current spending level for noise mitigation, it would take 50 years to sound insulate all the homes in noise problem areas and that immediate action is needed to bring relief to homeowners in the affected areas.

The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), voted to approve the measure and send it to the full Senate.

The committee then turned to S.F. 1504, a bill requiring most taxing authorities in the state to expand property tax statements to reflect the amount levied by special taxing districts as a whole and, in areas taxed by the Metropolitan Mosquito Control Commission, the amount levied by the commission. The bill also sets the levy for the commission as a percentage of property tax capacity.

The bill's aim, according to sponsor Sen. Gen Olson (IR-Minnetrista), is twofold: first, it gives taxpayers clear information about how much of their property tax is going to special taxing districts; and second, it sets a limit on the taxing authority of the Metropolitan Mosquito Control Commission that rises and falls with the tax base. The limit for this year, according to Olson, is equal to the commission's current budget.

S.F. 1504 was approved and re-referred to the Taxes and Tax Laws Committee.

The committee also briefly heard and approved S.F. 2144, permitting the Metropolitan Council to issue \$116.5 million in bonds for the Metropolitan Transit Commission. Under the measure, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), \$87.5 million may be used for MTC fleet replacement, facilities, and capital equipment and \$29.1 million may be spent on expenses such as community-based transit vehicles, heated transit hubs, park and ride lots, and intelligent vehicles highway systems projects. The measure was approved and re-referred to the Taxes and Tax Laws Committee.

One other bill, S.F. 1839, received a hearing. The measure, sponsored by Riveness, permits the city of Richfield to choose the method by which it will contribute to the fiscal disparity pool. The bill was approved and re-referred to the Taxes and Tax Laws Committee.

## Taxes and Tax Laws

### Vacant lot tax bill approved

The Taxes and Tax Laws Committee met briefly Tues., Mar. 17, to hear a bill changing tax assessment rules for vacant land that is being developed. The committee, chaired by Sen. Douglas Johnson (DFL-Cook), voted to amend and approve H.F. 2031, a bill aimed at ameliorating a sharp tax increase that real estate developers experienced after last year's tax law changes. The bill, spon-

sored by Sen. Ember Reichgott, (DFL-New Hope), provides a 1-year moratorium on increasing vacant land's market value after recording the plat. The bill also contains a clause providing a 3-year moratorium for developers who began the platting process before August 1, 1991. The measure was approved and sent to the full Senate.

### Governor's tax proposals discussed

The Taxes and Tax Laws Division on Property Taxes and Local Government Aids met Tues., Mar. 17, to discuss the property tax provisions of the governor's budget and to consider the governor's local government trust fund bill.

Dorothy McClung, commissioner, Department of Revenue, presented an overview of the property tax provisions in the governor's proposal. According to McClung, the proposal preserves the homestead credit, recommends reimposing a maximum on the annual dollar amount of the special property tax refund payment, and recommends replacing the current property tax refund schedule for renters with a credit equal to a fixed percentage of rent paid.

Morrie Anderson, assistant commissioner, Dept. of Revenue, outlined the governor's trust fund bill. The bill, S.F. 2564, sponsored by Sen. John Bernhagen (IR-Hutchinson), changes funding aid to local governments, describes how Local Government Trust Fund (LGTF) monies are allocated, and gives mechanisms for increasing or decreasing appropriations from the LGTF to account for different levels of receipts. The bill provides the trust fund with the continued ability to borrow from the general fund to moderate cash flow. It also amends the provision for translating a change in an appropriation to an aid program into a change for each political subdivision receiving the aid.

The bill also requires the Advisory Commission on Intergovernmental Relations to study the property tax implications, the mandated and optional local responsibilities, and the level and pattern of state funding for each of three programs -- the Community Social Service Act, the Community Health Services Act, and the Community Corrections Act.

The measure calls for a permanent reduction of \$66 million in aids payable to cities in 1992 to address the state's budget shortfall.

The division, chaired by Sen. Ember Reichgott (DFL-New Hope), heard testimony from representatives of several cities and city organizations, including St. Paul Mayor Jim Scheibel. Scheibel told the committee that the proposed cut in state aid to St. Paul would likely result in approximately 150 city jobs being cut. He

also questioned the fairness of the proposed cuts, pointing out that while aid to St. Paul would be cut by nearly \$10 million, aid to some suburban cities will not be cut at all. Scheibel also said that the proposal does not give the consistent level of funding to cities that the LGTF was intended to provide. "The governor's proposal does not respect the integrity of the Local Government Trust Fund," Scheibel said.

The bill was laid over until a future meeting.

## Transportation

### Child support penalty bill withdrawn

A bill that penalizes non-custodial parents who are delinquent in their child support payments by revoking their driver's licenses was withdrawn without a vote from the Transportation Committee at a Thurs., Mar. 12, meeting.

The bill's sponsor, Sen. Judy Traub (DFL-Minnetonka), decided to withdraw the bill after some committee members expressed concern about the bill's potential effectiveness. Under one provision of the bill, everyone who applies for a driver's license must sign a statement saying that they are not more than 30 days behind in child support payments, and applicants who answer yes are denied a license. Another provision requires license suspension upon petition of the child support enforcement agency in cases of 30-day delinquencies or non-compliance with court-approved repayment schedules. In either case, a provisional license could be issued, allowing offenders to drive to work.

One concern some committee members expressed was whether people who are delinquent in payments could be expected to complete the pre-license statement truthfully. Another was that the 30-day limit might too harshly penalize and diminish the ability to pay for people who are not chronically delinquent but are having temporary financial problems.

In other action, the committee, chaired by Sen. Gary DeCramer, heard and approved six other bills.

S.F. 878, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), prohibits cancellation of a driver's license on the basis of a seizure-related condition before the individual has an opportunity to show probable cause that the license should not be canceled. The bill was approved and sent to the full Senate.

S.F. 2316, sponsored by Sen. Janet Johnson (DFL-North Branch), repeals several administrative requirements applying to the surrender of drivers licenses. The measure was approved and sent to the full Senate.

S.F. 1986, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), sets at 50 cents

the fee for Minnesota identification cards for people who are physically disabled. The bill was approved and sent to the full Senate. Another driver's license-related bill, S.F. 1921, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), increases driver's license and Minnesota identification card fees by \$1 to defray the cost of issuance. The bill was approved and re-referred to the Finance Committee.

S.F. 1784, sponsored by Sen. Gene Waldorf (DFL-St. Paul), adds to the list of cars designated by the registrar of motor vehicles as classic cars. The committee approved the measure and sent it to the full Senate.

S.F. 1893, sponsored by Mehrkens, authorizes placement of community identification signs and amends fees for highway advertising signs. The bill was approved and re-referred to the Finance Committee.

### Motor carrier bills discussed

The Transportation Committee, at a Mon., Mar. 16, meeting, discussed S.F. 2665, known as the Motor Carrier Modernization Act. The measure is the result of extensive negotiations in the trucking industry between regular route and irregular route carriers. The bill, sponsored by Sen. Jim Vickerman (DFL-Tracy), makes several changes to motor carrier regulation and certification.

One of the bill's provisions calls for certificates for regular route common carriers and permits of irregular route carriers to be converted into Class I certificates and Class II permits. Class I certificates are issued for motor carriers who own, lease, or control more than one terminal and Class II permits are issued for carriers who own or control one terminal.

The measure also provides for the issuance of permits to several other types of carriers, expands and clarifies the statutory definition of courier service carriers, and increases the vehicle registration fee for permit- and certificate-holders from \$20 to \$40. The committee laid the bill over until its Thurs., Mar. 19, meeting.

The committee also heard S.F. 695, which makes numerous changes and clarifications to motor carrier policy. The measure, sponsored by DeCramer, includes provisions that modify weight limitations for some trucks, allow the commissioner of transportation to assess penalties for violations of special transportation service standards, and provide for regulation of motor vehicles of 10,000 pounds or more. The bill also applies federal drug testing regulations to intrastate carriers, regulates transportation of hazardous materials, authorizes a fee for motor carrier identification stamps, regulates building movers, requires certain carriers to comply with driver qualification rules, and authorizes release of criminal history data for special transportation license endorsement.

The committee approved the measure and re-referred it to the Finance Committee.

The committee also heard S.F. 2637, sponsored by Sen. Sandra Pappas (DFL-St. Paul) a bill modernizing courier service carrier regulations to reflect current market needs. A representative from the Minnesota Courier and Cartage Association testified that courier services receive requests for quick, emergency transport of computers and other equipment but current regulations preclude them from transporting the items. The bill expands the definition of courier service carriers to permit carriers to legally accommodate such requests. It also provides a statutory definition of local cartage carriers.

The committee, chaired by Sen. Gary DeCramer (DFL-Ghent), approved the bill and sent it to the full Senate.

## Veterans and General Legislation

### Downsizing of the military assessed

Members of the Veterans and General Legislation Committee, chaired by Sen. Joe Bertram (DFL-Paynesville), met Mon., Mar. 16, to hear a presentation of the effects of the downsizing of the military on the Minnesota Army and Air National Guard and the local communities.

Much of the discussion revolved around the state of the armory facilities in Minnesota. The Guard is offering to sell the buildings to various Minnesota communities because the armory buildings are an integral part of community life. However, the cities cannot afford to take over the buildings because many of the buildings are quite old and the cost of renovations such as asbestos abatement is prohibitive. Thus, the cities would like the state to help with the financial burden. According to both Guard and community representatives discussions between the Guard and the communities are taking place and there may be legislative proposals next year.

### Lawful gaming discussed

The Veterans and General Legislation Committee held a joint meeting with the House Veterans Committee Wed., Mar. 18, to hear a presentation by Harry Balzer of the Lawful Gambling Board. According to Chair Joe Bertram (DFL-Paynesville), the two panels wanted to insure that the lines of communication between the board and various veterans organizations remain open. The hearing was held in order for committee members to discuss veterans organizations' gaming activities as regulated by the board. Veterans groups conduct numerous gambling occasions and want to insure fair treatment.

## Floor Action

### Livestock testing bill okayed

The Thurs., Mar. 12, floor session was devoted primarily to processing committee reports. However, Senators did grant final passage to six bills on the Senate Calendar. S.F. 1689, authored by Sen. James Metzen (DFL-South St. Paul), regulates terminations and modifications or changes to exclusive insurance agent agreements. S.F. 1669, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), allows the towing of persons with personal watercraft equipped with rearview mirrors. S.F. 1908, carried by Sen. John Marty (DFL-Roseville), directs the Minnesota Office on Volunteer Services to prepare a federal grant proposal. S.F. 1633, authored by Sen. William Belanger (IR-Bloomington), provides for the membership of the Bloomington port authority. S.F. 1854, sponsored by Sen. Jim Vickerman (DFL-Tracy), clarifies the purposes for which an appropriation may be spent at Worthington Community College. S.F. 1681, authored by Sen. Gary DeCramer (DFL-Ghent), eliminates the requirement for routinely testing cattle for brucellosis and anaplasmosis.

Members also granted final passage to two bills on the Consent Calendar. Bills on the Consent Calendar are considered for final passage. Each bill has had two prior readings and has been acted upon by one or more standing committees which considered the bill to be noncontroversial. Bills on the Consent Calendar do not appear on the General Orders Calendar. H.F. 1652, carried by Sen. Dennis Frederickson (IR-New Ulm), is a resolution memorializing the postmaster general to issue a postal stamp in commemoration of Wanda Gag, American author and illustrator. S.F. 2210, authored by Sen. Sandra Pappas (DFL-St. Paul), relates to Ramsey County and provides for the certification of eligibles for county positions.

Eight measures on the General Orders Calendar were granted preliminary approval. S.F. 1919, sponsored by Sen. Steven Novak (DFL-New Brighton), regulates telephone advertising services. H.F. 2044, also carried by Novak, creates an exemption from requirements relating to once-through water use permits. S.F. 1917, sponsored by Sen. Gene Waldorf (DFL-St. Paul), authorizes certain investments by the State Board of Investment. H.F. 917, carried by Sen. Steven Morse (DFL-Dakota), requires an additional license for a motor vehicle lessor, wholesaler, or auctioneer when establishing an additional place of doing business in a second class city outside of the Metro Area.

S.F. 1638, sponsored by Sen. Don Samuelson (DFL-Brainerd), permits county offices to be filled by special

election. S.F. 1773, authored by Sen. Jim Gustafson (IR-Duluth), permits the appointment of county budget advisory committees. S.F. 2227, sponsored by Sen. James Metzen (DFL-South St. Paul), changes the interest rate required on a rental deposit. H.F. 1911, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), authorizes the private sale of specific land that was exchanged for tax-forfeited land in Hubbard County. S.F. 2011, sponsored by Sen. Joe Bertram (DFL-Paynesville), grants sheriffs power to bar vehicles from unsafe ice.

### Bills advance

The Mon., Mar. 16, floor session was devoted primarily to processing bills at the Senate Desk. In addition, the members granted final passage to the eight bills given preliminary approval at the Thurs., Mar. 12, floor session.

In addition, Senators granted final passage to three bills on the Consent Calendar. H.F. 2259, sponsored by Sen. Pat Piper (DFL-Austin), sets an earlier accrual date for a specific retired member of the state retirement system. S.F. 2385, authored by Sen. Allan Spear (DFL-

Mpls.), allows Minneapolis Special School District #1 to change the years of its elections to coincide with other elections. S.F. 2307, sponsored by Sen. Dean Johnson (IR-Willmar), changes the deadlines for statutory cities to abolish the ward system.

Members of the Senate also held a brief floor session Wed., Mar. 18, to facilitate the movement of bills between various policy committees.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 23

#### Judiciary Committee

Chair: Sen. Allan Spear

8 a.m. Room 15 Capitol

Agenda: S.F. 1879-Chmielewski:

Workers Compensation Court of Appeals. S.F. 2497-Johnson, J.B.: Ski operator tort liability. S.F. 2533-Benson, D.D.: Welfare fraud. S.F. 2604-Berglin: Health care access.

#### Finance Division on Health and Human Services

Chair: Sen. Don Samuelson

9 a.m. Room 125 Capitol

Agenda: Continuation of presentation by the Dept. of Human Services.

#### Finance Division on Agriculture, Transportation and Regulation

Chair: Sen. Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Secretary of State, Dept. of Agriculture, and Regional Transit Board.

#### Agriculture and Rural Development Committee

Chair: Sen. Charles Davis

1 p.m. Room 10 SOB

Agenda: Minnesota's Nobel Peace Prize Winner, Dr. Norman Borlaug.

The Senate will meet at 2:30 p.m.

#### Education Division on Education Funding

Chair: Sen. Ronald Dicklich

Immediately following session. Room 107 Capitol

Agenda: S.F. 2326-Dicklich: Omnibus education funding bill.

#### Finance Division on State Departments

Chair: Sen. Carl Kroening

7 p.m. Room 123 Capitol

Agenda: Capital budget allocations.

### Tuesday, March 24

#### Taxes and Tax Laws Division on Property Taxes and Local Government Aids

Chair: Sen. Ember Reichgott

8 a.m. Room 15 Capitol

Agenda: Miscellaneous bills.

#### Finance Division on Environment and Natural Resources

Chair: Sen. Steven Morse

9 a.m. Room 123 Capitol

Agenda: Allocations. Details to be announced.

#### Finance Division on Health and Human Services

Chair: Sen. Don Samuelson

9 a.m. Room 125 Capitol

Agenda: Continuation of presentation by the Dept. of Human Services.

The Senate will meet at 12 Noon

#### Education Division on Education Funding

Chair: Sen. Ronald Dicklich

Immediately following session. Room 107 Capitol

Agenda: S.F. 2326-Dicklich: Omnibus education funding bill

#### Finance Division on State Departments

Chair: Sen. Carl Kroening

7 p.m. Room 123 Capitol

Agenda: Budget presentation for Governor and Lieutenant Governor's Office, Dept. of Revenue and Dept. of Finance.

### Wednesday, March 25

#### Finance Division on Education

Chair: Sen. LeRoy Stumpf

8 a.m. Room 125 Capitol

Agenda: To be announced.

#### Taxes and Tax Laws Division on Income, Sales and Economic Development

Chair: Sen. Lawrence Pogemiller

8 a.m. Room 15 Capitol

Agenda: Miscellaneous bills.

#### Finance Division on Environment and Natural Resources

Chair: Sen. Steven Morse

9 a.m. Room 123 Capitol

Agenda: Allocations. Details to be announced

#### Taxes and Tax Law Division on Property Taxes and Local Government Aids

Chair: Sen. Ember Reichgott

9 a.m. Room 15 Capitol

Agenda: S.F. 2168-Piper: Restoring aids cut as result of auditor's error. S.F. 1849-Kelly: St. Paul bonding extension. S.F. 2139-Larson: Changing requirements relating to issuance of tax anticipation certificates. S.F. 1705-Flynn: Minneapolis bond authorization for

parking facilities and federal courts project. S.F. 2630-Solon: Correctional facility financing. S.F. 1604-Adkins: Excess levy penalty abatement for city of Otsego. S.F. 2526-Davis: Kanabec County Historical Society levy. S.F. 1848-Kelly: Extension of homestead to residence occupied by relative of owner. S.F. 2403-Frank: Various truth-in-taxation changes. S.F. 691-Cohen; Homestead treatment of house owned by developmentally disabled child working in a sheltered workshop. S.F. 2680-Frederickson, D.J.: Property tax exemption for secondary containment areas used to confine agricultural chemicals. S.F. 1933-Morse: Land management system levy. S.F. 1504-Olson: Metropolitan Mosquito Control District levy limits. S.F. 2370-Samuels: Classification of resort used more than 250 days. S.F. 2155-Novak: Reducing penalties for taxes paid within 15 days of due date on nonhomestead property. S.F. 2482-Dahl: Watershed districts levy limits. S.F. 2495-Reichgott: Department of Revenue technical bill.

**Joint House - Senate Finance Subdivision on Claims**

*Chairs: Sen. Tracy Beckman and Rep. Andy Steensma*  
10 a.m. Room 400 South SOB  
**Agenda:** Department of Correction claims.

**Finance Division on Health and Human Services**

*Chair: Sen. Don Samuelson*  
10 a.m. Room 125 Capitol  
**Agenda:** Public testimony on Health and Human Services budget.

**The Senate will meet at 12 Noon**

**Education Committee**

*Chair: Sen. Gregory Dahl*  
Immediately following session. Room 15 Capitol  
**Agenda:** S.F. 2326-Dicklich: Omnibus education bill funding.

**Taxes and Tax Law Division on Property Taxes and Local Government Aids**

*Chair: Sen. Ember Reichgott*  
6 p.m. Room 15 Capitol  
**Agenda:** Continuation on morning agenda.

**Finance Division on State Departments**

*Chair: Sen. Carl Kroening*  
7 p.m. Room 123 Capitol  
**Agenda:** To be announced.

**Thursday, March 26**

**Finance Division on Education**

*Chair: Sen. LeRoy Stumpf*  
8 a.m. Room 125 Capitol  
**Agenda:** Allocations; bills to be announced.

**Joint Judiciary Committee and Finance Division on Health and Human Services**

*Chairs: Sen. Allan Spear and Sen. Don Samuelson*  
8 a.m. Room 107 Capitol  
**Agenda:** Corrections Bonding issues.

**Taxes and Tax Laws Committee**

*Chair: Sen. Douglas Johnson*  
8 a.m. Room 15 Capitol  
**Agenda:** Income and property tax divisions omnibus bills.

**Finance Division on Environment and Natural Resources**

*Chair: Sen. Steven Morse*  
9 a.m. Room 123 Capitol  
**Agenda:** Allocations, details to be announced.

**The Senate will meet at 12 Noon**

**Finance Division on State Departments**

*Chair: Sen. Carl Kroening*  
7 p.m. Room 123 Capitol  
**Agenda:** To be announced.

**Friday, March 27**

**Finance Division on Education**

*Chair: Sen. LeRoy Stumpf*  
8 a.m. Room 125 Capitol  
**Agenda:** Allocations continued from Thursday, March 26.

**Taxes and Tax Laws Committee**

*Chair: Sen. Douglas Johnson*  
8 a.m. Room 15 Capitol  
**Agenda:** S.F. 2144-Merriam: Transit bill. S.F. 2326-Dicklich: Omnibus education funding. S.F. XXXX-Johnson, D.J.: Omnibus tax bill.

**The Senate will meet at 12 Noon.**

**Finance Division on State Departments (tentative)**

*Chair: Sen. Carl Kroening*  
7 p.m. Room 123 Capitol  
**Agenda:** To be announced.

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# Briefly

The Minnesota Senate Week in Review

March 27, 1992

## Omnibus gambling bill debated

One of the few measures to generate considerable debate during the course of a floor session this week was the omnibus gambling bill, S.F. 1605. The measure, sponsored by Sen. Charles Berg (DFL-Chokio), was debated, and given preliminary approval, during the Tues., Mar. 24, floor session. The bill regulates the conduct of lawful gambling, licensed organizations distributors and manufacturers. In addition, the measure authorizes some expenditures made for senior citizens, real estate taxes and assessments, noncash gifts for blood donors, wildlife management projects and the combined receipts tax as lawful purposes. According to Berg, the measure also attempts to relieve some of burdensome paperwork placed on lawful gaming organizations. The bill also adds "Nevada language" to licensing restrictions in order to provide more flexibility in denying an application and insure the integrity of the industry.

A number of amendments were offered to the bill. One amendment, sponsored by Berg, prohibits gaming organizations from making a contribution to a city, county or town with the knowledge that the governmental unit intends to use the contribution for a pension fund. The amendment was adopted.

Members also adopted an amendment, offered by Sen. Randy Kelly (DFL-St. Paul), allowing smaller organizations that hold bingo occasions, with gross receipts from bingo of less than \$150,000, to use hard bingo cards. An amendment, offered by Sen. Pat Pariseau (IR-Lakeville), eliminated the words "noncash gift" and substituted the words "food and beverages" to be awarded to recognize a member who has made a blood donation as a lawful purpose expenditure. An amendment, offered by Sen. Dean Johnson (IR-Willmar), changing the requirement that small organizations report monthly to a requirement that they report quarterly was also adopted. Finally, the members adopted an amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), specifying that a distributor, manufacturer, or an organization licensed to conduct lawful gambling may not hire a former employee, director or member of the Gambling Control Board for one year after they have terminated employment with or left the board.

## Bonding bill approved

Provisions of this year's bonding bill were assembled at a Thurs., Mar. 26, meeting of the Finance Committee. The bill, which will be introduced as a committee bill, contains \$204.5 million in bonding for capital improvement projects. The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), discussed various sections of the proposal assembled by each of the Finance Committee divisions. Using a combination of bonding and appropriations the higher education portion of the bill totals \$94.6 million; the education portion totals \$15.7 million; the human services and corrections portion totals \$23.5 million; the state departments portion totals \$37.232 million; the environment portion totals \$32.2 million; and the agriculture, transportation and regulation portion totals \$15.6 million. (These totals are all before amendments were adopted to the measure.)

Several provisions received extensive debate and a number of amendments were offered. Sen. Dean Johnson (IR-Willmar) objected to "hostage language" in a portion of the bill that specified some projects could not go forward until funds authorized under the 1990 bonding bill are released. After extensive discussion, Johnson offered an amendment providing that none of the appropriations in the bill are to be spent unless all the projects authorized by the bill are permitted to proceed. The amendment also stipulated that none of the projects may proceed until the governor releases the projects authorized in 1990.

Another amendment, offered by Sen. Sam Solon (DFL-Duluth), reinstates a \$22.5 million allocation for Regional Treatment Centers in Anoka, Moose Lake and Fergus Falls. The authorization for those projects had been eliminated in the division's deliberations. An amendment to the amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), reduced the \$22.5 million to \$6 million and deleted a \$12 million allocation for the Judicial Center and substituted \$6 million instead. The Knaak amendment was adopted as was the entire Solon amendment. Finally, Sen. Lyle Mehrkens (IR-Red Wing) offered an amendment to appropriate \$327,200 for the Red Wing Technical College. The amendment was approved

and the entire proposal was approved for introduction.

## Omnibus K-12 ed funding bill

At an evening hearing Wed., Mar. 25, the Education Funding Division of the Education Committee completed its work on the omnibus K-12 education funding bill, S.F. 2326, authored by Committee Chair Ronald Dicklich (DFL-Hibbing). Dicklich explained the 12 article bill to the committee over the course of several evening hearings. The proposed legislation contains numerous provisions that make changes in current law regarding levies and referendums, education organization and cooperation, facility financing, choice programs, and libraries.

Dicklich said the bill makes a five percent cut in the Department of Education but does not cut funding to local school districts. Dicklich added that the measure creates a new tax on soft drinks. The revenues gained from the tax will be deposited in the early learning and violence prevention account of the special revenue fund, according to staff information.

"The Children's Article" combines portions of violence prevention bills presented earlier in the session. Sen. Fritz Knaak (IR-White Bear Lake) said the programs create an onerous burden on schools and then he offered an amendment to eliminate the programs. Dicklich said the proposals are not a "magic wand" that will eliminate violence and he urged his colleagues to defeat the amendment. The Knaak amendment failed. Sen. Lawrence Pogemiller (DFL-Mpls.) offered an amendment that removed the provision that creates an Office of Violence Prevention within the Department of Education. Pogemiller explained that his amendment was consistent with his philosophy of reducing the size of the Department of Education. The Pogemiller amendment prevailed. The committee also adopted an amendment that removed the requirement for school districts to establish community violence prevention councils.

Support was given to a section sponsored by Sen. Jerome Hughes (DFL-Maplewood) that sets up a blueprint for quality education. The committee made several technical amendments and sent the bill to the full Education Committee.

# Committee update

## Commerce

### Insurance bill okayed

Members of the Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), met Thurs., Mar. 19, and advanced three bills to the Senate floors.

S.F. 2212, authored by Solon, is the omnibus insurance bill and contains many technical changes to insurance statutes. In addition, the measure contains two more controversial articles. Sections of the measure dealing with the definition of mental health professional and with permitting the sale of credit unemployment insurance generated substantial discussion. Under the bill, clinical social workers and family therapists are included in the definition of mental health professional for purposes of the mental health mandate. An amendment, offered by Sen. Don Samuelson (DFL-Brainerd), to delete the provisions failed on a voice vote.

In addition, an amendment, sponsored by Sen. John Hottinger (DFL-Mankato), altering the minimum loss ratio for noncomprehensive individual policies failed to gain approval.

Several amendments were adopted, however. An amendment, offered by Sen. Allan Spear (DFL-Mpls.), specifying notice requirements for premium finance companies was adopted. An amendment, offered by Solon, specifying conversion rates for medicare supplement conversion policies was also adopted. An amendment, sponsored by Sen. William Luther (DFL-Brooklyn Park), aimed at ending discrimination against renters in automobile insurance policies was adopted.

S.F. 2743, authored by Hottinger, makes changes in state law relating to Medicare supplemental insurance required by the federal government. The measure also regulates coverage and practices, regulates the Minnesota Comprehensive Health Association, increases the maximum lifetime benefit amounts of some state plan coverage and extends the effective date of the authorization of use of experimental delivery methods.

S.F. 430, sponsored by Sen. Steven Morse (DFL-Dakota), requires every self-insurer who owns, leases or operates a motor vehicle to pay an equivalent insurance premium tax or \$25, whichever is less, to be credited to the state police aid account.

### Check cashing business regulation

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), wrapped up hearings for the year by advancing five measures to the Senate floor at a hearing Fri., Mar. 20.

A bill, S.F. 1836, requiring local approval for check cashing businesses generated considerable debate. Currently, the businesses are licensed by the state and no local approval is necessary. Under the bill, the commissioner may not approve an application without the concurrence of the governing body of the local unit of government in which the business is to be located. In addition, the bill specifies that authority to investigate offenses by the check cashing businesses rests with the attorney general. The measure also specifies that only one place of business may be operated under the same license. Finally, the measure places a distance limitation on check cashing operations by specifying that the businesses may not be within one-half mile of another licensed currency exchange. An amendment was adopted that provides for the Bureau of Criminal Apprehension to conduct background investigations as a condition of licensure with the cost of the investigation to be paid by the applicant. The bill, authored by Sen. Randy Kelly (DFL-St. Paul) was approved and sent to the full Senate.

Members also approved, and sent to the Senate floor, a measure requiring the registration of utilization review organizations. S.F. 651, authored by Sen. Allan Spear (DFL-Mpls.), provides standards and procedures; regulates appeals of determinations not to certify; regulates prior authorization of services; and prescribes staff and program qualifications. The measure was also approved and sent to the Senate floor.

S.F. 1243, sponsored by Sen. Richard Cohen (DFL-Mpls.), changes the regulation of interest rate advertising. The measure adds a definition -- "yield to maturity" -- and changes the general restrictions on advertising an interest rate. The measure was approved and advanced to the full Senate. S.F. 2374, authored by Sen. William Luther (DFL-Brooklyn Park), requires automobile insurers to reimburse insureds for deductible amounts before retaining subrogation proceeds. S.F. 2746, also authored by Luther, makes changes in the board of accountancy and specifies disciplinary powers. Both measures were approved and sent to the full Senate.

Finally, members debated a bill, S.F. 2551, that would make it a prohibited practice for a recreational equipment manufacturer to coerce or attempt to coerce a dealer into a refusal to purchase equipment manufactured by another manufacturer. The measure, carried by Sen. John Hottinger (DFL-Mankato), arises from a dispute between competing snowmobile manufacturers. After considerable discussion, committee members voted to lay the bill over.

## Economic Development and Housing

### Detroit Lakes development aid

A bill to help the town of Detroit Lakes cope with the closing of a Swift-Eckrich plant was presented by Sen. Roger Moe (DFL-Erskine), to the Economic Development and Housing Committee.

Moe told the committee Thurs., Mar. 19, that the bill requires the Rural Finance Authority to issue \$10 million in revenue bonds to finance an agricultural-industrial facility in Detroit Lakes. The bill also requires the commissioner of the Department of Trade and Economic Development to help develop the economic use of the facility and appropriates \$150,000 to the Detroit Lakes development authority for this purpose.

Les Duenow, vice president of Local 310 of the United Food and Commercial Workers, said if the plant closed, Detroit Lakes would experience "catastrophic effects."

Sen. Thomas Neuville (IR-Northfield), said he was sympathetic to the situation in Detroit Lakes, reminding members that the closing of a regional treatment center in his district had caused significant job loss. Neuville asked if the bill reflected fallout from the state's aid package to Northwest Airlines, and said, "Have we opened the door to anybody who has revenue difficulties?"

Moe said the state has had economic development programs for over 25 years. The committee approved the bill, which was re-referred to the Finance Committee.

Neuville presented S.F. 2380, requiring appropriate legislative committees to consider how legislation affecting scientific and technological development conforms to established state policy goals. The goals were formulated by Minnesota Technology, Inc. and include the encouragement and support of innovation and development of new technologies; support for industrial modernization and technology transfer; R&D development partnerships between industry and academia; development of a literate and technology skilled workforce; and, investment in technology development. The measure was approved and will go to the Senate floor.

The committee, chaired by Sen. James Metzen (DFL-South St. Paul) also approved S.F. 2691, increasing the board of the Export Finance Authority from six to seven. The bill, authored by Sen. Charles Davis (DFL-Princeton), eliminates the insurance and guarantee caps the authority may provide for pre- or post-export transactions. The bill was re-referred to Finance.

S.F. 1172, sponsored by Sen. Randy Kelly (DFL-St. Paul), was approved and sent to the Senate floor. The bill authorizes the city of St. Paul and its housing and redevelopment authority (HRA) to implement a citywide economic development program.

A bill allowing renters over the age of 62 who reside in subsidized housing to keep pets failed to pass. S.F. 43, presented by Sen. Don Samuelson (DFL-Brainerd), was opposed by Jack Horner of the Minnesota Multi-Housing Association. Horner said legislation was unnecessary.

## Education

### Education bills, parental review

Facing committee deadlines, the Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), held a hearing Fri., Mar. 20, to take action on four bills.

Sen. John Hottinger (DFL-Mankato) presented S.F. 2219, a bill that transfers the powers and responsibilities for licensing private business, trade, and correspondence schools to the Higher Education Coordinating Board. Hottinger's colleagues recommended that the measure pass and sent it to the floor. S.F. 1704, authored by Sen. Linda Berglin (DFL-Mpls.), gained approval from the committee. Berglin said the bill authorizes the creation of a neighborhood early learning board in Minneapolis and special School District No. 1, provides for the acquisition and betterment and operation of neighborhood early learning centers, and allows the pledge and expenditure of local sales and use taxes. The committee made technical amendments to the bill and re-referred it to the Finance Committee.

Sen. Thomas Neuville (IR-Northfield), explained S.F. 2555, a proposal that establishes a higher education savings plan. Neuville said the proposal encourages people to recognize the need to save early for education by providing a savings strategy that offers an option for taking income tax and property refunds in the form of United States Savings Bonds. Under the bill, interest on the bonds is tax-exempt if used for higher education purposes. In addition, the plan offers state supplements to individual contributions, but does not adversely affect a student's eligibility for financial aid. Members made technical amendments to the bill, which now goes to the Finance Committee.

In final action, Senators on the committee wrestled with the issue of parental review of instructional materials. Sen. Gen Olson (IR-Minnetrissa) presented S.F. 2556, a legislative proposal that includes in the Planning, Evaluation, and Planning process (PER) policy a proce-

cedure for parents to review the content of instructional material. Supporters of the bill expressed a desire to withdraw their children from sex education courses. They said the courses are offensive and violate their religious freedom. Members on the committee pointed out that the language of the bill could also apply to parental objections surrounding a history course, or any other course.

The debate focused on a provision that requires school boards to make arrangements for alternative instruction if parents object to the content of instructional materials. Senators expressed concern over the possible costs of such a mandate and questioned whether school districts should have to defer to the perceptions of an unreasonable parent. Over the objections of some bill supporters, the committee amended the bill to establish a standard of reasonableness. The committee approved the bill as amended and sent it to the floor.

## Education Funding

### K-12 funding

The Education Funding Division of the Education Committee continued work on the omnibus K-12 education funding bill at a hearing Thur., Mar. 19. The division met briefly to give preliminary approval to two articles of the bill.

Division Chair Ronald Dicklich (DFL-Hibbing) said one of the articles authorizes school districts to provide bus transportation along regular school bus routes when space is available for learning readiness programs. The other article contains noncontroversial and technical changes to education statutes, according to Dicklich. For instance, one provision includes kindergarten students for tuition purposes at the Minnesota Academies for the Deaf and Blind (current law refers to elementary students).

Dicklich said the division will use S.F. 2326 as a vehicle for the omnibus bill.

### K-12 bonding bill

S.F. 1905, the K-12 education bonding bill, was the first order of business Mon., Mar. 23, for the Education Funding Division of the Education Committee, chaired by Sen. Ronald Dicklich (DFL-Hibbing). Dicklich, bill author, said the package contains \$15 million in projects, far less than the amount requested by school officials.

The bill provides bonding for several projects, including a library for the blind and physically handicapped, maximum effort school loans, school district construction grants, and the Minnesota Development and Learning Center Commission. Members approved the bill and sent it to the full Education Committee.

The committee also heard testimony from concerned citizens who live in Greater Minnesota. The citizens expressed frustration with the level of authority the local school boards have relative to spending decisions. One witness compared the board's authority to the former unchecked political regimes of Eastern Europe. The testifiers said they were dismayed by the lack of cooperation between school districts in the area. They also cited as a problem the inequities in the tax burdens and educational facilities between districts that stem from a system that is overly reliant upon property taxes.

In other committee business, members briefly worked on the omnibus K-12 funding bill, S.F. 2326, authored by Dicklich. Dicklich said the committee would consider amendments to the bill later in the week.

## Energy and Public Utilities

### Energy bills

Members of the Energy and Public Utilities Committee, chaired by Sen. Steven Novak (DFL-New Brighton), continued work on S.F. 2017 Thur., Mar. 19. Novak, bill author, said the amended version of the bill defines the term excavation and clarifies the authority of the Public Utilities Commission to reinstate the original rate for a telephone service for emerging competition on finding the proposed rate is below incremental cost or is not just and reasonable. The measure also requires the commission to make a final decision within 6 months on rate increases of telephone service subject to effective competition when a contested case hearing is not held. However, in cases being heard by an administrative law judge the commission has a ten month limit. The bill also sets forth conditions under which a telephone company may offer promotion activities. Finally, the committee approved an amendment to the bill that outlines commission procedures for handling the discussion of information subject to a protective order. The committee recommended that the bill pass as amended and sent it to the floor.

Senators on the committee also approved SF. 2349, authored by Sen. Janet Johnson (DFL-North Branch). Johnson said the bill provides incentives for the use of renewable energy sources. The measure also creates a tax exemption for photovoltaic devices, which the bill describes as "a system of components that generates electricity from incident sunlight by means of photovoltaic effect." Members amended the bill to remove the retroactive effective date. The bill was referred to the Taxes and Tax Laws Committee.

# Committee update

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Sen. Pat Piper (DFL-Austin) presented S.F. 2692. The committee amended the bill to incorporate the language of H.F. 2643, which provides that energy providers may solicit contributions from customers for fuel funds that distribute emergency energy assistance to low-income households. Piper said the bill also establishes a statewide fuel fund in the Department of Jobs and Training. The committee approved the bill and re-referred it to the Governmental Operations Committee.

Finally, the committee heard S.F. 2320, authored by Sen. Jane Ranum (DFL-Mpls.). Ranum said the amended version of her bill requires the Public Utilities Commission to adopt rules to govern how telephone companies respond to requests for tracers made by receiving harassing telephone calls. Ranum added that the bill addresses concerns of telephone company customers who were not treated properly by the utility when reporting harassing phone calls. Members on the committee approved the amended bill and sent it to the floor.

## Environment and Natural Resources

### Cuyuna rec area advances

A bill establishing a Cuyuna Country State Recreation Area received approval from the Environment and Natural Resources Committee Fri., Mar. 20.

The bill, S.F. 2324, advances to the Environment and Natural Resources Division of the Finance Committee. The bill's author, Sen. Don Samuelson (DFL-Brainerd), said the key goals of the area are to retain the water recreation area developed since the abandoned iron ore pits have filled with pure water; to implement state shoreland regulations to the pit lakes; and, to limit development to facilitate a return to mining should that be necessary.

Sen. Charles Berg (DFL-Chokio), asked the bill's sponsor, Sen. Don Samuelson (DFL-Brainerd), "In a time of state park cutbacks, isn't this a subterfuge for adding a state park?" Samuelson said that was not his intention. Bill Morrissey of the DNR said a recreation area has resources that need protection but require less management and development than a state park. Morrissey said the DNR could not support the establishment of the recreation area without sufficient funding.

After considerable discussion, the committee approved the bill and re-referred to it to the Finance Committee.

Before recessing, members also approved tow measures presented by Sen. Thomas Neuville (IR-Northfield). H.F. 1763 authorizes the conveyance of a state easement at Fairbault. S.F. 2424, which was re-referred to the Finance Committee,

requires the conveyance of land from the state to Independent School District No. 656 in Fairbault. Also approved was S.F. 2067, changing provisions relating to withdrawal of lands from sale or exchange. The measure, which was suggested by the DNR, was presented by Sen. Lyle Mehrkens (IR-Red Wing).

### Mercury ban approved

Members of the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), held an evening hearing Fri., Mar. 20, in order to complete work before the second committee deadline. One of the measures gaining committee approval prohibits disposing of mercury in solid waste. S.F. 2042, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), also prohibits the disposal of thermostats, thermometers, electric switches, appliances or scientific instruments from which the mercury has not been removed. Under the bill, the mercury must be removed, recycled or otherwise managed to insure that the mercury is not placed in the solid waste stream or in a wastewater disposal system. In addition, items containing mercury must be labeled if they are to be sold in this state. Finally, the measure prohibits medical facilities from routinely distributing thermometers containing mercury and prohibits the sale of toys or games that contain mercury. The measure was approved and sent to the full Senate.

Committee members also approved a bill authorizing the sale of tax-forfeited lands in St. Louis County to the city of Biwabik. The measure was amended to include provisions authorizing the sale of land in Hubbard County to the Leech Lake Band of Chippewa Indians and the sale of land in Itasca County. The measure, S.F. 2193, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), was also approved and sent to the Senate floor.

A bill prohibiting the designation of experimental waters was significantly amended before gaining committee approval. S.F. 522, authored by Sen. Duane Benson (IR-Lanesboro), provides that in designated trout streams located in Houston, Fillmore, Mower, Dodge, Olmsted, Winona, Wabasha and Goodhue Counties, all legal methods of taking fish are allowed, except that barbed hooks are prohibited. The measure was approved and sent to the full Senate.

S.F. 1959, sponsored by Sen. William Luther (DFL-Brooklyn Park), was also approved and re-referred to the Finance Committee. The measure provides for the management of ecologically harmful exotic species. Specifically, the bill is aimed at curbing the spread of Eurasian milfoil. The measure broadens, though, the prohibition on transporting aquatic

vegetation to include other water-transmitted ecologically harmful exotic species identified by the commissioner of natural resources. The measure also provides for the inspection of watercraft and equipment and provides for the suspension of watercraft licenses for not removing harmful exotic species from watercraft or trailers. Finally, the measure raises the surcharge --to \$4 -- placed on watercraft licenses. An amendment was adopted that exempts canoes and kayaks from the surcharge.

