

# Briefly

The Minnesota Senate Week in Review February 25, 1994

## 1994 Session begins

Members of the Minnesota Senate, wasting no time, took action on two bills during the opening minutes of the second portion of the 78th Legislative Session, Tues., Feb. 22. Majority Leader Roger D. Moe (DFL-Erskine) brought two bills, which had been on the Senate General Orders Calendar at the end of last year's session, back to the General Orders Calendar for action the first day of the 1994 session. Moe said that he wanted the body to take action on the measures in order to symbolically signal "that we are going to work from day one" and that the Senate is going to start dealing with the issues immediately.

The two bills were approved by the Senate acting as one large Committee of the Whole. Bills gaining approval on the General Orders Calendar are placed on the Senate Calendar for final passage at a subsequent floor session. S.F. 819, sponsored by Sen. Janet Johnson (DFL-North Branch), prohibits the collection of charges for information services as if they were charges for telephone services. According to Johnson, the bill provides that telephone customers do not have to pay for unauthorized calls made by minors and "vulnerable adults" to 900 and 976 numbers. S.F. 1524, authored by Sen. Paula Hanson (DFL-Ham Lake), doubles the fine for speeding violations in highway work zones and appropriates money for highway work zone safety enforcement and public education efforts.

In other action, Senators approved several routine opening day resolutions providing for postage, reimbursement of student interns, and session deadlines.

## Traffic fine bill passed

The Thurs., Feb. 24, floor session was devoted primarily to the introduction and processing of bills. However, Senators granted final passage to S.F. 1524, the bill increasing the fine for speeding violation in highway work zones. The bill sponsored by Sen. Paula Hanson (DFL-Ham Lake), was passed on a vote of 53-9. The other measure that had been given

preliminary approval earlier in the week was returned to the General Orders Calendar. Thus, S.F. 819, authored by Sen. Janet Johnson (DFL-North Branch), relating to 900 and 976 telephone charges, will be subject to further debate and amendment at a subsequent floor session.

## Opening resolutions approved

The Senate Rules and Administration Committee, chaired by Sen. Roger D. Moe (DFL-Erskine), met Tues., Feb. 22, to take action on several opening day resolutions. The committee approved resolutions authorizing the Senate to reimburse student interns up to \$50 per week for expenses, authorizing the issuance of stamps to Senators and setting session committee deadlines.

Under the resolution approved by the committee, the deadline for Senate policy committees to hear bills originating in the Senate is Fri., Mar. 25. The next deadline, for Senate committees to hear bills originating in the other body, is Thurs., Mar. 31. The third deadline, for omnibus appropriations bills to be out of policy committees, is Fri., Apr. 8.

Committee members also took action on routine personnel matters such as adopting the roster of session employees.

## Senate procedures reviewed

Members of the Rules and Administration Audit Subcommittee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Wed., Feb. 23, to discuss administrative procedures and review the status of a diagnostic evaluation of the Senate.

Secretary of the Senate, Patrick E. Flahaven detailed Senate administrative procedures for the subcommittee members. Among the procedures discussed was the security of Senate property. "There is no significant problem," was Flahaven's response to a question from Sen. Dennis R. Frederickson (IR-New Ulm) regarding the vulnerability of Senate property. Flahaven went on to report that the Senate maintains a fixed asset inventory of all its property.

On the topic of growth of the Senate budget, Flahaven commended the Senate for maintaining a budget of one half of one percent of the state budget, even in periods of growth. Approximately 205 people are permanently employed by the Senate, according to Flahaven. Merriam questioned Flahaven as to the reason Senate payroll is processed internally, rather than by the Dept. of Finance. Flahaven reported that, historically, payroll as well as other administrative functions have been done by the Senate in order to preserve its independence.

Merriam asked Flahaven to encourage senators to use the cost effective state WATS telephone system as opposed to dialing direct when making phone calls while away from their offices. Flahaven reported that in the near future, senators will be given individual access codes to the WATS system.

Tom Watson, from the accounting firm of Grant Thornton, reported on the status of a diagnostic evaluation being done for the Senate. Watson stated that a draft report is scheduled to be submitted to the subcommittee Mar. 4. Merriam made preliminary plans for the subcommittee to meet the week of Mar. 14 to discuss the report.

## Senate rules debated

The Rules and Administration committee met Thur., Feb. 24, to discuss Senate operating rules and personnel issues.

The committee, chaired by Sen. Roger D. Moe (DFL-Erskine), entertained personnel recommendations from Janine Mattson, personnel director for the Senate. Those changes included position and salary changes for six employees. The changes to the roster were approved by the committee.

Peter Wattson from Senate Counsel and Research, presented a resolution for changes to the Senate rules suggested by a Staff Committee on Efficiency and Effectiveness. Among the rule changes discussed was a change in the filing procedures for amendments. Wattson recommended that a filing deadline for

# Committee update

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amendments would decrease paperwork and increase the effectiveness and efficiency of the public policy process. Sen. John Marty (DFL-Roseville) said that the rule change may constrict and close the policy making process, by not allowing enough time for discussion or contact with constituents. According to Lawrence Pogemiller (DFL-Mpls.), "In the end, we will look for a way to get around it." The committee did approve a rule requiring attorneys from Senate Counsel and Research to notify the author of a bill when an amendment to that bill has been submitted. The committee will discuss the recommendation for pre-filing amendments further and took no action on the resolution.

A motion allowing the chair of the Rules and Administration committee to make decisions regarding the closing of Senate offices in instances where it is in the best interest of the Senate was approved. Those instances include poor weather.

Sen. William Luther (DFL-Brooklyn Park) sponsored a change to a rule that adds the Fargo Forum to the list of press agencies provided with a permanent space for covering the Senate. The change to the rule was approved.

## Education

### School start option approved

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), resolved one potentially difficult issue and then began examining another at its first meeting of the session on Wed., Feb 23.

S.F. 1693, giving schools an option of starting classes the week before Labor Day this year for religious reasons, was presented and approved. The division then began to review the report and recommendations of the School Bus Safety Task Force, which Pogemiller said are "extremely complex" and "controversial."

Sen. Ted Mondale (DFL-St. Louis Park), the author of S.F. 1693, told the division that the bill gives districts a one-time exemption from state law, which currently prohibits classes from starting before Labor Day.

He explained the option would be used to accommodate students who wish to celebrate Rosh Hashanah and not miss the opening days of classes. Rosh Hashanah, the most important holiday in the Jewish faith, begins on the same day that schools are scheduled to open for 1994-95.

In prior years, bills to repeal the Labor Day requirement have been introduced and defeated. While those measures met strong opposition from several education and tourism groups, Mondale said that his bill was not an attempt open the debate on either the length of the school year issue or the start of school before the holiday issue.

Because only a few of the state's 400 districts would likely use the option, Mondale said that there was agreement by long-time opponents to a pre-Labor Day start for this exception. The division added its own approval to the bill, clearing the way for it to be considered by the full Education Committee.

Calling for adoption of school bus operating standards, establishment of a structure to apply the standards and the means for adult monitors to be on all school buses, Kate Donnelly Schneider, chair of the School Bus Safety Task Force, opened the division's review of the task force's report and recommendations.

The task force was formed by the 1993 Legislature to examine school bus safety issues. As a part of their work, the group learned that most of the safety standards apply to bus equipment. However, more than 80 percent of school bus accidents are not the result of equipment failures, Donnelly Schneider noted, but are the result of operator errors. She added that connections were found between "chaos on buses" and the occurrence of accidents.

"We are asking you to adopt our recommendations in full, so that we can know that our children will be safe," she said. The division also heard testimony from parents of children who had been injured or killed in school bus accidents. The parents expressed their support for the recommendations and encouraged the members to adopt them.

The division is scheduled to continue their review of the task force report and to hear additional testimony.

## Health Care

### Health care recommendations considered

The Health Care Committee, chaired by Sen. Linda Berglin, (DFL-Mpls.) heard recommendations on the implementation plan for Integrated Service Networks (ISNs) and a Regulated All-Payer Option (RAPO). The 1993 Legislature had requested the commissioner of health to develop an implementation plan for the 1992 MinnesotaCare Act.

The implementation plan was presented at the committee meeting Wed., Feb. 22, by Elizabeth Quam, assistant commissioner. The report detailed two forms of health care programs to contain health care costs. The ISN concept uses sound market forces to control costs, provide high quality service, and promote continuing innovation. The report stated ISNs will compete on the basis of cost and quality. The RAPO concept provides an alternative to ISNs for consumers who prefer a fee-for-service system. RAPO seeks to suppress costs through price controls on services and through streamlining of billing and utilization review.

The plan would begin July 1, 1994 and provide for an extended transition period in order to include important development steps and avoid disruptions to health care coverage. Quam discussed the transition steps to ISN/RAPO. The steps include the authorization and facilitation of small, community-based ISNs, increased accountability for existing health plans and ISNs, and the reduction of administrative burdens through the RAPO system. The plan also stated the goal of achieving uniformity, simplicity, and equality in health insurance regulation by 1997.

Michael Sandrett, Executive Director of the Minnesota Health Care Commission (MHCC) also presented recommendations. The MHCC supported the ISN/RAPO concept and the Dept. of Health's Implementation Plan, with several exceptions. In one exception, the MHCC agreed with the Dept. of Health plan to provide consumer advocacy services, but believed the service should be separate from an office with regulatory functions. The MHCC also recommended that the Dept. of Health implementation plan be combined into one MinnesotaCare bill with the MHCC's proposals for universal coverage, prevention, and consumer incentives.

George Hoffman of the Dept. of Human Services presented MinnesotaCare cost and enrollment projections. To date, enrollment is consistent with expectations. Payments are 4 - 5 percent lower than earlier forecasts. Recommendations will continue at a later committee meeting.