The last bill considered by the panel was S.F. 2095, authored by Sen. Steven Morse (DFL-Dakota). The measure conforms Minnesota laws to the Federal Clean Air Act and clarifies the duties of the Pollution Control Agency. The measure was approved and re-referred to the Committee on Finance.

## Finance

### AURI cuts protested

Richard Nelson, director of the Agricultural Utilization Research Institute (AURI), spoke to members of the Finance Division on Agriculture, Transportation and Regulation Fri., Mar. 20, and said that implementation of the governor's budget recommendations would impede AURI's ability to fulfill its mission. According to Nelson, the recommended \$4 million reduction would limit AURI's ability to attract foundation funds and federal funds; curtail the New Markets Program; result in the closing of two field offices; eliminate the Agricultural Environment Initiative; and cut funding for cooperative commercialization ventures.

Panel members, chaired by Sen. Keith Langseth (DFL-Glyndon), also reviewed the governor's budget recommendations for other off-shoots of Minnesota Technology, Inc. (formerly the Greater Minnesota Corporation) including the Natural Resources Research Institute. According to Mike Lulich, director of the institute, the organization would undergo a 6.3 percent cut under the governor's plan.

In addition, the division reviewed the recommendations for the World Trade Center, the Dept. of Labor and Industry and the Dept. of Public Service.

Commissioner Kris Sanda, Dept. of Public Service, spoke to the division on the efforts the department is making in the area of gasoline octane regulation and enforcement. The proposal, based on testing the department did last year that found evidence of widespread fraud in the sale of high octane gasolines, sets up an enforcement division within the department. The governor is recommending an increase of \$772,000 for gasoline octane and oxygenated fuels enforcement.

However, the full cost is recovered through existing income from petroleum inspection fees. The proposal provides the department with the necessary authority, staff and equipment to enforce compliance with state minimum octane posting requirements for gasoline and for Environmental Protection Agency regulations for winter oxygenation of gasoline, Sanda said.

### Capital budget items adopted

The Finance Division on Agriculture, Transportation and Regulation adopted several capital budget items at the Mon., Mar. 23, hearing. The division, chaired by Sen. Keith Langseth (DFL-Glyndon), approved funding for capital projects for the Dept. of Agriculture, the Minnesota Historical Society and for some non-bonding projects proposed by the Dept. of Transportation. The panel approved \$365,000 for a new potato inspection facility in East Grand Forks. Debt service on the project is to be covered by inspection fees set by the commissioner of agriculture. The panel also approved \$1.4 million for the State History Center to match approximately \$4.5 million in nonstate funds for the development and production of major long-term exhibits. An additional \$375,000 was approved for emergency life safety repairs and code compliance at historic Fort Snelling.

The projects for the Dept. of Transportation -- amounting to \$10 million -- do not need to be funded by the sale of bonds. A number of the projects are included in the governor's recession response plan and include additions to welding shops, construction of storage facilities and work at truck stations throughout the state. The proposal also included funding for several highway rest areas. The panel deleted the rest area funding from the list of projects.

Finally, the panel also approved \$2 million for construction of a state hangar facility at the St. Paul downtown airport to be funded from the state airport fund.

In other action, the division also reviewed the governor's budget recommendations for Minnesota Project Outreach, Minnesota Project Innovation, the Secretary of State's Office, the Dept. of Agriculture and the Regional Transit Board. Michael Ehrlichmann, chair of the RTB provided information on the cost, use and future needs of Metro Mobility as part of the RTB budget presentation.

### Higher education building bill

Bonding projects for higher education were on the agenda for the Higher Education Division of the Finance Committee Thur., Mar. 19. The division recommended almost \$99 million in bonding projects, less than half of the requests from the higher education systems. Division Chair LeRoy Stumpf

(DFL-Thief River Falls) pointed out that the amount of the Senate's recommendations is very close to the governor's proposal. Stumpf said it was important to stay within the governor's recommendations.

The higher education building bill provides bonding for several projects, including a new facility in Austin, a heating plant in Moorhead, a utility tunnel in Mankato, and a basic sciences building at the University of Minnesota. The bill also authorizes the State Board of Technical Colleges to construct an aircraft fire fighting training facility in Duluth, funded with federal dollars. Stumpf said the division's recommendations are based on three things: cooperation in the planning process; retention and maintenance of existing facilities; and recognition that the '90's will be a time of limited resources.

### Building bill adjustments

Committee Chair LeRoy Stumpf (DFL-Thief River Falls) called on the Higher Education Division of the Finance Committee Wed., Mar. 25, to make adjustments to the higher education building bill. Stumpf said the division had to cut \$4.5 million in projects from the bill to stay in line with the governor's recommendations. The division approved an amendment that made cuts in several projects, bringing the package down to a total of \$94 million. The package now goes to the full Finance Committee.

### DNR budget reductions

The Environment and Natural Resources Division of the Finance Committee continued their review of the governor's budget recommendations for the Dept. of Natural Resources.

Deputy Commissioner Ron Nargang told division members at the Thurs., Mar. 19, meeting, that the impact of cuts on the state park system will be "fairly broad." Nargang said the DNR has tried to limit the impact on public services by maintaining the current level of services at the 14 most popular parks while cutting back on services in the class one and two parks.

Cuts in mineral resources will "affect future competitiveness," Nargang said, while cuts in water resources management will delay the start of the Red River Valley Groundwater project. Most funding for trails and waterways have come from the general funds, Nargang reported, so the impact of cuts will be minimal.

Two lake reclamation projects will be delayed due to cuts in the fish and wildlife management program, Nargang told members, and cuts will be made in regional operations support staff.

The division, chaired by Sen. Steven Morse (DFL-Dakota), also heard from Don Gilbertson, president of AFSCME

Council 6, who told members job cuts were being made disproportionately from service workers. "The cuts are being made among the people who actually provide the services," Gilbertson said, "Further cuts will decimate the DNR."

### Proposed environmental allocations

The Environment and Natural Resources Division of the Finance Committee began reviewing proposed budget allocations Wed., Mar. 25.

Chair Steven Morse (DFL-Dakota), said the division's recommended allocations would be approximately \$282,000 less than the governor's. Areas where the division's recommendations differ from the governor's include the Dept. of Natural Resources' (DNR) Parks and Recreation division, where even an additional \$285,000 is "not enough money. Period," according to Morse, who continued, "I want to redouble my efforts to get more money for parks next year."

Agreeing with the need to find more funds for state parks, which Kathleen Wallace of the DNR said were used by 7.9 million visitors in 1991, Sen. Charles Berg (DFL-Chokio), suggested increasing sticker fees.

Wallace reiterated the DNR's plans to cope with budget cuts by shifting funding from the 29 least used parks to the 14 most heavily used ones.

Other DNR reductions the panel is considering include \$200,000 from the Fish and Wildlife Division, \$87,000 from regional operations, \$122,000 from special services, and \$194,000 from administrative management.

From the Pollution Control Agency's (PCA) Hazardous Waste Division, the panel proposes cutting \$145,000 from internal services and moving pollution prevention activity to the Office of Waste Management (OWM), cutting an additional \$149,000.

Restored in the division's proposed allocations is \$20,000 for the OWM's MnTAP program, which helps businesses manage their industrial wastes and emissions.

The division is accepting the governor's recommendation to dedicate receipts at the Minnesota Zoo to a special fund and to increase admission. No changes are anticipated in the recommended PCA allocation for air pollution control, while the division may restore \$50,000 for PCA groundwater monitoring.

A reduction in outreach programs will result from the division accepting the governor's recommended cut of \$121,000 from the Science Museum (SMM), according to Ann Bitter of the SMM.

Funding for the Voyageur's National Park Advisory Council would be restored, adding \$59,000 to the budget. Division members will continue discussion of the proposed allocations at a later hearing.

# Committee update

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## Allocation bill considered

The Environment and Natural Resources Division of the Finance Committee began consideration of the budget bill Thurs., Mar. 26.

There were only minor changes from the allocations members had discussed earlier in the week. At the request of Kathryn Roberts, executive director of the Minnesota Zoo, the approved general fund complement was decreased by 49 positions and the approved special revenue fund complement increased by 80 positions.

One new provision mandates that cuts to the Minnesota Conservation Corps budget not be in a greater proportion than cuts to the DNR's other general fund programs.

Other changes include a 50 percent across the board reduction in payments in lieu of taxes and the removal of Hill Annex State Park from statute.

Division Chair Steven Morse (DFL-Dakota) offered an amendment providing for federal maintenance of campgrounds in the BWCA with federal funds. The amendment was approved.

Members laid over the bill and several amendments to a later hearing.

## HHS budget review

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), continued hearing budget presentations from the Department of Human Services Fri., Mar. 20.

Forecasts for the General Assistance, Medical Assistance and Work Readiness programs were presented. Asst. Commissioner Nancy Degg told the committee the General Assistance Medical Care forecast is for increases of 15.5 percent in fiscal year 1992 and for 14 percent in fiscal year 1993. Degg said the increases are due to increased enrollment in the program.

The division continued hearing the presentations Monday, Mar. 23.

## HHS bonding allocations

Bonding allocations for human services and corrections facilities were the subject of the Tues., Mar. 24, and Wed., Mar. 25, meetings of the Finance Division on Health and Human Services. The division, chaired by Sen. Don Samuelson (DFL-Brainerd), approved projects that total \$23.69 million, well under the governor's recommendations.

Specifically, the division approved bonding of \$8.1 million to construct a 50 bed addition at the Minnesota Security Hospital at St. Peter; \$4.3 million to renovate two living units for an additional 160 inmates at the Faribault Correctional Facility; and \$10.9 million for the construction of living units for an addi-

tion 100 inmates at the Women's Correctional Facility at Shakopee.

The panel also approved \$210,000 for expansion of the Brainerd Regional Laundry.

Division members discussed, but ultimately rejected, a proposal to allocate \$89 million for remodeling facilities at Anoka, Moose Lake and Fergus Falls. However, the panel did include a provision urging the governor to release \$9.3 million for skilled nursing facilities at Brainerd, Cambridge and Fergus Falls and \$1.5 million for mental health beds at Brainerd. The allocations had been authorized in the 1990 bonding bill but had been put on hold by the governor.

At the Wed., Mar. 25, hearing, panel members also heard public testimony on the budget recommendations for the Dept. of Human Services.

## Operating budgets reviewed

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met Thurs., Mar. 19, and reviewed the operating budgets of the attorney general, state auditor, state treasurer and the Dept. of Trade and Economic Development.

Under the governor's budget recommendations, the office of the state auditor is to have a \$521,000 reduction. State Auditor Mark Dayton requested that the 7.8 percent budget reduction be limited to the areas of the budget that are not fee generating. Dayton said that reductions in the audit practice area would result in audits not being performed, in fees not being generated and, thus, in no net savings to the general fund.

For the offices of the state treasurer and the attorney general, the governor's recommendations include reductions of \$98,000 and \$1.6 million, respectively. In both cases, the recommendations are advisory only, because of the constitutional separation of powers. However, in both cases the reductions represent the same four percent cut applied to other state agencies.

A number of programs within the Department of Trade and Economic Development are slated for cuts under the governor's budget recommendations. For instance, the governor recommends a reduction of \$600,000 in F.Y. 1992 and \$150,000 in F.Y. 1993 in operating costs and grants within the Community Development Division; a reduction of a total of \$100,000 in F.Y. 1992 and F.Y. 1993 in the Minnesota Trade Office; and a reduction in the programs entitled tourism marketing and grants of \$218,000 in F.Y. 1992 and \$518,000 in Office of Tourism. In addition, the governor is also recommending cuts in other areas of the department.

Panel members also discussed a capital budget item from the Dept. of Trade and Economic Development. The funds are to be used to provide a 20 percent state match to receive a federal capitalization grant of \$37.5 million for federal F.Y. 1993 and \$33 million for federal F.Y. 1994 to finance wastewater construction projects across the state.

## Budget requests reviewed

The Finance Division on State Departments, at a Mon., Mar. 23, meeting, granted approval to several capital budget requests from state agencies.

The division, chaired by Sen. Carl Kroening (DFL-Mpls.), recommended that several capital budget requests for the Dept. of Administration be granted. They include \$420,000 for developing a strategic long-range plan for locating state agencies; \$12 million for carrying out Phase II renovation of the Judicial Center; \$6.39 million for Phase I remodeling the Transportation Building; \$1.69 million for relocating the Department of Jobs and Training and temporarily relocating the office of the Attorney General and employees from one floor of the Transportation building during construction; \$5.9 million for storm and sanitary sewer construction in the Capitol Complex; \$6 million for land acquisition; and \$1.2 million for repair of the Centennial parking ramp. The division recommended that the department's request for \$10 million for capital asset preservation and repair be reduced to \$5 million. In addition, a delay was recommended for allocation of \$4.3 million for renovation of the Ford Building.

The division also recommended that the joint request by the Capitol Area Architecture and Planning Board and the Dept. of Administration for \$1.64 million for life safety and exterior renovations for the Capitol Building be granted.

A Dept. of Trade and Economic Development request for \$7.5 million was also approved.

In addition, the division recommended approval of a \$9.3 million request from the Dept. of Military Affairs for construction of a National Guard Education Center at Camp Ripley.

## Agency budgets reviewed

The Finance Division on State Departments continued their review of state agency budgets Tues., Mar. 24. The division, chaired by Sen. Carl Kroening (DFL-Mpls.), heard from representatives of the governor's office, the Bureau of Mediation Services, the Dept. of Revenue and the Dept. of Finance.

Former Sen. Don Anderson, now a member of the governor's staff, presented the budget recommendations for the

governor and lieutenant governor's offices. According to Anderson, the governor has included reductions in his own office in order to provide an example for other agencies being asked to make cuts. Anderson said that a reduction of \$272,000 for F.Y. 1993 represents the same ratio of four percent applied to other executive departments. The reductions are to come from cuts in both in-state and out-of-state travel, cuts to the funding of the governor's residence, not filling staff vacancies as they occur, and not paying membership dues for the Western Governor's Conference.

Peter Obermeyer presented the governor's initiative for the Bureau of Labor Mediation Services. The initiative, which is the product of a recommendation by the Commission on Reform and Efficiency, phases out the Labor/Management Cooperative grants over the next 2 fiscal years. The phase out of the grants reduces general fund expenditures by \$119,000 in F.Y. 1993 and provide savings of \$476,000 in the 1994-95 biennium. Kroening said that he questioned whether the mission of the Area Labor/Management Committees (the entities that receive the grants) has really been accomplished if the phase out is premature.

Recommendations for the Dept. of Revenue include an administrative reduction of \$700,000 to the F.Y. 1992-93 general fund appropriations. The reduction represents a .5 percent reduction of the total biennial appropriation and Kroening pointed out that other agencies are being asked to reduce spending by 4 percent. Departmental officials responded greater reductions would lessen the department's ability to collect revenue which would be compounded into a greater loss of revenue. One of the governor's recommendations is for the department to begin a program that would allow the department to offer Minnesotans an opportunity to take income tax and property tax refunds in the form of U.S. Savings Bonds. The purpose of the program is to encourage parents to save for their children's future higher education needs.

The recommendations for the Department of Finance include a reduction of \$176,000 in each of the fiscal years of the current biennium. According to department representatives, the reduction is a two and one quarter percent base cut. In addition, the Commission on Reform and Efficiency also recommends that state warrants be canceled after two years, rather than the current five years. The recommendation is anticipated to result in a net revenue of \$980,000. In addition, the commission also recommends funding a comprehensive review of statewide indirect cost allocation policies and collection methodologies to increase recoveries to the general fund.

## HFA, Board of Investment reviewed

The review of agency budgets continued at the Wed., Mar. 25, meeting of the Finance Division on State Departments. The division, chaired by Sen. Carl Kroening (DFL-Mpls.), reviewed the governor's budget recommendations for the Housing Finance Agency, the Board of Investment, the Dept. of Military Affairs, the Dept. of Veterans Affairs and the Dept. of Human Rights.

According to James Solem, of the Housing Finance Agency, the agency made a decision not to cut programs dealing with the homeless and very low income persons or programs that help leverage large amounts of federal dollars. Thus, Solem said the agency selected new programs that are still in the rule making process for the reductions. The Blighted Property Acquisition Program, the Urban Indian Program and the Homeownership Assistance Fund are scheduled for reductions, Solem said.

The Board of Investment is not scheduled for reductions according to Howard Bicker, executive director. The agency has fewer than 50 employees and is exempted from the four percent reduction. In addition, the agency only receives about 10 percent of its budget from the general fund.

Tom Ryan, executive director of the Dept. of Military Affairs said that the main budget reduction is accomplished through closing 12 armories around the state. Ryan said that the savings would not be realized immediately because of the costs associated with closing down the armories.

The governor's budget recommendation for the Dept. of Veterans Services is a \$250,000 reduction in the grant for Vinland National Center. Commissioner Jeff Olson and Kroening both expressed disappointment that the program, targeted at the neediest veterans, was slated for reduction.

## Changes in proposed bonding

Meeting Wed. afternoon, Mar. 25, the Finance Division on State Departments amended their bonding recommendations to include \$4.7 million for the Metropolitan Council's Open Space Program.

The Met Council Open Space Program, a project of the Dept. of Trade and Economic Development, provides funds for acquisition and betterment of parks. Division Chair Carl Kroening (DFL-Mpls.), told members that moving bonding authority for Public Financing Authority (PFA) Wastewater Treatment Grants to the Finance Division on Environment and Natural Resources had made the additional bonding possible.

The division deleted bonding for renovations to the Transportation Building. The bonding bill, as amended, was approved.

## Governmental Operations

### Sixty-day licensing bill okayed

A bill that would require state agencies to act on permit and license applications within 60 days was approved by the Governmental Operations Committee at a Thurs., Mar. 19, meeting.

The bill's sponsor, Sen. Roger Moe (DFL-Erskine), said the bill is needed to cut through a 15-year collection of rules and regulations, each of which has a purpose, but which together have bogged down the permit application process. Senators voted to approve an amendment, offered by Moe, stating that an application is considered approved if the agency fails to act on it within the specified time. The committee, sponsored by Sen. Gene Waldorf (DFL-St. Paul), voted to approve the bill and send it to the full Senate.

S.F. 2628, sponsored by Sen. Randy Kelly (DFL-St. Paul), expands the statutory definition of firefighters to include public safety officers, making them eligible under the survivor benefit law. The bill was approved and sent to the full Senate.

The committee also discussed S.F. 2729, creating a legislative commission on occupational regulation. The duties of the commission include reviewing proposals for new or different forms of occupational regulation and reviewing bills dealing with occupational regulation. The bill, sponsored by Waldorf, was approved and re-referred to the Finance Committee.

S.F. 2120, sponsored by Sen. Joe Bertram (DFL-Paynesville), received a brief hearing by the committee. The bill expands the definition of "killed in the line of duty" for a peace officer to expressly include death while in a vehicle of caused by a vehicle. Due to time constraints, the bill was laid over.

### Gender balance, housekeeping bills

Sen. Sandra Pappas (DFL-St. Paul) told the Governmental Operations Committee that the state needs to make efforts to achieve gender balance in state agencies. At the Thur., Mar. 19, evening hearing, Pappas presented H.F. 1114, a proposal that requires gender balance in multimember agencies. Pappas said the measure also requires the agencies to have a membership that reflects "racial, ethnic, and socioeconomic diversity to the extent possible." The committee recommended that the bill pass as amended and sent it to the floor.

Pappas also offered H.F. 2704, a bill that increases the size of the Council on Asian-Pacific Minnesotans. Sen. Lawrence Pogemiller (DFL-Mpls.) offered an amendment that increase the size of the State Council on Black Minnesotans. Members approved the amendment and the bill, then sent the measure to the floor.

# Committee update

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In other action, Senators on the committee gave approval to S.F. 2660, authored by Sen. John Marty (DFL-Roseville), a bill that transfers the responsibility of providing administrative support to the Telecommunications Access for Communications Impaired Persons Board from the Department of Public Service to the Department of Administration. The bill now goes to the floor. Sen. Richard Cohen (DFL-St. Paul) presented S.F. 2323. Cohen said the proposal provides for a study of the civic and cultural functions of downtown St. Paul. The committee approved the bill and sent it to the full Senate after removing a clause that exempted gifts, grants, and donations from laws and rules regulating lobbying expenses.

Members approved and made technical amendments to S.F. 2120, authored by Sen. Joe Bertram (DFL-Paynesville), a bill that alters the definition of a peace officer "killed in the line of duty." The committee re-referred the bill to the Finance Committee. Bertram also presented S.F. 2080, a proposal that provides the University of Minnesota extension service employees fringe benefits and salary increases. The committee amended the bill to clarify how federal and state funds are coordinated to meet the costs of fringe benefits. The bill now goes to the Finance Committee.

The committee gave approval to three "housekeeping" bills for state agencies. The "housekeeping" bills give statutory authorization for non-controversial changes in departmental policies. S.F. 2699, authored by Sen. Phil Riveness (DFL-Bloomington), addresses changes for the Department of Administration. Members made technical amendments to the bill and sent it to the floor. S.F. 2402 makes changes for the state treasurer's office. The committee approved technical amendments to the bill and referred it to the full Senate. Committee Chair Gene Waldorf (DFL-St. Paul) presented S.F. 2700, a bill that codifies changes for the Department of Employee Relations and modifies public employee pension plans. The committee made technical amendments to the bill and sent it to the floor.

Sen. Sam Solon (DFL-Duluth) presented S.F. 1731 to the committee. Solon said the amended measure requires public employers to include some former employees in the same insurance pool as active employees. The committee approved the bill and sent it to the floor. Agency heads cannot delegate affirmative action duties under S.F. 2292, authored by Sen. Carl Kroening (DFL-Mpls.). Agency representatives testified against the bill citing the need for managerial flexibility. They said the agencies strongly support affirmative action policies and that delegating

the responsibilities does not mean the policies are less effective. Kroening said that commissioners should not be able to delegate such an important responsibility. The committee made technical amendments to the bill and sent it to the floor.

The committee took action on S.F. 2565, authored by Sen. Earl Renneke (IR-LeSueur), a bill that eliminates the Minnesota Public Employment Relations Board and modifies arbitration procedures. Renneke said the bill makes changes in the law to transfer the board's responsibilities to the Bureau of Mediation Services. Renneke added that the bill stems from the governor's veto of the board's funding in 1991. Members approved technical amendments to the bill and sent it to the floor.

Sen. Steven Morse (DFL-Dakota) brought forth S.F. 1845, a bill that increases the formula multiplier from 1.5 percent to 1.6 percent for specific public employees. The committee narrowly approved an amendment to the bill that establishes a minimum statewide "high five" salary to bring parity to the pensions of retired teachers who taught predominantly in Greater Minnesota. Under the measure, the increase is funded by the public employers' and employees' contributions. The committee made technical amendments to the bill and sent it to the Finance Committee. Morse also offered S.F. 1910, a bill that changes the formula governing the calculation of postretirement adjustments for the Minnesota Post Retirement Investment Fund. The committee adopted technical and clarifying amendments to the bill and sent it to the floor.

In final action, Morse outlined S.F. 410, a bill relating to public employee deferred compensation programs. Morse said the amended version of the bill authorizes an employer matching contribution to specific tax sheltered annuity contracts. Provisions in the bill authorize vendors, in addition to the State Board of Investment, to provide tax sheltered annuities. Members made clarifying amendments to the bill and sent it to the floor.

## HealthRight

Committee Chair Gene Waldorf (DFL-St. Paul) called to order the Governmental Operations Committee Fri., Mar. 20, to wrap up the committee business for the 1992 session. The key item on the agenda was S.F. 2603, the HealthRight bill. The proposal sets forth a plan to provide access to health care for low-income and uninsured Minnesotans.

Sen. Linda Berglin (DFL-Mpls.) presented the portions of the bill that are germane to the committee--provisions that relate to government structure. The

bill creates several boards and commissions, including a regional coordinating board, a health planning advisory committee, and a legislative oversight commission. Berglin pointed out that most of the appointing authority for the commissions rests with the governor; however, she stressed that structure calls for a diverse group of representatives, including labor, business, doctors, and consumers.

The committee adopted a significant author's amendment that transforms the state health care commission into an advisory commission to the Department of Health. Under the amendment, the commissioner of the Department of Health could override the decisions of the commission. Proponents of the amendment said this structure provides more accountability. Members approved an amendment offered by Waldorf that requires the commissioner of the Department of Health and the commissioner of the Department of Administration to "investigate and develop recommendations regarding the use of advanced telecommunications technologies to improve rural health education and health care delivery." The amendment also calls for the commissioner of health, through the office of rural health, to conduct special studies pertaining to perinatal services in rural Minnesota, and the impact of current reimbursement provisions in rural practice settings. In addition, the committee adopted an amendment that makes changes to the cost containment article in the bill. Members also approved several amendments offered by Sen. Lawrence Pogemiller (DFL-Mpls.).

Pogemiller's amendments removed some provisions that exempted the commissioner of health from the rulemaking process. Other amendments by Pogemiller make the commissions subject to statutory procedures for "sunsetting." The committee approved several technical amendments to the bill and re-referred it to the Taxes and Tax Laws Committee.

In other committee business, members gave approval to S.F. 2764, authored by Pogemiller, a bill that authorizes a specific person to purchase prior service credit from the teachers retirement association. Sen. Pat Piper (DFL-Austin) offered S.F. 2692. Piper said the measure allows energy providers to solicit contributions from customers for fuel funds that distribute emergency energy assistance to low-income households. Piper added that the bill also establishes a statewide fuel fund in the Department of Jobs and Training. Senators made technical amendments to the bill and sent it to the Finance Committee.

Waldorf presented S.F. 2418, a bill originally authored by Pogemiller.

Waldorf said the bill validates a change in the date on which personal benefit payments are made to the St. Paul Police Relief Association. The committee made a clarifying amendment to the bill and sent it to the full Senate.

To conclude the committee's business, members reconsidered S.F. 422, a bill relating to chemical dependency counselor licensure. Members approved amendments by Waldorf that he said clarified action taken by the committee on Thurs., Mar. 19. Waldorf added that he may offer another amendment on the floor of the Senate to "clean up" the bill. S.F. 422 now goes to the floor.

## Health and Human Services

### Bills advance

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Thurs., Mar. 19, to hear numerous bills.

Members of the committee first considered S.F. 1805, sponsored by Sen. Judy Traub (DFL-Minnetonka), requiring that an ophthalmologist or optometrist who has made a diagnosis of legal blindness advise the client of state services available for the blind and visually handicapped. The measure was approved and sent to the full Senate.

S.F. 2707, sponsored by Sen. Pat Piper (DFL-Austin), requires the commissioner of human services to conduct a study on covenants restricting the right to provide licensed day care. The measure was approved and re-referred to the Finance Committee.

Sen. Harold "Skip" Finn (DFL-Cass Lake) sponsored S.F. 2234, modifying disciplinary requirements of the board of social work, allowing the issuance of practice permits, and clarifying requirements for changes in licensure level. The committee voted to approve the bill and send it to the full Senate.

S.F. 2084, sponsored by Sen. Don Samuelson (DFL-Brainerd), adds licensed marriage and family therapists to the list of qualified mental health professionals for purposes of the Mental Health Act. The measure was approved and sent to the full Senate.

H.F. 2081, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), modifies provider appeal requirements for Medical Assistance. The committee approved the bill and sent it to the full Senate.

Sen. Ember Reichgott (DFL-New Hope) sponsored S.F. 1724, an amendment to the Good Samaritan law that allows persons who voluntarily provide assistance at the scene of an accident to obtain test results to determine whether they have been exposed to HIV or hepatitis B viruses. The bill was approved and sent to the full Senate.

Finally, members heard S.F. 2473, sponsored by Sen. Steven Morse (DFL-Dakota), establishing a service connection fee for public water supply users. Morse said the money was needed to continue required tests on public water supplies. The measure was approved and sent to the Finance Committee.

### Nursing home bills okayed

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Fri., Mar. 20, to advance several bills.

S.F. 2704, sponsored by Berglin, contains numerous provisions related to the MA provider surcharge program. The bill applies the nursing facility surcharge to all licensed nursing homes whether or not they participate in Medical Assistance and excludes boarding care homes. The measure also modifies provider reimbursement rates and expands the HMO surcharge to cover all HMOs. The bill also establishes a physician surcharge of \$600 per year on every licensed physician in the state and increases MA reimbursement rates for inpatient hospitals, nursing facilities, outpatient hospitals, physicians and dentists.

Dr. Stuart Hanson, president-elect of the Minnesota Medical Association, said that the increased reimbursement under the bill will not cover physicians' costs of treating MA patients.

Berglin also sponsored S.F. 1816, dealing with the nursing home moratorium, and S.F. 1817, dealing with nursing home property reimbursement. Both bills were amended into S.F. 2704 which was approved by the committee and re-referred to the Finance Committee.

S.F. 2561, a department bill carried by Sen. Dean Johnson (IR-Willmar), makes a number of changes in existing GA/Work Readiness laws. The bill establishes a number of new categories of General Assistance eligibility and makes undocumented aliens and nonimmigrants ineligible for GA. Another provision of the bill requires the Self Start (formerly Work Readiness) program service provider to notify the county agency if a participant receiving General Assistance has quit, refused to accept suitable employment or failed to participate.

The measure was approved and sent to the Committee on Rules and Administration.

The last two bills taken up by the committee were S.F. 1965, sponsored by Sen. Jim Vickerman (DFL-Tracy) and S.F. 2196, sponsored by Sen. Judy Traub (DFL-Minnetonka).

S.F. 1965, exempting intermediate care facilities for persons with mental retardation (ICFs/MR) from certain rules and authorizing the commissioner of human services to adopt interpretive guidelines

concerning the application of law or rules, was approved and sent to the full Senate. S.F. 2196, providing for notice to vendors of goods and services when payments on behalf of an AFDC recipient will be reduced or terminated, was also approved and sent to the full Senate.

## Judiciary

### Child support bill approved

The Thurs., Mar. 19, meeting of the Judiciary Committee carried over to Fri., Mar. 20, as members worked to finalize S.F. 2000, the child support bill.

Chief author, Sen. Richard Cohen (DFL-St. Paul), said that joint hearings with the Health and Human Services Committee began in Nov. 1991. Cohen said that the bill is designed to address inequities in the child support system and that it makes "the best interest of the child" the test for child support.

The Cohen bill includes a provision that requires the court to consider the need of each child to spend time alone with each parent. It also provides that a child support order constitutes a finding that the obligor has the ability to pay the award. Under the bill, the \$4,000 cap on net monthly income that is considered in applying the guideline is increased to \$5,000. The court may also order that a portion of net monthly income be used to establish a trust fund for the costs of post-secondary education. Courts are allowed to modify child support based on a child's extraordinary medical expenses. The bill increases the fine for nonsupport from \$300 to \$700. New provisions are added imposing additional sanctions against employers and financial institutions that fail to comply with the income withholding requirements.

Chair Allan Spear (DFL-Mpls.) allowed a limited number of witnesses to address the committee. Laura Caldwell of the Children's Defense Fund spoke in support of the bill, saying it focused on children. Mark Nygaard of R-Kids said he opposed the bill because it deals with monetary issues instead of issues affecting all parents.

Sen. Fritz Knaak (IR-White Bear Lake), moved to delete major portions of the bill, including a provision requiring the parent with better dependent health coverage to provide it for their children. This was one of several sections deleted in close votes. Also stricken were a child-care add on and a provision for a cost of living adjustment for child support expenses.

The bill, which will advance to the floor, was approved 9-5.

The committee also approved S.F. 1700, sponsored by Sen. Jane Ranum (DFL-Mpls.). The measure modifies the requirements for a person other than a parent seeking child custody or visitation.

# Committee update

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## **DWI, data privacy bills advance**

The Judiciary Committee, chaired by Sen. Allan Spear, met Fri., Mar. 20, in a marathon session to pass several bills.

The Honorable D. D. Wozniak, retiring Chief Judge of the Court of Appeals, appeared before the committee to say farewell and to thank members for their confidence and support of the court. Spear told the judge that the committee appreciated the cooperative relationship it had enjoyed with the court and wished him a productive retirement. At the conclusion of Judge Wozniak's remarks, members conveyed their respect for the retiring jurist by giving him a standing ovation.

Turning to the business of hearing bills, the committee considered S.F. 897, sponsored by Sen. John Marty (DFL-Roseville). The bill imposes stronger penalties than under current law for driving while intoxicated or refusing to submit to a test for alcohol or controlled substance. Sen. Fritz Knaak (IR-White Bear Lake) sponsored an amendment adding that hunting while intoxicated is also a violation of Minnesota law. The committee approved the bill as amended and re-referred it to the Finance Committee.

S.F. 1974, sponsored by Sen. Jane Ranum (DFL-Mpls.), enacts a number of provisions dealing with data privacy.

S.F. 2689, sponsored by Sen. Phil Riveness (DFL-Bloomington), was incorporated as into Ranum's bill. The measure contains changes in existing law that make it more difficult to obtain a pardon extraordinary. Also incorporated into the omnibus privacy bill were S.F. 2184, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), modifying existing law concerning patient consent to release of health records, and S.F. 2230, sponsored by Sen. John Marty (DFL-Roseville), expanding the administrative subpoena power of the county attorney.

An amendment sponsored by Marty provides that a state agency shall charge a fee for public data used on a mail or telephone list and that an individual may request a state agency not to release information if it is to be used for commercial purposes.

Finally, the committee adopted an amendment to the bill sponsored by Spear requiring HIV testing for sex offenders under certain conditions. Spear said he has always been opposed to such testing, but that if such a measure is not in place by Oct., 1993, the state will lose \$700 million in federal drug program money.

The bill was approved as amended and re-referred to the Finance Committee.

The committee also took up S.F. 2468, sponsored by Sen. Ember Reichgott (DFL-New Hope), amending the Human Rights Act to comply with the federal Americans

With Disabilities Act in areas of employment, public accommodations and real property. The bill was approved and sent to the full Senate.

Finally, the committee heard S.F. 2702 sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), requiring a city, town or county that establishes a peace officer civilian review board to pay the officer's reasonable costs of legal counsel and fees if the complaint is not upheld. The measure was approved and sent to the full Senate.

## **Health care access**

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.) met Mon., Mar. 23, to discuss issues in the health care access bill relating to the judiciary.

S.F. 2604, sponsored by Sen. Linda Berglin (DFL-Mpls.), contains a number of provisions designed to increase access to health care among those who do not have adequate health insurance to cover their needs.

The committee first considered the section of the bill dealing with data collections. The purpose of data collection under the bill is to improve the efficiency and effectiveness of health care. Any identifying information collected is classified as private data.

Members also heard arguments regarding the provisions contained in the cost containment section of the bill. Under this section, the commissioner of health may approve "practice parameters" that are supported by medical literature and appropriately controlled studies to minimize unnecessary, unproven or ineffective care. According to Berglin, parameters would initially be developed for "five or six very expensive forms of treatment" with additional treatments to be added later. The practice parameter could be used in a legal action as an absolute defense against a charge that a provider did not comply with accepted standards of practice.

Several attorneys who represent both plaintiffs and defendants in medical negligence cases opposed this portion of the bill, saying that each case should be considered on an individual basis because medical practice is variable and cannot be reduced to a recipe or formula.

Sen. Thomas Neuville (IR-Northfield) sponsored an amendment that would have deleted the section of the bill dealing with establishment of practice parameters. However, the committee did not adopt the amendment. Members then voted to approve the bill and re-refer it to the Taxes and Tax Laws Committee.

## **Corrections bonding**

The Judiciary Committee, chaired by Spear, met jointly with the Finance Division on Health and Human Services,

chaired by Sen. Don Samuelson (DFL-Brainerd), Mon., Mar. 23. Members heard capital budget requests from the Dept. of Corrections and the Dept. of Human Services.

Commissioner Orville Pung of the Dept. of Corrections said the department faces substantial population increases at Faribault and Shakopee. The Shakopee facility needs 100 more beds for women offenders. Pung also said that Red Wing needs a secure unit for juveniles. The department is asking for a total \$19.7 million bond issue to cover the needed expansions.

Assistant Commissioner James Stoenner of the Dept. of Human Services told the committee that 50 additional beds, at a cost of \$138,000, are needed at the St. Peter Regional Treatment Center to accommodate violent sexual offenders committed under the Psychopathic Personalities Act. A secure facility is needed to separate these residents from other residents because they pose a threat to vulnerable persons.

## **Welfare fraud, workers' comp**

The last meeting of the Judiciary Committee for the 1992 session was held Wed., Mar. 25. The committee, chaired by Sen. Allan Spear (DFL-Mpls.), considered bills dealing with welfare fraud and workers' compensation.

S.F. 2533, a department bill sponsored by Sen. Duane Benson (IR-Lanesboro) was presented by Sen. Roy Terwilliger (IR-Edina). The bill establishes a project to enhance recovery of overpaid welfare benefits. The measure provides that any person serving as a welfare fraud investigator or health care program investigator may request a subpoena for production of records relating to eligibility for public assistance. Another provision of the bill imposes theft penalties for violations of the statute.

The committee approved the bill and re-referred it to the Finance Committee.

S.F. 1879, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), enacts a number of provisions relating to workers' compensation law. The bill imposes theft penalties for fraudulently receiving workers' compensation benefits. It also establishes a small claims court within the Dept. of Labor and Industry for settling small workers' compensation claims. The measure also adds provisions under which the chief administrative law judge may certify a question of workers' compensation law to the Workers' Compensation Court of Appeals and modifies the standards for appealing a decision of a compensation judge to the Workers' Compensation Court of Appeals. The measure was approved by the committee and sent to the full Senate.

## Metropolitan Affairs

### LRT design bill advances

The Metropolitan Affairs Committee met Thurs., Mar. 19, and approved a bill that facilitates the development of Light Rail Transit (LRT).

Discussion focused on two provisions of S.F. 2510, sponsored by Sen. Carol Flynn (DFL-Mpls.). The first provision authorizes the Transportation Dept. to plan, design construct, and equip light rail transit facilities in the Metropolitan Area. The second establishes a corridor management committee, a broad-based advisory group representing each unit of government involved with the corridor. Representatives from counties, local rail authorities, MnDOT and the Metropolitan Council testified in support of the bill. The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), voted to approve the measure and send it to the full Senate.

The committee also heard S.F. 2145, sponsored by Sen. Carl Kroening (DFL-Mpls.), authorizing the Metropolitan Council to issue up to \$92 million in bonds for the development of LRT in the central corridor between St. Paul, the U of M Minneapolis campus, and downtown Minneapolis. The bonding is to be a 20 percent match to be presented in the application process for federal funds.

S.F. 2426, sponsored by Sen. James Metzger (DFL-South St. Paul), also received a hearing. The bill allows Dakota County the flexibility to use taxes collected for LRT for other transit projects. The measure was approved and sent to the full Senate.

## Taxes and Tax Laws

### Tax bills okayed

At the first of two meetings Tues., Mar. 24, The Taxes and Tax Laws Division on Income, Sales, and Economic Development considered several tax bills for inclusion in the omnibus tax bill. The division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), approved the following measures as amendments to the omnibus bill.

S.F. 2583, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), provides a sales tax exemption on tickets sold by a municipal board that promotes cultural and arts activities. The bill applies only to tickets for events sponsored by the board. The measure, according to Mehrkens, probably affects only the T.B. Sheldon Auditorium in Red Wing. S.F. 2312 exempts the profits from lawful charitable gambling from the unrelated business income tax. The bill's aim, according to sponsor Sen. Phil Riveness (DFL-Bloomington), is to remove the tax from the portion of gambling proceeds

that is donated to the sponsoring charitable organization. S.F. 1774, sponsored by Sen. Janet Johnson (DFL-North Branch), provides tax exemptions for photovoltaic equipment. The discussion focused on a section of the bill that provides a four-year sales tax exemption for photovoltaic equipment. S.F. 2349, sponsored by Johnson, provides a sales tax exemption for wind turbines used in generating electricity.

S.F. 2228, sponsored by Sen. Gary DeCramer (DFL-Ghent), requires that municipalities in which property is proposed to be reclassified as a leasehold cooperative to find that the reclassification will not substantially impair the ability of the municipality to meet its debt service obligations. The requirement applies to property granted leasehold cooperative status before or after the date of enactment. S.F. 2110, authored by Sen. Randy Kelly (DFL-St. Paul), authorizes the establishment of a Housing and Redevelopment Authority (HRA) in Ramsey County and provides that the Ramsey County Board may exercise the power of the authority. S.F. 2626, also carried by Kelly, enables HRA's to pledge general obligation bonds as additional security for revenue bonds issued to finance qualified housing projects. The measure specifies that the maximum amount of general obligations bonds is the greater of one-half of one percent of the taxable market value of property in the jurisdiction or \$3 million.

The division also approved two more technical bills for inclusion into the omnibus bill. S.F. 2495, carried by Sen. Ember Reichgott (DFL-New Hope) is the department technical bill and makes numerous changes and corrections. S.F. 2755, sponsored by Sen. Douglas Johnson (DFL-Cook), is the department federal update bill.