### Phone numbers to note

Senate Information	296-0504
Committee Hotline	296-8088
TDD	296-0250

# Senate Committee Assignments

## Agriculture and Rural Development (10)

Chair: Bertram                      Vice Chair: Hanson  
 Office: 323                              Telephone: 296-7405  
 Meets: M, W; 12 noon-2 p.m.; Room 107

Berg	Lesewski	Murphy	Stevens
Dille	Morse	Sams	Vickerman

## Commerce and Consumer Protection (15)

Chair: Solon                              Vice Chair: Wiener  
 Office: 303                              Telephone: 296-4158  
 Meets: M, W; 12 noon-2 p.m.; Room 112

Anderson	Janezich	Luther	Samuelson
Belanger	Johnston	Metzen	
Chandler	Kroening	Oliver	
Day	Larson	Price	

## Crime Prevention (13)

Chair: Spear                              Vice Chair: Anderson  
 Office: G-27                              Telephone: 296-4191  
 Meets: M, W, Th; 2-4 p.m.; Room 15

Beckman	Kelly	McGowan	Piper
Belanger	Laidig	Merriam	Ranum
Cohen	Marty	Neuville	

## Crime Prevention Finance Division (9)

Chair: Beckman  
 Office: 301                              Telephone: 296-5713

Kelly	Marty	Merriam	Ranum
Laidig	McGowan	Neuville	Spear

## Education (22)

Co-Chair: Pogemiller                      Co-Vice Chair: Krentz  
 Co-Chair: Stumpf                              Co-Vice Chair: Price  
 Office: 235                              Telephone: 296-4185  
 Meets: T, W, Th; 10 a.m.-12 noon; Room 112

Beckman	Langseth	Olson	Solon
Benson, J.E.	Larson	Pappas	Terwilliger
Hanson	Moe, R.D.	Ranum	Wiener
Janezich	Murphy	Reichgott Junge	
Knutson	Neuville	Robertson	

## Education Funding Division (15)

Chair: Pogemiller  
 Office: 235                              Telephone: 296-7809

Beckman	Langseth	Ranum	Terwilliger
Hanson	Larson	Reichgott Junge	
Janezich	Olson	Robertson	
Knutson	Pappas	Stumpf	

## Environment and Natural Resources (18)

Chair: Lessard                              Vice Chair: Chandler  
 Office: 111                              Telephone: 296-1113  
 Meets: T 2-4 p.m., F 10-2 p.m.; Room 107

Anderson	Finn	Merriam	Olson
Benson, J.E.	Frederickson	Mondale	Pariseau
Berg	Johnson, J.B.	Morse	Price
Dille	Laidig	Novak	Riveness

## Environment and Natural Resources Finance Division (12)

Chair: Morse  
 Office: G-24                              Telephone: 296-5649

Berg	Johnson, J.B.	Merriam	Price
Finn	Laidig	Olson	Riveness
Frederickson	Lessard	Pariseau	

## Ethics and Campaign Reform (12)

Chair: Marty                              Vice Chair: Luther  
 Office: G-9                              Telephone: 296-8866  
 Meets: T, Th; 12 noon-2 p.m.; Room 107

Cohen	Johnson, D.J.	Moe, R.D.	Reichgott Junge
Flynn	Laidig	Pariseau	
Johnson, D.E.	McGowan	Pogemiller	

## Family Services (16)

Chair: Piper                              Vice Chair: Betzold  
 Office: G-9                              Telephone: 296-9248  
 Meets: T, Th; 12 noon-2 p.m.; Room 15

Adkins	Johnson, J.B.	Krentz	Solon
Benson, J.E.	Kelly	Riveness	Stevens
Berglin	Kiscaden	Robertson	
Chandler	Knutson	Samuelson	

## Finance (21)

Chair: Merriam                              Vice Chair: Kelly  
 Office: 122                              Telephone: 296-4157  
 Meets: M, T, W, Th; 4-6 p.m.; Room 123

Beckman	Johnston	Luther	Samuelson
Cohen	Kroening	McGowan	Spear
Frederickson	Laidig	Morse	Stumpf
Johnson, D.E.	Langseth	Piper	Terwilliger
Johnson, J.B.	Larson	Ranum	

## Finance State Government Division (12)

Chair: Cohen  
 Office: 317                              Telephone: 296-5931

Frederickson	Kroening	McGowan	Piper
Johnston	Langseth	Merriam	Terwilliger
Kelly	Luther	Morse	

## Gaming Regulation (10)

Chair: Berg                              Vice Chair: Janezich  
 Office: 328                              Telephone: 296-5539  
 Meets: T, W, F; 8-10 a.m.; Room 107

Adkins	Johnson, D.E.	McGowan	Neuville
Bertram	Marty	Mondale	Spear

## Governmental Operations and Reform (13)

Chair: Metzen                              Vice Chair: Riveness  
 Office: 303                              Telephone: 296-4175  
 Meets: T, W, F; 8-10 a.m.; Room 15

Beckman	Morse	Sams	Terwilliger
Benson, D.D.	Pogemiller	Stevens	Wiener
Hottinger	Runbeck	Stumpf	

**Higher Education Division (10)**

Chair: Stumpf  
 Office: G-24 Telephone: 296-8660

Benson, J.E.	Moe, R.D.	Neuville	Solon
Larson	Murphy	Pogemiller	Wiener

**Health Care (12)**

Chair: Berglin  
 Office: G-9 Telephone: 296-4151  
 Meets: T, W, Th; 10 a.m.-12 noon; Room 15

Benson, D.D.	Finn	Oliver	Vickerman
Betzold	Hottinger	Piper	
Day	Kiscaden	Samuelson	

**Health Care and Family Services Finance Division (12)**

Chair: Samuelson  
 Office: 124 Telephone: 296-4875

Benson, D.D.	Day	Riveness	Stevens
Berglin	Kiscaden	Sams	Vickerman
Betzold	Piper	Solon	

**Jobs, Energy and Community Development (13)**

Chair: Novak  
 Office: 322 Telephone: 296-1767  
 Meets: T, W, Th; 10 a.m.-12 noon; Room 107

Anderson	Dille	Kelly	Metzen
Chandler	Frederickson	Kroening	Runbeck
Chmielewski	Johnson, D.J.	Lesewski	

**Jobs, Energy and Community Development Finance Division (10)**

Chair: Kroening  
 Office: 124 Telephone: 296-4302

Anderson	Frederickson	Metzen
Chandler	Johnson, J.B.	Novak
Chmielewski	Lesewski	Runbeck

**Judiciary (10)**

Chair: Reichgott  
 Office: 306 Telephone: 296-2889  
 Meets: M, W; 12 noon-2 p.m.; Room 15

Berglin	Cohen	Knutson	Robertson
Betzold	Kiscaden	Krentz	Spear

**Metropolitan and Local Government (15)**

Chair: Adkins  
 Office: 309 Telephone: 296-4150  
 Meets: M, W, Th; 2-4 p.m.; Room 107

Betzold	Janezich	Pappas	Wiener
Day	Langseth	Pariseau	
Flynn	Lessard	Robertson	
Hottinger	Oliver	Runbeck	

**Metropolitan and Local Government Tax Division (9)**

Chair: Flynn  
 Office: G-29 Vice Chair: Hottinger  
 Telephone: 296-4274

Adkins	Mondale	Pappas	Runbeck
Lessard	Oliver	Pariseau	

**Rules and Administration (30)**

Chair: Moe, R.D.  
 Office: 208 Vice Chair: Luther  
 Telephone: 296-4196  
 Meets: On call

Adkins	Flynn	McGowan	Pogemiller
Belanger	Frederickson	Merriam	Reichgott Junge
Benson, D.D.	Johnson, D.E.	Metzen	Solon
Berg	Johnson, D.J.	Novak	Spear
Berglin	Laidig	Olson	Stumpf
Bertram	Lessard	Pariseau	Terwilliger
Chmielewski	Marty	Piper	Vickerman

**Taxes and Tax Laws (22)**

Chair: Johnson, D.J.  
 Office: 205 Vice Chair: Pappas  
 Telephone: 296-4839  
 Meets: M, T, W, Th; 4-6 p.m.; Room 15

Belanger	Day	Mondale	Pogemiller
Benson, D.D.	Finn	Neuville	Price
Benson, J.E.	Flynn	Novak	Reichgott Junge
Berglin	Hottinger	Olson	Riveness
Bertram	Marty	Pariseau	Sams

**Transportation and Public Transit (15)**

Chair: Chmielewski  
 Office: 325 Vice Chair: Ranum  
 Telephone: 296-4186  
 Meets: T, W, F; 8-10 a.m.; Room 112

Belanger	Johnston	Murphy	Vickerman
Dille	Krentz	Novak	
Flynn	Langseth	Olson	
Hanson	Lesewski	Pappas	

**Transportation and Public Transit Finance Division (9)**

Chair: Langseth  
 Office: G-24 Telephone: 296-3205

Belanger	Dille	Hanson	Novak
Chmielewski	Flynn	Johnston	Vickerman

**Veterans and General Legislation (10)**

Chair: Vickerman  
 Office: 226 Vice Chair: Murphy  
 Telephone: 296-1771  
 Meets: T, Th; 12 noon-2 p.m.; Room 112

Bertram	Hanson	Larson	Lesewski
Chmielewski	Johnston	Lessard	Metzen

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# Preview

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## The Minnesota Senate Week at a Glance

Monday, February 28

### Rules and Administration Committee

Chair: Sen. Roger D. Moe

10 a.m. Room 15 Capitol

Agenda: Report of the Subcommittee on Permanent and Joint Rules.

The Senate will meet at 11 a.m.

### Agriculture and Rural Development Committee

Chair: Sen. Joe Bertram, Sr.

12 Noon Room 107 Capitol

Agenda: S.F. 1683-Vickerman: Establishing and financing an interest rate buy down program, establishing benefit limits. S.F. 1743-Vickerman: Grants to businesses affected by the 1993 flood.

### Judiciary Committee

Chair: Sen. Ember Reichgott Junge

12 Noon Room 15 Capitol

Agenda: S.F. 1473-Betzold: Commitment notices and documents provision. S.F. 1660-Hottinger: Uniform Conflict of Laws-Limitations Act. S.F. 1728-Betzold: DHS deadline for special review board recommendations re: mentally ill.

### Judiciary Subcommittee on Data Practices

Chairs: Senators Jane Ranum and Harold "Skip" Finn

2 p.m. Room 15 Capitol

Agenda: S.F. 1823-Ranum: Listing provisions codified outside the Data Practices Act. S.F. 1318-Betzold: Clarifying the scope of confidentiality of records of review organizations. S.F. 1791-Knutson: Regulating the classification and release of Dept. of Commerce data. S.F. 1717-Finn: Classifying data relating to 911 emergency calls.

### Metropolitan and Local Government Committee

Chair: Sen. Betty Adkins

2 p.m. Room 107 Capitol

Agenda: S.F. 309-Kelly: Authorizing a city to require employees to reside in that city. S.F. 1651-Merriam: Requiring publicly owned or leased motor vehicles to be identified. S.F. 1712-Johnson, D.E.: Towns; providing for financial audits. S.F. 1744-Vickerman: Allowing Lakefield to expand its public utilities commission to five members. S.F. XXX-Flynn: Metropolitan Reorganization Act of 1994.

### Health Care and Family Services Funding Division

Chair: Sen. Don Samuelson

3 p.m. Room 123 Capitol

Agenda: S.F. 1758-Samuelson: Welfare reform funding.

### Legislative Commission on Employee Relations

Chair: Rep. Leo Reding

7 p.m. Room 10 SOB

Agenda: Review and approval of commission bill. Presentation of Higher Education Board legislation that affects PELRA.

Tuesday, March 1

### Gaming Regulation Committee

Chair: Sen. Charles Berg

8 a.m. Room 107 Capitol

Agenda: Confirmation hearings for Gambling Control Board and Minnesota Racing Commission. Discussion of compulsive gambling.

### Transportation and Public Transit Committee

Chair: Sen. Florian Chmielewski

8 a.m. Room 112 Capitol

Agenda: S.F. 348-Anderson: Prohibiting improvement, expansion or reconstruction of Minnesota Highway 280 until completion of EIS. S.F. 1569-Morse: Deregulating charter carriers.

### Education Division

Chair: Sen. Lawrence Pogemiller

10 a.m. Room 112 Capitol

Agenda: S.F. XXX-Committee bill, for recommendations of the Task Force on School Bus Safety.

### Higher Education Division

Chair: Sen. LeRoy Stumpf

10 a.m. Room 112 Capitol

Agenda: Financial Aid Task Force report and Post Secondary Options Program report.

### Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak

10 a.m. Room 15 Capitol

Agenda: Presentation of S.F. 1706-Novak: Prairie Island nuclear storage. Proponents testimony.

### Joint Health Care Committee and Family Services Funding Division

Chairs: Sen. Linda Berglin and Sen. Don Samuelson

10 a.m. Room 107 Capitol

Agenda: The Health Care Committee and the Health Care and Family Funding Services Division will meet to hear S.F. 1798-Robertson: Part H of year 5 early intervention, birth through 2, and infants and toddlers with disabilities. At 11 a.m. the joint committees will break and the Health Care Committee will hear S.F. 1369-Sams: Acupuncture study.

### Ethics and Campaign Reform Committee

Chair: Sen. John Marty

12 Noon Room 107 State Capitol

Agenda: S.F. 24-Marty: Code of ethics.

### Family Services Committee

Chair: Sen. Pat Piper

12 Noon Room 15 Capitol

Agenda: S.F. 1758-Samuelson: Welfare reform.

### Environment and Natural Resources Committee

Chair: Sen. Bob Lessard

2 p.m. Room 107 Capitol

Agenda: S.F. 1742-Merriam: Allowing EQB to provide its own staff and administration. S.F. 1788-Johnson, J.B.: Waste Management Act amendments.

Wednesday, March 2

### Gaming Regulation Committee

Chair: Sen. Charles Berg

8 a.m. Room 107 Capitol

Agenda: Dept. of Revenue policies concerning rebates to Indian tribes of tobacco, liquor and petroleum taxes.

### Governmental Operations and Reform Committee

Chair: Sen. James Metzen

8 a.m. Room 15 Capitol

Agenda: S.F. 1734-Reichgott Junge: Establishing a disaster volunteer leave program in the state civil service. S.F. XXX-Benson, D.: DTED rule repealer bill.

### Transportation and Public Transit Committee

Chair: Sen. Florian Chmielewski

8 a.m. Room 112 Capitol

Agenda: S.F. 1816-Krentz: Eliminating the repeal of regulations related to personal transportation service providers. S.F. 1752-Vickerman: Designating Hwy 14 the Laura Ingalls Wilder Historic Highway. S.F. 1679-Johnston: Designating Hwy 212 the Minnesota Veterans Memorial Highway.

### Education Division

Chair: Sen. Lawrence Pogemiller

10 a.m. Room 112 Capitol

Agenda: S.F. XXX-Committee bill, recommendations of the Task Force on School Bus Safety.

### Health Care Committee

Chair: Sen. Linda Berglin

10 a.m. Room 107 Capitol

Agenda: Testimony on Health Dept. and Health Care Commission recommendations on MinnesotaCare.

### Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak

10 a.m. Room 15 Capitol

Agenda: Prairie Island nuclear storage legislation. Opponents' testimony.

The Senate will meet at 12 Noon.

### Agriculture and Rural Development Committee

Chair: Sen. Joe Bertram, Sr.

12 Noon Room 107 Capitol

Agenda: S.F. XXX-Bertram: Increasing the extent of authorized state participation in rural finance authority loan restructuring program. Appointments to the Minnesota Rural Finance Authority.

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### Commerce and Consumer Protection Committee

*Chair: Sen. Sam Solon*  
12 Noon Room 112 Capitol  
**Agenda:** Appointment to Board of Invention. S.F. 1784-Riveness: Insurance fraud information disclosure and antifraud plan requirements. S.F. 1846-Solon: Omnibus financial institutions bill. S.F. 1847-Solon: Mortgage payment services regulation. S.F. 1848-Solon: Omnibus real estate bill.

### Judiciary Committee

*Chair: Sen. Ember Reichgott Junge*  
12 Noon Room 15 Capitol  
**Agenda:** S.F. 1694-Betzold: Intrusive mental health treatment.

### Crime Prevention Committee

*Chair: Sen. Allan Spear*  
2 p.m. Room 15 State Capitol  
**Agenda:** S.F. 1845-Ranum: Juvenile justice.

### Metropolitan and Local Government Committee

*Chair: Sen. Betty Adkins*  
2 p.m. Room 107 Capitol  
**Agenda:** S.F. XXX-Flynn: Metropolitan Reorganization Act of 1994.

### Environment and Natural Resources Finance Division

*Chair: Sen. Steven Morse*  
4 p.m. Room 123 Capitol  
**Agenda:** DNR capital budget presentation.

### Finance Committee

*Chair: Sen. Gene Merriam*  
4 p.m. Room 123 Capitol  
**Agenda:** S.F. 1758-Samuelson: Welfare reform bill. (Pending action by Family Services Committee).

### \* Meeting Cancellation Higher Education Division

*Chair: Sen. LeRoy Stumpf*  
4 p.m. Room 125 Capitol  
**Agenda:** Higher Education Board reports, Jay Noren, Chancellor

### Tax Committee

*Chair: Sen. Douglas Johnson*  
4 p.m. Room 15 Capitol  
**Agenda:** March budget forecast and governor's supplemental budget. Governor's tax proposal. S.F. 1782-Riveness: Uncapping target appropriation.

## Thursday, March 3

The Senate will meet at 8 a.m.

### Education Division

*Chair: Sen. Lawrence Pogemiller*  
10 a.m. Room 112  
**Agenda:** To be announced.

### Health Care Committee

*Chair: Sen. Linda Berglin*  
10 a.m. Room 107 Capitol  
**Agenda:** Dept. of Health's and Minnesota Health Care Commission's recommendations on MinnesotaCare.

### Jobs, Energy and Community Development Committee

*Chair: Sen. Steven Novak*  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 1706-Novak: Prairie Island legislation. Committee to take amendments and vote.

### Ethics and Campaign Reform Committee

*Chair: Sen. John Marty*  
12 Noon Room 107 Capitol  
**Agenda:** S.F. 24-Marty: Code of ethics. S.F. 1483-Marty: Absentee mail voting.

### Veterans and General Legislation Committee

*Chair: Sen. Jim Vickerman*  
12 Noon Room 112 Capitol  
**Agenda:** To be announced.

### Crime Prevention Finance Division

*Chair: Sen. Tracy Beckman*  
2 p.m. Room 15 Capitol  
**Agenda:** S.F. XXX-Ranum: Juvenile justice task force bill.

### Metropolitan and Local Government Committee

*Chair: Sen. Betty Adkins*  
2 p.m. Room 107 Capitol  
**Agenda:** Governor's appointments. Metropolitan Council and Metropolitan Transit Commission.

### Finance Committee

*Chair: Sen. Gene Merriam*  
4 p.m. Room 123 Capitol  
**Agenda:** Budget forecast and the governor's budget recommendations.

### Taxes and Tax Laws Subcommittee on Income and Sales Tax

*Chair: Sen. Ember Reichgott Junge*  
4 p.m. Room 15 Capitol  
**Agenda:** Capital Equipment Advisory Council report.

### Legislative Commission on Pensions and Retirement

*Chair: Sen. Phil Riveness*  
6:30 p.m. Room 15 Capitol  
**Agenda:** Review of July 1, 1993 statewide and major retirement plan actuarial valuations. S.F. 793-McGowan and H.F. 985-Weaver: Public Employee Police and Fire Fund; modification of reemployed disabilitant benefit offset. S.F. XXX and H.F. XXX-Johnson, B.: State deferred compensation plan; various regulatory modifications. S.F. 609-Kroening, H.F. 662-Orfield: MTRFA; Out-of-state teaching service purchase. S.F. 614-Krentz, H.F. 664-Greiling: TRA; Job-sharing service and salary credit purchase. S.F. 1680-Murphy, H.F. 1881-Dempsey: Red Wing Police; Additional PERA-P&F benefit election option. S.F. 1723-Piper, H.F. 1909-Reding: Local police and fire remarried surviving spouse benefits. S.F. XXX and H.F. 1885-Reding: MSRS; Exception to re-employed annuitant earnings limit in certain cases. Friday, March 4

### Governmental Operations and Reform Committee

*Chair: Sen. James Metzner*  
8 a.m. Room 15 Capitol  
**Agenda:** S.F. XXX-Hottinger: LCRAR rulemaking bill.

### Transportation and Public Transit Finance Division

*Chair: Sen. Keith Langseth*  
8 a.m. Room 112 Capitol  
**Agenda:** Dept. of Transportation capital budget presentation.

# Briefly

The Minnesota Senate Week in Review

March 4, 1994

## Brief floor sessions held

Senators conducted brief floor sessions Mon., Feb. 28, and Wed., Mar. 2, for purposes of processing bill introductions and adopting committee reports. In addition, at the Wed., Mar. 2, floor session, Senators adopted a change to the permanent rules regarding floor privileges for members of the press. The change involved dropping the floor privilege for the now defunct United Press International and adding the Fargo Forum reporter to the list of those granted access to the Senate floor.

## Prescribing authority bill okayed

Senators granted preliminary approval to three measures on the General Orders Calendar at the Thurs., Mar 3, floor session. Bills on General Orders are considered by the Senate acting as one large committee, known as the "Committee of the Whole." Each bill has had two readings and has been reported out of one or more standing committee. Amendments may be offered and there is often considerable debate given to bills on the General Orders Calendar. If the measures are approved, the bills advance to the Senate Calendar for final consideration.

The first bill granted preliminary approval, S.F. 1806, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), allows certified clinical specialists in psychiatric or mental health nursing to prescribe and administer drugs. The other two measures included S.F. 1744, authored by Sen. Jim Vickerman (DFL-Tracy) and S.F. 1712, sponsored by Sen. Dean Johnson (IR-Willmar). S.F. 1744 allows the city of Lakefield to expand its public utilities commission to five members and S.F. 1712 provides for financial audits in towns that have combined the treasurer and clerk positions and have an annual revenue of more than \$100,000.

## Prairie Island bill advances

After conducting eleven hearings and listening to countless hours of testimony and discussion, the Jobs, Energy and Community Development Committee, on a 9-4 roll call vote, approved S.F. 1784, adopting the Public Utilities Commission's decision to allow Northern States Power to build a temporary dry cask storage facility

for storing spent nuclear fuel at its Prairie Island plant. With the committee's Thurs., Mar. 3, approval, the measure clears the first Legislative hurdle on the way to becoming law.

The bill's sponsor, Committee Chair Steven Novak (DFL-New Brighton), said the bill "provides a responsible timeline for moving away from nuclear energy" and does so without causing major disruptions in energy, jobs, or the economies of nearby Red Wing and Goodhue County, which rely heavily on property tax revenues from the plant to fund schools and municipal services. Novak said the bill also recognizes the interests of the utility's stockholders' group, who have testified that many of the utility's stockholders are on fixed incomes and rely on their shares for financial stability.

Novak said the bill's moratorium on building nuclear power plants is intended to assure that "there will not be another nuclear power plant ever built in the State of Minnesota."

Having spent the Tues. and Weds. hearings listening to final testimony from supporters and opponents of the bill, Senators' discussion about the bill was minimal. After adopting an author's technical amendment, the committee considered two other amendments. The first, from Sen. Kevin Chandler (DFL-White Bear Lake) expands the bill's low-income discount to all the state's utilities. The second, by Sen. Ellen Anderson, expands the Conservation Improvements Program (CIP). Both amendments failed. The bill now goes to the Environment and Natural Resources Committee.