In addition, the division approved several sections of the bill containing the governor's tax policy proposals. The measure, S.F. 2563, is sponsored by Sen. John Bernhagen (IR-Hutchinson).

The panel also spent some time discussing the issue of the best method of collecting debts owed to the state. S.F. 2761, sponsored by Pogemiller, authorizes the attorney general to review, evaluate, and direct the state's collections of debts. Attorney General Hubert Humphrey III testified that currently each state agency is responsible for its own collections. The bill authorizes the attorney general's office to evaluate the state's current debt collection process, study the option of centralizing collections in one office, and recommend which state agency is most appropriate to handle the collections function. The state currently has approximately \$677 million in outstanding receivables, according to Humphrey. The division laid the bill over.

The division also debated the policy questions involved in authorizing cities to impose a sales tax and designate specific projects for the proceeds from the tax. In past years several cities, notably Minneapolis and St. Paul, have imposed an additional sales tax, the proceeds of which have been earmarked for convention centers. The panel, after considerable discussion, approved five such measures. S.F. 984, authored by Sen. Nancy Brataas (IR-Rochester) authorizes the city of Rochester to impose a one percent sales tax to pay for a fire station, city hall, and public library. S.F. 2375, sponsored by Sen. Douglas Johnson, authorizes the city of Ely to impose a one percent sales tax to be used for the Ely Wilderness Gateway Project. S.F. 2759, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), authorizes the city of Thief River Falls to impose a sales tax of one-half percent to pay for the Thief River Falls Area Recreation-Convention Facilities. S.F. 2652, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes Aitkin County to impose a one-half percent tax on liquor and restaurant sales to be used to fund a convention or tourism bureau. S.F. 1704, authored by Sen. Linda Berglin (DFL-Mpls.), authorizes the city of Minneapolis to appropriate the proceeds of the city's sales and use taxes for the establishment of neighborhood school readiness centers.

S.F. 2444, sponsored by Bernhagen, authorizes the city of Hutchinson to establish a special service district for the purposes of building and maintaining improvements, providing parking services, development and promotional services, and other services and improvements that the city may provide. The measure was approved and advanced to the full committee.

S.F. 2496, sponsored by Sen. Janet Johnson, includes a provision that increases the debt ceiling for outstanding bonds and notes issued by the Housing Finance Agency (HFA) from 1.99 billion to 2.4 billion. James Solem of the agency testified that the debt ceiling for HFA has not been increased since 1985 and that the change is needed for the agency to continue to function. The bill also makes a variety of changes in regulations concerning the agency. The bill was approved and advanced to the full committee.

Finally, the division failed to approve a bill that provides a sales tax exemption for air cooling equipment purchased for conversion or replacement of an existing once-through cooling system. The measure, S.F. 2142, is sponsored by Sen. Steven Morse (DFL-Dakota).

### Tax work continues

Several tax bills cleared The Taxes and Tax Laws Division on Property Taxes and

# Committee update

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Local Government Aids at a Wednesday, Mar. 25, meeting. The following bills were approved and sent to the full Taxes and Tax Laws Committee.

S.F. 1604, sponsored by Sen. Betty Adkins (DFL-St. Michael), exempts the city of Otsego from the excess levy penalty on taxes payable in 1991.

S.F. 2139, sponsored by Sen. Cal Larson (IR-Fergus Falls), lengthens the allowable term for tax anticipation certificates issued by counties.

S.F. 1849, sponsored by Sen. Randy Kelly (DFL-St. Paul), extends St. Paul's authority to issue capital improvement bonds through 1998.

S.F. 2349, sponsored by Sen. Janet Johnson (DFL-North Branch), provides tax exemptions for photovoltaic devices. The division focused on a portion of the bill that exempts photovoltaic devices from property taxes levied in 1992-1996.

S.F. 2482, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), authorizes an annual property tax levy by several watershed districts to finance their administrative funds. The bill establishes a levy limit of \$200,000 annually.

S.F. 2630, sponsored by Sen. Sam Solon (DFL-Duluth), provides for financing of acquisition, construction, and improvement of correctional facilities by groups of counties. The bill, according to Solon, extends powers that single counties already have to groups of counties.

S.F. 2168, sponsored by Sen. Pat Piper (DFL-Austin), restores local government aid increases to the city of Alden.

S.F. 2526, sponsored by Sen. Charles Davis (DFL-Princeton), authorizes Kanabec County to levy an annual property tax of up to \$50,000 for the county historical authority. The bill requires a referendum supporting the levy.

S.F. 2155, sponsored by Sen. Steven Novak (DFL-New Brighton), specifies the procedure by which the state may place a lien for nonpayment of property taxes on registered property. The bill, according to Novak, is intended to eliminate situations in which owners of registered property find that there is an erroneous lien against their property that is not recorded on their certificate of title.

One bill, S.F. 2370, sponsored by Sen. Don Samuelson (DFL-Brainerd), was discussed and laid over until a future meeting. The measure allows resorts to be used more than 250 days in a year without requiring that they be reclassified as commercial property.

## Transportation

### Motor carrier bill okayed

S.F. 2665, The Motor Carrier Modernization Act, received a second hearing by

the Transportation Committee at its Thursday, Mar. 19, meeting. The bill, sponsored by Sen. Jim Vickerman (DFL-Tracy), makes several changes to motor carrier regulation and certification and is intended to resolve conflicts that arose following a 1988 Court of Appeals case.

The bill establishes two classes of motor carriers: Class I certificates are issued to carriers who own, lease, or control more than one terminal and Class II permits are issued to carriers who own or control one terminal.

Committee Chair Gary DeCramer (DFL-Ghent) told the committee that while the implications of the bill are quite complex, taking no action on the legislation would leave some trucking companies in a precarious legal position. The committee voted to approve the bill and re-refer it to the Finance Committee.

The committee also considered two House of Representatives bills. The first, H.F. 2397, extends pipeline safety regulations to include liquid natural gas. The bill, sponsored by Sen. Steven Novak (DFL-New Brighton), was approved and sent to the full Senate. The second, H.F. 1833, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), authorizes first class cities to establish programs to enforce handicapped parking restrictions by using citizen volunteers. The bill was approved and sent to the full Senate.

S.F. 2062, sponsored by Vickerman, provides \$2 million in bonding authority to augment the state's rail service improvement account. The measure also authorizes commissioner of transportation to reimburse railroad companies for 50 percent of the cost of maintaining safety devices at grade crossings. Another provision in the bill requires the commissioner to identify areas where the loss or lack of rail service is detrimental to efficient transportation. The bill was approved and re-referred to the Finance Committee.

S.F. 1575, sponsored by DeCramer, authorizes the expenditure of money from the state's rail service improvement account for maintenance of rail lines and rights-of-way acquired for the state rail bank. The bill also authorizes the commissioner of transportation to acquire abandoned rail lines and rights-of-way by eminent domain. A third provision eliminates the requirement that state rail bank property be offered to adjacent owners of adjacent land after 30 years if a specific commercial use for the property has not been identified. The bill was approved and sent to the full Senate.

S.F. 1881, sponsored by Sen. Keith Langseth (DFL-Glyndon), provides a dispute resolution process in cases in which local governments disapprove of proposed county state-aid highway

actions. The bill was approved and re-referred to the Finance Committee.

S.F. 2057, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), extends the Commissioner of Transportation's rules on insurance, bonding, and restrictions on maximum hours of driver service to any person who transports passengers for hire in intrastate commerce. The bill was approved and sent to the full Senate.

S.F. 2520, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), allows the commissioner of public safety to impose a fee that covers the cost of manufacturing and issuing license plates. The bill also specifies that fees from the sale of license plates are to be credited to the highway user tax distribution fund. The committee approved the measure and re-referred it to the Finance Committee.

S.F. 1999, sponsored by Sen. Richard Cohen (DFL-St. Paul), requires that school buses transporting people age 18 or under for non-school-related activities must abide by school bus safety requirements. The measure was approved and sent to the full Senate.

S.F. 1778, sponsored by Sen. Gary Laidig (IR-Stillwater), memorializes Congress to refrain from mandating that state governments pass laws requiring the use of motorcycle helmets, safety belts and child restraint systems. The measure, according to Laidig, is intended to send a message to the federal government that safety legislation should and will be taken care of at the state level. The measure was approved and sent to the full Senate.

S.F. 1015, sponsored by Sen. Steven Morse (DFL-Dakota), provides for bicycles to be operated on bikeways along or between the divided lanes of certain interstate and other highways. The measure also establishes a pilot project to study and evaluate bikeways along streets and highways. As part of the pilot project, the commissioner of public safety is to open a paved bikeway of at least 100 miles along an interstate highway.

The bill was approved and sent to the full Senate.

## Confirmations

Members of the Transportation Committee met Thursday, Mar. 26, and approved the gubernatorial appointments of James Denn as commissioner of the Department of Transportation and Thomas Frost as commissioner of the Department of Public Safety.

The committee, chaired by Sen. Gary DeCramer (DFL-Ghent), also heard the legislative auditor's report on regional transit planning and a report from the Dept. of Transportation on regional center multi-lane highway connections.

## Floor action

### Thursday, March 19

#### Deadline approaches

As the second committee deadline approaches, the Senate met Thurs., Mar. 19, to process committee reports and to consider several measures on the General Orders Calendar. Members gave preliminary approval to five measures and discussed a sixth which was temporarily laid over.

Approval was given to S.F. 1722, sponsored by Sen. Carl Kroening (DFL-Mpls.), providing for the release of a state interest in property in the city of Minneapolis. Members also approved H.F. 1862, also sponsored by Kroening, extending the authority of the city of Minneapolis to guarantee small business loans.

S.F. 1801, sponsored by Sen. John Hottinger (DFL-Mankato), providing for reimbursement of dealers for franchise terminations, was approved as was S.F. 1729, also sponsored by Hottinger, authorizing a trustee bank to invest in mutual fund investment companies and investment trusts.

Finally, members approved S.F. 2159, sponsored by Sen. Leonard Price (DFL-Woodbury) allowing proceeds from parimutuel pools to be distributed to breeds other than those now allowed by law.

Members laid over S.F. 512, sponsored by Sen. Charles Berg (DFL-Chokio), regulating noxious weeds.

Final passage was given to two items from the Consent Calendar. S.F. 2514, sponsored by Sen. David J. Frederickson (DFL-Murdock), provides for the Yellow Medicine County hospital board membership and elections. S.F. 2124, sponsored by Sen. Allan Spear (DFL-Mpls.), increases to 100 miles the distance an accused or convicted person may be transferred without an escort of the same sex.

Members also met briefly Fri., Mar. 20, to process committee reports in order to facilitate the movement of bills from one committee to another.

### Monday, March 23

#### Housing conference report okayed

With the passage of the second committee deadline, Senators began holding daily floor sessions. One of the first items accomplished at the Mon., Mar. 23, floor session was the adoption of the conference committee report on S.F. 720 and the subsequent repassage of the bill. The housing bill, sponsored by Sen. James Metzen (DFL-South St. Paul), modifies procedures relating to rent escrow actions, modifies procedures relating to the

tenant's loss of essential services, and modifies provisions relating to Minnesota Housing Finance Agency low and moderate income housing programs. The measure also modifies provisions relating to tenant remedy actions, retaliatory eviction proceedings and receivership proceedings. In addition, the bill modifies receivership, assignment of rents and profits and landlord and tenant provisions. The bill also modifies provisions relating to housing and redevelopment authorities, authorizes economic development activities within the city of St. Paul and provides for job training for homeless persons.

Members also granted final passage to two bills. S.F. 1722, sponsored by Sen. Carl Kroening (DFL-Mpls.), provides for the release of a state interest in specific property in the city of Minneapolis. H.F. 1862, also sponsored by Kroening, extends authority for the city of Minneapolis to guarantee certain loans.

Members then turned their attention to the bills on the General Orders Calendar. However, because of a glitch in the computer system, members were restricted to considering bills that needed no amendments. Therefore, action on the General Orders Calendar was confined to relatively noncontroversial measures. As a result, Senators granted preliminary approval to 41 bills.

H.F. 1948, carried by Metzen, authorizes life insurance policies to benefit a charity. S.F. 1803, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), provides for burials in the winter season. S.F. 512, authored by Sen. Charles Berg (DFL-Chokio), regulates noxious weeds and imposes penalties for failure to control noxious weeds. S.F. 1298, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), provides for equal representation on the board from districts or units of utility cooperatives. S.F. 1252, sponsored by Sen. Carol Flynn (DFL-Mpls.), authorizes the Minnesota Veterans Homes Board to lease land adjacent to Minnehaha State Park to the Minneapolis Park and Recreation Board. S.F. 2013, carried by Sen. Betty Adkins (DFL-St. Michael), adopts the square dance as the American folk dance of Minnesota. S.F. 2208, authored by Sen. Nancy Brataas (IR-Rochester), permits exemptions for the conveyance of specific Olmsted County property. S.F. 2009, sponsored by Chmielewski, permits the city of Cloquet to issue bonds for a water line.

S.F. 1671, authored by Sen. William Luther (DFL-Brooklyn Park), provides for the numbering of session law chapters. S.F. 2293, carried by Sen. Jerome Hughes (DFL-Maplewood), prohibits the publication of the pictures of local government officials in county and city publications. S.F. 2171, authored by Sen. Dean Johnson (IR-Willmar) permits the consolidation of

the offices of auditor and treasurer in Kandiyohi and Chippewa Counties. S.F. 2185, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), limits the prohibition on the use of radio equipment to take protected wild animals to big game and small game. S.F. 1767, authored by Sen. Cal Larson (IR-Fergus Falls), changes the description of a route in the state highway system. S.F. 1288, sponsored by Sen. John Bernhagen (IR-Hutchinson), allows the use of studded tires on emergency vehicles. S.F. 2336, carried by Chmielewski, provides that conduct by employers against employees for engaging in lawful activities during nonworking hours is an unfair labor practice. S.F. 2310, sponsored by Sen. Leonard Price (DFL-Woodbury), changes the composition of the Board of Water and Soil Resource's dispute resolution committee.

S.F. 1991, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), authorizes a technical college to contract to provide services. H.F. 1567, sponsored by Sen. John Marty (DFL-Roseville), authorizes full vesting with five years of service for members of the Falcon Heights Volunteer Firefighters Relief Associations. S.F. 2286, authored by Sen. Jim Vickerman (DFL-Tracy), provides for a public hearing before the adjutant general closes an armory. S.F. 2175, carried by Sen. William Belanger (IR-Bloomington), prohibits the city of Bloomington from prohibiting some retail sales of alcoholic beverages. S.F. 1784, authored by Sen. Gene Waldorf (DFL-St. Paul), adds vehicles to the classic car category for vehicle registration purposes. S.F. 2162, sponsored by Bernhagen, expands the circumstances under which game and fish licenses are void for violations of law, and allows the possession, transportation, purchase or sale of specific inedible portions of wild animals. S.F. 2301, authored by Price, specifies lands eligible for the Reinvest in Minnesota (RIM) Program. S.F. 2117, authored by Sen. Linda Berglin (DFL-Mpls.), modifies requirements for earned income savings accounts for residents of residential facilities and requires the signature of a representative of the facility before money may be withdrawn.

S.F. 2475, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), adds a penalty for the purchase, or the attempt to purchase, of tobacco by a child. S.F. 878, authored by Sen. Fritz Knaak (IR-White Bear Lake), requires a report on driver's license rules for persons with diabetes. S.F. 2231, carried by Price, requires the establishment of aquatic management areas. S.F. 2311, also sponsored by Price, authorizes agreements by soil and water conservation districts for enforcement of city or county controls. S.F. 2421, carried by Sen. Bob Lessard (DFL-Int'l. Falls), extends the term of timber permits.

# Floor action

S.F. 2308, sponsored by Sen. Dean Johnson, authorizes the public sale of tax-forfeited land in Kandiyohi County. S.F. 2001, carried by Sen. Gary DeCramer (DFL-Ghent), changes and adds provisions relating to the liability of and reimbursement to mortgagees and holders of other security interests for petroleum tank releases and expands the eligibility of political subdivisions for reimbursement from the petroleum tank release cleanup account. S.F. 2382, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for surviving spouse benefits for the Minneapolis Police Relief Association and the Minneapolis Fire Department Relief Association.

S.F. 2115, sponsored by Sen. Sam Solon (DFL-Duluth), amends the definition of "manufactured in the United States" to include a specific concrete company with operations in Canada. S.F. 2182, also carried by Solon, recodifies provisions relating to the Duluth Teachers Retirement Fund Association. S.F. 1900, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), allows nursing homes to establish review organizations and includes quality assurance under Medical Assistance and Medicare as an activity of a review organization. S.F. 2637, sponsored by Sen. Sandra Pappas (DFL-St. Paul), regulates courier services carriers. S.F. 1997, authored by Sen. John Hottinger (DFL-Mankato), provides for automobile insurance policy coverage on the repair or replacement of motor vehicle glass. S.F. 2399, sponsored by Lessard, defines "substantially equal value" for purposes of state land exchanges and authorizes the Camp 97 Creek, Gold Mine, and Crane Lake Tower impoundments in St. Louis County. S.F. 2002, authored by Price, provides a procedure for determining claims under the public safety officer's death benefit program. S.F. 2069, sponsored by Stumpf, adds Roseau and Koochiching Counties to the restricted seed potato growing area. S.F. 2186, authored by Sen. Judy Traub (DFL-Minnetonka), provides for the appointment of a member to the child abuse prevention advisory council by the commissioner of human services.

## Tuesday, March 24

### Conciliation court reform

The full Senate met Tue., Mar. 24, and gave final passage to all the bills that gained preliminary approval on Thur., Mar. 19, and Mon., Mar. 23, with the exception of two bills. S.F. 2175, authored by Sen. William Belanger (IR-Bloomington), a bill that prohibits the city of Bloomington from prohibiting specific retail sales of alcoholic beverages, received no action. Members referred

back to General Orders S.F. 2336, authored by Sen. Florian Chmiewleski, a bill that prohibits employers from discriminating against employees for specified lawful activities during nonworking hours.

Acting as the Committee of the Whole, Senators recommended passage of several bills on the General Orders Calendar. Much of the floor debate focused on S.F. 1691, authored by Sen. Randy Kelly (DFL-St. Paul). Kelly said the bill authorizes certain appearances in conciliation courts; modifies and clarifies conciliation court jurisdiction and procedures; and increases jurisdictional amounts. The bill limits the presence of attorneys in conciliation courts, according to Kelly. Sen. Ember Reichgott (DFL-New Hope), expressed concern over the limitation. Reichgott said the limitation may inhibit some people from pursuing a claim in conciliation court because the process can be intimidating. Supporters of the limit said the reduction in the role of attorneys is a needed reform that benefits the process. Members also adopted other amendments to the bill, including one that raise the jurisdictional limits from \$5,000 to \$10,000. Sen. Pat Piper (DFL-Austin) gained support for an amendment that removes a provision that regulates collection agency claims in conciliation court.

A number of other bill gained preliminary approval. S.F. 1794, authored by Sen. Gene Waldorf (DFL-St. Paul), clarifies procedures and requirements for the appointments of department heads and members of administrative boards and agencies. S.F. 1770, authored by Sen. Don Frank (DFL-Spring Lake Park), provides a name for the transportation accessibility advisory committee. S.F. 2328, also authored by Frank, eliminates the requirement for drivers of special transportation vehicles to take an examination for license endorsement. S.F. 1898, authored by Sen. Gregory Dahl (DFL-Ham Lake), prohibits the use of tobacco products in elementary and secondary schools. S.F. 1813, authored by Sen. Judy Traub (DFL-Minnetonka), allows children to attend school for 30 days without participating in early childhood development screening; allows parents to decline to provide specific information without penalty; adds health history as an optional screening component; and requires height and weight as a screening component.

S.F. 2177, authored by Sen. Allan Spear (DFL-Mpls.), prohibits exclusion from jury service based on a disability. S.F. 1644, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), regulates negotiable instruments, and adopts the revised article three of the Uniform Commercial Code with conforming amendments to articles one and four approved by the

American Law Institute and the national Conference of Commissioners on Uniform State Laws. Members approved an amendment to the bill that regulates the use of consumer electronic fund transfers. S.F. 1985, also authored by Piper, declares a state policy of zero tolerance of violence. The bill encourages state agencies to adopt the policy. S.F. 2257, authored by Sen. Dallas Sams (DFL-Staples), redefines agricultural business enterprise for purposes of the Minnesota Agricultural Development Act.

S.F. 2338, authored by Sen. Sandra Pappas (DFL-St. Paul), authorizes local government units to regulate tanning facilities. S.F. 2392, authored by Sen. Janet Johnson (DFL-North Branch), authorizes additions and deletions to some state parks. S.F. 1735, authored by Sen. Terry Johnston (IR-Prior Lake), authorizes criminal background checks of professional and volunteer children's service workers. The bill also establishes procedures for the sharing of criminal record data with children's service providers and provides privacy protection rights for the subjects of the background checks. Finally, S.F. 1787, authored by Sen. Duane Benson (IR-Lanesboro), authorizes the public sale of specific tax-forfeited lands that border public water in Fillmore County.

The Senate also gave final passage to four bills on the Consent Calendar. H.F. 1744, authored by Dennis Frederickson (IR-New Ulm), provides entitlement for optional annuities for surviving spouses of specific deceased disabilitants, and mandates a study of coordinated program survivorship benefit gaps. H.F. 1818, authored by Sen. Don Samuelson (DFL-Brainerd), authorizes mail balloting for specific municipalities. Sen. Joanne Benson authored H.F. 1013, a bill that repeals specific pipeline approval authority of the commissioner of natural resources. H.F. 2744, authored by Sen. Earl Renneke (IR-LeSueur), modifies the expense account terms and uses at the Department of Employee Relations.

## Wednesday, March 25

### Omnibus gambling bill passed

Members of the Senate granted final passage to the omnibus gambling bill during the course of the Wed., Mar. 25, floor session. The measure, S.F. 1605, authored by Sen. Charles Berg (DFL-Chokio), makes numerous changes to the laws governing lawful gaming in the state.

In addition, all but three bills given preliminary approval at the Tues., Mar. 24 floor session were granted final passage. The three bills remaining on the Senate Calendar were: S.F. 1770, relating to the name for the transportation accessibility

advisory committee; S.F. 1898, prohibiting the use of tobacco products in schools; and S.F. 1644, adopting provisions of the U.C.C.

Senators also continued work on bills on the General Orders Calendar. The following bills gained preliminary approval.

S.F. 2247, authored by Sen. Carl Kroening (DFL-Mpls.), prohibits the commissioner of human services from adopting rules requiring counties to separate their public guardianship function from their case management function unless state funding is provided to cover county costs. S.F. 1841, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), regulates the sale of dogs and cats by animal distributors, requires the registration of distributors and prescribes penalties. S.F. 2094, sponsored by Sen. Dennis Frederickson (IR-New Ulm), authorizes land surveyors to participate, along with excavators, in the Gopher State One-Call System to receive information about underground utility cables or pipes. S.F. 2028, authored by Sen. Steven Morse (DFL-Dakota), provides that pesticide registration applicants must supply analytical samples to the state now that the federal government no longer requires the samples. S.F. 2298, sponsored by Sen. Leonard Price (DFL-Woodbury), requires counties to provide public notice prior to making watershed district manager appointments, requires watershed district audits by certified public accountants or the state auditor every five years and clarifies procedures for appealing watershed district decisions.

S.F. 2299, also sponsored by Morse, provides for the establishment of the Blufflands Trail System and provides for trail planning in accordance with the Minnesota Outdoor Trails Act. S.F. 2111, authored by Sen. Sam Solon (DFL-Duluth), adds date of birth and donor status information to the suggested form for Living Wills. S.F. 1319, sponsored by Sen. James Metzen (DFL-South St. Paul), allows the sole shareholder of a corporation to appear on behalf of the corporation in court. S.F. 2383, authored by Sen. Patrick McGowan (IR-Maple Grove), affords qualified federal law enforcement officers the authority of peace officers when assigned to special state and federal task forces. S.F. 2531, carried by Sen. Ronald Dicklich (DFL-Hibbing), provides for the calculation of pension increases for the Virginia Police Relief Association.

S.F. 1970, sponsored by Sen. Gene Waldorf (DFL-St. Paul), eliminates eligibility for amortization state aid and supplementary amortization state aid for local police and salaried firefighter relief associations and consolidation accounts with no unfunded liability. S.F. 2412, also sponsored by Waldorf, authorizes St. Paul Police Relief Association retirees and

surviving spouses to participate in board elections and other governance issues. S.F. 1876, authored by Sen. Carol Flynn (DFL-Mpls.), clarifies requirements for the Board of Medical Practice to grant medical licenses and investigate physicians. S.F. 1914, sponsored by Sen. Richard Cohen (DFL-St. Paul), authorizes nonoperating assistance for public transit service. H.F. 2142, carried by Piper, modifies provisions relating to school conference leave for employees with children and assigns duties to the division of labor standards.

H.F. 980, sponsored by Sen. Phil Riveness (DFL-Bloomington), authorizes joint legislative commissions to issue subpoenas. S.F. 1558, authored by Solon, authorizes a joint consolidation account in the event of the consolidation of the Duluth Fire Department Relief Association with the Public Employees Police and Fire Fund. S.F. 2282, authored by Sen. John Hottinger (DFL-Mankato), changes a number of provisions governing administrative rulemaking. The measure provides for corrective legislation similar to "revisor's bills" for statutes, extends the response period that precedes the writing of an administrative law judge's report on rules adopted after public hearing and requires the attorney general and administrative law judge to disregard harmless errors. S.F. 1139, sponsored by Solon, provides for crediting service and salary when back pay is awarded in the event of a wrongful discharge. S.F. 2437, sponsored by Sen. Joe Bertram (DFL-Paynesville), requires notice to secured creditors before a motor vehicle is sold.

S.F. 1938, sponsored by Pappas, is an anti-crack house bill that provides for assignment to the county attorney of the landlord's right to evict for breach of the covenant not to sell drugs and clarifies the law on forfeiture of real estate interests related to controlled substance seizures. S.F. 2408, sponsored by Sen. Dean Johnson (IR-Willmar), provides that boilers used for mint oil extraction are considered to be used for agricultural or horticultural purposes. S.F. 1778, authored by Sen. Gary Laidig (IR-Stillwater), is a resolution memorializing Congress to refrain from imposing upon the states' constitutional authority to regulate traffic and motor vehicle safety. H.F. 2397, sponsored by Sen. Steven Novak (DFL-New Brighton), regulates liquefied natural gas facilities. S.F. 2430, sponsored by Sams, adds sanctions and procedures relating to petroleum tank release consultants and contractors.

S.F. 2694, authored by Sen. Fritz Knaak (IR-White Bear Lake), authorizes Ramsey County to provide a single suburban court facility in Shoreview. S.F. 2368, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), enacts the Uniform Transfer on Death Security Registration Act and

provides for the rights of creditors. S.F. 2728, authored by Sams, extends a state over-order premium milk price for dairy farmers for Class I milk. S.F. 1805, sponsored by Traub, requires reporting of legally blind persons to Minnesota State Services for the Blind and Visually Handicapped and modifies duties relating to the blind and visually handicapped in the Dept. of Jobs and Training. S.F. 2234, sponsored by Finn, makes numerous changes in the laws governing the board of social work.

H.F. 1763, carried by Sen. Thomas Neuville (IR-Northfield), authorizes the conveyance or release of a state easement in Faribault. S.F. 2628, sponsored by Kelly, defines firefighters for purposes of the public safety officer's survivor benefits law. S.F. 2352, authored by Piper, authorizes an actuarial assumption and provides various benefit increases for the Austin Fire Department Relief Association. H.F. 2704, sponsored by Pappas, increases the size of the Council on Asian-Pacific Minnesotans and the Council on Black Minnesotans. S.F. 2037, sponsored by Price, requires the commissioner of the Bureau of Mediation Services to adopt a uniform baseline determination document and a uniform collective bargaining agreement settlement document.

S.F. 2088, authored by Sen. Ember Reichgott (DFL-New Hope), makes miscellaneous changes in provisions dealing with the organization and operation of nonprofit corporations. H.F. 1249, carried by Kelly, provides for economic development authority for the city of St. Paul.

Finally, members also granted concurrence and repassage to one additional bill. S.F. 2210, authored by Pappas, provides for the certification of eligibles for county positions in Ramsey County.

### Information Office services profiled

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship.

Interested citizens may also request copies of bills or ask to be put on the mailing list for Senate publications. If you want to know the name of your Senator 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.

The Senate also maintains a 24-hour "Hotline" that may be called for up to the minute committee schedule information. The number is 296-8088.

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# Preview

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## The Minnesota Senate Week at a Glance

Monday, March 30

**Finance Division on Health and Human Services**

*Chair: Sen. Don Samuelson*  
8:30 Room 125 Capitol  
**Agenda:** HHS budget bill.

**Finance Division on Environment and Natural Resources**

*Chair: Sen. Steven Morse*  
9 a.m. Room 318 Capitol  
**Agenda:** S.F. 2143-Morse: Agricultural crop protection assistance. S.F. 1615-Lessard: Reducing deer license fees for residents under age 16. S.F. 2432-Berg: Aquatic farming; protecting certain wildlife populations. S.F. 1894-Bernhagen: Forgiving advances and loans made under a pilot litigation loan project relating to wastewater treatment.

**Finance Division on State Departments**

*Chair: Sen. Carl Kroening*  
9 a.m. Room 112 Capitol  
**Agenda:** Additional business.

**Taxes and Tax Laws Committee**

*Chair: Sen. Douglas Johnson*  
9 a.m. Room 15 Capitol  
**Agenda:** To be announced.

The Senate will meet at 1:30

**Finance Division on Health and Human Services**

*Chair: Sen. Don Samuelson*  
After session. Room 125 Capitol  
**Agenda:** HHS budget bill.

Tuesday, March 31

**Finance Division on Health and Human Services**

*Chair: Sen. Don Samuelson*  
8:30 Room 125 Capitol  
**Agenda:** Health and human services budget bill.

**Taxes and Tax Laws Committee**

*Chair: Sen. Douglas Johnson*  
9 a.m. Room 15 Capitol  
**Agenda:** To be announced.

The Senate will meet at 12 Noon.

**Finance Division on Health and Human Services**

*Chair: Sen. Don Samuelson*  
After session. Room 125 Capitol  
**Agenda:** HHS budget bill.

**Finance Division on State Departments**

*Chair: Sen. Carl Kroening*  
7 p.m. 123 Capitol  
**Agenda:** Public testimony on the effects of the Governor's proposed 1992 budget cuts and vetoes from 1991.

Wednesday, April 1

**Finance Division on Health and Human Services**

*Chair: Sen. Don Samuelson*  
8:30 Room 125 Capitol  
**Agenda:** HHS budget bill.

**Finance Division on State Departments**

*Chair: Sen. Carl Kroening*  
9 a.m. Room 112 Capitol  
**Agenda:** Preliminary allocations.

**Taxes and Tax Laws Committee**

*Chair: Sen. Douglas Johnson*  
9 a.m. Room 15 Capitol  
**Agenda:** To be announced.

The Senate will meet at 12 Noon.

**Finance Division on Health and Human Services**

*Chair: Sen. Don Samuelson*  
After session. Room 125 Capitol  
**Agenda:** HHS budget bill.

Thursday, April 2

**Finance Division on State Departments**

*Chair: Sen. Carl Kroening*  
9 a.m. Room 112 Capitol  
**Agenda:** Additional business.

**Taxes and Tax Laws Committee**

*Chair: Sen. Douglas Johnson*  
9 a.m. Room 15 Capitol  
**Agenda:** To be announced.

The Senate will meet at 12 Noon.

Friday, April 3

**Taxes and Tax Laws Committee**

*Chair: Sen. Douglas Johnson*  
9 a.m. Room 15 Capitol  
**Agenda:** To be announced.

The Senate will meet at 12 Noon.

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# Briefly

The Minnesota Senate Week in Review

April 3, 1992

## Legislative pace quickens

In addition to holding daily floor sessions Senators began compiling the major omnibus budget reduction bills and the omnibus tax bill over the course of the week. All of the major bills are expected to be acted upon by the full Senate during the week of April 6-10. Conference committees will be appointed to work out differences between Senate and House versions of the bills. Because of the fluidity of conference committee meetings, the daily and weekly schedules are highly tentative. For up to date information, call the Senate Information Office at 296-0504 or the Senate Hotline at 296-8088.

## Omnibus tax bill approved

The omnibus tax bill, S.F. 2755, was assembled at the afternoon portion of the Taxes and Tax Laws Committee meeting Fri., Mar. 27. The measure, carried by Committee Chair Douglas Johnson (DFL-Cook), is comprised of bills heard in the two divisions of the full committee.

The biggest policy change in the bill involves requiring local units of government to pay sales tax. The provision raises the largest amount of revenue under the measure -- \$70.9 million. Currently, local units are exempt from the 6.5 percent tax. However, the imposition of the sales tax is somewhat offset because the bill does not make the cuts recommended by the governor in state aids. The measure also raises \$1.6 million through conformity with the federal income tax laws. The measure also provides a \$2 million appropriation to the Housing Finance Agency for housing programs.

In addition, the committee considered a number of amendments. Several of the amendments proposed concerned local sales tax increases to be used for specific projects. One of the proposals authorizes the city of Rochester to impose an additional one percent sales tax; a second amendment authorizes the city of Ely to impose an additional sales tax; a third authorizes Thief River Falls to impose an additional sales tax; and the last amendment authorizes the city of Minneapolis to use revenue from the sales tax to fund Neighborhood Learning Readiness

Centers. All of the proposals were adopted as part of the omnibus bill.

An amendment, sponsored by Sen. Steven Novak (DFL-New Brighton), dealing with the use of tax increment financing failed to gain approval. An amendment, sponsored by Sen. John Marty (DFL-Roseville), imposing an income tax rate of 10 percent on incomes over \$150,000 for married couples and on incomes over \$102,600 for individuals, decreasing the personal exemption and removing the sales tax from local governments also failed to gain approval. A third amendment, sponsored by Sen. John Bernhagen (IR-Hutchinson), reducing the political contribution credit by 50 percent, also failed to gain committee approval.

## Anti-violence bill advances

Budget considerations in the omnibus anti-violence bill, S.F. 1687, sponsored by Sen. Allan Spear (DFL-Mpls.), were heard by the Finance Division of Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd).

The omnibus bill incorporates provisions contained in a number of bills originally introduced as individual measures. Portions of S.F. 1016, sponsored by Sen. Ember Reichgott (DFL-New Hope), providing for children's safety centers; S.F. 1846, sponsored by Sen. Randy Kelly (DFL-St. Paul), providing for a number of programs dealing with treatment of chemical dependency and deviant sexual behavior; S.F. 1909, sponsored by Sen. John Marty (DFL-Roseville), providing for programs to prevent and reduce violence among youth; S.F. 1942, sponsored by Kelly, addressing Asian youth crime; S.F. 1946, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), providing for pilot grants for youth employment and education programs; S.F. 1969, sponsored by Sen. Linda Berglin (DFL-Mpls.), providing funding for Head Start; S.F. 2006, sponsored by Sen. Jane Ranum (DFL-Mpls.), establishing a criminal and juvenile justice information network; and S.F. 2020, sponsored by Berglin, providing for home health visits to prevent child abuse and neglect all were added as amendments to the omnibus bill.

Spear stressed that the bill is an anti-

violence initiative with the emphasis on prevention. A number of individual program requests are designed to prevent violence, treat the underlying causes of violent behavior and aid victims of violence. The total funding request is for \$2 million to be used in criminal justice programs and \$8 million for prevention and victim relief programs.

The largest single appropriation is for Head Start supplemental funding to be allocated on the basis of county juvenile delinquency adjudications. Spear said the provision reflects a belief that children must be given the tools at an early age to lead productive lives if they are going to avoid criminal activity later on.

The package includes funding for a program to create crime victim-offender mediation programs which bring crime victims and offenders together with a mediator to discuss the impact the crime had on the victim and steps the offender can take to compensate the victim. Also included is funding for pilot grants for children's safety centers for safe, supervised settings for visitation in custody, foster care and other situations in which a child has been a victim of abuse or there is a history of domestic abuse in the family.

Pilot programs are funded to reduce recidivism among juvenile offenders by identifying and treating underlying mental health problems that contribute to delinquent behavior. Also, a program to provide grants to community agencies for coordinated, family-based services to stop the increase in crime among Asian and Asian-American youth is included.

Finally, the division included an appropriation to fund a study of the use of pharmacological treatment for sex offenders. Dr. Eli Coleman of the University of Minnesota told the panel that drug therapy can be a useful tool for reducing recidivism if used in conjunction with therapy.

The criminal justice segments of the bill include appropriations for increased sentencing for repeat sex offenders; an absconder fund for tracking missing releases; and juvenile and adult sex offender treatment programs.

The division approved the incorporation of all the bills, as amended, into S.F. 1687 and referred the package to the full Finance Committee.

# Committee update

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## Education

### Omnibus K-12 funding bill

The full Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), gave approval to S.F. 2326, the omnibus K-12 funding bill, authored by Sen. Ronald Dicklich (DFL-Hibbing). At the Fri., Mar. 27, meeting, Dicklich explained that the proposed legislation contains numerous provisions that make changes in current law regarding levies and referendums, education organization and cooperation, facility financing, choice programs, and libraries.

Dicklich said the bill creates a new tax on soft drinks. Under the bill, soft drinks are defined as carbonated beverages, fruit drinks containing less than 15 percent fruit juice, and noncarbonated water in containers of one-half gallon or less in size. The revenues gained from the tax will be used for learning readiness and violence prevention programs, according to the bill. A representative of the Minnesota Soft Drink Association testified against the soft drink tax. He said the industry supports educational programs, but not the soft drink tax. The tax is discriminatory because it does not apply to the industry's competitors, such as fruit juices and powders, according to the representative.

Bi-partisan support was given to an article sponsored by Sen. Jerome Hughes (DFL-Maplewood) entitled the Minnesota Education Finance Act of 1992. Hughes explained that the proposal creates an outline for the Department of Education to study how the state can provide every student with an instructional program of equal quality.

Sen. Gen Olson (IR-Minnestricta) presented an amendment that sets forth a structure to provide a compensation increase for Minnesota teachers. The committee narrowly approved the Olson amendment on a 8-7 vote. Sen. Joanne Benson (IR-St. Cloud) gained the support of her colleagues for an amendment that allows school districts to not comply with new or increased state mandates "until the additional revenue needed to pay for the mandate is identified."

More hungry children will get nourishment under an amendment sponsored by Sen. Gary. DeCramer (DFL-Ghent). The amendment expands eligibility for school breakfast programs, according to DeCramer. DeCramer cited evidence that many children go to school hungry, which has

an adverse affect on their ability to learn. DeCramer also pointed out numerous studies that show that when children eat a proper breakfast their academic performance improves dramatically.

The committee made several additional technical and clarifying amendments to the bill and sent it to the Taxes and Tax Laws Committee, where Senators will scrutinize the tax provisions

## Finance

### Allocation bill considered

The Environment and Natural Resources Division of the Finance Committee began consideration of the budget bill Thurs., Mar. 26.

There were only minor changes from the allocations members had discussed earlier in the week. At the request of Kathryn Roberts, executive director of the Minnesota Zoo, the approved general fund complement was decreased by 49 positions and the approved special revenue fund complement increased by 80 positions.

One new provision mandates that cuts to the Minnesota Conservation Corps budget not be in a greater proportion than cuts to the DNR's other general fund programs.

Other changes include a 50 percent across the board reduction in payments in lieu of taxes and the removal of Hill Annex State Park from statute.

Division Chair Steven Morse (DFL-Dakota) offered an amendment providing for federal maintenance of campgrounds in the BWCA with federal funds. The amendment was approved.

Members laid over the bill and several amendments to a later hearing.

### Budget bill approved

Meeting Fri., Mar. 27, the Finance Division on Environment and Natural Resources approved a budget bill for the remainder of the biennium.

S.F. 1871-1, as amended, reduces funding for departments under the jurisdiction of the division a total of \$10.835 million for the fiscal years ending June 30, 1992 and June 30, 1993.

Final changes to the bill included an amendment offered by Sen. Dennis Frederickson (IR-New Ulm), precluding the use of general fund money to hire managers for the adopt-a-park program. Also approved was an amendment directing agencies to implement mandated

staff reductions equally among management and line personnel.

Two amendments approved reallocate funds: one shifts funds for wetlands protection to the DNR's forestry and parks divisions; a second moves some monies from the Board of Water and Soil Resources to grants to counties for wetlands administration, wetlands training of local officials, and to the general fund for various DNR projects.

Division Chair Steven Morse (DFL-Dakota) offered an amendment implementing statewide collection of a small fee on solid waste disposal. The amendment, which was approved, provides that the fees will be used to evaluate disposal facilities.

An amendment offered by Sen. Bob Lessard (DFL-Int'l. Falls), to preserve Hill Annex State Park failed 2-4 on a roll call vote.

The bill was recommended to pass to full committee as a division bill.

### Crop protection bill advances

A bill providing agricultural crop protection from destruction by wild animals was approved by the Environment and Natural Resources Division of the Finance Committee Mon., Mar. 30.