## Flag resolution gains

A resolution calling for a U.S. Constitutional amendment granting power to prohibit desecration of the American flag was the focus of discussion at the Thurs., Mar. 3, meeting of the Veterans and Legislation Committee. S.F. 1700, sponsored by Committee Chair Jim Vickerman (DFL-Tracy), memorializes the Congress of the United States to propose an amendment to the United States Constitution, for ratification by the states, specifying that Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States. Vickerman said that the resolution was among the most important

pieces of legislation he has carried during his tenure in the Minnesota Senate and, backed by testimony of representatives of the state's American Legion posts, urged approval by the other panel members. The resolution was advanced to the Judiciary Committee on a 10-0 roll call vote.

In other action, the committee advanced two additional bills. S.F. 1699, sponsored by Sen. Paula Hanson (DFL-Ham Lake), adopts the square dance as the American folk dance of Minnesota. The measure was approved and recommended for the Consent Calendar. S.F. 1707, authored by Sen. Ellen Anderson (DFL-St. Paul), appropriates money to the Dept. of Administration for a grant to the Minnesota Humanities Commission to rehabilitate and retrofit the west wing of the former Gillette Children's Hospital to house the successful Teacher Institute Program. The measure was approved and re-referred to the Jobs, Energy and Community Development Committee.

## Juvenile justice bill considered

At the Wed., Mar. 2, meeting of the Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), the committee discussed S.F. 1854. The bill, authored by Sen. Jane Ranum (DFL-Mpls.), creates a stronger and separate response system to juvenile offenders. The bill establishes a new serious youthful offender category and the applicable sentencing guidelines. Provisions amend the certification of a juvenile proceeding to adult court.

Ranum presented the bill, stating that it would assure equity in sentencing and provide programming relevant to the offender population. Ranum also stated that the bill seeks to ensure cooperation between the state and counties to provide continuing services.

Discussion focused on a particular section regarding secure placement for offenders. Sen. Randy Kelly (DFL-St. Paul) asked for clarification of the commissioner of corrections' role in the operation of local facilities. Ranum outlined the purpose of secure placement, and need for continuous programming. For the placement, the author explained that small, regionally based facilities would be licensed, but not operated, by the commissioner. Discussion will continue at the next meeting.

# Committee update

## Agriculture and Rural Development

### RFA bill gains

A bill increasing the extent of authorized state participation in the Rural Finance Authority loan program was approved at the Wed., Mar. 2, meeting of the Agriculture and Rural Development Committee. S.F. 1903, authored by Chair Joe Bertram, Sr. (DFL-Paynesville), allows the authority to participate in a restructured loan to the extent of 45 percent of the primary principal or \$100,000, whichever is less. Current law limits the participation to 25 percent of the primary principal or \$50,000, whichever is less. Bertram said that the bill is directed at trying to help credit-worthy farmers recover from last year's short, cold, wet growing season by aiding the farmers in debt restructuring. The bill also repeals the authorization for the commissioner of finance to issue and sell bonds and use the proceeds to assist specific agricultural-industrial facilities in Detroit Lakes. According to Bertram, the authorization is no longer needed. The bill was approved and sent to the full Senate.

In other action, the panel recommended the confirmation of the gubernatorial appoints of Christopher Skaalen, Marlene Malstrom, Curtis Pietz and Vivian Evans to the Minnesota Rural Finance Authority.

## Commerce and Consumer Protection

### Board of Invention confirmations

The Commerce and Consumer Protection Committee, at the Weds., Mar. 2, meeting, confirmed eleven gubernatorial appointees to Minnesota's newly-formed Board of Invention. They are Joseph Alvite, Wyoming; Penny Becker, Redwood Falls; Henry Buchwald, Edina; Daniel Ferber, St. Paul; Philip M. Goldman, Mendota Heights; Steven Levinson, Newfolden; Donna J. McBrian, Fridley; Janet Robb, Roseville; Patsy Sherman, Bloomington; Lyle Styermer, Winnebago; and Milton Toratti, Virginia.

The committee then turned to S.F. 1784, requiring and facilitating sharing of information about insurance fraud between insurers and law enforcement authorities. The measure, sponsored by Sen. Phil Riveness (DFL-Bloomington), establishes a requirement that insurers report suspected insurance fraud, usually to a law enforcement official, and to release information about the suspected fraud upon the request of an authorized person. Under the measure, insurers and authorized persons are granted immunity from liability that might otherwise arise due to the release of information. An insurer that intentionally refuses to release information is guilty of a misdemeanor. In addition, the bill requires insurers to implement an antifraud plan by Jan. 1, 1995. The bill also requires that all insurance applications and claim forms contain a warning to insureds that submitting a fraudulent claim is a crime.

Insurance company representatives

testified in favor of the measure, stressing that the immunity called for in the bill is needed because some investigators are reluctant to cooperate for fear of retaliatory lawsuits from "professional claimants," people who stage accidents and falsely claim death and disability benefits.

The committee approved S.F. 1784 and re-referred it to the Judiciary Committee.

The committee also approved S.F. 1846, the Financial Institutions Omnibus bill, sponsored by Committee Chair Sam Solon (DFL-Duluth). The bill makes several technical and housekeeping changes in banking regulations. The bill was approved and sent to the Senate floor.

The committee also discussed S.F. 1848, the Omnibus Real Estate bill, sponsored by Solon. The bill makes technical changes to real estate broker and appraiser statutes, and has no known opposition. An amendment offered by Sen. William Luther (DFL-Brooklyn Park), however, spurred discussion. The amendment provides that when dual agency disclosures are made as specified by law, the disclosures satisfy common law disclosure requirements. The amendment also states that when the principal in a transaction is a licensee or a relative or business associate of the licensee, that fact must be disclosed in writing. Luther said the amendment is an effort to provide certainty to real estate licensees about which disclosures they must make to be in compliance with the law. After discussion, the committee laid the bill over.

## Crime Prevention

### Racial bias in judicial system

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.) heard conclusions of the Minnesota Supreme Court's Task Force on Racial Bias in the Judicial System. The task force found that despite the fact racial discrimination can be subtle, its effects in the criminal process are dramatic. Racial disparity in the prison system was cited as one of many examples of the biases throughout the judicial system. Justice Rosalie Wahl noted that minority communities are routinely wary of the justice system and feel alienated because of a lack of minority representation and understanding. The report found several other incidences of bias including a disproportionate number of minority children within the foster care system and inadequate court translation services. The report attributed the inadequate translation services to the fact that Minnesota has no uniform standards or testing for interpreters.

The task force recommended several ways to rectify the biases. The recommendations included hiring more minorities throughout the criminal system, ensuring employees are culturally sensitive through training in cultural awareness and diversity, and monitoring race-specific records and data. The committee is reviewing the report and will reconvene next week.

Also at the Thurs. Feb 24 meeting, the committee recommended confirmation of Commissioner of Corrections Frank Wood.

Wood, who has worked over 30 years in public service and criminal justice, expressed his commitment to ensuring public safety and preparing offenders for re-entry into the community.

## Corrections bonding request

The Crime Prevention Finance Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn), heard the Dept. of Corrections capital budget requests for FY 1994-1995. The governor has recommended a total of \$72 million in bonding authority. Jim Bruton, assistant commissioner, detailed several statewide proposals. The items that were most highly prioritized include: expansion and conversion at the Moose Lake Correctional Facility, bed increases at Lino Lakes, Faribault, Oak Park Heights and Shakopee facilities, and construction of a juvenile security cottage. Bruton noted that facilities are currently over capacity and emphasized the need for acquisition of additional beds. He also stated that a new center would need to be constructed in the future to meet the growing number of offenders.

In the meeting Thurs., Feb. 24, Sen. Jane Ranum (DFL-Mpls.) expressed concern regarding diversity of employees and said she hoped the department would encourage cultural sensitivity by placing facilities in communities with a diverse population. Sen. Randy Kelly, (DFL-St. Paul), called attention to the benefits of job training programs in facilities. Kelly supported expansion of these programs. The bonding request is under division consideration.

## Education

### Bus safety review continues

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), continued to review of the recommendations from the School Bus Safety Task Force and take testimony on the report during its meeting on Thur., Feb. 24.

Telling the members that school bus accidents are "predictable and preventable", Kate Donnelly Schneider, the task force's chair, led the division through the group's recommendations, which were presented in a preliminary bill draft form.

Among the provisions in the bill draft were proposals to require adult monitors on each bus, to establish stricter training and licensing standards for bus drivers, to adopt national operating and equipment standards into state law, and to establish state and local policies for safety.

The task force also recommended establishing a state Pupil Transportation Safety Director position in the Department of Public Safety. Donnelly Schneider said, "Minnesota is the only state that does not have a school bus 'czar'. Every other state has one person who is accountable for school bus safety, and we believe that is important."

The division also heard from Michael Jordan, commissioner of the Department of Public Safety, who commented that he felt the task force's proposal offer an opportu-

nity to his coordinate his department's activities with those of others. "I don't think that the intent is to devise an entirely new scheme," he said, "but to build on our current one."

Additional testimony was taken and will continue in the coming week.

### Bus safety testimony heard

Public testimony on the recommendations of the School Bus Safety Task Force began when the Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) met, Wed. morning, Mar. 2.

The task force's recommendations, which include requiring adult monitors on buses, adopting of operating standards, and setting more stringent training and licensing requirements for school bus drivers, were the focus of comments by both proponents and opponents.

The division once again heard compelling testimony supporting the recommendation that adult monitors be required on each bus. How it would be handled was a concern for Roger Saxton, transportation director for the Blue Earth School District. He said if the local levy, as proposed, were adopted, "we would not have monitors in our district" because of the cuts that have been taken in other operating areas.

Several bus drivers also expressed their views to the division, saying that increasing the training requirements would make them too stringent for a part-time position. "Flexibility (of the position) is a plus," Lee Runyon said, "but most drivers I know have to work evenings and weekends just to make up a 40-hour work week. Most pizza delivery drivers make more an hour than we do."

The division also heard from some task force members, who took issue with some of the recommendations of the larger group and prepared an alternate report. Included in their report were concerns about raising the training requirements and whether operating standards should become law. "This cannot be all-or-nothing legislation," Earlene Wickre of the Rochester Public Schools said. "There is room to be reasonable."

The division will continue to take public testimony.

### Bus safety testimony continues

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), took additional public testimony, Wed. evening, Mar. 2, as the deliberations on the School Bus Safety Task Force's recommendations continued.

Earlier, the division had heard from both proponents and opponents of several recommendations, particularly the proposal to require adult bus monitors and reinforce licensing requirements. Discussion of the monitor requirement was raised once more, as were other transportation funding issues.

Transportation funding is at the heart of the issues for Minneapolis and White Bear Lake school transportation officials.

"There is a correlation between the underfunding of transportation and school bus safety," Chuck Corliss of the White Bear Lake School District said. "We have had to become very efficient in our transporta-

tion system because of funding, and I don't feel that we can get more efficient than we are now," he said.

Lack of funding also leads to driver shortages and, for some districts, determines which bus companies are chosen, according to Denny Coughlin of the Mpls. school district. "If you owned a million-dollar painting and wanted to move it, would you hire the company that gives you the lowest bid? Probably not," Coughlin said. "But the reality is that we have to take the lowest bid to transport our children, and will continue to do so until we have dedicated funds available," he said.