Sponsored by Division Chair Steven Morse (DFL-Dakota), S.F. 2143 requires the commissioner of the Department of Natural Resources (DNR) to establish a program to provide technical assistance to persons for the protection of agricultural crops from destruction by wild animals. The bill provides for the issuance of deterrent material valued at \$3,000 or less to affected growers. The commissioner may also issue bonus licenses to take deer in affected areas.

The measure, which appropriates \$250,000 from the fish and game fund to implement the technical assistance program, advances to the full Finance Committee. Two hundred thousand dollars is appropriated from the general fund to provide deterrent materials.

The division also approved S.F. 1615, presented by Sen. Bob Lessard (DFL-Int'l. Falls). The bill reduces deer license fees for persons under age 16 and for licenses to take a second deer. The measure was referred to the full committee.

Members discussed at length a bill offered by Sen. John Bernhagen (IR-Hutchinson). S.F. 1894 forgives a loan made to the city of Morton under a pilot litigation loan project. Morton was sued by a contractor involved in the construc-

tion of a municipal wastewater treatment plant. The contractor sued the city, the county and the state, alleging he had been given erroneous information about the water table leading to cost overruns. The state loaned the city money for litigating the suit, not for settlement. According to Rich Sandberg of the Pollution Control Agency, the money, which was earmarked for litigation costs was used for the settlement. Sandberg added that the PCA had been trying to work out a repayment agreement with Morton for the past three years.

Bernhagen said the cost of repayment would be prohibitive for a small town like Morton and would raise hookup fees considerably. Members approved the bill, which also moves to the Finance Committee.

Members began consideration of S.F. 2432, the aquaculture bill sponsored by Sen. Charles Berg (DFL-Chokio). Under provisions of the measure, the annual fee for an aquatic farming license is \$350. The fee for initial water inspection is \$50; fish health inspection and certification is \$80 per lot; and, protective classification initial inspection for standard, containment, and quarantine facility inspection is \$50. The bill was laid over for further hearing.

### **Aquatic farming bill advances**

A bill regulating aquatic farming was recommended to pass by the Environment and Natural Resources Division of the Finance Committee Tues., Mar. 31.

The bill, S.F. 2432, provides for regulation, inspection and licensing of the aquatic farming industry. Sponsor Sen. Charles Berg (DFL-Chokio) told the division he estimates the industry will attract investments of \$20-50 million in the next few years. The bill, which will go to the full Finance Committee, sets annual fees for aquatic farming licenses at \$275, and fees for fish health inspection certification at \$20 plus \$80 per lot.

Members also advanced S.F. 2101 to the Finance Committee. Presented by Sen. Gene Merriam (DFL-Coon Rapids), the bill authorizes the commissioner of natural resources to negotiate a special fee structure for the Split Rock Lighthouse state historic site, which is located within Split Rock Lighthouse State Park.

Currently lighthouse visitors must pay for both a state park permit and an admission fee to the lighthouse. Assistant Director of the DNR's Parks and Recreation Division, Kathleen Wallace, said the DNR supported the bill.

Finally, the division, chaired by Sen. Steven Morse (DFL-Dakota) approved S.F. 1866, the land recycling act of 1992. The bill, authored by Sen. Ted Mondale (DFL-St. Louis Park), eases the transfer of contaminated lands, and provides for investment and cleanup. The bill adds seven positions to the Pollution Control Agency: three technical analysts, one project manager, one clerk-typist, one pollution control specialist, and one supervisor. The requested appropriation for the biennium is \$545,000.

### **Funding bills considered**

A bill providing an institutional framework for dealing with potential water emergencies in the Metropolitan Area was approved by the Environment and Natural Resources Division of the Finance Committee Wed., Apr. 1.

Sponsored by Sen. Leonard Price (DFL-Woodbury), S.F. 1958 requires the development of a water resources conservation program for the state including criteria for a deficiency declaration by the governor and instructs the Metropolitan Council to develop short- and long-term plans for existing and expected water use and supply in the Metropolitan Area. Under the terms of an amendment adopted by the division, the Metropolitan Council will absorb the costs of developing guidelines for use by cities in preparing comprehensive plans that address existing and projected water uses. The council will also develop a database on local water uses for the entire Metropolitan Area. Deleted from the bill were the development by the council of a groundwater model and an analysis of alternative water sources. S.F. 1958 advances to the full Finance Committee.

Members approved S.F. 2095, presented by Division Chair Steven Morse (DFL-Dakota). The measure deals with the Pollution Control Agency's (PCA) implementation of the federal Clean Air Act. Under the bill, four full time employees are necessary to implement the Small Business Air Quality Compliance Assistance Program. The positions have been included in the governor's budget request. The measure, which also restructures the PCA board, advances to the Finance Committee.

Morse also presented S.F. 1292, dealing with wastewater treatment funding. The bill establishes a program of supplemental financial assistance for the construction of municipal wastewater disposal systems. Before advancing the bill to the full committee, members adopted an amend-

ment restricting the purposes for which the Public Funding Authority (PFA) can raise fees to audit, arbitrage accounting, or payment of fees charged by the state board.

Before adjourning, members adopted an amendment to S.F. 2146, a bill providing grants for converting once-through cooling systems. Morse, the bill's author, offered an amendment changing the funding mechanism for the program, providing that fees appropriated to the PFA be used as a reserve pool to issue bonds to program participants. The measure was laid over to a later hearing.

### **Division approves budget bill**

The Finance Division on Agriculture, Transportation and Regulation, chaired by Sen. Keith Langseth (DFL-Glyndon), finished work on the division's portion of the budget resolution bill at the Fri., Mar. 27, meeting. The division's budget recommendations, prior to amendments, were \$9,000 under the governor's supplemental budget recommendations.

Under the measure, general fund reductions total \$14.4 million and new revenues total \$4.48 million. The measure appropriates \$2 million from the Trunk Highway Fund for state road operations. The bill also requires the consolidation of the emergency response commission with the division of emergency management into a single Division of Emergency Management within the Dept. of Public Safety. The Board of Peace Officer Standards and Training receives a reduction of \$151,000 for each year of the biennium. For the Dept. of Commerce, the bill appropriates \$275,000 for unclaimed property administrative expenses.

Several of the boards under the division's jurisdiction received increases for the biennium under the proposal. The Dept. of Public Safety also receives an increase for gasoline and oxygenated fuels testing and enforcement. The reductions for the Minnesota Historic Society total \$160,000 and \$260,000 for each year but there is an appropriation of \$25,000 each year for the historic sites grant program. In addition, the measure allows visitors to the Split Rock Lighthouse historic site to enter the park without a state park permit.

The measure specifies reductions of \$3.361 million and \$4.54 million for Minnesota Technology, Inc. The Dept. of Labor and Industry provisions specify that the workers compensation rehabilitation services unit be transferred from the general fund to the workers comp special

# Committee update

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compensation fund. The measure also specifies a \$277,000 general reduction for the secretary of state's office. Finally, the bill specifies general fund reductions for the Dept. of Agriculture of \$365,000 and \$489,000. However, there is an increased environmental fund appropriation of \$149,000.

Other language in the measure removes a requirement for the secretary of state to advertise constitutional amendments, increases the expedited transaction fee in the secretary's office from \$5 to \$10, removes the requirement to reimburse counties for white ballot preparations, removes the requirement to prepare pink ballot and repeals the law requiring that absentee ballot applications be made available to persons purchasing deer hunting licenses. In addition, language in the measure raises fees for liquor licenses for specified manufacturers, wholesalers, retailers and importers. The bill also changes the term of abandonment for unclaimed property from five to three years.

Amendments to the measure include setting forth instructions to search for ways to keep the Waseca Campus open, providing funding for turkey disease testing, authorizing the Dept. of Agriculture to charge for materials and providing an additional \$50,000 for the WIC program.

## Highway funding bill advances

The Finance Division on Agriculture, Transportation and Regulation met Tues., Mar. 31, and approved a major transportation funding bill. According to chief author Sen. Keith Langseth (DFL-Glyndon), the bill is designed to provide for adequate funding for the state's transportation needs. The measure, S.F. 1750, was amended to remove a provision for a constitutional amendment that increases the percentage of proceeds from the Motor Vehicle Excise Tax dedicated to a Minnesota Mobility Trust Fund. Instead, the amendment does establish the Minnesota Mobility Trust Fund to be funded from the proceeds of a sales tax imposed on motor vehicle repair services, from increasing the gasoline tax by five cents per gallon, from money received from the federal government or any other public or private sources and from any other money otherwise appropriated.

Further, the amendment specifies that money in the fund be transferred to the transit assistance fund and to the surface transportation fund at a proportion of 80 percent and 20 percent, respectively. The

surface transportation fund may be expended for licensing, registration, permits, regulation and improvement of highways, streets and bridges.

Two additional amendments were adopted. The first amendment requires that the commissioner of transportation present a plan to establish transit roadways and a five year plan to implement the development of transit roadways. Transit roadways are exclusive right-of-ways for use by multi-occupant vehicles intended to reduce congestion. The second amendment requires a report to the legislature on transit planning, governance, and operations in the Metro Area.

The measure also provides for transportation bonding amounting to \$20.96 million to take advantage of federal aid appropriated for special projects.

In other action, the division, chaired by Langseth, advanced four additional bills to the full committee. S.F. 695, sponsored by Sen. Gary DeCramer (DFL-Ghent), makes a number of technical changes to the transportation statutes. S.F. 1921, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), increases fees for drivers licenses by one dollar to help fund administrative costs in processing the fees. S.F. 2103, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), also increases the fee for drivers by one dollar but delays the increase until July 1, 1993. The latter bill also requires the commissioner of public safety to develop new licenses and identification cards that are more impervious to alteration. Finally, the panel also approved S.F. 1986, authored by Sen. Lyle Mehrkens (IR-Red Wing), reducing the fee for the Minnesota identification card for physically disabled persons. Under the bill, the fee is reduced from nine dollars to fifty cents.

## Octane regulation bill gains

A bill designed to insure that gasoline octane postings are accurate was advanced to the full committee by members of the Finance Division on Agriculture, Transportation and Regulation. The bill, S.F. 2509, authored by Sen. Jim Gustafson (IR-Duluth), establishes a program in the Dept. of Public Service to inspect and enforce gasoline octane specifications at all levels in the petroleum distribution chain. The bill is in response to the discovery made last year by the Dept. of Public Service that there was widespread mislabeling of gasoline octane levels. The bill also establishes an oxygenated gasoline enforcement program to insure

compliance with federal EPA requirements. The measure provides an appropriation of \$673,000 to establish the programs.

In other action, the panel, chaired by Sen. Keith Langseth (DFL-Glyndon), advanced two additional bills to the full committee. S.F.2062, authored by Sen. Jim Vickerman (DFL-Tracy), authorizes the issuance of \$2 million in state bonds to be used for rail service improvement. S.F. 2640, authored by Sen. Dallas Sams (DFL-Staples), appropriates \$50,000 for legal challenges to discriminatory aspects of the current federal milk market order system. The bill also specifies that the commissioner of agriculture may use up to an additional \$50,000 from the dairy industry unfair trade practices account to pursue the litigation. Sams said that the current federal practice has led to a situation in which milk producers in Florida, Texas and Georgia are being paid \$4 more per hundredweight than producers in Minnesota and Wisconsin.

## Higher education budget

Division Chair LeRoy Stumpf (DFL-Thief River Falls) called to order the Higher Education Division of the Finance Committee Fri., Mar. 27, to finalize allocations to the budget. Adjustments made by the division amount to a \$25 million reduction in the F.Y. 1992-93 budget.

The division made general reductions in the budgets of the Higher Education Coordinating Board, the Technical College System, the Community College System, the State University System, and the University of Minnesota. However, members approved a \$4 million increase in student financial aid. Language in the bill clarifies that the cost of attendance shall be prorated for each credit if a student enrolls for fewer than 15 credits. Addressing other financial aid concerns, the bill changes the definition of "half time" enrollment from eight credits per quarter or semester to six credits.

Under the proposal, funding is provided to clean up the Kummer land fill at Bemidji State University and to continue membership in the Western Interstate Commission for Higher Education (WICHE). WICHE was established in the 1950's as a regional agency for research, service, and planning. Through WICHE, Minnesota students may be eligible for tuition reductions in some schools beyond Minnesota's borders.

The proposal also calls for the development and implementation of an inte-

grated administrative structure and coordinated program delivery for the technical college and the community college center at Duluth.

The division made additional technical and clarifying amendments to the proposal and sent it to the full Finance Committee.

### **Migrant workers, higher ed bills**

Migrant workers received the attention of the Higher Education Division of the Finance Committee Tue., Mar. 31. Sen. Joanne Benson (IR-St. Cloud) presented S.F. 1706. Benson said the bill provides resident tuition status to students who have been migrant workers in Minnesota over a period of at least two years.

Benson pointed out that the bill is necessary because of a legislative technicality last year that discontinued their eligibility for resident status. The migrant workers have been eligible for the resident status for the last 20 years. Witnesses testified that the tuition program benefits the state because it helps poorly paid migrant workers who want to improve their lives "break out of the cycle of generational poverty."

Sen. Gene Waldorf (DFL-St. Paul) moved an amendment that requires a report, to be completed by August 1, 1992, on higher education funding and tuition policies with respect to migrant workers, refugees, and other students that may be considered for resident tuition status. The Waldorf amendment also makes the effective date of the bill July 1, 1993, which makes the higher education systems responsible for the financial impact of the bill without a state appropriation. The division approved the Waldorf amendment and the bill, then sent it to the full Finance Committee.

Members also approved S.F. 1837, authored by Sen. Steve Morse (DFL-Dakota), making changes to the member contributions for the higher education individual retirement account plan. Morse said the bill also allows participants to make contributions while on sabbatical leave. Members voted favorably on the bill, which now goes to the full Finance Committee.

The division laid over two bills: S.F. 1635, authored by Sen. John Hottinger (DFL-Mankato), setting the cost of attendance at Bethany College; and, S.F. 1978, authored by Sen. Jane Ranum (DFL-Mpls.), providing for violence prevention and sexual harassment training programs at higher education institutions. Committee Chair LeRoy Stumpf (DFL-Thief River Falls) said the division would

continue work on the bills at a subsequent hearing.

### **HHS bills advance**

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met Fri., Mar. 27, to advance a number of bills.

S.F. 1782, sponsored by Sen. Linda Berglin, restricts the transfer of assets in anticipation of becoming eligible for Medical Assistance. Major provisions of the bill include the following: an institutionalized spouse on medical assistance is required to use income and assets available to the non-institutionalized spouse for health care and personal needs; Medical Assistance liens against real property are allowed; trust clauses that make trust assets unavailable to a beneficiary if the beneficiary becomes eligible for Medical Assistance are prohibited.

The division next considered S.F. 1789, also sponsored by Berglin, extending the deadline for commencing construction of nursing home projects granted nursing home moratorium exceptions. Members also briefly considered S.F. 1857, sponsored by Berglin, which makes changes in home care licensure law, and S.F. 2650, also sponsored by Berglin, which amends work readiness law to provide, among other things, that migrant workers are to be paid at least every two weeks, and that undocumented and non-immigrant aliens are not eligible for Medical Assistance.

The last of Berglin's bills to be taken up was S.F. 2704, making numerous changes in the nursing home provider surcharge program to conform with federal law.

The division approved all of Berglin's bills and indicated that they would all be incorporated into the omnibus bill.

Finally, the division approved S.F. 2732, sponsored by Sen. Pat Piper (DFL-Austin). The bill is a response to public concern about exposure to the human immunodeficiency virus (HIV) and the hepatitis B virus (HPB) through contact with infected health care personnel. The measure amends several health care laws by providing for license suspension or refusal or other disciplinary measures in the event a health care worker fails to comply with standards for infection control set out in the bill. The measure also provides for monitoring health care workers who are infected with HIV or HPB.

Sen. Allan Spear (DFL-Mpls.) called the bill "a solution in search of a problem" and expressed his belief, based on readings and conversations with experts in the field that "the problem simply doesn't exist."

Spear recommended abandoning the bill and instead tightening existing regulations regarding infection control as they apply to all health care workers.

The division approved the measure and recommended that it be incorporated into the omnibus bill.

### **GA/Work Readiness clears division**

S.F. 2650, sponsored by Division Chair Don Samuelson (DFL-Brainerd), amending General Assistance and Work Readiness eligibility categories, was heard by the Finance Division on Health and Human Services Mon., Mar. 30.

The bill provides for extension of Work Readiness eligibility duration. An amendment, sponsored by Samuelson, removes a provision extending eligibility to individuals found to be "not employable" and adds eligibility for persons over age 18 whose primary language is not English and who are attending high school at least half time. The measure, as amended, was approved and recommended to be incorporated into the omnibus bill.

Also considered by the division was S.F. 2411, sponsored by Samuelson, permitting the Department of Human Services to authorize pilot projects in human services to regulate how services are delivered. The bill allows intergovernmental contracts between state and counties to fund, administer and regulate delivery of community social service programs. S.F. 2249, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), permits funeral directors to dispose of unclaimed cremation remains after one year and changes the limit on funeral expenses for AFDC recipients from \$370 to the amount the county would pay for funeral expenses for indigents. Both bills were approved and recommended to be incorporated into the omnibus bill.

### **Supplemental budget proposals**

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met Tues., Mar. 31, to discuss proposed supplemental budget recommendations.

The proposal accepts many of the proposals in the governor's recommendations. The recommended budgetary changes would result in an increase of \$3.6 million for F.Y. 92 and a reduction of \$59.4 million for F.Y. 93. This compares with the governor's recommendations for a \$3.6 million increase for F.Y. 92 and a \$77.5 reduction in F.Y. 93.

The division recommends accepting the governor's recommendations to shrink

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spending in a number of areas, including reducing development of new ICF/MRs, delaying relocation of persons with developmental disabilities (DD) currently residing in nursing homes, reducing appropriations for AFDC (based on forecast changes), and transferring funds from basic sliding fee child care to AFDC child care. Also accepted were increases in funding for General Assistance (based on changes in law resulting in families moving from Work Readiness to GA), Medical Assistance, and General Assistance Medical Care (GAMC). These increases are based on forecast changes.

The division's proposal recommends not accepting a number of key reductions contained in the governor's recommendations. Decreases in funding for DD day training alternatives, transferring and restructuring Work Readiness (in the Dept. of Jobs and Training), reduction in MA grants for personal care attendants, coordination of care for persons with DD and MI all are rejected by the proposal. Likewise, reductions in the asset limit for MA and SSI eligibility and reductions in the income standard for elderly, blind and disabled are not accepted by the division's proposal.

Finally, the division's proposal does not accept the governor's recommendation to close the Faribault Regional Treatment Center.

The governor's recommendation to transfer the Displaced Homemaker program to the Dislocated Worker Fund in the Dept. of Jobs and Training was rejected as was the recommendation to fund a new program called Self Start to replace the Work Readiness program.

Health Dept. recommendations include proposals to reject the governor's recommendation to reduce the Bone Marrow and Non-smoking education and health promotion programs and to accept the governor's recommended reductions in the community health services, health care delivery and health information and general services budgets. The governor's budget included an appropriation to cover costs of federally mandated water quality testing. The division accepted the recommendation and approved a funding mechanism contained in S.F. 2473, sponsored by Sen. Steven Morse (DFL-Dakota), requiring an annual water connection fee of \$4 for single family and duplex properties and \$33 for all other residential and commercial properties.

The division also accepted the governor's recommendation to fund a program

to review and monitor health care workers infected with human immunodeficiency virus (HIV) or hepatitis B virus (HBV).

A number of amendments to the omnibus bill were approved as well. Sen. Earl Renneke (IR-LeSueur) sponsored an amendment providing for a pilot project for community-based crisis services for persons with mental retardation or related conditions who are at risk of being admitted to acute care hospital psychological care. Sen. Harold "Skip" Finn (DFL-Cass Lake) sponsored an amendment stating that the commissioner shall not decrease the number of nursing home beds nor close the Ah-Gwah-Ching Center without specific approval by the Legislature. Finally, Sen. Pat Piper (DFL-Austin), sponsored an amendment providing an alternative to the governor's recommendations regarding retirement for DAC clients who are over age 65. Piper's amendment authorizes a pilot project that provides alternatives to day training and habilitation services for elderly clients and that before implementing the project the commissioner must consult with people concerned with and interested in the alternatives.

The division's budget recommendations were approved and sent to the Finance Committee.

## Budget reviews completed

Members of the State Departments Division of the Finance Committee completed their review Fri., Mar. 27, of the various agency budgets under their jurisdiction. Commissioner Linda Barton of the Dept. of Employee Relations, Laurie Hacking of the Public Employees Retirement Association, Arvin Herman of the Minnesota State Retirement System, Director Linda Kohl of the Office of Strategic and Long Range Planning and Assistant Commissioner David Doth of the Finance Dept. appeared before the committee to explain the governor's budget recommendations.

Barton explained that the governor recommends implementation of a proposal by the Commission on Reform and Efficiency which is expected to yield increased receipts to the general fund of at least \$708,000 in F.Y. 1992 and \$465,000 in F.Y. 1993 from enhanced procedure to obtain reimbursements to the state employee workers compensation program from the workers compensation special fund. In addition, the governor is recommending the elimination of the subsidy to the Public Employees' Insur-

ance Program for an estimated savings of \$1.6 million for the 1992-93 biennium.

The two representatives of the retirement systems disagreed with a recommendation to reduce the contribution rates for MSRS and PERA Police and Fire Fund, respectively. There is disagreement between accounting firms on the proposal, thus both recommended that no change take place at the current time.

The Office of Strategic and Long Range Planning is currently exempt from the four percent cuts recommended to larger agencies because the office has fewer than 50 employees, according to Kohl. The office is the result of the elimination of the State Planning Agency in the 1990 session and is currently involved in the Minnesota Milestones Project, said Kohl.

Doth explained two initiatives recommended by the governor. The first is a statewide accounts receivable initiative to improve revenues and develop a better approach to managing accounts receivable. The initiative is expected to yield net new revenues of \$1.5 million for F.Y. 1993, Doth said. The second initiative, a statewide systems project, requires an appropriation of \$3 million in F. Y. 1993 to continue the project to redesign the state's statewide accounting, payroll, purchasing and human resource information systems. The project is sponsored jointly by the Dept. of Finance, the Dept. of Administration and the Dept. of Employee Relations.

## State departments proposal gains

Members of the Finance Division on State Departments, chaired by Sen. Carl Kroening, devoted their Mon., Mar. 30, meeting to hearing public testimony on the governor's budget recommendations. The Tues., Mar. 31, hearing was devoted to assembling a proposal incorporating division and gubernatorial recommendations.

The measure cuts \$20.89 million from various state agency budgets and raises an additional \$13.771 million in revenue. Specifically, the proposal cuts \$3.564 million from the legislative branch, makes cuts of about 2 percent in the judicial branch and makes cuts in each of the constitutional officers' budgets. Some revenue is raised through adopting recommendations originating with the Commission on Reform and Efficiency. For instance, under the proposal \$300,000 is gained by transferring cash balances from the state bookstore revolving fund to the general fund and \$300,000 is raised

through transferring the preferred travel provider rebate from the central motor pool revolving fund to the general fund.

A proposal to change the period for the cancellation of state warrants from five years to two years was further changed to one year by the division.

The division did not follow the governor's recommendation to eliminate funding the Vinland Center grant through the Dept. of Veterans Affairs, or to phase-out labor management grants through the Bureau of Mediation Services, or to fund the higher education savings program through the Dept. of Revenue.

After division discussion, the panel restored one percent of the cuts to the Supreme Court, the Court of Appeals and the District Court. In addition, the division lessened the reduction slated for the Department of Human Rights and provided allocations for public radio.

### **Omnibus budget balancing bill**

Three pieces of the omnibus budget balancing bill were approved at the Wed., Apr. 1, meeting of the Committee on Finance. The committee chaired by Sen. Gene Merriam (DFL-Coon Rapids), also reviewed appropriations portions of the omnibus tax bill, S.F. 2755.

Members began by considering the budget reductions and appropriations contained in the proposal developed by the Education Division of the Finance Committee. Division Chair LeRoy Stumpf (DFL-Thief River Falls), said that the reductions in the higher education proposal amount to \$25 million. The total reductions are \$25 million less than the governors budget recommendations. However, Stumpf said that the division did not follow the gubernatorial recommendations because of the severity of the cuts made to higher ed programs last year. In addition, Merriam said that in the total budget picture, the use of funds from the budget reserve would make up the difference in the targeted amount for the division.

The proposal makes base reductions of \$5.855 million from the technical colleges, \$3.545 million from the community colleges, \$4.091 million from the state universities and \$15.904 million from the University of Minnesota. According to Stumpf the reductions represent about 1.3 percent reductions in the biennial budgets. In addition, the proposal specifies that \$4 million earmarked for the Higher Education Coordinating Board be used for financial aid to students. Higher Education Coordinating Board (HECB) membership in the

Western Interstate Commission on Higher Education is also funded at \$50,000. An appropriation of \$440,000 is also designated for HECB operations.

The proposal also contains an appropriation of \$2.335 million for costs associated with the Kummer land fill at Bemidji. Finally, the measure sets forth a method of determining the base budget of the higher education systems for F.Y. 1994-95.

The Environment and Natural Resources Division's budget recommendations were outlined by Division Chair Steven Morse (DFL-Dakota). Morse said the proposal contains a net reduction of \$10.280 million compared with a target contained in the governor's recommendation of \$9.998 million. In the Department of Natural Resources the reductions generally followed the governor's recommendation, Morse said. However, noting recent stories in the press, Morse said that the proposal provides for the closure of one state park but that with the closing of the Hill-Annex State Park the appropriations for parks is reduced by only \$114,000. Thus park operations reductions are \$513,000 less than that recommended by the governor. The proposal appropriates funds from the proceeds of the \$2 surcharge on watercraft for the management of ecologically harmful exotic species such as Eurasian milfoil.

A \$1.1 million general fund appropriation to the Board of Water and Soil Resources made under the Wetlands Act of 1991 is canceled under the proposal, but Morse said that bond proceeds were available instead. The measure also contains appropriations of \$100,000 to counties for administration of the Wetlands Act and \$100,000 for education of local officials about implementing the Wetlands Act.

The proposal reduces general fund appropriations to the Pollution Control Agency by \$1.211 million over the biennium mostly through reductions in water pollution control and general support. The proposal also appropriates \$1.2 million from an account in the environmental fund for evaluation of mixed municipal solid waste disposal facilities in order to find alternatives to using the "Superfund" for clean-up. Morse said that the reduction for the Office of Waste Management--\$596,000--is \$20,000 less than that recommended by the governor so that the MnTap program is not reduced. The program is designed to aid in reducing hazardous waste generation.

The proposal also establishes a landfill cleanup account in the environmental

fund from some of the proceeds of metropolitan solid waste landfill fees, Greater Minnesota landfill cleanup fees and fees from mixed municipal solid waste processing facilities. In addition, responsibilities of the Pollution Control Agency for pollution prevention are transferred to the Office of Waste Management.

Finally, the proposal accepts the governor's recommendation to set up a dedicated account for zoo revenues and cuts funding accordingly. An amendment was adopted that removes the requirement for the Minnesota Zoo to offer two free days each month.

Sen. Keith Langseth (DFL-Glyndon), chair of the Agriculture, Transportation and Regulation Division, presented the proposal developed by his division. According to Langseth, the measure contains general fund reductions of \$14.392 million and increases revenues by \$4.48 million. The measure provides \$2 million for state road operations from the trunk highway fund and provides for a \$10,000 appropriation for the Advisory Council on Metropolitan Airports Planning. The proposal cuts \$2.398 million from the Dept. of Public Safety; \$302,000 from the Board of Peace Officers Standards and Training; \$20,000 from the Minnesota Humanities Commission; \$200,000 from the Board of the Arts; \$50,000 for an international trade pilot project from the World Trade Center; \$7.951 million from Minnesota Technology Inc.; \$277,000 from the secretary of state; and \$804,000 from the general fund appropriation for the Dept. of Agriculture.

The measure includes an increase for the Department of Public Safety for gasoline octane and oxygenated fuels testing and enforcement. An additional \$150,000 is appropriated to the Dept. of Agriculture for an outreach program in conjunction with the oxygenated fuels provisions required by the federal Environmental Protection Agency.

Langseth also said that the division included more funding for Agricultural Information Centers and the WIC coupon program than the governor recommended.

The proposal also includes language that designates the former Sibley County Courthouse as a state historic site; removes a requirement for the secretary of state to advertise constitutional amendments; removes the requirement for the secretary of state to publish a student edition of the Legislative Manual; removes the requirement that absentee ballot applications be made available to persons purchasing deer licenses; and increases the expedited transaction fee in

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the secretary of state's office from \$5 to \$10; and institutes a fee for apprentice and journey worker certification within the Dept. of Labor and Industry.

The measure also raises fees for liquor licenses for manufacturers, wholesalers, retailers and importers; changes the term of abandonment for unclaimed property from 5 to 3 years and transfers the vocational rehabilitation unit in the Dept. of Labor and Industry to the special compensation fund.

Several amendments were offered to the proposal. The first provides that grants made through Minnesota Technology Inc., are not to be reduced by more than a proportionate share of the general reduction and must not be included in the \$4 million reduction slated for the second year. Another amendment shifted funds to provide funding for the farm crisis mediation services program. Both amendments were adopted.

All three proposals were approved for incorporation into the omnibus bill.

Committee members also considered the omnibus tax bill, S.F. 2755. Merriam said that the bill was before the committee because of provisions that impact the budget. For instance, Merriam questioned a provision eliminating interest payments from the local government trust fund to the general fund. However, the bill makes a number of changes to the local government trust fund that result in a savings to the general fund of \$54 million. Members also questioned a \$2 million appropriation for housing programs in the bill. Sen. Gene Waldorf (DFL-St. Paul) offered an amendment to delete the appropriation but the amendment was not adopted.

Members also discussed a provision relieving counties of the responsibility for paying the costs of public defender services if the costs are more than the appropriation. After considerable debate the provision was removed from the bill. The bill was then approved and sent to the full Senate.

Finally, the committee approved, and sent to the Senate floor, a bill authorizing the Dept. of Natural Resources and the Minnesota Historical Society to negotiate a fee structure agreement for visitors to Split Rock Lighthouse. The measure, S.F. 2101, is sponsored by Merriam.

## Ed funding moves to floor

The omnibus education funding bill, S.F. 2326, was the focus of debate at the Thurs., Apr. 2, meeting of the Finance Committee. The bill, carried by Sen.

Ronald Dicklich (DFL-Hibbing), modifies appropriations for general K-12 education. According to Dicklich, the measure contains \$17.5 million in reductions. However, the most heated debate on the bill concerned provisions funding new programs for violence prevention. Under the measure, \$5 million is earmarked for violence prevention grant programs through the schools. The measure also imposes a wholesale tax on soft drinks. The tax is imposed at a rate of five percent of the wholesale price.

Sen. Lyle Mehrkens (IR-Redwing) offered an amendment to delete the tax provision arguing that the imposition of specific taxes like the so-called "pop" tax is not an appropriate funding mechanism for education programs. However, Dicklich argued successfully against the amendment and the motion was defeated.

An amendment, offered by Sen. Charles Berg (DFL-Chokio), to delete the violence prevention program language was also defeated. Berg argued that the money was needed more urgently in fund general aids to education. Sen. Allan Spear (DFL-Mpls.), countered that the provisions were an integral part of the anti-crime/anti-violence package moving through the process and that the programs could help change the notion, among young people, that violence is an acceptable form of conflict resolution.

Finally, Sen. Gene Waldorf (DFL-St. Paul), offered an amendment to delete sections allowing schools to establish adolescent health care centers to coordinate with existing health care services in the community. The amendment was approved and the provision deleted.

The measure was then approved and advanced to the full Senate.

In other action, the committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), began consideration of a fourth portion of the omnibus budget balancing bill. Sen. Carl Kroening (DFL-Mpls.), outlined the provisions of the proposal put together by the State Departments Division. Kroening said that the proposal makes \$28.915 million in cuts, raises \$13.771 million in revenue and appropriates \$9.587 million for a net reduction of \$33.4 million.

Members began discussing the individual items contained in the measure. Debate centered on sections raising revenue for the office of the attorney general by increasing fees for gambling device distributors and manufacturers and on a provision increasing the mortgage

registration fee in those counties that have become agricultural land preservation pilot counties or exclusive agricultural zone counties. An amendment, offered by Sen. Steven Morse (DFL-Dakota), deleting the provision relating to the mortgage registration fee was adopted.

Sen. William Luther (DFL-Brooklyn Park) offered an amendment relating to the funding of public defenders that sparked considerable debate. The amendment was amended to specify that the state's obligation for the costs of the public defender services is limited to the appropriations made to the board of public defense and that the state appropriations must be used to pay all costs, determined to be necessary, of district public defender services of inmates at state correctional facilities. The amendment was adopted. Because of time constraints, the panel laid the bill over for further consideration.

## Taxes and Tax Laws

### Property tax bills heard

At a marathon meeting Wed. night, Mar. 25, the Taxes and Tax Laws Division on Property Taxes and Local Government Aids heard numerous bills. The division, chaired by Sen. Ember Reichgott (DFL-New Hope), approved the following bills.

S.F. 1705, sponsored By Sen. Carol Flynn (DFL-Mpls.), authorizes the city of Minneapolis to issue general obligation bonds for building parking facilities related to the federal courts project. The bond debt is to be retired with parking receipts, according to Flynn.

S.F. 2406, sponsored by Sen. Phil Riveness (DFL-Bloomington), extends homestead treatment to residences occupied by a relative of the owner. The bill's aim, according to Riveness, is to encourage family members to assist one another with housing needs. An amendment was approved which excludes seasonal recreational property from the homestead treatment.

S.F. 573, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), permits the creation of regional public library districts. After some division members expressed concern about the drafting of the bill, the measure was laid over.

S.F. 1932, sponsored by Sen. Steven Morse (DFL-Dakota), expands the purposes for which county tax levies can be used to purchase current technology for land surveying, land management and information management. S.F. 1504,

sponsored by Sen. Gen Olson (IR-Minnetrissa), limits the tax levy for the Metropolitan Mosquito Control District. Under the bill, the district's levy authority is set as a percentage of tax capacity. According to Olson, the measure is intended to make the district's levy rise and fall with the tax base. The bill also provides for property tax notices to state changes in taxes payable to the district.

S.F. 2664, sponsored by Sen. Lawrence Pogemiller, (DFL-Mpls.), extends a 2.3 percent tax rate to previously abandoned properties that are leased under certain lease-purchase programs. S.F. 27, sponsored by Sen. Richard Cohen (DFL-St. Paul), provides a property tax exemption for federal land used for cottage and camp purposes. According to Cohen, the bill provides the same exemption for federally leased lands as for state leased lands. S.F. 2680, sponsored by Sen. David Frederickson (DFL-Murdock), provides a property tax exemption for secondary containment areas used to confine agricultural chemicals. An amendment offered by Olson that also exempts ice arenas was defeated.

S.F. 2495, sponsored by Reichgott, makes numerous technical and administrative changes to tax law.

S.F. 2403, sponsored by Sen. Don Frank (DFL-Spring Lake Park), changes hearing date requirements and advertising requirements for hearings on proposed property taxes.

The division also approved five amendments to S.F. 2755, the tax omnibus bill. The first amendment re-apportions court fines and fees collected in St. Paul and Ramsey County so that two-thirds go to St. Paul and one-third goes to Ramsey County. It also provides a levy limit adjustment to St. Paul and Ramsey County if the levy limit repeal is delayed or reenacted. Another provision of the amendment requires St. Paul to repay Ramsey County an amount equal to the difference between the payments it receives from July 1, 1992, to Dec. 31, 1992. The second amendment exempts campgrounds leased from the U.S. Forest Service from property tax. The third reduces the tax rate for manufactured home parks from 2.5 to 2 percent. The fourth expands the definition of transitional housing facility, permitting more facilities such as battered women's shelters to qualify for property tax exemptions. The fifth provides for decks, sheds, and similar improvements constructed on the site of manufactured homes, park trailers, sectional structures, and travel trailers to be treated as taxable property.

## Tax amendments

The Property Taxes and Local Aids Division of the Taxes and Tax Laws Committee, chaired by Sen. Ember Reichgott (DFL-New Hope), met Thur., Mar. 26, to work on the omnibus tax bill. Members approved several amendments to the bill.

Reichgott urged adoption of an amendment that "phases down" the governor's proposed schedule for property tax relief. Reichgott said the amendment was more fair because it provides more relief for lower income people and puts a cap on relief for those people making more than \$150,000 a year. The division approved the amendment.

Members of the division also approved an amendment, taken from the governor's proposal, that gives the commissioner of revenue the authority to allow a delinquent taxpayer to abate the liability by performing uncompensated public service for a state agency, political subdivision or public corporation of the state, or a nonprofit agency. Sen. Douglas Johnson (DFL-Cook) gained support for an amendment that makes sure the delinquent taxpayer program does not displace public employees.

Sen. Duane Benson (IR-Lanesboro) offered an amendment that deletes language in current law that makes counties responsible for the expense of public defender services that exceed state appropriations to the Board of Public Defense. Some Senators wrestled with the issue saying the state does not adequately fund the board, especially in light of increased caseloads. Members also discussed the inability of counties to cover the costs and cited efforts to bring the public defender's budgets under a state financing plan. The Benson amendment prevailed.

Sen. Randy Kelly (DFL-St. Paul) presented an amendment that appropriates \$2 million from the general fund to the executive director of the Minnesota Housing Finance Agency to be deposited in the housing trust fund account. Members approved the Kelly amendment. Kelly also gained approval for an amendment that rewrites the formula that distributes growth dollars for county corrections aid to local governments. Kelly said the amendment addresses the high costs of jail, probation services, and specific corrections services in Ramsey and Hennepin Counties. Sen. Lawrence Pogemiller gained support for an amendment that eliminates the Advisory Committee on Intergovernmental Relations.

The committee adopted several other technical and clarifying amendments to be incorporated in the omnibus tax bill. Members will continue work on the bill at a subsequent hearing.

## Arts funding bill heard

The Income, Sales and Economic Development Division of the Taxes and Tax Laws Committee, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), met Thursday, Mar. 26, to consider several bills.

S.F. 2197, sponsored by Sen. Richard Cohen (DFL-St. Paul), imposes taxes and raises tax rates for support of nonprofit arts organizations. The bill imposes increased taxes on nonresident entertainers; cable television users; purchasers of videos, tapes, discs and records; meals, drinks and parking at airports, and lodging within the cities of Minneapolis and St. Paul.

Cohen told the committee the distribution of funds will be statewide and will go to both large and small arts organizations. Ed Martenson, executive director of the Guthrie Theatre, noted that the perception of the arts as "by and for the wealthy" is inaccurate. He said that 45 percent of Guthrie ticket sales are to families with income under \$35,000 while only 20 percent of tickets are bought by families with income over \$60,000.

Greg Ortale, president and CEO, Greater Minneapolis Convention and Visitor Association, said his group is not opposed to the purpose of the bill but is concerned about the tax on lodging in Minneapolis and St. Paul. He said the tax puts the Twin Cities at a competitive disadvantage, both nationally and within Minnesota, when compared with other convention areas.

The division deferred action on the bill until a later date.

S.F. 1740, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides for the formation, organization, operation, taxation, management and ownership of limited liability companies (LLC). This new form of corporate entity combines the governance and management principles of a corporation with the finance and entity-dissolution principles of a partnership.

Sen. David Frederickson (DFL-Murdock) sponsored an amendment to the bill providing that LLCs may not be involved in family farming. The amendment was adopted along with an amendment sponsored by Reichgott clarifying that an LLC, like a corporation, may not make political contributions.

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Sen. Douglas Johnson (DFL-Cook) raised concerns about the possibility that some tax revenues might be lost as a result of the bill. Reichgott agreed that the possibility of lost revenue warranted further study but said that the bill should not be held up because of the questions raised. The division took no further action on the measure.

Members of the panel then adopted a number of articles to be incorporated into the Omnibus Tax Bill dealing with income tax, sales and use tax, local development, state taxes and miscellaneous items. Included in the article covering miscellaneous items was a provision that reduces the budget and cashflow reserve account from \$400 million to \$260 million. An article addressing tax increment financing was not adopted.

Finally, the division took up S.F. 2605. The bill, sponsored by Johnson, amends existing law relating to the Minnesota Employment and Economic Development program (MEED). The bill makes changes in the wage subsidy amount, expands work readiness to twelve months and incorporates a wage subsidy program for categories of individuals with high unemployment rates. The changes will be financed through a phase out of the personal income tax exemption for couples with modified adjusted gross earnings in excess of \$100,000 and for singles with modified adjusted gross earnings in excess of \$56,560.

The division approved the measure and referred it to the full Taxes and Tax Laws Committee.

## Transit funding bill okayed

The Taxes and Tax Laws Committee met Fri., Mar. 27, and approved a measure authorizing the Metropolitan Council to issue up to \$116.5 million in bonds for funding the Metropolitan Transit Commission's efforts to improve customer service and garner higher ridership.