The division also heard from Sophia Pendergast co-founder of Rhode Island's chapter of Families Insisting on Safe Student Transportation (F.I.S.S.T.), and the group's executive director, Bob Perry, who shared their organization's support for the adult monitor proposal.

The division will continue to hear testimony and debate over school bus safety in coming meetings.

### HECB reports, recommendations

The Higher Education Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), reviewed several reports from the Higher Education Coordinating Board (HECB) at the meeting Thur., Feb. 24.

The 1993 Legislature asked HECB to review tuition reciprocity trends and costs, education savings plan options and to evaluate nursing grant programs. Joe Graba, HECB's deputy director, also said the agency is recommending expansion of Metropolitan State University this session.

Graba said that reciprocity agreements, allowing students to attend an out-of-state institution for a cost comparable to tuition in their home state, have been negotiated between Minnesota and North Dakota, South Dakota, Wisconsin, and Manitoba. In FY 93, about 18,000 Minnesota students attended post-secondary institutions in other states and about 13,000 out-of-state students enrolled in Minnesota schools.

Based on the terms of each agreement and tuition difference, Graba said that about \$3 million in compensation is paid to other states. He also noted that if the Minnesota students who attended out-of-state schools had enrolled at in-state institutions, an additional \$12.4 million would have been needed by the post-secondary systems.

Tuition reciprocity and the University of Minnesota's efforts to focus its mission are a part of the reason for HECB's recommendation that Metro State University be expanded, Graba said.

Asked to review two bills offered in 1993 that proposed saving plans options, either as tax-exempt accounts or by offering tax refunds as savings bonds, HECB recommended that information promoting the purchase of savings bonds be developed and included with tax forms and refunds.

The board also examined several grant programs available to nursing students, and recommended that the Legislature evaluate their consolidation into one program during the 1995 session.

The division will resume review of additional reports in coming meetings.

### Financial aid options heard

Reports on financial aid and the post-secondary enrollment options (PSEO) program were presented to the Higher Education Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), Tues., Mar. 1.

The 1993 Legislature created the Financial Aid Task Force to evaluate the state grant program, which they found to be "well-designed and, for the most part, well-maintained," Humphrey Doermann, chair of the task force, said.

But he added they also recognized the need to "improve matters for low-income students" by linking changes in tuition with increases in aid.

Doermann said that the task force is recommending two options for to the Legislature. The first proposes an additional \$35 million appropriation to the grant program, and that adjustments be made in the distribution formula to improve the treatment for the lowest income students.

The other option the task force offered requests no additional funds but changes how grants are calculated to also improve the awards to lower income students.

The division is expected to continue their discussions of the report and state grant program at future meetings.

More than 7,500 high school students are receiving both high school and college credit under the PSEO, said Nils Hasselmo, chair of the Higher Education Advisory Council (HEAC). The council is made up of public and private post-secondary leaders.

"The program is part and parcel of providing opportunities for students", Hasselmo said, "It is a creative and cost-effective means of linking K-12 and post-secondary education and in providing choices for students." Under PSEO, high school students may take a college course high school and for college credit, either on-campus or in a high school.

Hasselmo, who is president of the University of Minnesota, told the division that HEAC is recommending that the program be continued. The division will continue its consideration of higher education proposals in coming meetings.

### Environment and Natural Resources

#### Confirmation hearings

At the Fri., Feb. 25, meeting of the Environment and Natural Resources Committee, 13 appointments by the governor received recommendation for confirmation. Those recommendations were referred to the Senate floor for confirmation.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), reviewed 3 appointments to the Minnesota Environmental Quality Board (EQB). Recommended for confirmation were Bruce Bomier, Deanna Fairbanks and Paul Toren.

For the position of director of the Office of Waste Management, John R. Chell was recommended. D. James Nielsen was recommended for chair of the Board of Water and Soil Resources.

# Committee update

Recommended for seats on the Environmental Trust Fund Citizens' Advisory Committee were Jack Lavoy, Jean Sanford, Nancy Gibson, Ty Biscoff and Arlan H. Anderson.

Edward A. Garvey, Keith Langmo and Daniel D. Foley were recommended for positions on the Minnesota Pollution Control Agency (PCA). Four other PCA appointments will be considered in upcoming committee meetings.

## EQB change approved

Members of the Environment and Natural Resources Committee met Tues., Mar. 1, and advanced a bill altering the authority governing the staff and executive director of the Environmental Quality Board. Under the bill, S.F. 1742, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), the EQB staff and executive director report directly to the EQB rather than to the director of the Office of Strategic and Long Range Planning. Merriam said the change makes the staff more accountable to the governing board and makes it easier to track the budgeting process of the EQB. The measure was approved and re-referred to the Governmental Operations and Reform Committee.

In other action, the committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls), devoted most of the hearing to discussing a bill that makes changes to the Waste Management Act. S.F. 1788, sponsored by Sen. Janet Johnson (DFL-North Branch), amends the Waste Management Act in numerous ways. The bill reduces the number of copies of game and fish laws and rules sent to all state legislators, alters the purpose section of the Waste Management Act to include "protection" of the state's land, air, water, other natural resources and the public health by improving waste management, and allows solid waste management capital assistance grants to be made to resource recovery facilities for projects that meet specific criteria. The measure also expands the list of authorities and duties of counties that sanitary districts have within their jurisdiction, changes the dates for a variety of reports, authorizes the attorney general to provide legal representation to a county whose designation ordinance is challenged, and allows the burning of motor oil filters in a mixed municipal solid waste resource recovery facility that meets specific criteria.

In addition, the bill provides additional definitions, broadens the application of the solid waste fee accounting requirements, and clarifies that counties are only required to provide households with an opportunity to recycle major appliances. In the area of toxics in packaging, the measure requires the commissioner of the PCA to seek membership in the toxics in packaging clearinghouse administered by the Source Reduction Task Force of the Coalition of Northeastern Governors and implement the recommendations of the clearinghouse. The measure extends the number of years from 20 to 30 for which the owner of a solid waste management facility must be financial responsible after closing, requires

certification of appliance recyclers and servicers, bans the sale of the athletic shoes that have an electric switch containing mercury, restates the metropolitan solid waste fee, extends the prohibition on disposal of unprocessed waste from the Metro Area to facilities outside the Metro Area, requires a report on the management of waste electronic appliances, and makes changes relating to the metropolitan landfill fund provisions.

Most of the discussion on the bill centered on several amendments that were offered. One amendment, offered by Sen. Pat Pariseau (IR-Farmington) and approved by the committee, authorizes private ownership of solid waste facilities, permits counties and local governments to impose conditions on the disposal of unprocessed solid waste and adds requirements for liners and leachate systems. Members also approved an amendment, offered by Johnson, that sets the date for reports detailing progress toward management programs for rechargeable batteries disposal. An amendment refining the definition of unprocessed waste, offered by Sen. Ted Mondale (DFL-St. Louis Park), was also adopted. Members had several other amendments to offer but were hampered by time constraints. As a result, the bill was laid over for further discussion.

## DNR budget addressed

The Environment and Natural Resources Finance Division heard testimony from the Dept. of Natural Resources (DNR) on Thu., Feb. 24. The division, chaired by Sen. Steven Morse (DFL-Dakota) listened to Ron Nargang, deputy commissioner of the DNR, report on the agency's capital budget request. Nargang outlined a portion of the budget and elements involved in the budget making process. The major components in the process were DNR employee polls, a database of state environmental information, DNR and other agency experts, the Dept. of Finance, the office of the governor, cost-benefit analysis, and researched benefits.

Nargang detailed 10 project areas the DNR is seeking funding for in its proposed \$75 million budget. Maintenance issues were the first projects in which the goal is to bring facilities up to state building code. Secondly, the agency wishes to consolidate service offices. In that plan, selective DNR offices would be relocated and consolidated in order to lower DNR operating costs. Underground storage tank removal and replacement marked the third project. In this project, underground fuel tanks containing gasoline are to be removed and, in areas where tanks are needed, above ground tanks installed. Sen. Janet Johnson (DFL-North Branch) questioned Nargang about whether the DNR has investigated the use of alternative fuels for agency vehicles. Nargang reported that the DNR, in conjunction with other governmental agencies, is exploring the possibility of using natural gas as a fuel alternative.

A fourth project focused on state park building rehabilitation. Of the 1,200 state park buildings in Minnesota, 500 are registered as historic, which indicates the

amount of rehabilitation needed, according to Nargang. Another concern of the DNR is that buildings be developed so that the facilities suit public needs. In that regard, another budget area is state park building development, in which new facilities are to be constructed. A sixth area was the farmland wildlife populations and research facilities project. Nargang listed forestry air tanker facilities as the seventh project area. In the project, existing pumping and sewer facilities are to be upgraded.

Nargang stated that the eighth budget area is minerals, with new construction, drill core library and reclamation projects. The ninth major project the DNR proposed is a fisheries field rehabilitation/adaptation project. The final project, explained by Nargang, is the Lac qui Parle wildlife management area offices and hunter contact station project. The division will meet again to take testimony from the DNR on the remaining project areas.

## Capital budget process described

The Environment and Natural Resources Finance Division, chaired by Sen. Steven Morse (DFL-Dakota), met Wed., Mar. 2, to hear presentations relating to the capital budget process. Traditionally, the various finance divisions develop the capital budget, or bonding allocations, for "brick and mortar" type projects during the even numbered year session. Dale Nelson, Dept. of Finance, outlined the process by which the various departments arrive at their requests for the funding of building or improvement projects.

In addition, Ron Nargang, Dept. of Natural Resources, continued the presentation of the department's capital budget proposals.

## Ethics and Campaign Reform

### Code of ethics discussed

The Ethics and Campaign Reform Committee, chaired by Sen. John Marty (DFL-Roseville), met Thur., Feb. 24, to discuss ethical conduct for legislators and lobbyists. S.F. 24, authored and introduced by Marty, defines guidelines and procedures concerning gifts.

The committee spent the period listening to testimony and examining definitions of words and situations.

John Knapp, president of the Minnesota Government Relations Council (MGRC), testified in favor of comprehensive ethics legislation, but expressed concern about the bill as it is currently written.

His first objection addresses the issue of salary and compensation disclosure between a lobbyist and the lobbyist's employer. Knapp said that MGRC did not believe that there is any public benefit to such reporting, and that compensation is a matter of private contract.

The council's second complaint is that the bill does not apply to individuals or corporations. Knapp said, "If it is wrong for a lobbyist with a financial interest in a matter to make a gift to an elected or appointed official, it is also wrong for

others, not registered as lobbyists to make those gifts."

Testimony supporting the bill was given by Jane McWilliams, representing the League of Women Voters. McWilliams explained that the League believes paid lobbyists have greater access to legislators than other organizations or individuals, and that S.F. 24 will correct an "uneven playing field." Joan Higinbotham, executive director of Common Cause, MN, also spoke in favor of S.F. 24.

The committee thoroughly examined the individual circumstances that surround gift giving, noting that value is relative and determined by both the giver and receiver.

In answer to such questions, Marty explained that S.F. 24 attempts to establish a "bright line" delineating conduct and procedure for all.

No action was taken on the bill, and the committee will convene next week for further discussion.