The bill, S.F. 2144, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), permits \$87.4 million to be spent for fleet replacement, facilities, and capital equipment and \$29.1 million for other expenses, including community-based transit vehicles and park-and-ride lots.

Merriam offered an amendment he said was in response to a recommendation in the legislative auditor's report that the Legislature take an incremental approach to funding the RTB's long-range plan. The committee approved language in the amendment requiring the MTC to report

to the Legislature whether ridership has increased as a result of the customer-oriented policies the bonding is intended to fund. Language was deleted from the amendment that would have provided bonding for the project for only three years and would have effectively required the RTB and MTC to make a separate request for bonding to fund the final two years of the plan. The committee, chaired by Sen. Douglas Johnson (DFL-Cook), approved S.F. 2144 and sent it to the full Senate.

The committee also amended and approved another transit-related bill, S.F. 1993. The measure, sponsored by Sen. Carol Flynn (DFL-Mpls.), is aimed at encouraging commuters to carpool. The committee deleted a portion of the bill that would have provided a tax break for employers who provide their employees with alternatives to single-occupancy vehicle commuting and for employees who use those alternatives. Included in the remaining portions of the bill are provisions requiring the RTB to establish a congestion reduction program, prohibiting right turns in front of buses, and establishing a high-occupancy lane enforcement demonstration project using electronic technology. The bill now goes to the full Senate.

In other action, the committee approved S.F. 2496, providing a \$19 million job training and employment program. The bill, sponsored by Douglas Johnson, provides subsidies to eligible employers of \$5 per hour for wages and \$1 per hour for benefits. \$10 million is appropriated from the general fund for Minnesota Employment Economic Development Program (MEED). The bill also appropriates \$7 million to extend eligibility for the work readiness program and \$2 million for the wage subsidies. After considerable discussion, the committee approved the bill and sent it to the Finance Committee.

S.F. 2496 was also approved and sent to the floor. The measure, sponsored by Sen. Janet Johnson (DFL-North Branch), raises the debt limit for the Minnesota Housing Finance Agency from \$1.9 million to \$2.4 million. The bill also changes a number of provisions relating to the agency's activities.

Finally, the committee heard and approved S.F. 2166, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), providing an early retirement incentive for some state employees with 25 or more years of service by making them eligible

for state-paid health benefits. The committee approved the bill and sent it to the full Senate.

## Bond authority bill okayed

The Taxes and Tax Laws Division on Income, Sales and Economic Development met Tues., Mar. 31, and approved three bills.

The division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), first considered S.F. 2658, a bill changing procedures for allocating bond authority. The measure, sponsored by Pogemiller, changes the method for calculating application fees and exempts the Minnesota Higher Education Coordinating Board from application deposit requirements. Under the measure, \$15 million of bonding authority within the manufacturing pool and \$5 million of bonding authority within the public facilities pool is reserved for student loan bonds issued by the Minnesota Higher Education Coordinating Board. An additional \$5 million of bonding authority within the unified pool is reserved for agricultural development bond loan projects of the Minnesota Rural Finance Authority.

An amendment offered by Sen. Gene Waldorf (DFL-St. Paul), raises the bonding limit of the Minnesota Higher Education Facilities Authority from \$2.5 million to \$3.5 million. The amendment was adopted and the bill was approved and sent to the full committee.

Next, the division considered S.F. 2676, sponsored by Pogemiller, changing several rules relating to public finance. One provision in the measure exempts bonds issued by the federal and state governments or political subdivisions if the bond is rated in one of the top four rating categories by a national rating service. Another provision permits self-insurers in the workers compensation system to invest in a broader range of eligible collateral and allows the securities to be held in a custodial bank account. The bill also extends the exemption from public bidding requirements that applies to housing and redevelopment authorities to include projects financed from non-governmental sources. S.F. 2676 now goes to the full committee.

The division also discussed and approved S.F. 1740, sponsored by Sen. Ember Reichgott (DFL-New Hope), providing for the formation of limited liability companies. The bill contains numerous provisions relating to the organization, operation, taxation, manage-

ment, and ownership of such companies. The measure was approved and sent to the full committee.

### Ed funding bill discussed

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), discussed amendments to the tax provisions in S.F. 2326, the omnibus education funding bill at a Tues., Mar. 31, meeting.

The committee approved an amendment by Sen. Steven Novak (DFL-New Brighton), removing language from the bill that would establish a 2-tier salary negotiation system for the state's teachers. Under the stricken language, a total dollar amount for compensation increases are negotiated at the state level and terms and conditions are negotiated at the local level.

Another amendment, offered by Sen. Duane Benson (IR-Lanesboro) permits school districts to use money from funds for transportation and other purposes for telecommunications development projects. The committee laid the bill over until its next meeting.

### Omnibus ed funding bill advances

The Taxes and Tax Laws Committee continued work on the tax provisions of the omnibus education funding bill at a Wed., Apr. 1, meeting.

The committee reconsidered two motions, one of which had been approved in its Tues. meeting. The first, an amendment by Sen. Joe Bertram (DFL-Paynesville), removes a portion of the bill that funds early childhood family education and violence prevention with a five percent wholesale tax on soft drinks. The bill's author, Sen. Ronald Dicklich (DFL-Hibbing), said that this program directly benefits children, and expressed frustration that while programs for children are often talked about, they are killed in the funding decision-making progress. Bertram said the purpose of the amendment was to prevent the creation of more bureaucrats.

Sen. Jim Gustafson (IR-Duluth), speaking against the soft drink tax, said that taxing to raise money for programs should not be done in piecemeal fashion. Funding programs, no matter how worthwhile, with specific taxes such as the soft drink tax is "bad public policy," Gustafson said. However, the committee defeated the Bertram amendment on a 9-12 roll call vote, retaining the program and the soft drink tax.

The committee defeated an amendment offered by Sen. Steven Novak (DFL-New

Brighton), that would, instead of imposing a tax on soft drinks, remove the sales tax exemption from coffee, tea, and cocoa.

The second item to be reconsidered was an amendment offered by Sen. Gen. Olson (IR-Minnetrista), removing language from the bill that would create a gross earnings tax on all corporations, businesses, organizations, and associations, except those which are tax exempt. The revenue from the tax would be deposited in the education trust fund. The committee defeated the amendment.

An amendment, presented by Gustafson, to remove language providing Duluth School District Number 709 with \$9.6 million in bonding authorization was also considered. Gustafson said that the school district didn't ask for the authority and has no cogent plan for using it. He also said the authorization might worsen an already heated controversy surrounding the proposed closing of Duluth Central. The committee, however, voted to retain the language.

An amendment by Duane Benson (IR-Lanesboro) to extend the bonding authority as approved for the Duluth school district to all independent school districts in the state was defeated.

The committee also approved an amendment authorizing school districts to provide an early retirement incentive to some employees by making them eligible for health insurance coverage. The measure also authorizes school districts to levy the amount necessary to make employer contributions for the insurance.

Another amendment, offered by Sen. David Frederickson (DFL-Murdock), authorizes a \$400,000 levy by the Lac Qui Parle Valley school district over a five-year period to finance the costs of establishing a joint district.

Finally, the committee considered an amendment offered by Sen. Lawrence Pogemiller (DFL-Mpls.), that retains the income tax deduction for private school tuition. Pogemiller said he considers the deduction a pro-public schools measure because people who send their children to private schools are taking pressure off the public schools. The amendment was approved. The committee then voted to approve S.F. 2326 as amended and re-refer it to the Finance Committee.

## Thursday, March 26

### Anti-puppy mill bill passed

The Senate met Thurs., Mar 26, to give final passage to bills on the Calendar and

preliminary approval to a number of bills on the General Orders Calendar.

Final approval was given to S.F. 1898, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), prohibiting the use of tobacco products in public elementary and secondary schools, S.F. 1644, sponsored by Sen. Harold "Skip" Finn, revising the U.C.C., and S.F. 2247, sponsored by Sen. Carl Kroening (DFL-Mpls.), prohibiting the commissioner from adopting rules requiring counties to separate their public guardianship function from their case management function unless state funding is provided to cover county costs.

Also given final passage were S.F. 1841, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), regulating the sale of dogs and cats by pet dealers; S.F. 2094, sponsored by Sen. Dennis Frederickson (IR-New Ulm), authorizing land surveyors to receive location information related to underground facilities; S.F. 2028, sponsored by Sen. Steven Morse (DFL-Dakota), changing requirements for pesticide registration applications; and S.F. 2298, sponsored by Sen. Leonard Price (DFL-Woodbury), requiring an open appointments process for watershed district managers, exempting watershed districts from permit fees charged by political subdivisions, requiring watershed district audits by certified public accountants or the state auditor, and clarifying procedures for appealing watershed district decisions.

Members also voted to give final passage to S.F. 2299, sponsored by Morse, establishing the Blufflands Trail System; S.F. 1319, sponsored by Sen. James Metzen (DFL-South St. Paul), allowing the sole shareholder of a corporation to appear in court on behalf of the corporation; S.F. 2382, sponsored by Sen. Patrick McGowan (IR-Maple Grove), giving qualified federal law enforcement officers the authority of peace officers when assigned to special state and federal task forces; S.F. 2088, sponsored by Sen. Ember Reichgott (DFL-New Hope) making miscellaneous changes in provisions dealing with the organization and operation of non-profit corporations; and S.F. 1876, sponsored by Sen. Carol Flynn (DFL-Mpls.), clarifying requirements for granting medical licenses.

Also passed were H.F. 2142, sponsored by Sen. Pat Piper (DFL-Austin), relating to school conference leave for employees with children; H.F. 980, sponsored by Sen. Phil Riveness (DFL-Bloomington), authorizing joint legislative commissions to issue subpoenas; S.F. 2282, sponsored by Sen. John Hottinger (DFL-Mankato),

# Floor action

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extending the response period that precedes the writing of an administrative law judge's report on rules adopted after public hearing, and requiring the attorney general and administrative law judge to disregard harmless errors.

Final passage was given to S.F. 1938, sponsored by Sen. Sandra Pappas (DFL-St. Paul), providing for assignment to the county attorney of a landlord's right to evict a tenant for breach of the covenant not to sell or permit the sale of drugs; S.F. 1778, sponsored by Sen. Gary Laidig (IR-Stillwater), a resolution memorializing Congress to refrain from mandating the passage of state laws requiring the use of motorcycle helmets, safety belts and child restraint systems; H.F. 2397, sponsored by Sen. Steven Novak (DFL-New Brighton), regulating liquefied natural gas facilities; S.F. 2430, sponsored by Sen. Dallas Sams (DFL-Staples), adding sanctions and procedures relating to petroleum tank release consultants and contractors; and S.F. 2694, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), authorizing Ramsey county to provide for a single suburban court facility in Shoreview.

Members voted final passage to S.F. 2368, sponsored by Finn (DFL-Cook), enacting the uniform transfer on death security registration act; H.F. 1249, sponsored by Sen. Randy Kelly (DFL-St. Paul), providing an economic development authority in St. Paul; S.F. 2728, sponsored by Sams, establishing an over-order premium milk price for dairy farmers; S.F. 1805, sponsored by Sen. Judy Traub (DFL-Minnetonka), requiring reporting of legally blind persons to state services for the blind and visually handicapped and modifying the duties of the commissioner of jobs and training; and S.F. 2234, sponsored by Finn, modifying disciplinary requirements of the board of social work and allowing the issuance of practice permits.

The final group of bills given final passage included H.F. 1763, sponsored by Sen. Thomas Neuville (IR-Northfield), authorizing the conveyance or release of a state easement in Faribault; S.F. 2628, sponsored by Kelly, defining firefighters for purposes of the public safety officer's survivor benefits law; S.F. 2037, sponsored by Price, requiring the commissioner of the bureau of mediation services to adopt a uniform baseline determination document and a uniform collective bargaining agreement settlement document, and to prescribe procedures for the use of the documents; S.F. 2352, sponsored by Piper, authorizing an actuarial assumption

change and providing benefit increases regarding the Austin Fire Department Relief Association; and H.F. 2704, sponsored by Pappas, increasing the size of the council on Asian-Pacific Minnesotans and providing for representation of various Asian-Pacific communities on the council.

A number of bills on the General Orders Calendar were granted preliminary approval. H.F. 2465, sponsored by Sen. Pat Pariseau (IR-Farmington), clarifying procedures for searches of veterans' home residents' rooms or property, was approved and recommended to pass. Also approved was S.F. 1972, sponsored by Kelly, directing the commissioner of transportation to erect a sign on I-94 indicating directions to Metropolitan State University.

Preliminary approval was also granted to S.F. 1755, sponsored by Knaak, authorizing compensation to the city of White Bear Lake by Ramsey County for improvements made to the Manitou Ridge Golf Course. Members also recommended passage of S.F. 2319, sponsored by Sen. Charles Davis (DFL-Princeton), making technical and other minor changes to the Wetland Conservation Act of 1991.

S.F. 2376, sponsored by Sen. Charles Berg (DFL-Chokio), enacts a number of provisions relating to game and fish regulation, including providing for management of aquatic vegetation and ginseng, setting rules for stamp design contests, regulating use of live ammunition in dog training, red or glaze orange hunting clothing, nonresident rough fish taking, raccoon seasons, combining of licenses for private fish hatcheries and fish farms, and muskie size limits. S.F. 2511, sponsored by Davis, authorizes public sale of some tax-forfeited land in Mille Lacs County, and S.F. 2499, also sponsored by Davis, authorizes establishment of the Mille Lacs preservation and development board. All three bills were given preliminary approval.

Other bills given preliminary approval included S.F. 2389, a Department of Natural Resources (DNR) bill sponsored by Sen. Gene Merriam (DFL-Coon Rapids). The measure modifies provisions relating to game refuges, scientific and natural areas, experimental waters, and special management waters and allows the commissioner the use of alternative rulemaking procedures. It regulates activities relating to stromatolites and allows nonmetal tags for fish nets.

H.F. 2377, presented by Sen. Dean Johnson (IR-Willmar), was also recom-

mended to pass. The bill allows a temporary school board structure for districts operating a cooperative secondary facility. Sen. Dennis Frederickson (IR-New Ulm), presented S.F. 1725, barring from public investment certain debt or equity securities. This, too, was recommended to pass, as was S.F. 1728, prohibiting compensation for unused vacation and sick leave for elected officials. The bill was presented by Sen. Jim Gustafson (IR-Duluth).

A bill protecting employees following railroad acquisitions, S.F. 2136, sponsored by Sen. Ted Mondale (DFL-St. Louis Park) received preliminary approval, as did H.F. 2254, clarifying membership requirements for the board of pharmacy. Sen. Jim Vickerman (DFL-Tracy), was the author of the latter.

Sen. Linda Berglin (DFL-Mpls.) presented S.F. 1821, the heritage preservation act, for preliminary approval, and offered an amendment changing from six months to two years the standard time at which a foster family receives preference for adoption. Sen. Fritz Knaak (IR-White Bear Lake) offered an amendment to Berglin's amendment changing the standard to one year. The Knaak amendment prevailed, after which Berglin withdrew her amendment and progressed the bill.

Also progressed was S.F. 2529, sponsored by Sen. Florian Chmieliewski (DFL-Sturgeon Lake). Knaak had asked if the bill, which requires arbitration in certain circumstances, was in conflict with the National Labor Relations Act.

## Friday, March 27

### Ethical Practices Board appointees

The floor session Fri., Mar. 27, was devoted primarily to processing bills on the Senate Calendar and the General Orders Calendar. However, Senators also acted to confirm the appointments of four persons to the Ethical Practices Board. The appointments of former Senators Emily Anne Staples and Douglas Sillers were approved. Senators also approved the appointments of Elsa Carpenter and Bruce Willis to the board.

Five bills were given preliminary approval on General Orders. One measure, S.F. 1693, sparked extensive debate. The bill, sponsored by Sen. Gene Waldorf (DFL-St. Paul), authorizes licensure disciplinary options against physicians, physician assistants, nurses, dentists and pharmacists who are convicted of aiding or attempting to aid suicide.

Several amendments were offered to the measure. One amendment, offered by Waldorf provides that an individual who was unsuccessful at attempting suicide could file a civil suit against a health care provider who attempted to aid the suicide. The amendment was adopted. Another amendment, offered by Sen. John Hottlinger (DFL-Mankato), deleting a requirement to provide a copy of the record of a judgment assessing damages to aid in establishing the aiding of a suicide sparked considerable debate and was defeated on a 22-38 roll call. The measure was then given preliminary approval.

S.F. 2337, authored by Sen. Carol Flynn (DFL-Mpls.), provides for medical assistance coverage of personal care services provided outside the home when authorized by the responsible party, allows foster care providers to deliver personal care services if monitored, defines responsible party, allows recipients to request the continuation of services at a previously authorized level while an appeal is pending and requires cost effectiveness of services to be considered. S.F. 2256, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), requires regional development commissions to establish permit and license information centers. H.F. 1489, carried by Sen. Ronald Dicklich (DFL-Hibbing), regulates regular or special meetings of the Dakota County and Anoka County Electric Cooperatives. H.F. 2388, sponsored by Sen. Steven Morse (DFL-Dakota), regulates interests in contracts by local government public officers.

In addition, members granted final passage to 17 bills on the Senate Calendar. H.F. 1969, carried by Sen. William Belanger (IR-Bloomington), provides for the location of a school at the Mall of America in Bloomington. H.F. 2375, authored by Sen. Don Frank (DFL-Spring Lake Park), provides a name for the transportation accessibility advisory committee. S.F. 1898, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), prohibits the use of all tobacco products in public elementary and secondary schools. S.F. 2111, sponsored by Sen. Sam Solon (DFL-Duluth), adds date of birth and organ donation status to the suggested forms for Living Wills. S.F. 1558, also carried by Solon, authorizes a joint consolidation account in the event of the consolidation of the Duluth Fire Department Relief Association with the Public Employees Police and Fire Fund.

H.F. 2465, sponsored by Sen. Pat Pariseau (IR-Lakeville), clarifies procedures for searches of veterans' home

residents' rooms or property. S.F. 1972, authored by Sen. Randy Kelly (DFL-St. Paul), directs the commissioner of transportation to erect a directional sign on Interstate Highway 94 in St. Paul to indicate Metropolitan State University. S.F. 1755, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), compensates the city of White Bear Lake by Ramsey County for improvements made to the Manitou Ridge Golf Course. S.F. 2319, authored by Sen. Charles Davis (DFL-Princeton), makes technical and other minor changes to the Wetland Conservation Act of 1991. S.F. 2499, also carried by Davis, authorizes the establishment of the Mille Lacs Preservation and Development Board. S.F. 2389, authored by Sen. Gene Merriam (DFL-Coon Rapids), allows the use of alternative rulemaking procedures for some rules of the commissioner of natural resources, modifies provisions relating to game refuges, scientific and natural areas, experimental waters and special management waters. The measure also exempts some rules of the commissioner from the Administrative Procedure Act.

H.F. 2377, sponsored by Sen. Dean Johnson (IR-Willmar), allows a temporary school board structure for districts operating a cooperative secondary facility. S.F. 1725, sponsored by Sen. Dennis Frederickson (IR-New Ulm), provides that some debt or equity securities are not approved for investment. S.F. 1728, authored by Sen. Jim Gustafson (IR-Duluth), prohibits compensation for unused vacation and sick leave for elected officials. S.F. 2136, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), protects interests of employees following railroad acquisitions. H.F. 2254, carried by Sen. Jim Vickerman (DFL-Tracy), clarifies membership requirements for the board of pharmacy.

## Monday, March 30

### Flag burning bill moves to floor

A motion to bring to the floor a resolution memorializing Congress to ban desecration of the American flag was approved by the Senate in a 43-23 vote Mon., Mar. 30.

Sen. Charles Berg (DFL-Chokio) moved to recall S.F. 168 from the Judiciary Committee. According to Rule 40, 60 percent of the Senate may recall a bill from any committee and place it on General Orders. Berg said that the bill, which he called "a simple resolution dealing with desecration of the flag," had

first been introduced by him Feb. 4, 1991 and passed by the Veterans and General Affairs Committee Feb. 22, 1991. Berg said the bill had "languished" since then in the Judiciary Committee.

Judiciary Chair Allan Spear (DFL-Mpls.) called the measure "a controversial measure that doesn't do anything" except "encourage Congress to celebrate the 200th anniversary of the Bill of Rights by watering it down." Spear said the Judiciary Committee was busy and did not have time in a short session to deal with every resolution. Spear urged members not to violate the committee process.

Majority Leader Roger Moe (DFL-Erskine), also urged members to vote against the resolution, saying Berg's motion would jeopardize adjourning before Easter. Moe added, "Either we can do something real and deal with the agenda or we can disrupt the flow of legislation." Sen. LeRoy Stumpf (DFL-Thief River Falls), told members that if the flag were so important that the Pledge of Allegiance was recited at public events, then the resolution deserved a debate.

Before recessing, the Senate gave final passage to all but one of the bills (S.F. 2511) on the Senate calendar.

### Bonding bill

On a 65-1 vote, the full Senate gave final passage to H.F. 1903, the bonding bill, presented by Sen. Gene Merriam (DFL-Coon Rapids) Mon., Mar. 30. The bill provides \$217.6 million in bonding authority to fund a variety of state construction projects and public improvements.

Higher education systems gain almost \$95 million in bonding projects in the package. The largest project is a \$52.7 million basic sciences and biomedical engineering building at the University of Minnesota. Elementary and secondary education projects receive \$15.7 million in bonding, according to the bill. Projects under environmental agencies, including the Department of Natural Resources, the Board of Water and Soil Resources, the Pollution Control Agency, the Office of Waste Management, the Minnesota Zoological Garden, and the Department of Agriculture, total \$25.1 million. In addition, the Public Facilities authority receives \$7.5 million to match federal grants to capitalize the state water pollution control revolving fund.

Other provisions in the bill provide \$19.3 million to the Department of Administration, \$15.4 million for correctional facilities, \$14.3 for human services, \$9.3 million for military affairs, \$2.6

# Floor action

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million for trade and economic development, \$1.8 million for the Minnesota Historical Society, and \$11.5 million for transportation purposes.

On top of the \$217.6 million in bonding, the measure also appropriates \$9.5 million from the trunk highway fund to the commissioner of transportation for trunk highway facility projects. Other appropriations in the bill include \$2 million from the state airport fund to construct a state hanger facility at the downtown St. Paul airport. The bill also appropriates \$12.1 million for maximum effort school loans.

Merriam pointed out that the bill requires the governor to release his hold on bonding projects authorized in 1990. Moreover, the provision requires all projects in the bill to be put on hold if any one of the projects is put on hold.

Senators unsuccessfully attempted to amend the bill many times during the lengthy debate. Several failed amendments transferred funding earmarked for the judicial center in St. Paul to other projects; for instance, Sen Lyle Mehrkens (IR-Red Wing) attempted to provide \$3.8 million to construct and remodel space at the Minnesota Correctional Facility-Red Wing juvenile delinquents who present a danger to the public safety. An amendment by Sen. Roger Moe (DFL-Erskine) to provide \$13.3 million for construction of a 240-bed veterans nursing home in Moorhead was defeated on a 33-33 tie vote. Moe argued unsuccessfully that the amendment gave Senators a chance to do something "real" for veterans as opposed to something "symbolic." Moe said the amendment addresses health care concerns of veterans and provides regional balance in the availability of nursing home services for veterans.

## Tuesday, March 31

### Variety of bills gain

The Senate met Tues., Mar. 31, to give concurrence and repassage to bills on the Agenda, final approval to one item on the Calendar and preliminary approval to a number of bills on the General Orders Calendar.

Approved as amended and granted concurrence and repassage were S.F. 2117, sponsored by Sen. Linda Berglin (DFL-Mpls.), requiring the signature of a representative of a residential facility before money may be withdrawn by a resident from an earned income savings account and S.F. 2421, sponsored by Sen.

Bob Lessard (DFL-Int'l. Falls), extending timber permit terms. S.F. 2514, sponsored by Sen. David Frederickson (DFL-Murdock), providing for Yellow Medicine county hospital board membership and elections and H.F. 1948, sponsored by Sen. James Metzen (DFL-South St. Paul), authorizing the issuance of life insurance policies for the benefit of a charity, were laid over. A Conference Committee will be appointed to study H.F. 1948.

### Heritage preservation act

Among the 21 bills given preliminary approval Tues., Mar. 31, was S.F. 1821, known as the Heritage Preservation Act. Sponsored by Sen. Linda Berglin (DFL-Mpls.), the bill that was approved by the Judiciary and Health and Human Services Committees instructs courts to consider the racial and ethnic heritage of children when placing them for adoption or long-term foster care. In the Tues. afternoon session, Berglin said the issue needed more study and offered a delete everything amendment establishing a panel under the direction of the Commissioner of Human Services to look at the issue.

Sen. Allan Spear (DFL-Mpls.), said the Department of Human Services (DHS) would produce a biased report. Sen. Randy Kelly (DFL-St. Paul), agreed, and suggested the appointment of a legislative committee. Spear offered an amendment to Berglin's amendment, changing the authority for the appointment of the task force to the Speaker of the House of Representatives and the Subcommittee on Committees of the Committee on Rules and Administration of the Senate.

An amendment offered by Sen. Ted Mondale (DFL-St. Louis Park), provides that in determining custody, the handicap of a parent cannot be considered unless it interferes with the custodial relationship. This amendment was approved, as was one offered by Sen. Phil Riveness (DFL-Bloomington), providing for yearly physical exams for children in foster care.

Spear's amendment to Berglin's was adopted.

Also approved was H.F. 2924, sponsored by Sen. Dallas Sams (DFL-Staples), amending the examination procedure for licensing optometrists. S.F. 2316, sponsored by Sen. Janet Johnson (DFL-North Branch), abolishing requirements to surrender driver's licenses was approved, as well as was H.F. 1996, sponsored by Sen. Joanne Benson (IR-St. Cloud). The bill permits employer contributions to be transferred from the

teachers retirement association to a person's individual retirement account plan.

Members approved S.F. 2233, offered by Sen. LeRoy Stumpf (DFL-Thief River Falls), exempting snowmobile testing from applicable speed limits. S.F. 2547, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), gained approval. The bill recodifies the local laws applicable to the Mpls. Police Relief Association. H.F. 2186, offered by Sen. John Marty (DFL-Roseville), was approved. The bill authorizes the payment of benefits to surviving spouses of members of the St. Paul Fire Department Relief Association.

H.F. 1852, presented by Sen. Dennis Frederickson (IR-New Ulm), permitting Big Stone, Chippewa, and Kandiyohi counties to consolidate the offices of auditor and treasurer won approval. H.F. 2572, presented by Sen. Sam Solon (DFL-Duluth), was recommended to pass. The bill alters the definition of successors in probate cases. Members also approved H.F. 2031. The bill, offered by Sen. Ember Reichgott (DFL-New Hope), provides for the valuation and assessment of vacant platted property.

Members also approved S.F. 430, authored by Sen. Steven Morse (DFL-Dakota). The bill requires payments equivalent to automobile insurance premium taxes by self-insurers. Pogemiller also presented H.F. 1833, which members approved, permitting cities to provide for volunteer enforcement of handicapped parking regulations.

Sen. Thomas Neville (IR-Northfield) presented S.F. 2380, which Senators approved. The bill requires committees and commissions of the legislature to consider the effect of proposed legislation on the state's science and technology policy. A bill sponsored by Reichgott, H.F. 2034, was approved, allowing persons who voluntarily provide assistance at the scene of an accident to obtain test results to determine whether they have been exposed to HIV or hepatitis B.

Also approved was H.F. 2081, offered by Stumpf, modifying provider appeal requirements for Medical Assistance. A bill requiring rules for tracing calls made to a household that has received harassing calls was approved. The measure, H.F. 2082, was presented by Sen. Jane Ranum (DFL-Mpls.) Sen. Richard Cohen (DFL-St. Paul) presented H.F. 1416, modifying the regulation of interest rate advertising. The bill was approved.

H.F. 2683, a bill authorizing an increase

in benefits payable to surviving spouses by the Police Relief Association in the city of Nashauk was approved. The author was Sen. Bob Lessard (DFL-Int'l. Falls). H.F. 2792, sponsored by Sen. Carl Kroening (DFL-Mpls.), was approved, providing level benefits for members of the Mpls. Fire Department Relief Association.

A bill removing the public service member from the Telecommunications Access for Communication-Impaired Persons (TACIP) board was approved. The measure, H.F. 2732, was sponsored by Marty. Presented by Pogemiller, S.F. 1935, making changes in laws governing the Mpls. Employees Retirement Fund, gained approval.

## Wednesday, April 1

### Gender balance bill gains

The Senate, in a Wed., Apr. 1, floor session, the Senate granted final passage to 21 bills on the Senate Calendar given preliminary approval the day before.

The Senate also voted to grant concurrence and repassage to S.F. 2637, which had been amended in the House. The bill, sponsored by Sen. Sandra Pappas (DFL-St. Paul), regulates courier services carriers.

The Senators, acting as the Committee of the Whole, granted preliminary passage to several bills on the General Orders Calendar. H.F. 1114, sponsored by Sen. Sandra Pappas, requires gender balance in multimember state agencies. S.F. 1590, sponsored by Stumpf, authorizes treatment of American Indian tribal governments as employers for purposes of unemployment compensation. S.F. 522, sponsored by Sen. Duane Benson (IR-Lanesboro), specifies allowed methods for taking fish in certain designated trout streams. S.F. 2523, sponsored by Sen. Pat Piper (DFL-Austin), makes several changes in Dept. of Human Services licensing rules and requirements.

### Employee personnel files

During the latter portion of the Wed. floor session, members continued work on the General Orders Calendar. A bill that gives employees increased access to their personnel file was discussed in detail. The measure, H.F. 1889, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), gives employees the right to obtain a copy of their personnel file. Under current law, employees are allowed to review their personnel records; however, they can only obtain a copy of any disputed information in the record, unless an employer volun-

tarily makes a copy of the undisputed information. Opponents of the measure said the bill could possibly give employees a vehicle to harass management by making mass requests for copies of their personnel records. Opponents also contended that the bill may encourage "fishing expeditions" that could disrupt businesses. Proponents said it is important that employees have such a right because a hard copy of the undisputed information may be needed in a time of job transition or for other personal reasons. The committee recommended that the bill pass.

In other action, Senators recommended passage of S.F. 2510, authored by Sen. Carol Flynn (DFL-Mpls.). Flynn said the bill provides procedures for design, approval, and construction of light rail transit. She added that the measure also changes the membership and responsibilities of the light rail transit joint powers board. Flynn also gained approval for S.F. 1993, a bill that directs the Regional Transit Board to establish a program to reduce traffic congestion; provides public transportation priority in the event of an energy supply emergency; and establishes a demonstration enforcement project for high occupancy vehicle lane use. Senators gave considerable attention to a provision that outlaws making a right hand turn in front of buses that are stopped and do not have the flashers in operation. Sen. Randy Kelly (DFL-St. Paul) offered an amendment that requires the commissioner of transportation to erect a sign on interstate highway 94 to indicate that the exit provides access to Metropolitan State University in downtown St. Paul if the school pays for the cost of the sign.

The committee also gave preliminary approval to S.F. 1230, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls). Stumpf said the measure increases service pension maximums for volunteer firefighter relief associations. Members recommended passage of S.F. 651, authored by Sen. Allan Spear (DFL-Mpls.), relating to insurance that regulates utilization review services, appeals of determinations not to certify, and prior authorization services. The bill also prescribes staff and program qualifications.

Senators approved several other bills on General Orders. H.F. 1978, authored by Sen. Sam Solon (DFL-Duluth), a measure that regulates ionizing radiation and modifies particular aspects of the rulemaking process. S.F. 2137, authored by John Hottinger (DFL-Mankato), defines a residential hospice facility; modifies

hospice program conditions; limits the number of residential hospice facilities; and requires a report. Stumpf also gained approval for S.F. 2137, a bill that makes changes in the administration, benefits, and practices of the Minnesota State Retirement System. Members also gave preliminary approval to S.F. 1856, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), a bill that makes numerous changes in laws relating to real property. The committee approved an amendment to the bill that relates to purchase-money mortgages as they relate to spousal interests.

### T.V. coverage of hearings, sessions

Senate Media Services plans to provide live gavel-to-gavel television coverage of committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6, the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6, the Metro Cable Network.

### Information Office services

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request copies of bills or ask to be put on the mailing list for Senate publications. If you want to know the name of your Senator 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.

### 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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# Preview

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## The Minnesota Senate Week at a Glance

### Editor's note:

It is expected that the Senate will meet daily throughout the week and that the Taxes and Tax Laws Committee and the Finance Committee may hold additional hearings. Call the Senate Information Office at 296-0504 or the Senate Hotline at 296-8088 for updates on committee schedules.

### Monday, April 6

#### Finance Committee

Chair: Sen. Gene Merriam  
8 a.m. Room 123 Capitol  
Agenda: To be announced

#### Taxes and Tax Laws Committee

Chair: Sen. Douglas Johnson  
9 a.m. Room 15 Capitol  
Agenda: Omnibus finance bill.

The Senate will meet at 12 Noon

### Tuesday, April 7

The Senate will meet at 12 Noon

### Wednesday, April 8

#### Gaming Regulation Committee

Chair: Sen. Charles Berg  
8 a.m. Room 107 Capitol  
Agenda: Confirmation hearing on Harold W. Baltzer as director of the Gambling Control Board and on the appointment of Dorothy Liljegren to the Gambling Control Board. Confirmation hearings for the appointments of James H. Filkins, Richard L. Pemberton, Stephen A. Lawence, Mark J. Custer, and Cynthia S. Piper to the Minnesota Racing Commission.

The Senate will meet at 12 Noon

### Thursday, April 9

The Senate will meet at 12 Noon

### Friday, April 10

The Senate will meet at 12 Noon

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# Briefly

The Minnesota Senate Week in Review

April 10, 1992

## Senate passes major bills

Members of the Senate completed work on a number of major bills over the course of the past week. The omnibus tax bill, the omnibus budget balancing bill, the anti-crime package, and the omnibus education funding bill were all granted final passage. In addition, the HealthRight bill, workers compensation and a transportation funding package will soon come before the full Senate for consideration. Senators plan to meet in floor session Sat., Apr. 11, and to continue in daily floor session beginning Mon., Apr. 13. Conference Committees on all of the major bills are expected to be meeting throughout the week-end and the early part of the week.

At press time, no concrete information is available regarding Senate floor sessions or conference committee schedules. Thus, this edition of Briefly does not contain a Preview section giving the week's committee schedules. The Metropolitan Affairs Committee is meeting Tuesday, April 14 at 9 a.m. in Room 318 of the Capitol to consider confirmation of appointments to the Metropolitan Council and the Regional Transit Board.

For up to date information on conference committee activity, please call the Senate Information Office at 296-0504.

## Omnibus K-12 funding bill

The omnibus K-12 funding bill was the center of debate for the full Senate Mon., April 6. After wrestling with the so-called "pop tax," Senators gave final passage to H.F. 2121, authored by Sen. Ronald Dicklich (DFL-Hibbing). Dicklich explained that the proposed legislation contains numerous provisions that make changes in current law regarding levies and referenda, education organization and cooperation, facility financing, choice programs, and libraries.

Dicklich defended the new tax on soft drinks, which would apply to carbonated beverages, fruit drinks containing less than 15 percent fruit juice, and noncarbonated water in containers of one-half gallon or less in size. Critics of the "pop tax" argued that the measure is discriminatory and that it is not a sound method of financing education programs. Dicklich reminded Senators that revenues

from the tax will be used for learning readiness and violence prevention programs, and that without the tax the children's programs would be eliminated. Dicklich successfully argued against several amendments to eliminate the "pop tax."

Sen. Joanne Benson (IR-St. Cloud) offered an amendment that eliminated the "pop tax" and revised the violence prevention programs. Opponents of the amendment said Benson's violence prevention proposal was inadequately funded. Sen. Judy Traub (DFL-Minnetonka) argued that "the cost of not funding the violence prevention programs is out of sight. . . because of the hidden costs of abuse" in the form of prisons and human services. Traub said that the programs are needed because teachers cannot reach many students because of the abuse the children are suffering. The Benson amendment was defeated.

Senators defeated an amendment by Sen. Gary DeCramer (DFL-Ghent) that establishes adolescent health care centers to coordinate health care services in the community and to promote a comprehensive health care program for students. Sen. Carol Flynn (DFL-Mpls.), who authored an adolescent health care bill this session, argued in favor of the DeCramer amendment. Flynn said the centers, in providing basic health care services to students in need, would help "break the cycle of violence" by detecting signs of abuse. Critics of the amendment said the centers would not be effective and would promote abortions.

Sen. Duane Benson (IR-Lanesboro) gained support for an amendment that gives school districts more authority to set standards relating to outcome based education. Benson said it was important to decentralize education policy and allow school districts more flexibility. Another provision in the bill, also sponsored by DeCramer, expands eligibility for school breakfast programs. The bill also contains language authored by Sen. Jerome Hughes (DFL-Maplewood) entitled the Minnesota Education Finance Act of 1992. The proposal creates an outline for the Dept. of Education to study how the state can address the problem of inequities between districts that stem from the system's reliance upon property taxes.

The Senate made several additional technical and clarifying amendments to the bill then granted final passage on a 47-19 vote.

## Lead abatement bill advances

A bill establishing a variety of lead abatement and education measures was the focus of discussion at a Wed., Apr. 8, meeting of the Taxes and Tax Laws Committee.

The bill, S.F. 1790, sponsored by Sen. Linda Berglin (DFL-Mpls.), is aimed at both prevention of lead poisoning and cleanup of existing hazards caused by old house paints and soil contaminated by auto lead emissions. The measure provides for home assessments, grants for the purchase of lead abatement equipment, and registration and licensing of lead abatement contractors.

After considerable discussion about the gravity of the lead poisoning problem, committee members wrestled with the question of how to fund the program. The committee defeated an amendment that would fund the program with a 75 cent increase in the auto emissions testing fee paid by car owners in the metropolitan area. They also reviewed but took no action on language that would impose a 10 cent per gallon tax on paints at the wholesale level.

Finally, the committee voted to approve an amendment offered by Sen. Steven Novak (DFL-New Brighton), to fund the program through a \$1 million appropriation from the general fund, with the understanding that \$1 million will be cut from agency budgets. The committee, chaired by Sen. Douglas Johnson (DFL-Cook), approved S.F. 1790 and re-referred it to the Finance Committee.

## Service for hearing impaired

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 update

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## Finance

### Division finishes work

In its final meeting of the session, the Environment and Natural Resources Division of the Finance Committee approved five bills and advanced them to the full Finance Committee.

Meeting Thurs., Apr. 2, the division adopted S.F. 2146, presented by Chair Steven Morse (DFL-Dakota). The bill provides grants for retrofitting and conversion of once-through cooling systems. Under an amendment adopted by the panel, bonds issued by the Public Facilities Authority (PFA) for the program may not exceed \$40 million at any time and the commissioner of public service must certify to the PFA whether each project meets applicable energy efficiency criteria. Members also inserted language specifying that the Legislature intends not to appropriate money from the general fund to pay for these bonds.

Also advanced was S.F. 1959, the milfoil control bill. Portions of an amendment offered by the bill's author, Sen. William Luther (DFL-Brooklyn Park), were approved, including a provision for an annual report by the commissioner of the Dept. of Natural Resources (DNR) on ecologically harmful exotic species. The bill, as approved, raises the watercraft surcharge to \$3, includes canoes and kayaks, and appropriates \$219,000 to the DNR for the program.

After extensive discussion, members advanced S.F. 2655 with no changes to the full committee. Presented by Sen. Dallas Sams (DFL-Staples), the bill makes political subdivisions of the state eligible for reimbursement from the Agricultural Chemical Response and Reimbursement Account (ACRRA).

Another bill offered by Morse, S.F. 2102, was advanced to the full Finance Committee. The measure requires maintenance of a statewide nitrate data base and establishes a nitrate data advisory task force. It also establishes a well sealing account. Members approved an amendment adding a representative from the Board of Water and Soil Resources and requiring the Environmental Quality Board to adopt the standards recommended by the task force.

Finally, members advanced S.F. 2205, sponsored by Sen. Gary Laidig (IR-Stillwater). The bill authorizes the sale of land in Washington County to the Andersen Corporation for a sum of \$1.16 million plus an additional 18 percent of an amount equal to the market value less any environmental cleanup funds provided by Andersen. The money will be credited to the wildlife land acquisition account.

### HHS funding bill split

In an unusual move, the Finance Division on Health and Human Services retrieved for further action the omnibus funding bill members had earlier approved and sent to the Finance Committee.

At a meeting Thurs. evening, Apr. 2, Division Chair Don Samuelson (DFL-Brainerd) explained that members had decided to split the package into two segments, one dealing with budget issues and the other dealing with policy issues.

A large number of bills were incorporated into each segment. Included in the budget bill were: S.F. 1782, sponsored by Sen. Linda Berglin (DFL-Mpls.), Medical Assistance (MA) restrictions on asset transfers and trusts; S.F. 1857, sponsored by Berglin, home care licensure; S.F. 2458, sponsored by Samuelson, MA payments for occupational and physical therapy; S.F. 2704, sponsored by Berglin, MA payment increases and provider surcharge; and S.F. 2650, sponsored by Berglin, General Assistance and Work Readiness.