## Ethics discussion continues

The Senate Ethics and Campaign Reform Committee, chaired by Sen. John Mart, (DFL-Roseville), met Tues., Mar. 1, for further discussion of S.F. 24. Marty's bill, sets forth standards of conduct for public officials that prohibits them from using their public position for private advantage. Included specifically in the bill are guidelines prohibiting the acceptance of gifts, the use of information for private gain, and the act of lobbying a former employer for up to two years after leaving office.

Various Senators raised concerns about vague wording and three amendments were placed on the table. One amendment requires more detailed reporting by lobbyists and their principals. Marty moved that the amendment be adopted, and the motion prevailed.

A second amendment prompted debate concerning the words, "benefit," "favor," and "reward." Marty acknowledged that vagueries, inherent in such language, are problematic, and that the intention of the amendment is to "tighten up the language." The amendment was adopted.

Sen. Ember Reichgott Junge (DFL-New Hope) pointed out that many situations between an official and a constituent are surrounded by subjective thinking and overlapping roles. There was an exchange between Senators surrounding hypothetical and actual situations encountered by some committee members. As a result, Reichgott Junge offered the third amendment, to delete subjective vocabulary. The amendment was adopted, however no final action was taken on the bill.

## Family Services

### Welfare reform proposals reviewed

The Family Services Committee, chaired by Sen. Pat Piper (DFL-Austin), began its look into welfare reform and related issues at its meeting of Thurs., Feb. 24.

The committee reviewed S.F. 1758, authored by Sen. Don Samuelson (DFL-Brainerd). The bill is a reform package that requires AFDC recipients under age 18 to live at home or under a supervised

arrangement, that broadens current programs linking public assistance with a employment and training services, and that requires the Dept. of Human Services to request waivers of some federal regulations.

Samuelson told the committee that his proposal relies on the willingness of the federal government to grant waivers of their public assistance rules.

The issue of welfare reform also was raised by Maria Gomez, commissioner of the Dept. of Human Services, who told the committee that it is also a part of the agency's legislative agenda for this session. She said that her department will also be offering proposals related to health care reform and the delivery of public assistance programs.

The committee will continue their review and discussions in coming meetings.

## Welfare reform testimony taken

Discussion of welfare reform was renewed when the Family Services Committee, chaired by Sen. Pat Piper (DFL-Austin), continued to consider S.F. 1758, Tues., Mar. 1.

Authored by Sen. Don Samuelson (DFL-Brainerd), S.F. 1758 contains a number of provisions that were the subject of concern for those who appeared before the committee during nearly two hours of public testimony.

A number of individuals expressed opposition to the provision requiring minor AFDC recipients to live at home. Christine Jax of the Learning Center told the committee that healthy families do support those girls who have babies, but requiring minors from dysfunctional families to stay at home would only perpetuate the problem. "Girls don't get pregnant to escape families," she said, "That usually happens after they have left."

Some questioned a provision to limit AFDC recipients to two years of post-secondary education. "Studies have shown that a four-year degree has a distinct advantage for women over a two-year degree," Tonja Orr of the Legal Services Advocacy Project said.

Still others questioned the proposal as a whole. Calling for an increase in the minimum wage, job creation measures and increases in AFDC grants, Linda Gawboy of the Welfare Rights Committee said, "We see a bunch of tinkering that is not getting at the problem."

The committee will continue its work on S.F. 1758 at future meetings.

## Gaming Regulation

### Appointees approved

The Senate Gaming Regulation Committee met Tues., Mar. 1, to review and confirm nominations for the Gambling Control Board and the Minnesota Racing Commission. The committee, chaired by Sen. Charles Berg (DFL-Chokio), also heard testimony from a variety of witnesses concerning compulsive gambling.

After reviewing resumes and questioning the candidates, Sen. Patrick McGowan (IR-Maple Grove) moved to confirm the appointments. The following individuals were confirmed as members of the Gam-

bling Control Board: Clarence S. Carter, Mary K. McLeod, Dennis Flaherty, Allan E. Fonfara, John Breon, and Laura Schupp.

The committee then interviewed Joseph Friedberg, Mary B. Magnuson, and Camille J. McArdle for positions on the Minnesota Racing Commission. Sen. Dean E. Johnson, (IR-Willmar), moved to confirm the three appointees, and the motion was approved.

The last order of business was to hear testimony from individuals regarding compulsive gambling. The committee first heard from Jay Bambery, manager of the Gambling Program at the Dept. of Human Services. Bambery pointed out that demand for programs and services continues to grow. "We are losing ground," Bambery said.

The last person to testify was the co-chair of the Gambling Advisory Committee, Roger Svendsen. Svendsen, who's involvement with the gambling hotline affords him first hand experience with compulsive gamblers, expressed concern about the perception that treatment is extremely costly. Svendsen explained that economic worry is a frequent obstacle to treatment.

The final issue that Svendsen highlighted was the need for more preventative measures. He emphasized the need for increased education efforts and the necessity to target certain audiences, specifically, young people, seniors, parents, minorities, and women.

In closing, Berg inquired about the estimated amount requested by DHS for funding the gambling program this year; the amount sought is 5.8 million dollars.

## Tribal rebates discussed

The Senate Gaming Regulation Committee, chaired by Sen. Charles Berg (DFL-Chokio), met Wed., Mar. 2, to discuss the Dept. of Revenue's current and prospective policies concerning rebates to Indian tribal governments. The committee questioned witnesses from the department about taxes refunded to the tribes, in particular, the tobacco tax.

Representing the department were Commissioner Morris Anderson, and Debra McMartin, an assistant commissioner. McMartin explained the current agreement with the tribal governments and how it came to exist.

In 1989 the commissioner of revenue was authorized to enter into an agreement with any Indian tribe in Minnesota, for refund of a mutually agreed upon amount of the cigarette taxes collected on reservations. The authority was in addition to a long-standing provision in Minnesota statutes that allowed for agreements to be negotiated on a per capita basis. The department had requested the more general authority in the 1989 law because it needed an incentive to get the tribe at Shakopee to enter into any kind of an agreement. Prior to the enactment, the tribe had refused to collect taxes. The department's rationale for requesting leniency was that since the tribe had been paying nothing previously, any amount collected, no matter how small, was a gain for the state.

# Committee update

Discussion of the 1993 rebate of \$2.4 million to the 150 member community of the Shakopee Mdewakanton Tribe ensued. The amount is substantially more than the traditional per capita contribution.

McMartin said that a major problem surrounds the collection of taxes. If the Indians refuse to pay the tax, and sell out-of-state untaxed cigarettes, the department's only recourse is to seize the cigarettes as they did in 1988. "We have no mechanism for collecting taxes," McMartin said.

Berg said that under the current agreement the money is already in the hands of the department, and that the practice of extraordinary rebates is not only unfair, but also encourages cheating by other businesses. McMartin acknowledged the situation, but referred back to the clarity of current federal law which prohibits the taxing of cigarettes sold to Indians.

Sen. Allen Spear (DFL-Mpls.), commented that hypothetical discussion about the intentions of tribes is only speculation. He said that the committee should hear directly from the tribes, and invited tribal representatives to come forward in the upcoming meetings.

## Governmental Operations and Reform

### Volunteer leave program debated

A bill to allow state employees who are certified disaster service volunteers of the American Red Cross to be granted paid leave to participate in disaster relief services was the focal point of discussion at the Wed., Mar. 2, hearing of the Governmental Operations and Reform Committee. S.F. 1734, authored by Sen. Ember Reichgott Junge (DFL-New Hope), sparked discussion as members debated the question of "paid" volunteers. Members also voiced concern that the measure leaves the state vulnerable to workers compensation claims. In order to address the concern about workers compensation, Reichgott Junge drafted an amendment, offered by Sen. Phil Riveness (DFL-Bloomington), that specifies that the state is not liable for workers' compensation claims arising from accident or injury while a state employee is on assignment as a certified disaster service volunteer for the American Red Cross. The amendment was adopted. However, further concern arose that the state cannot just exempt itself from workers compensation claims without further language.

In addition, several Senators expressed concern that authorizing paid leaves of absence violates the nature of volunteerism. Sen. Steven Morse (DFL-Dakota) offered an amendment to reduce the amount paid to employees on disaster relief leave to 70 percent of their normal salary. Sen. Linda Runbeck (IR-Circle Pines), offered an amendment to further reduce the compensation to 50 percent of the normal pay. Both the amendment to the amendment and the amendment were adopted. The bill was approved and sent to the full Senate.

In other action, the panel, chaired by

Sen. James Metzen (DFL-South St. Paul), also approved a bill repealing a number of obsolete and archaic rules. S.F. 1894, authored by Sen. Duane Benson (IR-Lanesboro), which is the result of work by both legislators and the administration, repeals obsolete rules of the Dept. of Agriculture, Dept. of Commerce, Dept. of Health, Dept. of Human Services, Dept. of Public Safety, Dept. of Public Service, Dept. of Revenue and the Pollution Control Agency. Benson said that the rules to be repealed were selected because they were either totally obsolete, or had been superseded by state or federal law, or are no longer applicable because of other changes. The bill goes to the Senate floor.

## Health Care

### Three bills okayed

The Health Care committee approved three bills at its meeting Thurs., Feb. 24. The committee, chaired by Linda Berglin (DFL-Mpls.), approved S.F. 1842, a bill sponsored by Sen. Pat Piper (DFL-Austin) that establishes a framework for changes in the Vulnerable Adult Act. The framework was proposed by a collaborative effort between the Attorney General, the Depts. of Health and Human Services, provider groups, local adult protective service agencies, and advocacy groups. The bill identifies thirteen areas of reform, including making a single computer database available to a variety of agencies and individuals. The measure also calls for clarification of terms. Mamie Segall of the attorney general's office supported the bill and the effort to combine resources and efficiently protect vulnerable adults. She was joined by several health care associations in endorsing this legislation. The bill was sent to the Judiciary Committee.

The committee also endorsed S.F. 1806, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), allowing certified clinical specialists in psychiatric and mental health nursing to prescribe and administer drugs. Deborah Brown, Clinical Nurse Specialist at Ramsey County Mental Health Center testified the bill would increase access, quality, and effectiveness of care. A collection of health care professionals concurred. Sen. Don Betzold (DFL-Fridley) proposed an amendment, which was adopted, addressing a psychiatrist's responsibility and oversight in patient diagnosis and prescription. The bill, as amended, now goes to the floor.

Betzold also sponsored S.F. 1319, a bill that includes preferred provider organizations (PPOs) in those entities allowed to establish review organizations. This bill authorizes grants peer review of medical professionals in PPOs and permits review organizations to participate in dispute settlement. The bill was approved and referred to the Judiciary Committee.

### Welfare reform bill reviewed

The Health Care and Family Services Funding Division met Mon., Feb. 28 to review S.F. 1758, a welfare reform bill

sponsored by Sen. Don Samuelson (DFL-Brainerd), who is also chair of the division. The bill requires aid to families with dependent children (AFDC) recipients under 18 to live with their parents or in a supervised living arrangement. The bill also allows recipients to work over 99 hours per month. In addition, it expands current programs linking public assistance with training and employment services.

The division discussed the Dept. of Human Services' fiscal analysis of the welfare reform bill. Cost estimates were given for each section of the bill, some with a decrease in expenditures. The total projected cost to the state is \$4.8 million.

The division also discussed the parent's fair share pilot project and its proposed expansion into Ramsey County. Sen. Duane Benson (IR-Lanesboro) expressed concern about choosing only Ramsey County as a site for expansion. Samuelson explained the potential benefits in that area, which has a disproportionate number of Southeast Asian, two-parent families with a great need for assistance. Samuelson said he was receptive to additional areas, but that he was concerned about the additional costs to the bill. Discussion will continue at a later meeting.

### Joint committee meets

The Health Care committee, chaired by Linda Berglin (DFL-Mpls.) and the Health Care and Family Services Funding Division, chaired by Sen. Don Samuelson (DFL-Brainerd) met jointly Tues., Mar. 1 to discuss S.F. 1798. The bill, sponsored by Sen. Martha Robertson (IR-Minnetonka), provides for a comprehensive, coordinated program of early intervention services for children with disabilities and their families. This program is commonly referred to as Part H; and the deadline for legislative approval is June 1994 in order to retain federal funding for the program.

Representatives from several organizations testified on the advantages of the bill because of the ability to provide a comprehensive service system. Julie Bruner of the Association of Minnesota Counties supported the linking of agencies to create seamless service. She also highlighted the counties' need for respite care.

The issue of entitlement was raised by several advocates, resulting in a clarification of the services that would be provided by the state. The joint meeting adjourned while Robertson and health care representatives met to clarify the commissioner's decision with regard to disputes. Upon return, the joint committee approved the bill and re-referred it to the Education Committee.

The Health Care Committee then discussed S.F. 1369, a bill authored by Sen. Dallas Sams (DFL-Staples), calling for a study on the risks, precautions, and requirements of the acupuncture profession. The bill mandates state certification of acupuncturists, whereas certification is currently voluntary. The bill is proposed to ensure patient protection, Sams said. Sen. Harold "Skip" Finn (DFL-Cass Lake) expressed concern about a lack of hygiene and other malpractice issues. Finn

questioned the certification process and argued that the bill did not ensure the accountability of acupuncturists. The bill was approved, however, and now goes to the Governmental Operations and Reform Committee.

### MinnesotaCare testimony heard

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), heard public testimony for the duration of the meeting on Wed., March 2. The statements concerned the Dept. of Health and Health Care Commission recommendations on MinnesotaCare. Representatives from several health care organizations discussed issues to consider for the upcoming MinnesotaCare bill. Richard Davenport of the Minnesota Medical Group Management Association (MMGMA) stressed the importance of the local development of health care systems in future health care access proposals. He and several others expressed concern that current models are "unnecessarily confining and potentially unresponsive to community needs." Proponents encouraged provisions to allow decision-making on a local level.

Legislation including insurance reform and universal coverage was also recommended by supporters. This was suggested so that integrated service networks (ISNs) can more effectively improve access and contain costs. Additional testimony was given by Dr. Mary Seieroe of the Hennepin County Medical Center, who advised the inclusion of dental care in health care reform. Testimony will continue at the next several meetings.

### MinnesotaCare discussed

The Health Care Committee, chaired by Linda Berglin (DFL-Mpls.) met Thurs., Mar. 3, and approved S.F. 1339. The bill, sponsored by Sen. Janet Johnson (DFL-North Branch), establishes a licensure system for dietitians and nutritionists. Sen. Pat Piper (DFL-Austin) presented the bill on Johnson's behalf and explained that the bill is intended to regulate non-licensed practitioners in the public interest. Pamela Van Zyl Ork of the Minnesota Dietetic Association spoke in favor of the bill, testifying that the nutrition and dietetics field needs specific standards to ensure informed health care diagnoses.

Ann Schroeder from the Dept. of Health did not support the bill, arguing that the bill did not address the possibility of public harm and that licensing will not ensure safe practices. The bill was approved and referred to the Governmental Operations and Reform Committee.

Public testimony also continued on the Health Dept. and Health Care Commission's recommendations on MinnesotaCare. Audrey Richardson from the Association of Minnesota Counties and many others emphasized the need to address issues at the county level including the financial impact, accessibility, and the county's role as a provider. Dr. Nancy Baker of the Minnesota Academy of Family Physicians noted the importance of universal access, cost containment, and continuous, comprehensive care throughout the plan.

## Jobs, Energy, and Community Development

### Dry cask proponents heard

The Jobs, Energy, and Community Development Committee spent the entirety of the Tues., Mar. 1, meeting taking testimony from supporters of a bill providing legislative authorization of the Public Utilities Commission decision to establish and operate a temporary dry cask storage facility for spent nuclear fuel from the Prairie Island nuclear plant.

Under S.F. 1706, sponsored by committee chair Sen. Steven Novak (DFL-New Brighton), Northern States Power is authorized to store up to 17 casks at the facility. The PUC may extend the authorization beyond 17 casks only after the Environmental Quality Board completes an environmental impact statement, and a certificate of need proceeding is held before the PUC. The measure specifies that dry cask storage of waste generated from the Prairie Island Plant after 2014, the end of the plant's licensing period, is subject to legislative approval. It prohibits the construction of new nuclear powered electric generating plants, and provides for the closing of a nuclear power plant if its annual load capacity factor is less than 55 percent in three consecutive years.

The bill also provides that a utility that operates a nuclear power plant in the state must contribute two percent of its gross operating revenues for conservation purposes. In addition, it requires NSP to operate a minimum of 150,000 kilowatts of wind energy conversion systems by 2000.

The measure establishes a low income discount of 50 percent that is available to recipients of federal low income home energy assistance. The language of the bill effectively limits this discount to NSP customers by requiring the discount be offered by companies that have 200,000 or more residential electric customers.

Finally, the bill requires NSP to pay \$2.2 million to the state each year that it utilizes dry cask storage. The state, in turn, disburses the funds to the Mdewakanton Sioux Tribal Council to be used for providing public services and infrastructure improvements at the Prairie Island Mdewakanton Sioux community.

Novak said that the bill reflects the conclusion, reached by the Public Utilities Commission, the Dept. of Public Service, and the Environmental Quality Board that dry cask storage is safe.

NSP spokeswoman Laura McCarten briefly outlined the utility's response to the bill, noting its opposition to the provisions for a low-income discount because it applies only to NSP and not to other utilities. In addition, McCarten said NSP opposes the \$2.2 million annual fee to compensate the Mdewakanton community, saying the utility opposes fees that are not related to providing services.

Officials from the city of Red Wing expressed the city's strong support for the dry cask storage and said that the city and Goodhue County would suffer extremely if the storage facility is not authorized and the plant is forced to close. Red Wing Mayor Romeo Cyr testified that plant

closure would result in the loss of 700 to 1,000 highly paid jobs currently held by Red Wing residents, a drastic increase in property taxes due to the projected loss of two thirds of the area's tax base, and higher rates for utility customers.

Representatives from the Dept. of Public Service, the AFL/CIO, the Minnesota Chamber of Commerce, the Minnesota Utility Investors, and Koch Refining also went on record in support of the bill. S.F. 1706 was laid over in preparation for a Weds. hearing to take testimony in

### Prairie Island opponents speak

Members of the Jobs, Energy and Community Development Committee heard arguments from opponents of a proposed dry cask storage facility at NSP's Prairie Island plant at the Weds., Mar. 2, meeting.

Those testifying against S.F. 1706 included members of the Prairie Island Tribal Council, a representative from the Minnesota Clean Water Action Alliance, a physician who specializes in pediatric radiology, and several concerned citizens.

The testifiers made several arguments, summarizing the concerns that have been voiced at numerous past meetings of the committee. Those concerns are the potential risks to health and safety, the potential for contamination of the Mississippi River if the integrity of a cask is breached, the possibility that the storage facility will be changed from a temporary to a permanent one, and the concern that by constructing a storage facility in Minnesota, the state is opening the door to the possibility that a Minnesota site will be chosen by the federal government for a permanent storage facility for the nation's spent fuel.

In response to proponents who have argued that utility bills will be higher if a storage solution is not reached and the plant is forced to close, Darlynn Lehto of the Prairie Island Council said, "What is more fair, to spread the cost among thousands, or among the 140 Indians living on Prairie Island?" Lehto said that tribe members strongly opposed the bill in a recently poll. She also said that while the tribe recognizes that the \$2.2 million annual remuneration called for in the bill is a lot of money, the tribe doesn't want it. "The health of our people is not for sale at any price," Lehto said. The bill's sponsor, Sen. Steven Novak (DFL-New Brighton), said that while no one asked him to include the remuneration in the bill, he did so because "it was the right thing to do," and that he has met extensively with representatives of the tribe.

S.F. 1706 is scheduled for a Thurs. vote.

## Judiciary

### Two bills advance

Members of the Senate Judiciary Committee met Mon., Feb. 28, to discuss three bills. The committee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), opened with S.F. 1660, a bill to enact the Uniform Conflict of Laws Limitations Act.

Authored and presented by Sen. John Hottinger (DFL-Mankato), S.F. 1660

# Committee update

determines, in cases where there is more than one state involved, which state's law will apply. According to Judge Jack Davies, who testified in support of S.F. 1660, the bill answers the question, "Which law do you use?" The committee recommended that the bill be placed on the Consent Calendar.

Next, Sen. Don Betzold (DFL-Fridley), presented two bills. The first, S.F. 1473, eliminates the requirement that commitment notices and documents, including the prepetition screening report, be given to any interested person. Colleen Brady, a representative of the Hennepin County Attorney's office testified in favor of the bill. Brady claimed that often, the release of such information is not in the respondent's best interest. S.F. 1473 was approved by the committee and moved to the Consent Calendar.

Lastly, the committee reviewed S.F. 1728. The bill contains several miscellaneous amendments to the Commitment Act. Specifically, S.F. 1728 rearranges and modifies procedures governing petitions for an order of transfer, discharge, provisional discharge, or revocation of a provisional discharge. Betzold's bill prohibits filing of a petition with the special review board or the Supreme Court Appeals Panel if denial of a similar petition has occurred within six months. The bill also gives petitioners the right to an independent examiner and a court-appointed attorney. Several witnesses testified in support of S.F. 1728, but the Senators were unable to finish work on the measure, and carried the bill over to the next meeting.

## Data access reviewed

The Judiciary Subcommittee on Data Practices met Mon., Feb. 28, to review several bills relating to the classification of data.

Chaired by Sen. Jane Ranum (DFL-Mpls.), the committee opened with S.F. 1823. The bill contains technical amendments in the Data Practices Act. It makes corrections in some of the current cross-references, besides adding cross-references to provisions not included in the original law. According to Ranum, the bill's author, "it is a simple housekeeping bill." The committee referred S.F. 1823 back to the full Judiciary Committee, recommending that it be placed on the Consent Calendar.

Sen. Don Betzold (DFL-Fridley), then presented his bill, S.F. 1318, which relates to health care. The bill clarifies the scope of confidentiality by requiring that all data gathered by a review organization be held in confidence. Review organizations are comprised of professionals, administrative staff, and consumer directors of a health care facility. The measure also clearly defines "preferred provider organization" and allows such an organization to act as a review board. Betzold said that presently the groups are prohibited from employee review, which is contrary to the public's best interest. The motion to approve the bill and return it to the Judiciary Committee was carried.