Also among the bills incorporated into the budget segment were three department bills carried by Sen. Duane Benson (IR-Lanesboro): S.F. 2538, nursing homes and ICF/MR services; S.F. 2540, home care services billing; and S.F. 2541, developmental disabilities programs.

The policy segment of the budget package included thirteen bills. Among them were: S.F. 672, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), equal access to employment opportunities for persons with severe disabilities; S.F. 1789, sponsored by Berglin, nursing home moratorium exceptions, extension of deadline; S.F. 2246, sponsored by Sen. Allan Spear (DFL-Mpls.), commitment procedures modifications; and S.F. 2411, sponsored by Samuelson, social services contracting pilot projects.

Both the funding package and the policy package were approved and referred to the Finance Committee.

### Violence prevention

At a Thurs., April 2, meeting of the Higher Education Division of the Finance Committee, Sen. Jane Ranum (DFL-Mpls.) sought funding for a violence prevention program for post-secondary education institutions. Ranum said S.F. 1978 requires public post-secondary institutions to participate in violence prevention programs and to provide campus escort services. The bill also calls for recommendations from the Higher Education Coordinating Board about how violence prevention relates to curricula, based upon a survey of graduates and current course offerings.

Ranum said the bill makes good fiscal sense because dollars spent on prevention

significantly reduce the costs of the ramifications of violence, citing the huge state budgets for corrections and human services. Ranum explained the necessity of providing proper training to people that have to deal with victims of abuse and perpetrators of violence. Ranum said that because of the complexity of the issues that are at the heart of violence there is a need for "culturally responsive" responses to violence.

The division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), approved a funding amendment that provides a total of \$60,000 for the development of training programs, for assistance in the establishment of escort services, and for the completion of the curricula study. The bill now goes to the full Finance Committee.

### Omnibus budget bill gains

The final pieces of the omnibus budget balancing bill were adopted at Fri., Apr. 3 meetings of the Finance Committee. The panel, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved portions of the bill dealing with state departments and with health and human services.

The state departments sections of the bill, presented by Division Chair Carl Kroening (DFL-Mpls.), has a net general fund reduction of \$33.4 million. Discussion of the bill centered on relatively few items. One major item concerned language in the bill that prohibits the office of the governor from charging costs of personnel to other agencies. The panel also deleted language providing that costs of the attorney general's office incurred representing the public before the Public Utilities Commission be charged to the public utilities. Finally, the panel adopted an amendment, offered by Merriam, setting forth the order in which the governor uses the budget reserve and the allotment procedure in the event of a budget shortfall. The Merriam amendment specifies that the governor does not have to draw down the budget reserve completely before initiating the allotment process. According to Merriam, the amendment helps the state avoid short-term borrowing.

In addition, the committee acted favorably upon the health and human services portion of the omnibus bill. Sen. Don Samuelson (DFL-Brainerd), chair of the division, presented the proposal. According to Samuelson, the division was charged with a target reduction of \$44.471 million and the Senate proposal provides for reductions of \$44.478 million. However, the measure contains a \$13.665 million spending increase that is offset by \$58.143 million revenue increase. Samuelson said that the main issue involved in the health and human

services portion of the budget balancing bill is the modification of the surcharge program in an effort to comply with federal law. The proposal enacts broad-based surcharges on licensed nursing homes, hospitals, HMO's and physicians to generate \$69.866 million and spend \$69.681 million. The state spending contained in the measure generates \$68.6 million in federal Medicaid matching payments.

A number of other bills heard in the Health and Human Services policy committee are included in the measure. The panel approved the budget proposal and a supplementary proposal for inclusion in the omnibus bill.

Finally, committee members also approved a supplementary proposal for the higher education funding portion of the budget balancing bill.

### **Omnibus anti-crime bill advances**

The omnibus anti-crime bill, S.F. 1687, was approved by the Finance Committee Mon., Apr. 6. The bill now advances to the Senate floor.

Sen. Allan Spear (DFL-Mpls.), the bill's sponsor, said the funding in the bill--\$10.5 million--reflects its emphasis on prevention, intervention and victim services by devoting \$8 million to those areas..

Criminal justice expenditures include an increase of \$57,000 for sex offender sentencing increases. As the numbers of offenders serving longer sentences increases, this figure is estimated to jump to \$310,000 in fiscal 1994-95, according to Spear. The bill appropriates \$1.6 million to programs targeted at younger offenders.

Fees imposed on violators will fund about half of the bill, according to Spear. The fees include mandatory minimum fines for all non-drug felonies, gross misdemeanors, and misdemeanors, as well as a three percent increase in traffic offense surcharges. Spear estimated revenues from these fees will be \$5.4 million.

A one million dollar increase is appropriated for domestic abuse victim services and a half million dollar increase is appropriated to sexual assault victim services.

Prevention appropriations include \$500,000 for Asian youth crime prevention services and \$2 million in supplemental Head Start funding. The Head Start allocation is targeted at areas with the greatest juvenile delinquency adjudications. Appropriations of \$1.2 million are allocated to various pilot grants for chemical dependency programs.

Spear also stressed that the programs targeted at young people don't take them out of family settings, but instead work with families.

Sen. Gene Waldorf (DFL-St. Paul), moved to delete the provision requiring public post-secondary schools to adopt and implement written policies on sexual harassment and sexual violence. The motion failed, as did a Waldorf motion to refer the bill back to the Education Division of the Finance Committee.

The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), unanimously approved the bill, as amended.

Members also approved S.F. 1910, presented by Sen. Steven Morse (DFL-Dakota). The bill revises the manner in which post retirement adjustments from the Minnesota Post Retirement Investment Fund (MPRIF) are calculated. The bill replaces the current yield based adjustment procedure with a new method made up of three parts: an inflation component, an investment component, and a transition component. The bill moves to the Senate floor.

### **Transportation funding bill okayed**

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Tues., Apr. 7, to consider financial aspects of a number of bills, including S.F. 1750, the transportation funding bill sponsored by Sen. Keith Langseth (DFL-Glyndon). The bill imposes a 5 cent per gallon gasoline tax and requires sales tax be assessed on motor vehicle repair services.

Several members of the committee expressed concern about the impact the tax on repair services would have on lower and middle income individuals and on small repair operations. Sen. Dean Johnson (R-Willmar) offered an amendment deleting the tax on repair services. Langseth responded that the bill was written with a balance between highway improvement and transit needs and that if the repair tax is deleted from the bill, the funding source for transit would be eliminated. In that case, Langseth said he would not bring the bill to the Tax Committee and to the floor. The amendment was not adopted.

Sen. Steven Morse (DFL-Dakota) proposed an amendment making changes in the purposes for which funds in the bicycle transportation fund may be used and allowing expenditures from the surface transportation fund. Morse said that the amendment was being offered in lieu of his mandatory bicycle registration bill which he has decided not to pursue. The committee adopted the amendment.

The bill, as amended, was approved by the committee and re-referred to the Taxes and Tax Laws Committee.

A number of other bills were approved by the panel. H.F. 765, sponsored by Sen. John Marty (DFL-Roseville), establishes eligibility for state-paid insurance after retirement. S.F. 2232, also sponsored by Marty, requires the state to reimburse

counties for extradition expenses from any forfeited bail of a defendant or probationer that has been forwarded to the state treasury. H.F. 31, sponsored by Sen. Carl Kroening (DFL-Mpls.), requires licensing and certifying of the fire protection industry. The bill provides an appropriation of \$147,000 from the general fund and an additional two positions in the Dept. of Public Safety in F.Y. 1993.

S.F. 1292, sponsored by Morse, establishes a program of supplemental grants to complement existing loan programs for municipal wastewater disposal systems. S.F. 1615, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), reduces deer license fees for residents under the age of 16 and for licenses to take a second deer. Lessard explained that, while the measure will result in a loss of revenue initially, it will eventually increase the total number of licenses being issued. S.F. 2432, sponsored by Sen. Charles Berg (DFL-Chokio), regulates aquatic farming.

Sen. Gary DeCramer (DFL-Ghent) presented S.F. 695, a bill making technical and clarifying changes requested by the Dept. of Transportation regarding the trucking industry. The measure increases the fee for refuse compact carriers and imposes a hazardous waste trip fee.

Committee Chair Merriam presented the last two bills on the committee's agenda. S.F. 2103 increases the fee for obtaining a driver's license by \$1 to generate funds to create a new driver's license that is more difficult to alter. Merriam noted that Minnesota has fallen behind other states in driver's license technology. Finally, S.F. 738 provides for implementation of a state hazardous materials incident response plan. Funding sources include a hazardous materials transportation registration fee, a fee on hazardous waste storage facilities, and fees on toxic chemical release forms filed under federal law.

Members approved all of the bills and sent them to the full Senate.

### **HealthRight bill discussed**

Members of the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), began consideration of the HealthRight bill at an evening hearing Tues., Apr. 7. Chief author, Sen. Linda Berglin (DFL-Mpls.), provided a section-by-section explanation of the bill's contents. The measure, S.F. 2603, provides for health care cost containment, small employer insurance reform, expands the children's health plan, provides rural health care initiatives, provides for health professional education and provides for data collection and research initiatives.

Members adopted an author's amendment outlining the process for making exceptions to the restrictions on the purchase of medical equipment. The amendment also specifies that the

# Committee update

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Legislative Commission on Health Care Access must convene a hospital planning task force to undertake preliminary planning relating to cost containment, accessibility of services, and quality of care. In addition, the amendment requires the task force to develop options and recommendations to be presented to the commission. The commission, in turn is directed to make recommendations to the Legislature. The amendment also provides that the HealthRight plan expenditures are to remain within the limits of available revenues and that adjustments are restricted to limiting enrollment or adjusting the period during which a person must be uninsured in order to qualify for a subsidy. The amendment also provides that the HealthRight benefit plan must include a copayment of 20 percent for inpatient hospital services for adult enrollees not eligible for Medical Assistance and that the copayment is 50 percent for adult dental services, except for preventive services. The amendment also alters the income standards for the purposes of determining the sliding fee and provides for health care provider payment increases. Finally, the amendment eliminates a provision providing for the transfer of regulatory authority for health maintenance organizations.

The Finance Committee continued discussion of HealthRight at their meeting Thurs., Apr. 9. Members adopted four additional amendments to the bill.

The first amendment provides that three geographic regions will be established with separate index rates for each but that the rates may not vary between any two regions by more than 20 percent.

Another amendment provides exceptions to the moratorium on major spending commitments for conducting research or clinical trials or for acquisitions of computer systems if conditions in the bill are met.

A third amendment clarifies language in the bill stating that an individual or family who has had access to employer-subsidized health care during the previous 18 months are ineligible for HealthRight coverage. Under the amendment, the restriction does not apply if the employer-subsidized coverage was lost due to a layoff. The final amendment makes technical changes in the bill.

Hearings on the bill will continue.

## Higher ed anti-violence bill gains

The Finance Committee approved six bills, including S.F. 1978, the post-secondary anti-violence program.

Meeting Wed., Apr. 8, members deleted a section of the bill, presented by Sen. Jane Ranum (DFL-Mpls.), directing the attorney general to assist public and private post-secondary institutions in

establishing campus safety and security programs and an appropriation for the provision from the division report.

The committee approved an amendment offered by Sen. LeRoy Stump (DFL-Thief River Falls), appropriating \$150,000 to the Higher Education Coordinating Board for at least three grants to provide multidisciplinary training into causes, identification, and responses to violence.

Also receiving approval was S.F. 2012, sponsored by Sen. Joe Bertram (DFL-Paynesville). The bill enforces mandatory insurance requirements for vehicles, provides for penalties and for loss of driver's license and motor vehicle registration. A fiscal note accompanying the bill indicated the bill would result in an additional 6,000 driver's licenses and motor vehicle licenses being revoked annually.

Committee Chair Gene Merriam (DFL-Coon Rapids), offered an amendment appropriating \$66,000 from the trunk highway fund to the commissioner of public safety to cover the expenses in the bill. The amendment also increases the department's complement by one. The amendment was adopted, and the bill approved as amended.

Sen. Gene Waldorf (DFL-St. Paul), presented S.F. 2505, ratifying labor contracts and compensation plans for state employees and transferring a number of positions from unclassified to classified service. An amendment, offered by Sen. William Luther (DFL-Brooklyn Park), that adjusts salary ranges in the judicial branch, was adopted, and the bill was approved as amended.

Members approved a bill regulating the real estate recovery fund. S.F. 2662, offered by Sen. Sandra Pappas (DFL-St. Paul), regulates and raises fees for the fund, which recompenses people who have been cheated by licensed real estate agents. Pappas offered an amendment, which was adopted, exempting agents dealing only in contracts for deed or securities.

After adopting an amendment by Sen. Steven Morse (DFL-Dakota), that narrows eligibility for the agricultural chemical response and reimbursement account (ACRRA), members approved S.F. 2655. Sponsored by Sen. Dallas Sams (DFL-Staples), the bill makes political subdivisions eligible for reimbursement from the account.

Sen. Tracy Beckman (DFL-Bricelyn), offered an amendment to S.F. 2781, a bill he sponsored providing payment of claims against the state. Beckman's amendment deleted the appropriation of \$13,180 to Robert Harvey, the Rice County apple grower who was fined for shooting 32 deer that had damaged his property. The amendment was adopted and the bill approved.

## Gaming Regulations

### Baltzer confirmation recommended

Meeting Wed., Apr. 8, the Gaming Regulations Committee recommended that the Senate confirm the appointment of Harold W. Baltzer as director of the Gambling Control Board (GCB).

The committee, chaired by Sen. Charles Berg (DFL-Chokio), also recommended the confirmation of Dorothy Liljegen to the GCB.

Members recommended the confirmation of five nominations to the Minnesota Racing Commission: James H. Filkins, Richard L. Pemberton, Stephen A. Lawrence, Mark J. Custer and Cynthia S. Piper.

## Taxes and Tax Laws

### HealthRight taxes

Tax provisions in the HealthRight bill were scrutinized by members of the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), at a late night hearing Thurs., April 2.

The proposed tax policy for the plan is centered around a 2 percent tax on health care providers, including nonprofit health service corporations and companies that manage health care plans for self-insured entities in Minnesota. Johnson said the proposal "creates a level playing field" between the providers. The measure also allows self-employed taxpayers to deduct the entire amount paid for health insurance under the state income tax. The committee also approved an amendment that adds a rural doctor to the health care commission.

Senators approved a key amendment that allows the providers to "pass through" the tax to insurance companies. Doctors testified that the "pass through" provision alleviates some of their concerns about the HealthRight proposal. However, many doctors strongly opposed the measure.

Dr. Mark Carter from the Grand Forks Clinic criticized the plan saying government should not interfere with the free market. Carter said it will take generations for the correct changes to be borne out in the market place, but that waiting for the market changes is the proper approach. Sen. Duane Benson (IR-Lanesboro) countered that people have been waiting for years for the market to work in medicine and that free market principles simply do not apply to health care. Benson told the doctor that "people don't buy health care like they buy green beans." Benson said that the rate of growth in inflation of health care costs has overwhelmingly outpaced the growth in income of working people.

The committee adopted other technical and clarifying amendments, approved the measure and re-referred the bill to the Finance Committee.

### **Bonding authority changes okayed**

The Taxes and Tax Laws Committee, at a Fri., Apr. 3, meeting, approved a bill that changes procedures for allocating bonding authority.

S.F. 2648, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), specifies that \$15 million of bonding authority within the manufacturing pool and \$5 million within the public facilities pool is reserved for student loan bonds issued by the Minnesota Higher Education Coordinating Board. An additional \$5 million is reserved for agricultural development bond loan projects of the Minnesota Rural Finance Authority. The measure also changes the method for calculating application fees and exempts the Minnesota Higher Education Coordinating Board from application deposit requirements. An amendment, offered by Pogemiller, provides for the transfer of small issue, housing, and public facilities bonding authority to a common pool in the event that federal tax law is not amended to permit the issuance of tax exempt mortgage bonds or small issue bonds.

The committee voted to incorporate S.F. 2676, a bill making several changes in public financing regulations, into S.F. 2648. The incorporated language includes a provision that exempts from securities registration requirements bonds issued by the federal or state governments if the bond is rated in one of the top four rating categories by a national rating service. Another provision expands the list of securities that are acceptable investments by self-insurers in the workers compensation system. S.F. 2648, as amended, now goes to the full Senate.

The committee also heard and approved S.F. 1740, sponsored by Sen. Ember Reichgott (DFL-New Hope), providing for the formation of limited liability corporations. One of the purposes of establishing this new form of business entity, according to Reichgott, is to make starting a new business less complicated. Under the bill, limited liability corporations would be taxed as partnerships. The committee voted to approve the bill and send it to the floor.

S.F. 2378, sponsored by Sen. Jim Gustafson (IR-Duluth), exempts some newly-installed automatic sprinkler systems from sales and property taxes. Gustafson said the measure is aimed primarily at helping older vacation lodges that are not mandated under code to have sprinkler systems to purchase them. The benefits provided under the bill, according to Gustafson, also can be applied to some small, older apartment

buildings in the Metropolitan Area. The committee removed language from the bill that would have established a loan program for to assist with the purchase of the systems.

S.F. 2378 was approved and sent to the full Senate.

### **Omnibus budget bill okayed**

The Taxes and Tax Laws Committee met Mon., Apr. 6, and Tues., Apr. 7, to review S.F. 2788, the omnibus budget balancing bill, sponsored by Sen. Gene Merriam (DFL-Coon Rapids).

The Senators first discussed provisions in the bill that raise various fees. One provision adds or diverts solid waste fees under the jurisdiction of the Pollution Control Agency (PCA) for fiscal year 1993 to fund an assessment of problems in the state's landfills. An amendment offered by Sen. Carol Flynn (DFL-Mpls.), raises the added or diverted fee amount in the bill from 15 cents to 35 cents per cubic yard and eliminates a 15-cent per cubic yard waste processing facility fee. The amendment was approved. Another PCA item reduces the amount paid to counties for county-administered natural resource land.

Other provisions impose or raise fees on Farm Crisis Assistance assessment, liquor licensing fees, labor and industry apprentice registration, the OSHA penalty for specified violations, the secretary of state's expedited transaction fee for counter transactions. The bill also provides for increases in the Supreme Court civil filing fee and gambling license fees charged by the attorney general. In the health and human services area, the bill calls for a medical provider surcharge to be paid by HMOs, physicians, and dentists. It also increases medical licensing fees to cover costs of additional HIV monitoring and changes licensing fees for home care agencies that are revenue neutral. Also increased is the Health Dept. fee for clinical lab tests.

Another Health Dept. fee change, a water connection fee increase, received considerable discussion. The proposed fee is \$4 per water service connection for one- to two- unit residences and \$33 per service connection for all other residential and commercial water customers. The increase is needed, according to Gary Englund of the Health Dept., to pay for more sophisticated testing mandated by the federal government. Sen. Randy Kelly (DFL-St. Paul) said he found the fee structure troubling because the estimated cost for the testing in St. Paul is \$50,000, while the city's residents will pay \$400,000 in fees. Englund responded that if the cost of the testing is not spread over the entire state, testing for some small towns could cost as much as \$200 per household. The committee made no change in the language.

Finally, the committee approved an amendment by Sen. Phil Riveness (DFL-Bloomington) that transfers costs of collegiate license plates for the academic excellence scholarship program to the state university board.

The committee, chaired by Sen. Douglas Johnson (DFL-Cook), approved S.F. 2788 as amended and sent it to the full Senate.

## **Thursday, April 2**

### **Gender balance bill passes**

The Senate gave final approval to 14 bills Thurs., Apr. 2, including H.F. 1114, the gender balance bill. On a vote of 39-27, the Senators approved the bill, sponsored by Sen. Sandra Pappas (DFL-St. Paul), providing for gender balance in boards and multimember agencies.

Minority Leader Duane Benson (IR-Lanesboro), called the bill an "insincere effort to take care of a serious problem" and said, "Its sole intention is embarrassing Gov. Carlson." Sen. Ted Mondale (DFL-St. Louis Park), speaking in support of the bill, said, "This bill is about empowerment. It asks government to reach out, to find talented women, and bring them in."

Several bills sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), were given final passage: S.F. 1590 authorizes treatment of American Indian tribal governments as employers for purposes of unemployment compensation; S.F. 1230 increases service pension maximums for volunteer firefighter relief associations; S.F. 2137 makes changes in the administration, benefits, and practices of the Minnesota State Retirement System; and, H.F. 2369 authorizes a benefit increase for retired police officers and surviving spouses in the city of Thief River Falls.

Final approval was also given to S.F. 522, sponsored by Benson, specifying allowed methods for taking fish in designated trout streams. Members gave final approval to S.F. 2523, sponsored by Sen. Pat Piper (DFL-Austin), making changes in Dept. of Human Services licensing rules and requirements. A measure giving employees the right to obtain a copy of their personnel files received final approval, as well. The bill, H.F. 1889, was presented by Sen. Gene Merriam (DFL-Coon Rapids).

Senators gave final approval to six other bills. H.F. 1978, authored by Sen. Sam Solon (DFL-Duluth), regulates ionizing radiation and modifies particular aspects of the rulemaking process. S.F. 2137, sponsored by Sen. John Hottinger (DFL-Mankato), defines residential hospice facilities, limits their number, and modifies hospice program conditions. S.F. 1856, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), makes changes in

# Floor action

laws related to real property. S.F. 2510, presented by Sen. Carol Flynn (DFL-Mpls.) provides procedures for design, approval and construction of light rail transit. S.F. 1993, also sponsored by Flynn, directs the Regional Transit Board to establish a program to reduce traffic congestion and provides for public transportation priority in the event of an energy supply emergency. S.F. 651, authored by Sen. Allan Spear (DFL-Mpls.), relates to insurance that regulates utilization review services, appeals of determinations not to certify, and prior authorization services.

Acting as the Committee of the Whole, the Senators gave preliminary approval to S.F. 2274, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), regulating residential building contractors and remodelers; H.F. 2608, sponsored by Sen. Sam Solon (DFL-Duluth), requiring creditors to file credit card disclosure reports with the state treasurer; and, H.F. 2063, also sponsored by Dahl. The measure changes provisions governing reduced annuities from the public employees retirement association due to reemployment of annuitants.

Also recommended to pass were S.F. 2196, sponsored by Sen. Judy Traub (DFL-Minnetonka), providing for notice to vendors when payments on behalf of a recipient will be reduced or terminated, and S.F. 2236, sponsored by Sen. Phil Riveness (DFL-Bloomington). The bill, which imposes standards and requirements of accountability for governmental units, was approved with an amendment by Sen. Patrick McGowan (IR-Maple Grove), providing for the application of the open meeting law when a quorum is present and discussion occurs among members or action is taken regarding a matter within the jurisdiction of the body.

S.F. 2194 was also recommended to pass. The bill, presented by Sen. Ember Reichgott (DFL-New Hope), authorizes two additional deputies in the state auditor's office and provides for investments and uses of public facilities. Several amendments to the bill were adopted, including one by Sen. Fritz Knaak (IR-White Bear Lake), excluding businesses seeking financial assistance from cities, towns, counties or the Iron Range Resources and Rehabilitation Board (IRRRB) from the financial disclosure portions of the bill. Members adopted another Knaak amendment, eliminating the requirement for reporting suspected theft of public funds to the state auditor when to do so would impede an ongoing criminal investigation. Also adopted was an amendment by Sen. Earl Renneke (IR-LeSueur), requiring frequent flyer miles while on business for the state to accrue to the state. Senators also adopted an amendment offered by Sen. William Luther (DFL-Brooklyn Park), prohibiting

photographs of elected officials in city or county reports.

After lengthy debate, Senators also recommended to pass S.F. 2556, presented by Sen. Gen Olson (IR-Minnetrista). The bill establishes a procedure for parents to review the contents of instructional materials and permits them to request alternative instruction. Pappas said that under constitutional law, parents already have access to curriculum, and that the bill will be difficult and unworkable for teachers.

Pappas offered an amendment that would allow parents to review curriculum but not to request alternatives. The amendment provoked considerable debate on the floor. Sen. Leonard Price (DFL-Woodbury) supported Pappas' amendment, saying that in South Washington County, where he is employed as a high school teacher, parents are already allowed to review instructional materials. He urged adoption of the amendment because without it, the bill "puts teachers in a double bind" of having to provide alternative instructional materials when parents object while simultaneously satisfying mandated learner outcomes. Sen. Gregory Dahl (DFL-Ham Lake) said that under the bill a school district may choose not to provide alternative instruction if it is accepted. In such a case, the alternative would have to be supplied by the parent at the parent's expense. The Pappas amendment was not adopted, and the bill was recommended to pass.

Four additional bills were recommended to pass. S.F. 304, sponsored by Sen. John Marty (DFL-Roseville), authorizes the licensing of retail tobacco sales and provides for suspension or revocation of the license for sales to minors. H.F. 2438, sponsored by Sen. Steven Morse (DFL-Dakota), enacts a number of changes in eligibility and coverage of the Individual Retirement Account Plan (IRAP). Sen. Steven Novak (DFL-New Brighton), sponsor of S.F. 2017, explained that the bill enacts procedures for protection of telephone company trade secrets and proprietary information during appearances before the Public Utilities Commission. The last bill recommended to pass was S.F. 2599, authored by Sen. Don Frank (DFL-Spring Lake Park). The measure authorizes dissolution of the Columbia Heights paid Firefighters' Relief Association, allows a benefit conversion and provides for a reconstituted Board of Trustees.

## Friday, April 3

### Omnibus tax bill passed

Debate on the omnibus tax bill, H.F. 2940, dominated the Fri., Apr. 3, Senate floor session. Sen. Douglas Johnson (DFL-Cook), chief author of the measure,

characterized the bill as providing for deficit reduction and for protection of the budget reserve. Johnson said that the bill "is much fairer than the governor's proposal which would have raised property taxes by \$66 million." Johnson said that "we restore the homestead credit the governor vetoed last year and enact the local government sales tax so that the budget balancing process will be more equitably distributed."

The bill raises about \$78 million in revenue, according to Sen. Lawrence Pogemiller (DFL-Mpls.) and Sen. Ember Reichgott (DFL-New Hope), the chairs of the divisions that developed the proposal. Of that amount, the largest share is raised by imposing the state's 6.5 percent sales tax on local governments.

Discussion of the measure centered on several major amendments offered to the bill. The first was a proposal, offered by Pogemiller, to provide funding for a new system of debt collection by the attorney general's office and the departments of revenue and finance. Sen. Gene Merriam (DFL-Coon Rapids), opposed the amendment on the grounds that the system had not been determined yet. However, Pogemiller successfully countered that the amendment provided a creative way of implementing a new system to increase state collections.

An amendment, offered by Sen. John Marty, enacted the so-called "Four percent solution" by increasing the highest tax rate--to ten percent--on the four percent of the population with the highest income. The amendment also phases-out the personal exemption on higher income taxpayers and eliminates the imposition of the sales tax on local governments. Johnson and Minority Leader Duane Benson (IR-Lanesboro), spoke against the amendment. The motion failed on a 30-35 roll call vote.

An amendment, offered by Benson, to delete a local sales tax increase for the city of Rochester also sparked considerable debate. Benson said that implementing a local special sales tax will set off a flood of similar requests from other municipalities in future years. However, Sen. Nancy Brataas (IR-Rochester), argued successfully that the voters of Rochester had approved the new one percent additional sales tax and that the sales tax was preferable to a property tax increase. The amendment was defeated, although a second amendment, offered by Benson, to reduce the sales tax to one-half of one percent was adopted.

An amendment, offered by Sen. Steven Novak (DFL-New Brighton), to add an article to the bill permitting the use of tax increment financing for cleaning up polluted property was also adopted. The issue of funding the state public defenders was also debated. Benson offered an amendment specifying that the state's

obligation for the costs of the public defender services is limited to the appropriations made to the board of public defense and that costs that are incurred by the board beyond that which is appropriated are to be presented to the Legislative Advisory Commission for consideration. The amendment was adopted.

Finally, an amendment offered by Sen. Thomas Neuville (IR-Northfield), was adopted. The amendment imposes the higher income tax rate for upper income taxpayers, eliminates the local government sales tax and dedicates the increased revenue to tax relief based on the personal exemption. The amendment was adopted on a 58-2 roll call vote. The entire bill then received final passage on 44-21 vote.

## Tuesday, April 7

### Flag bill

Acting as a Committee of the Whole on Tues., Apr. 7, the Senate again took up consideration of S.F. 168, memorializing Congress to prohibit desecration of the U.S. flag. The resolution's author, Sen. Charles Berg (DFL-Chokio), said, "We ought not to take a lot of time discussing this. All the arguments have been made."

Sen. William Luther (DFL-Brooklyn Park), offered an amendment asking Congress to amend the Constitution to prohibit non-essential perquisites for themselves and the executive branch. The amendment was ruled not germane.

An amendment offered by Sen. Carol Flynn (DFL-Mpls.), urged Congress to add the Equal Rights Amendment to the Constitution. Flynn said it was important to show as much concern for women as for the flag. Berg challenged the germaneness of the amendment. When the amendment was ruled germane, Berg asked for a roll call vote. Members approved the Chair's decision by a vote of 42-20, at which point Berg progressed the bill.

Preliminary approval was given to seven bills. S.F. 2206, sponsored by Sen. Janet Johnson (DFL-North Branch), memorializes Congress to allow doctors of chiropractic as commissioned officers in the military. S.F. 2213, the omnibus banking bill, offered by Sen. Sam Solon (DFL-Duluth), regulates bank charters, credit unions, loans and thrifts, and banking corporations. A bill, S.F. 2314, offered by Sen. Carl Kroening (DFL-Mpls.), assuring that all city planning districts be allowed to participate in Neighborhood Revitalization Programs, was amended to apply only to Minneapolis.

Also amended before preliminary passage, S.F. 2396 makes changes in administrative provisions of laws governing first class city teachers retirement fund associations. Sponsor Solon offered the amendment, modifying certification requirement for disability benefits.

H.F. 2113, authored by Sen. Richard Cohen (DFL-St. Paul), allows for use of safety equipment on school buses for non-school activities. S.F. 2434, presented by Kroening, provides continued coverage in the Minnesota state retirement system for certain employees.

Finally, members approved S.F. 2743, as amended. The bill, sponsored by Sen. John Hottinger (DFL-Mankato), regulates Medicare supplements and makes changes in related state laws required by the federal government.

### Omnibus budget bill passes

The Senate met Tues., Apr. 7, to approve H.F. 2694, the omnibus budget balancing bill, sponsored by Sen. Gene Merriam (DFL-Coon Rapids).

Sen. Keith Langseth (DFL-Glyndon) summarized the Agriculture, Transportation and Regulation segment of the bill. Among other provisions, it includes a \$320,000 reduction in funding for the Minnesota Historical Society, a \$20,000 reduction to the Minnesota Humanities Commission, \$200,000 in cuts to the state arts board and \$7 million in cuts to Minnesota Technology, Inc. The bill restores \$100,000 in funding for agricultural information centers and \$50,000 for the Women, Infants and Children (WIC) program.

Sen. Carl Kroening (DFL-Mpls.) presented the State Affairs and Economics section of the bill. It specifies a 2 percent general reduction in funding for all state agencies except the judiciary which is cut by 1 percent and the legislature and governor's office which are cut by 8 percent.

Sen. Don Samuelson (DFL-Brainerd) outlined for members the provisions of the Health and Human Services portion of the omnibus bill which includes numerous budget changes. Among the reductions are \$3.7 million for General Assistance/Work Readiness, \$12.5 million due to a reduced AFDC forecast, \$8.2 million due to a reduced AFDC child care forecast, \$900,000 reduced funding for Brainerd RTC Security Unit and \$2.5 million reduced funding for RTC nursing home beds. Increased funding will go to GA, GA Medical Care and the Children's Health Plan.

A number of amendments to the omnibus bill were considered. Sen. Dean Johnson (IR-Willmar), proposed an amendment stating that after the close of filings, no legislative employee may engage in campaign activity during working hours. The amendment was adopted.

Several other amendments were considered during the late afternoon and early evening debate on the bill. An amendment, offered by Sen. Randy Kelly (DFL-St. Paul), removes the water-hookup fee contained in the bill that

provided funding for federally required water testing. In addition, the amendment directs the commissioner of finance to unallot \$3 million from state agency budgets to fund the testing. The amendment was adopted. Sen. Steven Morse (DFL-Dakota) offered an amendment, which was subsequently adopted, providing for the funding of cleaning up closed landfills. Two amendments relating to the Stone Arch Bridge in Minneapolis were also adopted. The first, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), authorizes Hennepin County to convey ownership of the bridge to the Dept. of Transportation. The second, sponsored by Sen. Carl Kroening (DFL-Mpls.), provides that three members of the Hennepin County Board be members of the St. Anthony Falls Heritage Board.

An amendment, offered by Sen. Harold "Skip" Finn, specifying that Dept. of Natural Resources forestry and district boundaries not change unless supported by a cost-benefit analysis, was also adopted. Members also adopted an amendment, offered by Sen. Bob Lessard (DFL-Int'l. Falls), reinstating reimbursement for timberwolf predation. An amendment specifying that the facility surcharge funds be placed in a separate account and that the medical care reimbursement increases not go into effect unless the HealthRight bill is enacted was also adopted. The amendment was authored by Sen. Linda Berglin (DFL-Mpls.).

Finally, members adopted but subsequently reconsidered an amendment specifying that the annual salary of a county commissioner may not exceed the salary of a legislator and that county commissioner per diem payments may not exceed one-third of the salary. Upon reconsideration, the amendment, sponsored by Sen. Gen Olson (IR-Minnetrista), failed to gain adoption.

The entire budget balancing bill received final passage on a vote of 45-18.

## Wednesday, April 8

### Waste management measures heard

The Senate met Wed., Apr. 8, to give final passage to bills on the Calendar and preliminary approval to a number of bills on the General Orders Calendar. Considerable time was also devoted to discussion of amendments to the Waste Management Act of 1981.

Final approval was granted to all the bills given preliminary approval at the previous session.

Six bills on the General Orders Calendar were given preliminary approval. H.F. 2623, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), amends existing law regarding activities of the Mississippi Headwaters Board. An amendment proposed by Sen. Sam Solon (DFL-

# Floor action

Duluth) allows employees of Spirit Mountain to be employed elsewhere by the city of Duluth during the off-season. H.F. 2709, sponsored by Solon, the omnibus liquor control bill, defines and clarifies language and terms and authorizes issuance of liquor licenses. H.F. 2647, sponsored by Sen. Thomas Neuville (IR-Northfield), is a revisor's technical corrections bill. H.F. 2551, sponsored by Sen. Ember Reichgott (DFL-New Hope), regulates registrations of domestic corporations with the secretary of state.

H.F. 2756, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), authorizes annual increases in survivor benefits paid by the Virginia Firefighters Relief Association. H.F. 2211, sponsored by Sen. Randy Kelly (DFL-St. Paul) clarifies law enforcement powers to provide that only licensed peace officers may use vehicles to stop other vehicles and issue citations. The bill also allows a permissive inference of possession when a firearm is found in an automobile.

Finally, members discussed S.F. 2199, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), providing numerous amendments to the Waste Management Act of 1981. The bill requires in part that public entities use degradable packing material, that a goal be adopted to reduce the toxicity of waste and reduce the quantity of packing materials used, and a requirement that labels specify what percent of post-consumer recycled materials are used in the product. Sen. Steven Morse (DFL-Dakota) offered an amendment changing the requirements for disposal of low-level radioactive waste. A Merriam amendment prohibits removal of waste generated in the Metropolitan Area for disposal in an area outside the Metro Area unless specific conditions are met. Both amendments were adopted. The measure was progressed for further consideration of amendments.

## Anti-crime bill passes unanimously

H.F. 1849, the omnibus crime bill, represents a truly bi-partisan effort at developing a comprehensive approach to crime and prevention, according to bill authors Sen. Allan Spear (DFL-Mpls.) and Sen. Patrick McGowan (IR-Maple Grove). The full Senate unanimously passed the anti-crime measure during the second portion of the Wed., Apr. 8, floor session.

Spear stressed that the bill does more than make efforts to keep criminals off the streets--it provides meaningful assistance to the victims of crime. Approximately 80 percent of the \$10.5 million in funding for the bill goes to victims services and prevention programs. Spear said the prevention efforts are intended to benefit future generations by changing attitudes and values and providing better opportunities for kids.

Spear told his colleagues that the bill sets up an advisory task force on juvenile justice to tackle some difficult issues that were not resolved this session, including how to handle the records of juvenile sex offenders. Another provision appropriates \$2 million for the Head Start program, which is targeted at areas with the greatest juvenile delinquency adjudications.

The bill provides increased penalties for a number of sex offenses, including life imprisonment for some repeat sex offenders. The bill also increases the time of supervision after an offender is released. Other portions of the measure increase penalties for heinous crimes. Spear added that the bill abolishes "good time" as it is known today. One practical difference in the new bifurcated system is that the vesting of "good time" is eliminated, according to Spear.

One provision that benefits victims, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), providing for separate waiting for victims, thus ensuring that victims will

not have to wait to testify in the company of perpetrators. Mondale also sponsored a provision giving a victim a right to receive restitution. Sen. Fritz Knaak (IR-White Bear Lake) sponsored a portion of the bill that allows telephone companies to sell a service that enables a person to identify the phone number of the person who is calling. The caller identification device is useful in addressing the problem of harassing phone calls, according to Knaak.

Sen. Jane Ranum offered an amendment that provides for violence prevention programs and escort services at public post-secondary education institutions. The amendment also calls for the Higher Education Coordinating Board (HECB) to study how violence prevention relates to current course offerings. In addition, the HECB may award grants to eligible institutions to provide multidisciplinary training programs related to violence prevention, under the amendment. Ranum's amendment was adopted.

Sen. Ember Reichgott (DFL-New Hope) offered an amendment providing that a finding by the court that there is basis for issuing an ex parte temporary order for protection is sufficient reason not to require notice in domestic abuse cases. This motion was adopted, as was one by Sen. Harold "Skip" Finn (DFL-Cass Lake), calling for the creation of a written model policy regarding arrest procedures for domestic abuse.

Senators adopted several other minor amendments and granted final passage.

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# Briefly

The Minnesota Senate Week in Review

April 17, 1992

## Session adjourns

Upon the motion of retiring Sen. John Bernhagen (IR-Hutchinson), members of the Minnesota Senate adjourned at 3:30 a.m. Fri., Apr. 17. The closing hours of the 1992 Legislative Session saw passage of several major pieces of legislation including the HealthRight bill, a bonding package and a bipartisan anti-crime package as well as dozens of other measures.

Majority Leader Roger Moe (DFL-Erskine) called the session one of the most productive in recent memory and applauded the cooperative efforts of both majority and minority in addressing the major issues before the body.

After adjournment, members paused to listen to farewell remarks from seven retiring Senators. Senators Fritz Knaak (IR-White Bear Lake), Jim Gustafson (IR-Duluth), Gary DeCramer (DFL-Ghent), David Frederickson (DFL-Murdock), Gene Waldorf (DFL-St. Paul), John Bernhagen (IR-Hutchinson) and Jerome Hughes (DFL-Maplewood) all stressed the sense of community and friendship gained through serving with the Senate. Knaak said that he felt privileged to have been selected by his constituents to have the opportunity for public service in the Minnesota Senate.

## Workers compensation bill

After a lengthy late night debate Tue., Apr. 14, the full Senate voted 60-6 to grant final passage to S.F. 2107, a major workers compensation reform package. Sen. Florian Chmielewski (DFL-Sturgeon Lake), bill author, said the package sets forth a "a broad approach to workers compensation reform." Chmielewski said the bill mandates a 16 percent reduction in workers compensation premium rates, cutting approximately \$200 million out of the \$1.2 billion in costs paid annually by employers.

A key aspect of the measure is a "managed care" system under which an employer can provide medical care and services to injured employees through providers or groups of providers certified by the commissioner of the Dept. of Labor and Industry. Chmielewski added that the bill establishes a fraud unit to investigate fraudulent and illegal practices by

health care providers, employers, employees, insurers, or attorneys.

The bill limits the payments and puts a cap of 225 weeks on temporary partial benefits for employees who are working and earning less than their pre-injury wage. Another provision in the bill charges the chief administrative law judge with amending the rules and procedures to streamline the hearing process for the Workers Compensation Court of Appeals.

Senators vigorously debated a proposal to require workers with partial disabilities to relocate to other parts of the state where work was available, or lose their benefits. Proponents of the measure said the provision was a reasonable compromise because the worker would not be responsible for moving costs. Opponents of the provision said it displays insensitivity to rural Minnesotans and violates the dignity of injured workers because the proposed law would uproot people from their communities. The opponents were successful in removing the local labor market provision.

Chmielewski and other members agreed that "the best antidote to high workers compensation rates is accident prevention." Chmielewski said the bill creates an assigned risk safety fund designed to achieve methods of hazard reductions for employers with poor safety records or employers in hazardous classifications. The fund, which comes from fines and penalties collected under workers compensation law, also makes grants and loans to employers toward the cost of implementing safety recommendations.

## HealthRight

After countless hours of debate and committee hearings this session, the full Senate adopted the conference committee report and repassed H.F. 2800, the HealthRight bill, Thur. Apr. 16. Sen. Linda Berglin, one of the key authors of the bill, said the bi-partisan agreement shows that Minnesota can "rise to the challenge" of health care reform. Berglin pointed out that the bill does not micro manage health care; rather, it creates an incentive for those who manage health care to manage it well.

Berglin said the HealthRight proposal provides health coverage for low-income

uninsured people; establishes statewide and regional cost-containment programs; provides for insurance reforms; establishes rural health care initiatives; creates quality of care and data collection programs; revises malpractice laws; transfers authority for regulation of health maintenance organizations from the commissioner of health to the commissioner of commerce; and creates a health care access account.

A key development in the conference committee was the decision to fund the program with a tax on medical providers and an increase in the cigarette tax, as opposed to the proposal to fund it through an increase in the income tax. Supporters of the bill pointed out that the measure was significantly reduced in scope to reduce the financial impact of the bill and to gain support for the reform package.

Sen. Nancy Brataas (IR-Rochester) said that she recognizes that there is a serious health care access problem. However, Brataas said she was speaking against the bill. She expressed concern about the medicare reimbursement provisions in the bill and said the measure is beyond any kind of explanation she can make to her constituents in Rochester. Brataas unsuccessfully made a motion to send the bill back to conference committee. Sen. Duane Benson (IR-Lanesboro) spoke against the Brataas motion arguing that the health care commission will address the unanswered questions about the bill and that it is important not delay the start of the commission's work.

The Senators granted final passage to the bill on a 49-18 vote and sent the proposal to the governor.

## Subscription renewal

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# Committee update

## Education

### Appointments approved

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Fri., Apr. 10, to approve a number of appointments to state education boards.

Carl Cummins III, Sharon L. Bailey-Bok and Edward Zachary were recommended to the Higher Education Coordinating Board and George Jernberg was recommended to the State Board of Education.

Recommended to the Board of the Minnesota Center for Arts Education were Phillip Brunelle, Sheila Livingston and Jean Greener. The committee approved the appointment of Margaret Dolan and Craig Shaver to the State Board of Community Colleges and Terance Smith and Joan "Jody" Olson to the State Board of Technical Colleges. Also approved was the appointment of Kathryn Balstad Brewer to the Minnesota Higher Education Facilities Authority.

## Energy and Public Utilities

### Appointments recommended

The Energy and Public Utilities Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met Wed., Apr. 15, to approve the appointments of Thomas A. Burton and former state senator Donald A. Storm to the Public Utilities Commission.

## Finance

### HealthRight financing

The HealthRight debate continued in the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), at a late night hearing Thur., Apr. 9, when Senators grappled with the health care reform measure.

Sen. Linda Berglin (DFL-Mpls.), a key author of the bill, argued the importance of creating a mechanism to give small employers the same opportunity that large employers have to buy into a large insurance pool, which makes providing insurance more affordable. Berglin explained that the government does not administer the program; rather, the government acts a vehicle to bring together many policyholders to establish a large group, generating significant savings in administrative costs. Senators discussed how the formation of such a large pool for small employers has not developed in the marketplace, even though current law would allow it.

Much of the discussion focused on an amendment offered by Sen. Cal Larson (IR-Fergus Falls) to remove the tax on

insurance premiums and make up the lost revenues by upping the bill's proposed increase in the cigarette tax from five cents to 11 cents. The committee narrowly defeated the proposal.

Sen. Gene Waldorf gained support for an amendment that he said addressed some of the concerns surrounding proposed regulations of high technology equipment. The amendment removes a moratorium on some new equipment and capital expenditures. In addition, the amendment also changes the bill to require an after-the-fact review for new purchases, as opposed to the original language that required prior approval from the state.

In an effort to trim costs, the committee approved an amendment that extended the eligibility requirement of being uninsured for a period of four months to ten months. Sen. Fritz Knaak (IR-White Bear Lake) successfully amended the bill to require people to live in Minnesota for six months before being eligible for the program.

After approving several technical and clarifying amendments, the committee recommended that the bill pass and sent it to the Senate floor.

### Workers' comp, MEED advance

In the first of two meetings Fri., Apr. 10, the Finance committee recommended passage of six bills, including S.F. 1878, the workers' compensation bill sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake). Members discussed the portion of the bill creating an assigned risk safety account to be used to perform on-site surveys of employers and to recommend practices and equipment to employers designed to reduce the risk of injury to employees.

Sen. Douglas Johnson (DFL-Cook), presented a delete everything amendment to H.F. 57/S.F. 60, relating to taxation. The amendment, which the committee adopted, has appropriations of \$7 million for the Work Readiness Program, \$2 million for jobs and training, and \$10 million for the Minnesota Employment Economic Development Program (MEED). It appropriates \$4.925 million to the Dept. of Education for violence prevention programs and \$24.05 million for learning readiness aid. Johnson said the bill, which repeals the five month eligibility requirement for work readiness, is designed to prevent the pop tax from becoming law. The bill was recommended to pass.

Before passing S.F. 1974, the omnibus data privacy act, sponsored by Sen. Jane Ranum (DFL-Mpls.), the committee deleted several sections of the bill. Chair Gene Merriam (DFL-Coon Rapids), said he was concerned about cost, adding, "I

don't want to let this bill out of here without knowing what it's going to cost us." Sen. Allan Spear expressed similar concerns, asking if this were due to "willful obstructionism" on the part of the Dept. of Public Safety.

Provisions deleted include fees charged for providing licensing data to be used for commercial purposes and the requirement that license applications include an optional request that data not be released. One final amendment appropriated \$10,000 from the general fund to the commissioner of corrections to computerize the records of the board of pardons.

S.F. 2496, modifying provisions of rehabilitation loans by the Minnesota Housing Finance Agency (MHFA), was approved. The bill, offered by Sen. Janet Johnson (DFL-North Branch), removes restrictions on MHFA grantmaking for lease-purchase housing from funds specifically appropriated for the purpose. The bill allows the agency to make rules in a shorter period of time to implement demonstration programs using bond proceeds for the financing of residential housing and authorizes a \$410 million increase in MHFA bonding authority.

The committee recommended passage of S.F. 684, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.). The bill eliminates the offset for a portion of Social Security benefits of the judges retirement fund.

S.F. 850 provides for a centralized computerized filing system for effective financing statements and farm products statutory lien notices. The committee approved an appropriation of \$357,000 from the general fund to establish a fund within the secretary of state's office to be used to implement and maintain the system. The bill, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), was recommended to pass.

All six bills advanced to the Senate floor.

### Peace officers survivor benefits

Members of the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Fri., Mar. 10, for an evening meeting to clear a variety of bills from the agenda.

Members advanced seven measures to the full Senate for consideration. One measure, H.F. 2250, authored by Sen. Joe Bertram (DFL-Paynesville), generated considerable debate before being approved by the panel. The bill provides for payment of a death benefit to the survivors of peace officers killed in automobile accidents while on duty.

A bill providing for agricultural crop protection assistance also generated considerable discussion. The bill, S.F. 2143, authored by Sen. Steven Morse

(DFL-Dakota), provides for payment to landowners whose crops are damaged by wild animals and provides for the issuance of deer licenses to owners of ag land in consideration for allowing access for hunting.

S.F. 2732, authored by Sen. Pat Piper (DFL-Austin), provides for the reporting and monitoring of licensed health care workers who are infected with the human immunodeficiency virus of hepatitis B virus. S.F. 2509, authored by Sen. Jim Gustafson (IR-Duluth), provides for the regulation of octane postings and for the regulation of oxygenated fuels. S.F. 1512, sponsored by Sen. Phil Riveness (DFL-Bloomington), requires the commissioner of finance to prepare performance budgets and outlines the required content of performance budgets. S.F. 2030, carried by Sen. Steven Novak (DFL-New Brighton), prescribes the method of payment of petroleum tank release cleanup fees, changes the inspection fee for petroleum products and imposes a fee on sales of propane. S.F. 2451, authored by Sen. James Metzen (DFL-St. South Paul), provides financing for transportation planning activities in Dakota County and authorizes a regional railroad authority to transfer light rail money. S.F. 2095, sponsored by Morse, clarifies the organizational duties of the Board of the Pollution Control Agency, authorizes the assessment of emission fees, conforms pollution control measures to federal Clean Air Act amendments, and establishes a small business air quality compliance assistance program.

### Turkey plant bill

Members of the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids) met Mon., April 13, to scrutinize several miscellaneous bills that impact the state's budget.

Agricultural-industrial workers from a turkey plant in Detroit Lakes who face unemployment next month may have an opportunity to gain new employment at the same facility later this year. Sen. Roger Moe (DFL-Erskine) presented an amended version of S.F. 1648, a measure that authorizes the commissioner of finance to sell up to \$5 million in general obligation bonds for financing the purchase of the agricultural-industrial facility, if a buyer is found. Supporters of the measure said the bill gives hope to the 515 workers who want the plant to reopen in some form in the near future. The committee recommended that the bill pass and sent it to the floor.

Sen. Ted Mondale (DFL-St. Louis Park) gained approval for S.F. 1866, a measure that provides protection from liability for releases of hazardous substances to persons not otherwise liable who undertake and complete cleanup actions under an approved plan. The bill also authorizes

the commissioner of the Pollution Control Agency to issue determinations or enter into agreements with property owners near the source of the releases of hazardous substances regarding future clean up liability. Members also approved S.F. 2146, authored by Sen. Steve Morse (DFL-Dakota). Morse said the bill provides grants for retrofitting and conversion of once-through cooling systems.

The committee authorized \$61,000 to fund S.F. 2229, authored by Sen. Allan Spear (DFL-Mpls.). Spear said the measure provides for a recognition of parentage with the force and effect of a paternity adjudication. The bill also provides for preparation and distribution of a recognition form and educational materials for paternity. Sen. Len Price (DFL-Woodbury) presented S.F. 1958. The bill requires criteria for water deficiency declarations and prohibits the use of groundwater for surface water level maintenance. The measure also provides a means to review water appropriation permits and develop a plan to address water shortages. Price stressed that the bill contains no water fees and primarily affects the seven county Metropolitan Area. The committee recommended that the bill pass and sent it the full Senate. Members also recommended passage of S.F. 1894. Sen. John Bernhagen (IR-Hutchinson), bill author, said the measure forgives a \$42,000 loan to the city of Morton that was made under a pilot litigation loan project relating to wastewater treatment.

S.F. 1858 requires the state to recycle fluorescent lamps that come from buildings owned by the state, according to bill author Sen. Gary Laidig (IR-Stillwater). Laidig said it is important to remove from the waste stream those products that are causing problems for the people of Minnesota. Laidig pointed out that attempts are under way to develop a recycling facility for the lamps. Currently, the state stores all the lamps because of the lack of a facility. Members approved another bill authored by Laidig, S.F. 2205, authorizing the sale of state land in Washington County to a business.

Sen. Pat Piper (DFL-Austin) successfully sought approval for S.F. 2692. Piper explained that the bill allows energy providers to solicit contributions from customers for fuel funds that distribute emergency energy assistance to low-income households. The bill also establishes a statewide fuel account in the Department of Jobs and Training. The committee amended S.F. 2428, authored by Sen. Janet Johnson (DFL-North Branch), to address concerns of how the energy conservation bill would affect roadway sign lighting. Johnson said the bill establishes minimum energy standards for lamps, motors, shower heads, faucets,

and replacement commercial heating, ventilating, and air conditioning equipment. Members approved the bill and sent it to the floor. Finally, members approved S.F. 897, the omnibus DWI bill. Sen. John Marty (DFL-Roseville) said the bill makes numerous changes in DWI laws. Members approved the bill and an amendment that addresses the budgetary relationship between the state and counties relating to the costs of chemical dependency evaluations. The bill now goes to the full Senate.

### Child support bill okayed

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved a baker's dozen bills at their meeting Tues., Apr. 14.

A major bill advanced by the committee is S.F. 2000, sponsored by Sen. Richard Cohen (DFL-St. Paul), the omnibus family law bill. The measure modifies numerous provisions dealing with child support computation and enforcement, child custody and visitation. Cohen told the committee that the fiscal impact of the legislation is due mainly to policy changes in administration of AFDC that will result in better enforcement of support awards and consequent decreases in AFDC payments.

H.F. 1701, sponsored by Sen. Gary DeCramer (DFL-Ghent), authorizes the commissioner of transportation to spend money from the rail service improvement account for maintenance of rail lines and rights of way. S.F. 1893, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), authorizes placement of community identification signs, rescinds the outdoor advertising permit fee increase, and restricts the authority of the commissioner of transportation to review zoning ordinances adopted by local governments establishing a business area. Mehrkens also presented S.F. 1986, reducing the fee for a Minnesota identification card for persons with physical disabilities to 50 cents. S.F. 2520, sponsored by Mehrkens, authorizes increases in the fee for motor vehicle license plates to be calculated to cover the actual cost of manufacturing and issuing the plates. An amendment offered by Sen. Gene Waldorf (DFL-St. Paul), designating and classifying "classic cars", was adopted.

Sen. William Luther (DFL-Brooklyn Park) presented S.F. 1959, increasing and enhancing efforts to manage ecologically harmful exotic species such as Eurasian milfoil. The bill imposes an additional \$1 surcharge on boat licenses to fund the effort. Sen. Judy Traub (DFL-Minnetonka), sponsor of S.F. 2272, told the committee the bill makes a policy statement that the development of physically, intellectually, socially and emotionally healthy children is Minnesota's top priority. In order to begin

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reviewing the issues that affect children and families and to develop the policy, the bill authorizes the hiring of staff. However, members adopted an amendment deleting the staff request.

S.F. 2503, sponsored by Sen. John Marty (DFL-Roseville), authorizes the Telecommunications Access for Communication Impaired Persons Board (TACIP) to advance money to contractors so that the program may continue to operate. S.F. 2102, sponsored by Sen. Steven Morse (DFL-Dakota) makes technical corrections in existing groundwater law and provides for the sealing of "orphan" wells. Sen. Jim Vickerman (DFL-Tracy) presented S.F. 2665, providing for the expiration of regular and irregular route carrier certificates and permits and providing for conversion to class I certificates and class II permits. A fiscal note accompanying the bill indicated that two temporary employees are needed to facilitate the conversion but the bill raises sufficient revenue to cover enforcement costs.

Sen. Sam Solon (DFL-Duluth) presented S.F. 422, providing for the licensing and regulating of chemical dependency counselors. Sen. Charles Davis (DFL-Princeton) presented S.F. 2693, authorizing the commissioner of agriculture to make adjustments, agreements and settlements in family farm security loans. Finally, Sen. Dallas Sams (DFL-Staples) presented S.F. 2710, allowing the Rural Finance Authority to provide financing for dairy farmers who wish to upgrade from grade B milk production to grade A milk production.

## Metropolitan Affairs

### Appointees confirmed

Members of the Metropolitan Affairs Committee met Tues., Apr. 14, and approved several gubernatorial appointments. The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), approved the appointments of Diane Z. Wolfson, Carol Kummer, Donald B. Riley, Esther Newcome, Susan E. Anderson, James J. Krautkremer, Sondra R. Simonson, Bonita D. Featherstone, E. Craig Morris, and Polly Peterson Bowles to the Metropolitan Council.

The committee also approved the appointments of Val M. Higgins, Thomas Sather, Sharon Feess, Ruth Franklin, Thomas Workman, Don Scheel, Maryann Campo, and Ruby Hunt to the Regional Transit Board.

## Thursday, April 9

### Waste management act approved

During the floor session Thurs., Apr. 9, the Senate granted concurrence and

repassage to six bills. S.F. 2247, sponsored by Sen. Carl Kroening (DFL-Mpls.), prohibits the commissioner of human services from adopting rules requiring counties to separate their public guardianship function from their case management function, unless state funding is provided to cover county costs. S.F. 2037, sponsored by Sen. Leonard Price (DFL-Woodbury), requires the commissioner of the Bureau of Mediation Services to adopt a uniform baseline determination document and a uniform collective bargaining agreement settlement document and to prescribe procedures for the use of these documents. S.F. 2234, offered by Sen. Harold "Skip" Finn (DFL-Cass Lake), modifies disciplinary requirements of the board of social work and clarifies requirements for changes in licensure level. Also authored by Finn, S.F. 2368 enacts the uniform transfer on death security registration act and provides for rights of creditors and revocation of beneficiary designation by will.

A third Finn measure, S.F. 1856, relates to real property. S.F. 2389, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), makes changes in various provisions relating to natural resources.

Members gave final passage to six bills, including H.F. 2623, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls). The bill updates and changes provisions relating to activities of the Mississippi Headwaters Board. H.F. 2709, offered by Sen. Sam Solon (DFL-Duluth), exempts liquor investigation vehicles from taxes and registration fees. H.F. 2647, sponsored by Sen. Thomas Neuville (IR-Northfield), corrects erroneous and obsolete references in Minnesota statutes. H.F. 2551, presented by Sen. Ember Reichgott (DFL-New Hope), regulates registrations of domestic corporations with the secretary of state. H.F. 2756, offered by Sen. Ron Dicklich (DFL-Hibbing), authorizes annual increases in survivor benefits payable by the Virginia Firefighters Relief Association. H.F. 2211, sponsored by Sen. Randy Kelly (DFL-St. Paul), creates a permissive inference of possession with respect to a firearm in an automobile.

Acting as a Committee of the Whole, Senators began consideration of S.F. 2199, changes to the Waste Management Act, sponsored by Sen. Merriam. Several amendments were adopted, including one offered by Sen. Steven Morse (DFL-Dakota), directing the commissioner of the Pollution Control Agency to inspect and evaluate land disposal facilities. Another Morse amendment providing that facilities re-using hazardous wastes need not be assessed a hazardous waste tax was adopted, as well. An amendment allowing public entities to pay a premium of up to ten percent above the lowest bid to purchase paper products made without

the use of chlorine was defeated. The amendment was offered by Sen. Janet Johnson (DFL-North Branch). Sen. Fritz Knaak (IR-White Bear Lake) offered an amendment that defines campaign materials as a "product" for purposes of waste management regulations. Senators amended the amendment to include "advertising material," approved the additional language to the bill, and recommended that the bill pass as amended.

## Friday, April 10

### HealthRight passes

The Senate, at the Fri., Apr. 10, session gave final passage to S.F. 2603, the HealthRight bill. Sponsored by Sen. Linda Berglin (DFL-Mpls.) and Sen. Duane Benson (IR-Lanesboro), HealthRight is a bi-partisan effort designed to provide health insurance to uninsured and under-insured Minnesotans.

In presenting the bill to members, Berglin said that HealthRight marks a "historic occasion" for Minnesota and is a compromise approach to beginning to solve the problem of providing health care access to all Minnesotans.

The bill's cost containment component provides for a commission made up of representatives from health plan companies, health care providers, employers, labor unions and consumers to limit the rate of growth of health care spending and activities and to help Minnesota communities, providers, group purchasers, employers, employees and consumers improve the affordability, quality and accessibility of health care.

The small employer insurance reform segment allows employers to purchase group plans at a reduced cost and also reforms insurance practices in small group markets. Also, the bill reduces gender bias in premium rates and limits volatility in rates. Under the private reinsurance association provision, carriers may pool high risk cases in order to keep costs down.

Uninsured residents are able to purchase health insurance on a sliding fee scale under the bill. Preventive care is stressed under the plan which coordinates M.A. benefits and reinstates the Children's Health Plan definition of covered services as the services initially covered by the HealthRight plan. Outpatient treatment of alcohol and drug dependency are covered beginning Oct. 1, 1992; hospital inpatient services are covered, subject to copayment of benefit limits, beginning July 1, 1993.

Sen. Pat Piper (DFL-Austin), co-author of the bill, presented the Rural Health Initiatives article of the bill. This segment creates a rural health advisory council and assigns duties to the office of

rural health within the Dept. of Health. The bill also requires initiatives related to rural hospitals, rural community health centers and a health personnel data base. Piper explained that these initiatives are designed to provide a systematic and cohesive approach to rural health issues, to assure access to health providers in rural areas, to provide assistance to rural providers and to develop a data base.

The bill also expands or establishes loan forgiveness programs for health care professionals who agree to work in rural areas and requires a study of access to obstetric services. The state health care commission is required to establish a health care analysis unit to establish a large-scale data base for specific health conditions, dissemination of research findings and practice parameters. Also required is a peer review process. Finally, the process of pursuing a medical negligence claim is streamlined.

The bill provides funding for the health care access initiative through a five cent increase in the cigarette tax, a two percent tax on hospitals and health care providers, a wholesale drug distributor tax, a use tax on prescription drugs purchased from out-of-state retailers or other sources that are not subject to the wholesale tax. Non-profit health service corporations are required to pay the insurance premium tax. Exempt from the hospital and provider tax are Medicare payments, M.A. payments, payments for nursing home and intermediate care facility services, payments received from a hospital for services subject to the hospital tax, payments received from health care providers that are subject to the provider tax, payments received for prescription drugs, General Assistance Medical Care payments and HealthRight program payments. Self-employed taxpayers may deduct the entire amount paid for health insurance from their state income tax, and hospitals and health care providers are allowed to pass through the tax they pay by assessing a surcharge on third-party contracts.

Berglin then discussed the financial aspects of the bill. She acknowledged that it appears the legislation will be costly to the state. However, she pointed out that if health care costs continue to rise at the rate they have grown in recent years, HealthRight will actually result in a savings to the state. Benson agreed that the cost containment provisions in the bill are very important. "If you are concerned about what is going to happen in the year 2000 with this legislation, think what is going to happen in 2000 without the legislation," said Benson. Encouraging wellness and early childhood prevention "pays off", said Benson. If nothing is done about cost containment now, Benson concluded, "Our children have every right to come to the nursing home and yank out our tubes."

A number of amendments to the bill were considered by the members. The first removes a requirement that the bill's funding mechanism be reviewed next year. Berglin said that it would be detrimental to come back and resume the debate on funding sources and that it would be irresponsible to threaten the funding base. Sen. Patrick McGowan (IR-Maple Grove) stated that his comfort level and that of many of his colleagues was raised by the provision. He said there was no question of the funding being available, but that the amendment provides accountability. McGowan moved for a division of the amendment. Members approved the first portion of the amendment dealing with language and technical changes but did not approve the second half deleting the funding review.

Berglin proposed an amendment that requires insurance carriers or health care providers who choose to state on any of their documents, bills or correspondence that increases in premiums or charges are due to HealthRight to provide full disclosure of details of provisions of the bill, including cost containment provisions. The amendment was designed to counteract incomplete information being disseminated that is misleading or biased. The amendment was not adopted.

An amendment, offered by Sen. Joe Bertram (DFL-Paynesville), adding a representative from the Minnesota Chiropractic Association to the Health Care Commission, sparked considerable debate. Berglin and Sen. Duane Benson argued against including another medical provider on the commission. Berglin said that the whole idea of the commission was to provide representation for the public. Berglin offered an amendment to the amendment that added numerous other health care providers to the commission as a method of illustrating the difficulty of limiting membership. Berglin's amendment was adopted. Sen. Phil Riveness (DFL-Bloomington), successfully amended the Berglin amendment to provide for reducing the membership of the commission. Members of the Senate adopted the Riveness amendment but ultimately rejected the Bertram amendment on a close 32-33 vote.

Two additional amendments were adopted. The first, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), clarifies eligibility for individuals trying to move off of AFDC. The second, sponsored by Sen. Dennis Frederickson (IR-New Ulm), provides that two clinics be included as participating providers even though the physicians are licensed but not board certified. The amendment applies to clinics in LeSueur and Sandstone that are operating under the specifications included in the amendment.

Considerable debate was also generated by an amendment removing the 2 percent premium tax on Blue Cross/Blue Shield

and replacing the tax with a 6 cent per pack additional cigarette tax. The amendment, offered by Sen. John Hottinger (DFL-Mankato) was divided and Senators voted on increasing the cigarette tax first. That portion of the amendment failed to gain adoption. As a result, Hottinger withdrew the remainder of the amendment from consideration. However, Sen. Charles Berg (DFL-Chokio), offered an amendment removing the premium tax. The amendment failed on a vote of 26-32.

The bill was then approved on a 48-18 roll call vote.

Concurrence and repassage was granted to S.F. 1716, sponsored by Sen. Nancy Brataas (IR-Rochester), permitting the appointment, rather than election, of the recorder of Olmsted County and authorizing abolishment and reorganization of the office.

Members granted final approval to all the bills given preliminary approval at the previous session.

Preliminary approval was granted to a number of bills. H.F. 1738, sponsored by Sen. Jane Ranum (DFL-Mpls.), clarifies visitation rights of grandparents in custody situations. S.F. 2463, sponsored by Sen. William Luther (DFL-Brooklyn Park), makes technical corrections regarding insurance. H.F. 1681, sponsored by Sen. Sam Solon (DFL-Duluth), the omnibus insurance bill, makes numerous technical and clarifying changes in insurance law. S.F. 2750, sponsored by Sen. Randy Kelly (DFL-St. Paul), increases service pension amounts and limits future benefit reductions for the St. Paul Fire Department and Police Relief Associations. H.F. 2849, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), authorizes the commissioner of natural resources to negotiate a special fee structure for the Split Rock Lighthouse State Historic Site within Split Rock Lighthouse State Park.

H.F. 1910, sponsored by Sen. Ember Reichgott (DFL-New Hope), allows creation of a hybrid corporate entity, known as a limited liability corporation, that combines the limited liability aspects of a corporation with the pass-through tax characteristics of a partnership. S.F. 2378, sponsored by Sen. Jim Gustafson (IR-Duluth), exempts newly-installed automatic fire-safety sprinklers from sales and property taxes. S.F. 2792, sponsored by Merriam, makes miscellaneous changes in existing higher education law. S.F. 695, sponsored by Sen. Gary DeCramer (DFL-Ghent), makes technical and clarifying changes in existing transportation law. S.F. 2232, sponsored by Sen. John Marty (DFL-Roseville), requires the state to reimburse counties for extradition expenses from any forfeited bail of a defendant or probationer.

S.F. 2103, sponsored by Merriam, increases drivers' license fees by \$1 to fund

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changes in drivers' licenses to make them more difficult to alter. H.F. 765, sponsored by Marty, establishes eligibility for state-paid insurance for retired state employees. H.F. 31, sponsored by Sen. Carl Kroening (DFL-Mpls.), creates an advisory council on fire protection systems and licenses the fire protection industry. S.F. 2781, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), provides for payment of various claims against the state. S.F. 2655, sponsored by Sen. Dallas Sams (DFL-Staples), provides that municipalities and towns are eligible for reimbursement from the agricultural chemical response and reimbursement fund account (ACRRA). S.F. 2012, sponsored by Sen. Joe Bertram (DFL-Paynesville), enforces mandatory insurance requirements for motor vehicles and provides for loss of driver's license and motor vehicle registration. S.F. 2662, sponsored by Pappas, regulates the real estate, education, research and recovery fund.

## Monday, April 13

### MEED bill passes

By a vote of 40-26, the Senate gave final approval Mon., Apr. 13, to H.F. 57, the MEED bill. Sponsor Sen. Douglas Johnson (DFL-Cook), called the bill "an important piece of legislation for the state of Minnesota," saying it asks higher income taxpayers to help the less fortunate.

The bill raises income taxes on four percent of Minnesotans by increasing from 8.5 to 8.7 percent the income tax rate for single taxpayers earning more than \$56,000 a year and couples earning more than \$100,000. Personal income tax exemptions for these taxpayers is also eliminated.

The money will pay for five programs: MEED (Minnesota Employment and Economic Development) program, which provides salary subsidies to businesses that hire unemployed workers; Learning Readiness, which prepares underprivileged children for school; Work Readiness; a violence prevention program to be offered in schools; and, a jobs program for minority youth.

Speaking in opposition to the bill, Sen. Roy Terwilliger (IR-Edina), said, "We need to put discipline back into the fiscal policy of this state."

Sen. Pat Piper (DFL-Austin), told members that they are daily reminded in opening prayers to "have compassion for people who do not have what many of us have been able to enjoy."

Three conference committee reports received final approval. H.F. 1948, sponsored by Sen. James Metzen (DFL-South St. Paul), provides that life insur-

ance policies can be left to charities. S.F. 2728, presented by Sen. Dallas Sams (DFL-Staples), establishes a state over-order premium milk price for dairy farmers. S.F. 2430, also offered by Sams, adds sanctions and procedures relating to petroleum tank release consultants and contractors.

All but two of the bills recommended to pass in the previous session were given final passage. S.F. 1934, providing Mpls. Employees Retirement Fund (MERF) coverage for Metropolitan Airports Commission peace officers and firefighters, was progressed by its author, Sen. Lawrence Pogemiller (DFL-Mpls.). S.F. 1738, the Heritage Preservation Act offered by Sen. Linda Berglin (DFL-Mpls.), was moved to the top of general orders.

Acting as the Committee of the Whole, the Senate granted preliminary passage to several bills.

Senators first took up S.F. 2144, sponsored by Sen. Gene Merriam, authorizing the Metropolitan Council to issue bonds for the acquisition and improvement of transit facilities. An amendment offered by Merriam, provides legislative support for the Regional Transit Board's and Metropolitan Transit Commission's five-year, \$116.5 million capital expenditure program aimed at making the MTC more user-friendly and garnering higher bus ridership. The measure authorizes \$62 million in bonding for the program's first two years. In early 1994, the MTC is required to submit a report to the Legislature analyzing whether bus ridership has increased. The bill was recommended to pass as amended.

S.F. 2376, sponsored by Sen. Steven Morse (DFL-Dakota), makes several changes in Dept. of Natural Resources rules. It includes a provision authorizing the commissioner of natural resources to provide technical assistance to farmers to help protect crops from destruction by wild animals. The bill authorizes the DNR to pay up to \$3,000 per property owner for fencing and other deterrent materials to protect specialty crops like wild rice and ginseng from animal damage. The bill's sponsor, Sen. Steven Morse (DFL-Dakota), said that through herd management, the state has inflicted the deer problem on property owners while at the same time telling them they can't take measures to deal with it. Sen. Lyle Mehrkens (IR-Red Wing), speaking in favor of the bill, said that in some areas, deer "are literally eating people out of house and home." Sen. Harold "Skip" Finn (DFL-Cass Lake) said that the bill is a compromise position and that property owners should not have to bear the cost of the damage alone.

Several amendments were adopted. The first, offered by Sen. Bob Lessard

(DFL-Int'l Falls), reduces deer license fees for hunters under the age of 16 to \$11. Another Lessard amendment authorizes the commissioner of the DNR to advance funds appropriated for fish and wildlife programs to government agencies, the National Fish and Wildlife Foundation, federally recognized Indian tribes and bands, and private nonprofit organizations. The authorization for release of funds is to facilitate securing matching funds for improvement of fish and wildlife habitat. An amendment offered by Morse exempts residents of border areas from a requirement that dark houses or fish houses be licensed.

The Senators considered and defeated two amendments. The first, offered by Sen. Charles Berg (DFL-Chokio), exempts a person who shoots an animal on his property from paying restitution if the animal is damaging the property. The second, offered by Sen. Fritz Knaack, bans permanent fish houses from Metropolitan Area lakes.

S.F. 2376, as amended was recommended to pass.

S.F. 738, sponsored by Merriam, requires the commissioner of public safety to implement a statewide hazardous materials response plan. The bill also requires transporters of hazardous materials to register with the state and pay an annual fee. Senators adopted an amendment by Morse requiring certain hazardous materials transporters to complete and update a hazardous materials response plan.

S.F. 2418, sponsored by Sen. Gene Waldorf (DFL-St. Paul), validates a change in the date on which personal and benefit payments are made by the St. Paul Police Relief Association. The change is needed, according to Waldorf, to offset the effects of a previous change that resulted in substantial tax liabilities for members of the association. The bill was recommended to pass.

S.F. 2435, also sponsored by Waldorf, makes several administrative changes in the Dept. of Employee Relations.

Also recommended to pass were H.F. 1980, sponsored by Sen. Sam Solon (DFL-Duluth). The bill regulates accidental death benefits. Members approved an amendment by Sen. William Luther (DFL-Brooklyn Park), requiring that interest be paid to beneficiaries. H.F. 2115, authored by Sen. Joe Bertram (DFL-Paynesville), provides for apportionment of costs of partition fences in St. Louis county. H.F. 1957, sponsored by Sen. Douglas Johnson, restricts compensation for local elected officials and provides for terms for Cook County Hospital District Board members. Members adopted an amendment offered by Sen. Thomas Neuville (IR-Northfield), giving counties the right to subcontract with an engineer

for highway projects. S.F. 2750, offered by Sen. Ember Reichgott (DFL-New Hope), brings state human rights laws into concordance with the federal Americans with Disabilities Act.

Senators recommended passage of other bills. H.F. 2884, sponsored by Pogemiller, changes procedures for allocating bonding authority. H.F. 699, also sponsored by Pogemiller, eliminates the offset for a portion of social security benefits of the judges retirement fund. H.F. 2586, offered by Sen. Richard Cohen (DFL-St. Paul), provides for a study of the civic and cultural functions of downtown St. Paul. The bill was amended to include St. Paul's riverfront. S.F. 2432, offered by Sen. Charles Berg (DFL-Chokio), regulates aquaculture. S.F. 1615, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), reduces deer hunting license fees.

### Data privacy bill okayed

Under Special Orders, The Senate also granted final passage Mon., Apr. 13, to a bill specifying several changes to rules governing data practices in the areas of government data, medical records access, criminal conviction records, and pardon board records. S.F. 2181, the data privacy bill, also provides for criminal background checks of child care providers, provides for subpoena powers of county attorney, and changes the time when an arrest warrant may be served. The Senators approved an amendment offered by the bill's author, Sen. Jane Ranum (DFL-Mpls.), specifying that the provisions for background checks of childcare providers do not create a duty to do a background check. Ranum said the amendment is necessary to protect nonprofit organizations that provide child care from undue liability. A technical amendment offered by Ranum was also approved.

Next, Sen. John Marty (DFL-Roseville), offered an amendment prohibiting the Dept. of Public Safety from releasing driver's license or motor vehicle records for mailing lists and telephone solicitation lists for commercial uses. The Senators unanimously approved an amendment to the amendment, offered by Knaack, that also prohibits release of the records for political uses. However, the Marty amendment was defeated on an 18-35 vote.

## Tuesday, April 14

### Omnibus K-12 funding bill

Working into the night on Tue., Apr. 14, Senators approved the conference committee report for S.F. 2326, the omnibus K-12 education funding bill. Sen. Ronald Dicklich (DFL-Hibbing), bill author, explained that the proposed legislation contains numerous provisions that make changes in current law regard-

ing general education, transportation, enrollment options, levies and referendums, education organization and cooperation, facility financing, choice programs, and libraries. The conference committee accepted provisions that establish referendum allowance limits and make changes to the debt service equalization program.

As part of the budget reduction effort, the bill makes a 5 percent cut in the Dept. of Education. In addition, the bill makes an accounting change that saves the state over \$180 million in the current biennial budget by increasing the property tax recognition shift percentage from 37 percent to 50 percent. The measure also creates a new open and standing state aid to reimburse districts for short term borrowing costs that result from the levy recognition.

The proposed legislation transfers the appointing authority for the commissioner of education from the governor to the State Board of Education. The governor has approval authority over the appointment, under the proposal. Another provision requires schools to conspicuously post the school sexual harassment and violence prevention policy throughout the school building and to develop a process for discussing the school policy with students and school employees.

The so-called "pop tax" was dropped from the bill during committee work prior to the floor action. The bill received overwhelming support gaining final passage on a vote of 56-4.

### Omnibus DWI bill

In other action late in the night on Tue., Apr. 14, Sen. John Marty (DFL-Roseville) presented S.F. 897, the omnibus DWI bill. Marty said the bill makes numerous changes to current laws relating to driving while intoxicated.

Most of the debate focused on the provisions relating to license plate impoundment, license revocation, and forfeiture of vehicles used to commit DWI offenses. Sen. Thomas Neuville (IR-Northfield) successfully offered an amendment authorizing the state to impound a person's license plates after a second DWI violation within five years. Moreover, the amendment authorizes the forfeiture of a person's motor vehicle after a second DWI offense in some instances. Neuville said the amendment is reasonable because forfeiture of a vehicle is authorized for several other crimes that are less serious than DWI offenses. Opponents of the amendment said that the forfeiture should take place after the third offense per the agreement in committee.

Other provisions in the bill make it a crime to refuse to submit to testing under the implied consent law; revise the implied consent advisory; impose waiting

periods on the issuance of limited licenses; increases specific fees; update laws relating to operating snowmobiles, all-terrain vehicles, motorboats, or aircrafts, and to hunting while intoxicated. Members gave the bill final passage on a vote of 61-1.

Earlier in the day, Senators granted concurrence and repassage to two measures. S.F. 1590, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), pertains to treatment of American Indian tribal governments as employers for purposes of unemployment insurance payments. S.F. 979, authored by Sen. Sandra Pappas (DFL-St. Paul), provides that it is a misdemeanor to sell a toxic substance containing butane to a minor. In addition, members granted final passage to all the bills given preliminary approval the previous day with the exception of S.F. 1934 and H.F. 2750. S.F. 1934, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), providing an optional method for calculating annuities for members of the Minneapolis Employees Retirement Fund, was out for comparison with the House companion bill. H.F. 2750, clarifying discriminatory practices in the state's Human Rights Act, was not acted upon because the author was attending a conference committee.

Members also worked on the General Orders Calendar. Sen. Steve Morse (DFL-Dakota) gained approval for S.F. 1015, a measure that establishes a pilot program of paved bikeways along an interstate route and regulates the use of bicycles on bikeways between the divided lanes of some interstate highways and other roads. Members recommended passage of H.F. 2147, authored by Sen. Gregory Dahl (DFL-Ham Lake). Dahl said the bill bans the placement of mercury in solid waste, requires some mercury products to be recycled, and regulates the sale and use of mercury. Dahl successfully offered an amendment to address the concerns of retail merchants. Senators approved H.F. 2280, authored by Sen. Ronald Dicklich (DFL-Hibbing), a bill that authorizes a conveyance of state lands to the city of Biwabek. Members also approved an amendment offered by Sen. Jim Gustafson (IR-Duluth) that authorizes the conveyance of some tax-forfeited land in Duluth.

Sen. James Metzen (DFL-South St. Paul) received approval for S.F. 2451, a proposal that provides financing for transportation planning activities and authorizes a regional railroad authority to transfer light rail. S.F. 850, authored by Sen. Tracy Beckman (DFL-Bricelyn), received a positive recommendation from members. The bill authorizes an increase in the surcharge on Uniform Commercial Code filings and searches, and provides for a central computerized filing system for effective financing statements and farm products statutory lien notices.

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After completing work on the workers comp bill, the DWI bill and the education funding bill, members gave final passage to H.F. 2250, authored by Sen. Joe Bertram (DFL-Paynesville). The measure, relating to peace officer's survivor benefits, alters a definition and provides a claim filing limitation and for data classification. Sen. Pat Piper (DFL-Austin) sponsored S.F. 2732. Piper said the bill provides for the reporting and monitoring of licensed health care workers who are infected with the HIV virus or hepatitis B virus. Members granted final passage to the bill. S.F. 2746, authored by Luther, also received final passage. The bill establishes procedures for the Board of Accountancy to carry out disciplinary proceedings. Sen. Ted Mondale (DFL-St. Louis Park) received approval of his request for adoption of the conference committee report for S.F. 2136, a bill that protects the interests of railroad employees after an acquisition.

## Wednesday, April 15

### Tax bill passes

The Senate continued work on bills awaiting passage Wed. afternoon, Apr. 15. Among the bills passed was the conference committee report on the omnibus tax measure, H.F. 2940, sponsored by Sen. Douglas Johnson (DFL-Cook).

In presenting the final version of the bill to members, Johnson said that it is fiscally responsible, meets the governor's budget reduction target of \$85 million and is fair to Minnesota taxpayers. The bill, Johnson continued, eliminates many proposed service cuts and tax increases and does not "balance the budget on the backs of taxpayers."

Among the provisions in the measure is a requirement that cities, counties, townships and other local government entities pay the state's 6.5 percent sales tax on purchases. The provision provides \$67 million from local governments to the state. The bill also reduces state aid to cities by \$17 million which is far below the \$72 million cut proposed in the governor's tax bill.

The measure also takes \$160 million from the state's \$400 million "rainy day" fund. Local government aid (LGA) is increased by three percent for cities and by \$1 per capita for towns. Beginning in F.Y. 1993, the state will assume 100 percent of the costs of all county human services programs and community social service aid (CSSA) is increased by three percent beginning in F.Y. 1994. Also, a formula is provided for the secretary of state to reimburse counties and municipalities for expenses incurred in administering the presidential primary election.

The property tax portion of the bill changes the annual filing requirement for the homestead application to every four years. Homestead treatment is extended to homes occupied by relatives of the owner and the definition of "relative" is expanded by adding spouses and grandchildren. The bill also defines neighborhood land trusts and includes them in the homestead classification. The penalty rate on homestead and nonhomestead property is decreased and changes are made in existing tax law regarding manufactured homes. The bill also modifies the targeting refund for homeowners by providing that if the gross property taxes increase by more than 12 percent, rather than the current 10 percent, over the net property taxes payable in the prior year, the amount of refund is equal to 75 percent of the increase up to a maximum refund of \$1,500.

The income, sales and occasional tax segment of the bill authorizes the cities of Ely, Thief River Falls and Rochester to levy local sales taxes and dedicates the sales tax already being collected by the city of Minneapolis to fund a board to operate neighborhood early learning centers. Roseville is authorized to impose a lodging tax and Brooklyn Center is given authorization to levy a local tax on liquor and restaurant purchases. The Roseville, Brooklyn Center, Ely and Thief River Falls tax levies are subject to local approval. A 50 cent per call tax on 900 service calls is authorized. Transit companies are exempted from sales tax on petroleum products and motor vehicle purchases. A proposed increase in income tax on the wealthiest 4 percent of Minnesotans is not included in the final bill.

Finally, the bill authorizes the cities of St. Louis Park and St. Paul to create hazardous substance tax increment financing (TIF) subdistricts and appropriates \$1 million to the Minnesota Housing Finance Agency (MHFA) to be deposited in the Housing Trust Fund. The measure passed on a vote of 35-26.

Final passage was also granted to a number of other bills. S.F. 2514, sponsored by Sen. David Frederickson (DFL-Murdock), modifies the Yellow Medicine County hospital district voting procedure and adds a Swift County hospital district. S.F. 2336, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), prohibits employers from terminating or refusing to hire individuals who engage in lawful activities (such as smoking or drinking alcohol) during non-working hours.

Concurrence and repassage was granted to S.F. 1230, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), which increases service pension maximums for volunteer firefighters' relief associations.

Members also voted final passage to H.F. 769, sponsored by Sen. Tracy Beckman (DFL-Bricelyn). The bill establishes a central notification system within the secretary of state's office for farm product liens. S.F. 1959, sponsored by Sen. William Luther (DFL-Brooklyn Park), provides for control of aquatic exotic species, such as Eurasian milfoil, in state waterways. An amendment proposed by Sen. Judy Traub (DFL-Minnetonka) adds language from a bill Traub sponsored earlier in the session authorizing Hennepin County to expend funds it is already authorized to appropriate for preservation of lakes and waterways within the county. S.F. 1648, sponsored by Sen. Roger D. Moe (DFL-Erskine), authorizes the commissioner of finance to issue bonds to assist the city of Detroit Lakes in its efforts to revitalize the closed Swift-Eckrich turkey processing plant.

Sen. Carl Kroening (DFL-Mpls.) moved that members concur in changes made by the House in S.F. 2314, requiring an equitable participation by planning districts in neighborhood revitalization programs in the city of Minneapolis. An amendment added by the House incorporated language from a bill sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), S.F. 2702. Pogemiller's bill provides for reimbursement to Minneapolis peace officers for costs incurred in defending an unsuccessful complaint brought before the Civilian Review Board. The amendment added by the House deleted a requirement of local approval of the expenditures. Pogemiller protested that control of his bill, which was pending on General Orders, should not be taken over by the House. He moved that members not concur in the amendments adopted by the House; the motion prevailed 34-31.

Earlier in the day Weds., Apr. 15, the Senate granted final passage to several bills on the Senate Calendar. H.F. 2750, sponsored by Sen. Ember Reichgott (DFL-New Hope), clarifies certain discriminatory practices. H.F. 2269, sponsored by Sen. Phil Riveness (DFL-Bloomington), requires the Metropolitan Airports Commission to budget for noise mitigation. H.F. 2280, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), authorizes a conveyance of state lands to the city of Biwabik and provides for the sale of certain tax-forfeited land in St. Louis County, Duluth, and Chisago county. S.F. 2147, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), bans the placement of mercury in solid waste and makes provisions for the sale, use, and recycling of mercury. The bill also changes exit sign requirements in state buildings.

The Senators granted concurrence and repassage to four bills. S.F. 512, sponsored by Sen. Charles Berg (DFL-Chokio), regulates noxious weeds. S.F. 2510,

sponsored by Sen. Carol Flynn (DFL-Mpls.), establishes a design and approval process for the proposed light rail transit system in the Metropolitan Area. S.F. 1787, sponsored by Sen. Duane Benson (IR-Lanesboro), authorizes public sale of tax-forfeited lands in Fillmore county and authorizes the sale of surplus land bordering public waters for public use. S.F. 2088, sponsored by Sen. Ember Reichgott (DFL-New Hope), changes rules governing the organization and operation of nonprofit corporations.

The Senate voted to approve a conference committee report on S.F. 1938, sponsored by Reichgott, changing eviction procedures for landlords when the covenant not to sell drugs has been breached. A conference committee report on S.F. 2257, sponsored by Sen. Dallas Sams (DFL-Staples) was also approved. The bill changes the state's loan participation limit in loans for new farmers to 45 percent or \$50,000.

Under Special Orders, bills on the General Orders Calendar were considered for final passage. S.F. 2848, sponsored by Sen. Gene Waldorf (DFL-St. Paul), ratifies labor agreements for state employees and makes classification changes for some state employees. Under the bill, some state lottery employees are changed from unclassified to classified employees. Sen. Bob Lessard (DFL-Int'l Falls), offered an amendment that requires arbitrators in disciplinary proceedings of marketing employees to take into consideration the impact of the employee's actions on the integrity of the lottery. Lessard withdrew the amendment after Waldorf questioned the need for it, saying that making such considerations are already a part of an arbitrator's job.

S.F. 1917, also sponsored by Waldorf, authorizes changes in State Board of Investment fund management practices. H.F. 2099, sponsored by Sen. William Luther (DFL-Brooklyn Park), prohibits insurers from using an applicant's prior no-fault claims history as a factor in their automobile insurance rate if the applicant was 50 percent or less negligent in the accident. The bill includes a provision that an insured's claim may not be released until they have received full reimbursement for their deductible. S.F. 2261, sponsored by Sen. Phil Riveness (DFL-Bloomington), changes deposit practices by the state treasurer's office.

H.F. 2501, sponsored by Sen. Janet Johnson (DFL-North Branch), makes numerous "housekeeping" changes in the Minnesota Housing Finance Agency's operations. An amendment by Sen. Randy Kelly (DFL-St. Paul), authorizes the agency to make loans or grants for residential housing for chronic chemically dependent adults. An amendment by Sen. Linda Berglin (DFL-Mpls.), incorporates the provisions of a bill providing

numerous lead abatement and education measures. An amendment by Sen. James Metzen (DFL-South St. Paul), removes the limitation on payment of property taxes and assessments on certain HRA property as a lawful purpose. An amendment by Sen. Steven Morse allows local government officials to receive a grant or loan from a multi-county housing agency if the agency administers a loan or grant program for individual property owners in the area. Another provision of the Morse amendment specifies the conditions in which a city council member who is an employee of the local utility provider can continue to serve on the city council. All four amendments were approved. After discussion, S.F. 2501 was laid on the table.

H.F. 2030, Florian Chmielewski (DFL-Sturgeon Lake), makes persons who transport passengers for hire in intrastate commerce subject to insurance and driver hours of service rules established by the Transportation Dept. S.F. 1512, sponsored by Riveness, requires the commissioner of finance to prepare performance budgets for state programs. The purpose of the bill, according to Riveness, is to set clear objectives for programs and provide a way to make program evaluations more meaningful. S.F. 1893, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), authorizes the placement of community identification signs and changes fees for highway advertising signs.

S.F. 2428, sponsored by Sen. Janet Johnson, requires the use of energy-efficient lighting for highways, streets, and parking lots. The bill also establishes energy efficiency standards for lamps, motors, faucets, and other equipment. S.F. 217, sponsored by Flynn, provides licensing for interior designers. S.F. 1838, sponsored by Sen. Gary Laidig (IR-Stillwater), requires recycling of fluorescent lamps in state buildings. S.F. 1958, sponsored by Sen. Len Price (DFL-Woodbury), requires the Metropolitan Council to prepare a long-term and short-term water supply plan for the Metropolitan Area. The bill also makes several other changes to statutes governing water management, including prohibiting prohibit the use of groundwater for surface water level maintenance. An amendment offered by Sen. Fritz Knaak (IR-White Bear Lake), permits an exception to this provision to allow Snail Lake in Shoreview to be maintained by "recycling" groundwater. The lake, according to Knaack, has experienced dramatic water level drops in drought years because of its unique structure. The amendment was approved.

### **Omnibus finance bill passes**

Reconvening Wed. evening, Apr. 15, the Senate approved the conference committee report on H.F. 2694, the omnibus finance bill.

By a vote of 41-25, members approved the measure.

Sen. Steven Morse (DFL-Dakota), summarized highlights of funding for environment and natural resources. The general fund budget of the Dept. of Natural Resources (DNR) is reduced by \$4.078 million, less than the Senate's original recommendation of \$6,084 million. An appropriation of \$41,000 is restored to the Voyageurs National Park Citizen's Council. Hill-Annex State Park will remain open at a minimal operating level. The bill changes deposits of 50-50 forestry money from the state forest account to the general fund and restores payments in lieu of taxes.

The bill expands youth programs in the DNR and appropriates to the commissioner funds received from use of campsites in the BWCA. Twenty five percent of the environmental trust fund revenue deposited in fiscal years 1994-95 must be spent for capital investments in parks and trails.

The general fund budget of the Pollution Control Agency (PCA) is reduced by \$1.15 million, and \$1.2 million is appropriated from the environmental fund for an evaluation of landfills. While Select Committee on Recycling and the Environment (SCORE) block grants to counties are not reduced, the general fund budget of the Office of Waste Management is reduced \$596,000. A solid waste fee of 20 cents per cubic yard of waste is designated and extended to all processing facilities. Funds go into a newly established landfill cleanup fund in the PCA.

A \$1.1 million appropriation from the Wetlands Act to the Board of Water and Soil Resources is canceled and \$100,000 appropriated for grants to the Minn. Association of Soil and Water Conservation Districts. In addition, \$100,000 is appropriated for grants to counties for administration and enforcement of the Wetlands Act.

The general fund budget of the Science Museum is reduced by \$60,000.

Reductions to the Dept. of Agriculture general fund budget come to \$406,000, and \$2.2 million is transferred from the family farm security account to the general fund. The bill authorizes the Dept. of Agriculture to charge fees for farm crisis assistance services and raises annual application fees for pesticides. Minnesota statute is amended by providing that checkoff fees under the commodities promotion act may be fully or partially refunded. The commissioner of agriculture is required to appoint a task force and report on direct transfer of commodity checkoff fee refunds. Ten thousand dollars is appropriated to the Board of Animal Health for testing turkeys and chickens for avian influenza and the cap on the ethanol development account is reduced from \$9 million to \$8.55 million.

# Floor action

The governor's recommended \$50 million cut to higher education spending was trimmed to \$29.07 million. The bill eliminates the governor's recommended operations appropriation of \$440,000 to the Higher Education Coordinating Board (HECB), and restores a general reduction of \$25,000. The bill reduces by \$3.5 million cuts recommended by the governor to the technical college system and \$2.12 in cuts recommended to the community college system. The bill restores \$6.19 million of \$10.19 million the governor recommended cutting from the state university system.

Cuts to the University of Minnesota budget are trimmed by \$9.5 million.

Changes include in-state tuition eligibility for migrant farm workers and a repeal of the requirement limiting the allowable percentage of foreign students. A workplace literacy resource center is established at Northeast Metro Technical College.

General fund reductions to infrastructure and regulation come to \$14.367 million, with new revenues for the biennium projected at \$2.64 million. The Dept. of Transportation (DOT) is appropriated \$440,000 for Greater Minnesota transit assistance and \$1.5 million is appropriated for Metro Mobility.

Other changes from the original Senate bill include an increase of \$283,000 for the Dept. of Public Service (DPS) and five new positions for gasoline and oxygenated fuel testing and enforcement. A general reduction of \$95,000 each year is required of the Minn. Historical Society. A reduction of \$1 million is made from the Agricultural Utilization Research Institute (AURI). The World Trade Center is appropriated \$580,000 for the costs of privatization.

Statutory changes include one to the campaign elections fund: three percent of individual contributions will be retained in the general fund to cover administrative costs. Various Dept. of Commerce license fees are raised, as are specified filing fees for public offices. Another change allows the Iron Range Resources and Rehabilitation Board to accept merchandise as payment of advertising contracts.

For fiscal year 1993, the amount the lottery director may transfer to the lottery operations account is reduced from 15 to 14.5 percent. The requirement for class D racing days is changed as is the distribution procedure for money designated for purses. The surcharge on traffic fines is increased from 12 to 15 percent and the revenue is directed to a special revenue account for peace officers training.

The economic and state affairs appropriations provisions reduce state general fund expenditures by about \$29 million

for the biennium, and raise approximately \$15 million in new revenue. General reductions are approximately eight percent for the Legislature, half a percent for the judicial system, and two percent for most other agencies. Major adjustments include: \$2.4 million to improve financial and reporting systems in the Public Defender, Finance and Administration Departments; \$1.3 million for public television and radio; \$500,000 for the summer wage subsidy program for youths; and, \$1.4 million for previously approved park facilities and \$2.3 million for park operations and maintenance. The Supreme Court is directed to report on the certification of shorthand court reporters, and warrants issued by retirement funds are canceled within six months instead of five years, returning revenue to the general fund. The bill specifies that services and expenses in cases where adequate representation cannot be provided by the district public defender shall be the responsibility of the state board of public defense.

Changes in human development include an increase in the authorization for administration funds from \$100,000 to \$314,000 annually. Health Dept. changes include increases in license and permit fees and a registration system for home management service providers not licensed as home care agencies. A competency evaluation program is established for nursing home assistants and the commissioner of health is directed to report on the feasibility of consolidating licensure and regulation of home care services into one system.

An annual license surcharge of \$400 for physicians is added. The surcharge on nursing home licenses is increased from \$500 to \$535 and a general surcharge of .6 percent is imposed on all health maintenance organizations (HMO). A general hospital tax equal to 1.4 percent of net patient revenues is imposed on inpatient and outpatient services. Medical Assistance (MA) payments to rural hospitals with low MA usage are increased. Hospitals with 100 or fewer admissions get a 20 percent increase, and hospitals with 100 to 250 admissions get a 15 percent increase. Payment for mental health and chemical dependency will change from a per day basis to a per admission basis.

The commissioner of human services is prohibited from granting automatic inflation adjustments for home care services, alternative care services, or operating costs for nursing homes

A new category is added for General Assistance (GA) eligibility: non-English speaking students. To the list of AFDC families who are guaranteed child care assistance, AFDC caretakers who participate in the non-STRIDE AFDC child care program are added.

A provision effective January 1, 1993, allows Work Readiness Participation during any six nonconsecutive months in a 12-month period and requires participation in orientation before initial payment.

The monthly maximum payment rate for recipients in group residences is raised to \$966.37.

In the area of child support enforcement, the support enforcement authority and its client are exempted from paying filing fees in a motion to modify child support. Filing fees collected in other support modifications are to be paid to the court rather than the state and used to pay for child support enforcement by county attorneys. The obligee's application fee to receive support enforcement services is raised from \$5 to \$25. The commissioner of human services must give counties grants to cover the costs of the administrative process or child support enforcement and must ensure that the statewide child support system is operating efficiently.

The commissioners of administration, jobs and training, human services and trade and economic development are required to identify purchasing contracts with certified rehabilitation facilities and day training and habilitation services that will enhance employment opportunities for persons with severe disabilities.

The commissioner of human services is prohibited from closing regional treatment centers, state-operated nursing homes, or Ah-Gwah-Ching Center without specific legislative authorization.

Among services for the developmentally disabled, case management for persons with mental retardation is a covered service under Medical Assistance. The bill also establishes a Dakota County mental health services project.

The total change in the biennium appropriation for human development is \$2.003 million, reflecting a reduction of \$1.799 in fiscal year 1992 and an increase of \$3.802 million in fiscal 1993.

Senators gave final passage to several other measures. H.F. 1818, sponsored by Sen. Don Samuelson (DFL-Brainerd), allows voters in communities of less than 400 to vote by mail. H.F. 2030, also sponsored by Samuelson, adds licensed marriage and family therapists to the list of qualified mental health professionals. Sen. Sandra Pappas (DFL-St. Paul), offered an amendment, which members approved, allowing Ramsey County to operate a pilot mental health project to downsize residential facilities. S.F. 2692, offered by Sen. Pat Piper (DFL-Austin), permits energy providers to solicit contributions from customers for fuel funds that distribute emergency assistance to low-income households. H.F. 1985, the Land Recycling Act of 1992, offered by Sen. Ted Mondale (DFL-St. Louis Park),

eases the transfer of contaminated land and provides for cleanup. H.F. 1960, sponsored by Morse, adjusts the retirement formula for specified public pension plans. H.F. 1838, sponsored by Sen. John Bernhagen (IR-Hutchinson), forgives a loan of \$42,700 made by the state to the city of Morton under a Pollution Control Agency pilot litigation project. H.F. 1738, offered by Sen. Jane Ranum (DFL-Mpls.), clarifies grandparent's visitation rights. An amendment by Sen. Richard Cohen (DFL-St. Paul), to add to the bill portions of S.F. 2000, the child support act, was ruled not germane.

The conference committee report on S.F. 2111, the living will bill sponsored by Sen. Sam Solon (DFL-Duluth), was approved, adding birth date and organ donation information to the suggested will form.

## Thursday, April 16

### Final day of session

The Senate convened the morning of Thurs., Apr. 16, to begin the process of passing the bills remaining on the agenda for the 1992 session.

Concurrence and repassage were granted to S.F. 2186, sponsored by Sen. Judy Traub (DFL-Minnetonka), providing for appointment of a member to the Child Abuse Prevention Advisory Council, and S.F. 2699, sponsored by Sen. Phil Riveness (DFL-Bloomington), modifying the encumbrance process for agency construction projects.

Two bills on the General Orders Calendar given preliminary approval at an earlier session were given final approval on the Senate Calendar Thursday. H.F. 2001, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides an optional method for calculating annuities of members of the Minneapolis Employees Retirement Fund. S.F. 1015, sponsored by Sen. Steven Morse (DFL-Dakota), designates a natural preservation route within the lower St. Croix Wild and Scenic River District in Washington County, establishes a pilot program of paved bikeways along an interstate route and provides for regulation of bicycles to be used on the interstate route.

Conference Committee reports were accepted on several bills granted final approval. H.F. 2113, sponsored by Sen. Richard Cohen (DFL-St. Paul), authorizes the use of flashing lights and a stop arm on school buses when the buses are being used to transport passengers in a non-school related situation. S.F. 1619, sponsored by Sen. John Marty (DFL-Roseville), provides that if a fifth degree assault is committed against a household or family member, the convicted individual will not be eligible to obtain a pistol permit for three years. H.F. 1910, sponsored by Sen. Ember Reichgott (DFL-

New Hope), provides for the creation of limited liability corporations.

Sen. Gene Waldorf (DFL-St. Paul), presented H.F. 2025, providing for technical changes to the law governing the state retirement system. The bill addresses inequities in a number of individual pension provisions, corrects oversights, and provides for appropriate funding of the supplemental portion of the teacher retirement fund in first class cities.

Members rejected two conference committee reports. Sen. John Hottinger (DFL-Mankato) presented the conference committee report on S.F. 81. The measure provides for a member of the legislature to be appointed as a non-voting member of the Metropolitan Council or metro commissions. Sen. Don Frank (DFL-Spring Lake Park), pointed out that the measure had been rejected by members last session and moved rejection of the conference committee report. Frank's motion did not prevail on this vote. However, Pogemiller moved for reconsideration of Frank's motion and on reconsideration the motion was adopted.

Sen. Carl Kroening (DFL-Mpls) presented the conference committee report on S.F. 1722, dealing with the Minneapolis harbor covenant release, and moved adoption of the report and repassage of the bill. However, Traub moved rejection of the report because of a provision added by the conference committee requiring city of Minneapolis employees to be residents of the city. Sen. Carol Flynn (DFL-Mpls.) said that the Minneapolis delegation supports the residency requirement. Flynn said that since residency requirements were eliminated, the city has discovered it is paying higher taxes for workers who live outside the city. Traub's motion prevailed on a vote of 37-22.

Under Special Orders, Senators granted final passage to several bills.

H.F. 1701, sponsored by Sen. Gary DeCramer (DFL-Ghent), authorizes expenditure of rail service improvement account money for rail line maintenance and rights of way. The bill also provides for the acquisition of abandoned rail lines by eminent domain. An amendment offered by Sen. Gene Waldorf (DFL-St. Paul), updates the list of automobiles that are designated as classic cars. An amendment by Sen. James Metzger (DFL-South St. Paul), allows Dakota County to use tax revenues were assessed for light rail transit purposes to be used for other purposes.

H.F. 2368, the Motor Carrier Modernization Act, sponsored by Sen. Jim Vickerman (DFL-Tracy), makes a number of changes to motor carrier regulation and certification. The measure, according to Vickerman, is a long-negotiated compromise aimed at resolving conflicts that arose between regular and irregular route carriers following a 1988 Court of Appeals case. Under the bill, Class I certificates

are issued to carriers who own, lease, or control more than one terminal and Class II permits are issued to carriers who own or control one terminal.

Senators approved two amendments to H.F. 2368. An amendment by Sen. Lyle Mehrkens (IR-Red Wing), reduces the penalty from \$10,000 to \$5,000 for violation of several motor carrier restrictions. Another amendment, offered by Mehrkens, allows motor carriers that have received permits less than 24 months prior to the effective date of the bill to operate for up to 24 more months before converting their permits to comply with the new system. An amendment offered by Sen. Roger Moe (DFL-Erskine), allowing firms located more than 150 miles from the Twin Cities to use local cartage carriers was defeated.

H.F. 2134, sponsored by Sen. Steven Novak (DFL-New Brighton), makes a variety of changes in rules governing petroleum tank release cleanup fees, basement heating oil storage tank piping, and inspection fees for petroleum products. The bill also imposes a fee on sales of liquefied petroleum gas and appropriates money to a special account for programs to improve the energy efficiency of residential oil-fired and liquefied petroleum gas heating plants in low-income households. Several amendments to H.F. 2134 were approved. An amendment by Sen. Pat Piper (DFL-Austin), allows energy providers to collect charity contributions from customers to be used for emergency fuel assistance for qualified low-income households. An amendment by Sen. Janet Johnson (DFL-North Branch), requires the use of energy-efficient lighting for highways, streets, and parking lots. The measure also establishes energy efficiency standards for a variety of electrical and plumbing and heating equipment used in commercial buildings. An amendment by Sen. Jim Gustafson (IR-Duluth), provides tax incentives for owners of older lodges and apartment buildings who are not required to have sprinkler systems to install them.

S.F. 2749, sponsored by Sen. John Marty (DFL-Roseville), allows the Telecommunications Access for Communication Impaired Persons Board to advance money to contractors under some conditions. S.F. 2804, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), requires labeling of wild rice to include the place of origin and method of harvesting.

H.F. 1453, sponsored by Sen. Steven Morse (DFL-Dakota), requires governmental subdivisions to evaluate their wastewater disposal system needs annually. The bill also establishes financial assistance for construction of municipal wastewater disposal systems and requires a metropolitan disposal system rate structure study. An author's amendment authorizes the Minnesota Public Facilities Authority to make loans for the replace-

# Floor action

ment of once-through cooling systems with environmentally acceptable cooling systems. An amendment by Janet Johnson establishes provisions for a county to give up responsibility for a sewer system to another organization. One final amendment, offered by Sen. Florian Chmielewski (DFL-Sturgeon Lake), spreads the cost of a wastewater treatment plant in Cloquet across the entire city, rather than only the users of the system. All three amendments were approved.

H.F. 2717, sponsored by Morse, establishes measures for the monitoring of nitrates in the state's water supply. The bill also modifies requirements for well disclosure certificates and sealing of wells. The Senators approved an amendment by Morse that prohibits the denial of a grade A dairy permit solely because of a lack of compliance with minimum distance requirements between a water well and dairy barn.

S.F. 2437, also sponsored by Morse, makes numerous changes to the state's pollution control measures. The changes are needed, according to Morse, to attain conformance with the federal Clean Air Act. Morse offered an amendment that removes the cap that limits fees for the state's largest toxic polluters. Morse said that the amendment corrects a situation under current law wherein "the largest polluters pay the lowest rate" for polluting. An amendment offered by Sen. Ted Mondale (DFL-St. Louis Park), calls for a study on the effects of video display terminals on workers. Both amendments were approved. Sen. Lawrence Pogemiller (DFL-Mpls.), offered an amendment that consolidates the Dept. of Natural Resources, the Pollution Control Agency and several other state natural resources and pollution-related organizations into one Dept. of Environmental Protection and Conservation. After considerable discussion, Pogemiller withdrew the amendment.

H.F. 2649, sponsored by Sen. Allan Spear (DFL-Mpls.), establishes a process to shorten the redemption period in commercial real estate foreclosures when all involved parties agree to do so. H.F. 2000, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), changes a number of rules concerning probate, certificates of trust, and powers of attorney. S.F. 1880, sponsored by Chmielewski, appropriates funding from the workers' compensation special compensation fund for use by the Dept. of Labor and Industry in carrying out duties imposed by the workers compensation bill.

## Bonding bill

The full Senate gave final passage to a \$275 million bonding bill, S.F. 1903, late in the evening Thur., Apr. 16. Sen. Gene Merriam, bill author, explained that the

amount of projects included in the bill were the result of a compromise with the other body and the governor.

Merriam said that the package authorizes the sale of state bonds for a variety of needs relating to environment and natural resources, economic development, infrastructure, human development, criminal justice, and education. The bill calls for a new basic sciences and biomedical building at the University of Minnesota at a cost \$52.7 million, the most expensive item on the list. The Dept. of Natural Resources gained bonding for numerous items, including state parks development and acquisition. Under the bill, the St. Peter Regional Treatment Center receives \$8.1 million dollars to house additional mentally ill and dangerous inmates, including sex offenders.

Senators gave unanimous support for the bill on a vote of 57-0.

In other action on the Senate floor, members adopted several conference committee reports. Sen. Richard Cohen (DFL-St. Paul) gained final passage for H.F. 2586, a bill that provides for a study of the civic and cultural functions of downtown St. Paul. S.F. 1691, authored by Sen. Randy Kelly (DFL-St. Paul), received final passage. The bill modifies conciliation court jurisdiction and procedures. Sen. Carl Kroening (DFL-Mpls.) gained final passage of S.F. 2314, a measure that requires equitable distribution of local funds in neighborhood revitalization programs. The omnibus state auditor's bill, S.F. 2194, authored by Sen. Ember Reichgott (DFL-New Hope) also received final passage.

Other conference committee reports that were adopted include H.F. 2269, authored by Phil Riveness (DFL-Bloomington), a bill that requires the Metropolitan Airports Commission to budget for noise mitigation and report its recommendations to the Legislature. Sen. Sam Solon (DFL-Duluth) sponsored H.F. 2608, the omnibus insurance bill. Solon said that the bill contains no language on "loss ratios," but recommends a study of the matter. Solon added that the language for reimbursement for licensed social workers was taken out of the bill. Senators granted final passage to the bill. On another insurance matter, Sen. John Hottinger (DFL-Mankato) gained final passage for S.F. 2743, a bill that makes various changes in state law relating to medicare supplement policies. Hottinger added that the bill also regulates the Minnesota Comprehensive Health Association. H.F. 2031, authored by Reichgott, received final approval. Reichgott said the bill provides for the valuation and assessment of vacant plated property and excludes some unimproved land sales from sales ratio studies.

Senators also concurred and repassed several bill that were amended by the House. S.F. 2628, authored by Kelly, defining firefighters for purposes of the public safety officer's survivor benefits law, received final passage. Sen. Sandra Pappas (DFL-St. Paul) gained final passage for S.F. 2662, a measure that regulates the real estate, education, research, and recovery fund. S.F. 1821, authored by Sen. Linda Berglin (DFL-Mpls.), also received final passage. The bill changes some provisions for the placement of children and establishes a general preference for adoption by relatives. The bill also requires continued study of out-of-home dispositions.

## Anti-crime package passed

One of the last major pieces of legislation to gain Senate approval during the closing hours of the 1992 Session was the conference committee report on the anti-crime bill. H.F. 1849, authored by Sen. Allan Spear (DFL-Mpls.), provides for anti-violence education, prevention and treatment; increases penalties for repeat sex offenders; provides for life imprisonment for persons convicted of first degree murder involving criminal sexual conduct; and increases penalties for violent crimes and crimes against children. Spear said that the bill fulfilled one of the pledges made at the outset of the Session--that for every dollar spent on criminals the measure would provide two dollars for violence prevention and victims' services. Spear also said that in addition to increasing penalties the bill attempts to address the root causes of violence with prevention and education.

Sen. Patrick McGowan (IR-Maple Grove) urged members to support the conference committee report because the measure represents a "broad based approach to problems of violence in our society."

The package, which totals \$12.593 million, provides \$4 million for the criminal justice system, \$1.83 million for victim services, and \$6.7 million for violence prevention and education including \$1 million for the Headstart Program. In addition, the measure raises \$5.9 million in revenue through increases in mandatory minimum fines and increases in fees for processing petty misdemeanors.

One of the more innovative portions of the measure, the violence prevention and education provision was outlined by Sen. Judy Traub (DFL-Minnetonka). The bill expands and provides funding for early childhood family education to include programs to prevent child abuse and neglect, provides funding to assist school districts to develop violence prevention programs and curricula and establishes a grant program to assist local government

units in establishing community based councils to develop and implement violence prevention programs. The measure also emphasizes efforts to prevent fetal alcohol syndrome and other forms of chemical abuse and requires a study to evaluate the quality of appropriate chemical dependency treatment programs within the criminal and juvenile justice systems.

The measure also increases penalties for violent crimes and eliminates "good time" for persons serving sentences for crimes committed after August 1, 1993 and substitutes a bifurcated sentence procedure involving supervised release. In addition, the measure provides a challenge incarceration plan for first time young nonviolent offenders. According to Spear, the plan offers a highly disciplined, structured program for youthful offenders in an effort to divert young people from prisons. The measure also specifies a mandatory penalty for juveniles committing crimes with weapons. Under the bill, the weapon must be seized and the juvenile must serve 100 hours of community work service unless placed in a residential treatment program or correctional facility.

#### **HIV and health care workers**

A bill providing for the reporting and monitoring of licensed health care workers who are infected with the human immunodeficiency virus or hepatitis B virus was granted concurrence and repassage during the closing hours of the session. S.F. 2732, authored by Sen. Pat Piper (DFL-Austin), also authorizes health-related licensing boards to promulgate rules for health care workers' reporting. Piper said that the bill is the result of extensive work done by groups representing health care professionals and the Minnesota Aids Project. However, Sen. Sandra Pappas (DFL-St. Paul) and Sen. Allan Spear (DFL-Mpls.) argued that the bill is an overreaction to one highly publicized case in Florida. Piper countered that the work done by the involved groups was designed to provide reassurance to the public. The measure was repassed on a vote of 55-8.

Senators adopted numerous conference committee reports, granted concurrence, and gave final passage to an additional 21 bills. Members adopted the conference committee report and repassed H.F. 2280, providing for the conveyance of state lands to the city of Biwabik and authorizing the sale of other state lands. The measure, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), was amended by the conference committee to include a provision changing sections relating to the withdrawal of marginal lands or wetlands from sale or exchange. Members also adopted the conference committee report and repassed a bill banning the

placement of mercury in solid waste. H.F. 2147, authored by Sen. Gregory Dahl (DFL-Ham Lake), also regulates the sale and use of mercury and requires the recycling of mercury. The conference committee report on H.F. 1681, an omnibus insurance technical bill was also adopted and the bill repassed. The measure, sponsored by Sen. Sam Solon (DFL-Duluth), makes numerous changes in laws regulating insurance including the regulation of data collection, enforcement powers, premium finance agreements, temporary capital stock of mutual life companies, surplus lines insurance, conversion privileges, coverages, rehabilitations and liquidations, the comprehensive health insurance plan and claims practices.

Concurrence and repassage was given to S.F. 1644, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), adopting the revised Article III of the Uniform Commercial Code with conforming amendments to Articles I and IV approved by the National Conference of Commissioners on Uniform State Laws. S.F. 2432, sponsored by Sen. Charles Berg (DFL-Chokio), regulating aquatic farming, was also granted concurrence and repassage.

Senators adopted the conference committee report and repassed the bill ratifying state labor agreements, providing for changing the classification of employees from the unclassified to the classified service and setting the salary range for the executive director of the board of judicial standards. The measure, H.F. 2848, is sponsored by Sen. Gene Waldorf (DFL-St. Paul). The conference committee report for S.F. 2199 was also adopted and the measure repassed. The bill, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), makes a number of changes in the laws relating to the Waste Management Act. In addition, the conference committee added provisions of a bill dealing with hazardous material incidents response.

The conference committee report on H.F. 2181, the omnibus data practices bill was also adopted. The measure, sponsored by Sen. Jane Ranum (DFL-Mpls.), providing for the classification of government data, was repassed. Members also adopted the report and repassed H.F. 2030. The measure, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), makes drivers who transport passengers for hire in intrastate commerce subject to rules of the commissioner of transportation on insurance and driver hours of service. S.F. 1993, authored by Sen. Carol Flynn (DFL-Mpls.), providing incentives for the use of alternative means of commuting and directing the Regional Transit Board to establish a program to reduce commuter trips was also approved in the form of a conference committee report and repassed. The conference

committee removed a provision prohibiting right turns in front of buses under any circumstances. The measure establishes a demonstration project for enforcement of high occupancy vehicle lane use and provides for the scenic designation of the St. Croix Scenic Road.

Members also adopted the conference committee report and repassed S.F. 2137. The measure, sponsored by Sen. John Hottinger (DFL-Mankato), defines residential hospice facilities, modifies hospice program conditions and adds provisions relating to lead abatement. S.F. 1959, authored by Sen. William Luther (DFL-Brooklyn Park), providing for the management of ecologically harmful exotic species such as Eurasian milfoil, was also adopted as a conference committee report and repassed. Earlier in the day the measure had failed because of a provision adding a \$2 surcharge to boat licenses. The version gaining repassage reduced the surcharge by \$1, making the total fee \$3. Members granted concurrence and repassage to S.F. 2233, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls). The measure exempts snowmobile testing from applicable speed limits, allows the use of snowmobiles on certain conservation lands, allows the towing of persons with personal watercraft equipped with rearview mirrors and sets liability limits for the Minnesota Trail Assistance Program.

The conference committee report on H.F. 2884 was also approved and the measure repassed. The bill, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), which relates to bond allocations, had been rejected earlier in the evening because of language relating to the Housing Finance Agency. Pogemiller said that the language had been removed by the conference committee.

H.F. 2734, authored by Sen. Dallas Sams (DFL-Staples), was designated a Special Order and granted final passage. The bill provides for establishment of an agricultural improvement loan program for grade B dairy producers to upgrade to grade A. The measure was amended to include a bill providing for over order premium milk pricing and to provide funding for agricultural information centers.

Senators granted concurrence and repassage to S.F. 2213, the omnibus banking bill sponsored by Solon. The measure contains mostly technical language and authorizes additional detached facilities. Members also adopted the conference committee report and repassed H.F. 155, authored by Sen. Nancy Brataas (R-Rochester). The measure authorizes immediate towing of vehicles unlawfully parked at bus stops, of vehicles preventing the egress of a lawfully parked vehicle or of vehicles parked in a school zone when signs prohibit parking.

# Floor action

Members granted concurrence and repassage to S.F. 897, the omnibus DWI bill. The bill, sponsored by Sen. John Marty (DFL-Roseville), was amended by the remove provisions sponsored on the floor by Sen. Thomas Neuville (IR-Northfield) and to remove penalty enhancements for boating while intoxicated, snowmobiling while intoxicated and hunting while intoxicated.

The conference committee report on H.F. 1701, authored by Sen. Gary DeCramer (DFL-Ghent), was adopted and

the measure repassed. The bill authorizes expenditure of rail service improvement account money for maintenance of rail lines and rights-of-way in the rail bank. In addition, the measure credits license plate fees to highway use tax distribution, updates collector vehicle lists for vehicle registration purposes and authorizes the commissioner of transportation to acquire abandoned rail lines and rights-of-way by eminent domain. S.F. 1898, sponsored by Dahl, was also granted concurrence and repassage. The measure prohibits the use

of all tobacco products in public elementary and secondary schools. S.F. 1880, authored by Chmielewski, regulating workers compensation benefits and coverage, was granted concurrence and repassage. Finally, members gave final passage to the revisor's bill, S.F. 2795. The measure, sponsored by Spear, provides for corrections of miscellaneous oversights, inconsistencies, ambiguities and technical errors of the bills passed during the session. The Senate then adjourned until 1993.

## Minnesota Senate

### Senate Members --- 1992 Session

Party	Phone	Name	Room	Dist.	Party	Phone	Name	Room	Dist.
DFL	296-5981	Adkins, Betty	G-29	Cap. 22	DFL	3205	Langseth, Keith	G-24	Cap. 9
DFL	5713	Beckman, Tracy	G-24	Cap. 29	IR	5655	Larson, Cal	145	SOB 10
IR	5975	Belanger, William V., Jr.	107	SOB 41	DFL	4136	Lessard, Bob	111	Cap. 3
IR	3903	Benson, Duane D.	147	SOB 32	DFL	8869	Luther, William P.	205	Cap. 47
IR	6455	Benson, Joanne E.	153	SOB 17	DFL	5645	Marty, John	G-9	Cap. 63
DFL	5094	Berg, Charles A.	328	Cap. 11	IR	2159	McGowan, Patrick D.	129	SOB 48
DFL	4261	Berglin, Linda	G-9	Cap. 60	IR	8075	Mehrkens, Lyle G.	127	SOB 26
IR	4131	Bernhagen, John	113	SOB 21	DFL	4154	Merriam, Gene	122	Cap. 49
DFL	2084	Bertram, Joe, Sr.	323	Cap. 16	DFL	4370	Metzen, James P.	303	Cap. 39
IR	4848	Brataas, Nancy	139	SOB 33	DFL	2577	Moe, Roger D.	208	Cap. 2
DFL	4182	Chmielewski, Florian	325	Cap. 14	DFL	7-8065	Mondale, Ted	325	Cap. 44
DFL	5931	Cohen, Richard J.	G-27	Cap. 64	DFL	5649	Morse, Steven	G-24	Cap. 34
DFL	5003	Dahl, Gregory L.	235	Cap. 50	IR	1279	Neuville, Tom	123	SOB 25
DFL	2302	Davis, Charles R.	G-24	Cap. 18	DFL	4334	Novak, Steven G.	322	Cap. 52
IR	9457	Day, Dick	105	SOB 30	IR	1282	Olson, Gen	125	SOB 43
DFL	6820	DeCramer, Gary M.	309	Cap. 27	DFL	1802	Pappas, Sandra L.	G-24	Cap. 65
DFL	2859	Dicklich, Ronald R.	235	Cap. 5	IR	5252	Pariseau, Pat	109	SOB 37
DFL	6128	Finn, Harold R. "Skip"	321	Cap. 4	DFL	9248	Piper, Pat	G-9	Cap. 31
DFL	4274	Flynn, Carol	227	Cap. 61	DFL	7809	Pogemiller, Lawrence J.	306	Cap. 58
DFL	2877	Frank, Don	225	Cap. 51	DFL	7-8060	Price, Leonard R.	111	Cap. 56
DFL	5640	Frederickson, David J.	306	Cap. 20	DFL	7-8061	Ranum, Jane	317	Cap. 62
IR	8138	Frederickson, Dennis R.	143	SOB 23	DFL	2889	Reichgott, Ember D.	301	Cap. 46
IR	4314	Gustafson, Jim	119	SOB 8	IR	4125	Renneke, Earl W.	117	SOB 35
IR	4120	Halberg, Chuck	133	SOB 38	DFL	7-8062	Riveness, Phil	309	Cap. 40
DFL	6153	Hottinger, John C.	G-29	Cap. 24	DFL	7-8063	Sams, Dallas C.	G-9	Cap. 12
DFL	4183	Hughes, Jerome M.	328	Cap. 54	DFL	4875	Samuelson, Don	124	Cap. 13
IR	3826	Johnson, Dean E.	131	SOB 15	DFL	4188	Solon, Sam G.	303	Cap. 7
DFL	8881	Johnson, Douglas J.	205	Cap. 6	DFL	4191	Spear, Allan H.	G-27	Cap. 59
DFL	5419	Johnson, Janet B.	303	Cap. 19	DFL	8660	Stumpf, LeRoy A.	G-24	Cap. 1
IR	4123	Johnston, Terry	135	SOB 36	IR	6238	Terwilliger, Roy	115	Cap. 42
DFL	5285	Kelly, Randy C.	G-27	Cap. 67	DFL	7-8064	Traub, Judy	235	Cap. 45
IR	1253	Knaak, Fritz	149	SOB 53	DFL	5650	Vickerman, Jim	122	Cap. 28
DFL	4302	Kroening, Carl W.	124	Cap. 57	DFL	3809	Waldorf, Gene	317	Cap. 66
IR	4351	Laidig, Gary W.	141	SOB 55					

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