Also heard by the committee was S.F. 1791, a bill by Sen. David Knutson (IR-Burnsville). The bill pertains to classification of data of the Department of Commerce. Under S.F. 1791, specific inactive complaint data is classified as private. Sen. Patrick McGowan (IR-Maple Grove), raised concerns about a respondent's right to know who made the claim against him or her.

S.F. 1791 also authorizes the commissioner of commerce to release information that would otherwise be nonpublic if the commissioner believes that access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest. Additionally, S.F. 1791 classifies social security numbers as private data. The bill was referred back to the Judiciary Committee.

Lastly the committee heard from Betzold regarding S.F. 1694, a bill that amends the Civil Commitment Act. Presently, medical data is unavailable to a treating physician when prescribing and administering intrusive mental health treatment to persons committed as mentally ill and dangerous under the Civil Commitment Act. The bill authorizes release of such information, along with access to a patient's past medication records at any treatment facility. The bill was referred to the Judiciary Committee without recommendation.

## Two bills delayed

The Senate Judiciary Committee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), met Wed., Mar. 2 to listen to bills concerning mental health issues.

The first bill, S.F. 1728, was authored by Sen. Don Betzold (DFL-Fridley). The bill relates to a deadline for special review board recommendations regarding mentally ill and dangerous patients. In consideration of time constraints, Betzold moved to lay S.F. 1728 over. The motion was adopted.

The committee proceeded to S.F. 1694, also sponsored by Betzold. The bill deals with intrusive mental health treatment.

Under current law, when a patient is admitted to a facility, but declines treatment, he or she has the right to a court appearance. The procedure is not only costly, but also delays treatment to the patient. According to Betzold, the bill "tries to change some of the procedures to determine when we need a hearing or not."

Testimony was taken from four witnesses who support S.F. 1694. Dr. Michael Popkin, chief of psychiatry at Hennepin County Treatment Center said, "the bill puts reason into practice, yet protects those who need protection." Popkin explained that the period during which the patient is held, but not treated, contributes to further decomposition of the patient's mental health.

Judge Marilyn Justman of Hennepin County District Court, Mental Health Division, also supported S.F. 1694. Justman testified that there is undue delay in treatment and undue delay in commitment. Ultimately, the interim time is

detrimental to the patient. Justman said, "What is in existence is not effective and does not protect the person with mental illness."

Also speaking in favor of the S.F. 1694, were David Fortney, vice president and general counsel, Health Partners, and Dr. William Erickson, medical director, Department of Human Services and Regional Treatment Center, St. Peter.

No action was taken on the bill.

## Metropolitan and Local Government

### St. Paul residency requirement

The Metropolitan and Local Government committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park), approved a bill allowing St. Paul to make residency a condition of employment, at the Mon., Feb. 28 meeting. The committee also approved three other bills during the meeting and sent them to the floor.

S.F. 309 gives the city of St. Paul the option of adopting a local ordinance that requires its employees to be city residents. Sen. Randy Kelly (DFL-St. Paul), the bill's author, said that requiring city employees to be residents gives them a greater vested interest in the community.

Current law prohibits cities from using residency as a condition of employment, but in 1993, the Legislature gave an exemption from the law to Minneapolis. The city has adopted an ordinance that became effective in December.

Calling it a way to make "a very real measure of difference" in the city, St. Paul Mayor Norm Coleman and others expressed support for the bill. "I've knocked on a lot of doors this last year," he said, "and the citizens of St. Paul have a deep concern about residency."

Steve Hunter of AFSCME told the committee that while residency requirements are "politically popular," he could not find an instance where it was successful. He said that the measure may impose unintended barriers by limiting the number and quality of job applicants.

The committee approved the bill on a voice vote and re-referred it to the Jobs, Energy and Community Development Committee.

In other action, S.F. 1651 was approved and recommended for the Consent Calendar. Sen. Gene Merriam (DFL-Coon Rapids), the author, said the bill requires publicly-owned or leased vehicles to be marked with the organization's name on the sides. The bill is intended to make the owners and operators of public vehicles accountable for the use of those vehicles, he said.

S.F. 1712, authored by Sen. Dean Johnson (IR-Willmar) amends the annual audit requirement for towns that have an annual revenue of more than \$100,000 and that have combined the city clerk and treasurer positions. Towns that have combined the two positions and whose annual budget is less than \$100,000 would not be subject to the audit requirement.

The bill was approved and sent to the floor.

The committee sent its third bill to the floor when it approved S.F. 1744, allowing the city of Lakefield to expand its public utilities commission from three to five members. Sen. Jim Vickerman (DFL-Tracy) said he introduced the bill at the city's request, after concerns that a three-member commission may mistakenly violate Open Meeting Law provisions were raised by local officials.

## Met Council reorganization bill

A proposal to reorganize the structure of metro-wide units of government was presented to the Metropolitan and Local Government Committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park), Wed. Mar. 2.

S.F. 2015 establishes an elected 16-member Metropolitan Council and abolishes the Regional Transit Board, the Metropolitan Transit Commission, and the Metropolitan Waste Control Commission. The duties and obligations of those agencies are transferred to the Met Council under the bill.

Sen. Carol Flynn (DFL-Mpls.), the bill's author, said that several reorganization bills were introduced during the 1993 session and the Legislature responded by creating advisory council to consider all the issues those proposals raised. "Our goal," Flynn said, "was not to attempt to solve the region's problems, but to provide a structure that can attempt to solve them."

She told the committee that the most important issue for the advisory council was the lack of accountability among Metro Area government units, in part because the planning and operational groups have been separate from each other. "Some agencies have gone on for years without talking to one another," she said.

The key questions, Flynn noted, are whether the Met Council members should be elected or remain being appointed by the governor, and what the new organization will look like once its established.

"Both issues are connected, because they are important to the issue of accountability," she said, "and I believe that debate needs to occur on these issues." That debate will begin in earnest when the committee continues to consider S.F. 2015 next week.

## Rules and Administration

### Rule changes approved

The Rules and Administration Committee met Mon., Feb. 28, to consider several changes to the Permanent Rules of the Senate. The changes under consideration are designed to make the work of the Senate flow more smoothly. The changes, suggested by the Staff Committee on Efficiency and Effectiveness and sponsored by the Subcommittee on Permanent and Joint Rules, are also designed to aid the public in following amendments offered to bills in committee and on the Senate floor.

Specifically, the committee, chaired by Sen. Roger D. Moe (DFL-Erskine), adopted language that requires "delete everything" or multi-page amendments to be filed with

a committee secretary and to be made available to the public by 4 p.m. on the last working day before the amendments are to be offered in the committee. In order to allow bill authors some flexibility to respond to amendments adopted by committees, language was added specifying that the rule may be suspended by vote of 2/3 majority of the committee membership.

A second change, requiring written amendments to be filed with the Secretary of the Senate and requiring that a list of the amendment be made available to the public by 4 p.m. the day before the amendments are offered to the Senate or the Committee of the Whole, was also debated. However, members voted against adopting the change for floor amendments.

Finally, the members approved a rule change that will allow the use of the electrical voting system on votes taken to override a governor's veto. Previously, such votes were taken on a voice roll call vote.

The changes to the Permanent Rules of the Senate were advanced to the full Senate for consideration.

## Taxes and Tax Laws

### Budget forecast outlined

Commissioner John Gunyou of the Dept. of Finance and Commissioner Morris Anderson of the Dept. of Revenue appeared before the Taxes and Tax Laws Committee Wed., Mar. 2, to brief Senators on the results of the latest budget forecast. According to Gunyou, the forecast indicates a positive balance of \$623 million for the 1994-95 biennium. The forecast is a \$193 million improvement over the previous forecast in November of 1993. However, Gunyou cautioned that the rate of economic growth is expected to slow during the next biennium. Therefore, Gunyou said, the governor has scaled back on proposals such as an income tax cut. Gunyou said that the governor's supplemental budget proposal includes using \$140 million to restore the budget reserve, \$172 million to restore state education aid accounting changes, and \$180 million for the school aid reserve. In addition, Gunyou said the governor is proposing \$21 million for prison expansion, \$15 million for the crime bill initiative, \$1 million for the welfare reform initiative, \$12.1 million for flood relief, \$2.2 million for the game and fish fund shortfall, \$18.5 for the strategic capital budget plan, \$15 million for the statewide systems project, \$12.8 million for transit and \$11.5 million for a variety of other projects.

Committee Chair Douglas Johnson (DFL-Cook) and Sen. Lawrence Pogemiller (DFL-Mpls.) questioned Gunyou closely on the issue of using the \$172 million to restore education aid accounting changes. Johnson also questioned the representatives of the administration on the process used to develop the budget forecast.

Anderson detailed the portions of the forecast dealing with increases in revenue. An increase in individual income tax revenues of \$137 million provides more than one half of the revenue added by the new forecast. However, Anderson cited a

lower than expected growth in the Local Government Trust Fund.

In other action, the committee advanced one bill to the Senate floor. S.F. 1709, authored by Sen. Phil Riveness (DFL-Bloomington), removes the cap of \$5.5 million that applies to the property tax targeting program for taxes payable in 1994. Riveness said that if the cap is not lifted, the minimum property tax increase required to qualify for relief would be \$300, rather than the \$100 increase specified in law. Panel members adopted an amendment, offered by Riveness, to require counties to provide to the commissioner of revenue a list containing the name, address and social security number of every taxpayer who owns homesteaded property in the county and whose gross property taxes have increased by 12 percent or more. A second amendment, offered by Sen. William Belanger (IR-Bloomington), requiring that the funds used for the target property tax relief come from the Local Government Trust Fund, was defeated on a voice vote. The bill now goes to the full Senate for action.

## Transportation and Public Transit

### Charter bus deregulation discussed

The Transportation and Public Transit Committee devoted its Tues., Mar. 1, meeting to hearing testimony on a bill that would remove many of the regulations currently governing charter bus operators. The bill, S.F. 1569, sponsored by Sen. Steven Morse (DFL-Dakota), deletes language in current law that prohibits operators of passenger transportation services from providing charter service without a charter carrier permit from the Transportation Regulation Board.

Characterizing the current situation in the charter bus industry as "a David and Goliath story," Morse said that the current regulatory structure has the effect of unfairly limiting competition and excluding those carriers not already holding intrastate charter permits from obtaining them.

Testifying in favor of the bill, charter bus and tour operators said that the procedure effectively shuts them out of obtaining permits because incorporated businesses are required to retain an attorney to represent them in the permit process. In addition, operators testified that those carriers who have territories to protect pool their resources, enabling them to overpower applicants for new permits by conducting protracted legal battles.

A representative from the Minnesota Charter Bus Operators Association, which represents many current permit holders, denied those charges, saying that regulation is needed to protect the public safety and the quality of bus service. He said that very few states have tried bus deregulation and that those that have tried it have had poor results. He said that after deregulation, poor quality operators move in, find out that the business is not as profitable as they thought, and have to cut costs by skimping on safety and hiring poor quality drivers in order to undercut established

businesses that have quality equipment and union drivers. Senators inquired how many of the current charter bus operators are union, but none of the testifiers were able to provide that figure.

The committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), held S.F. 1569 over until a future meeting.

### Personal Transportation repeal

The Transportation and Public Transit Committee met Weds., Mar. 2, to consider a bill that cancels the scheduled repeal of the personal transportation service authority. S.F. 1816, sponsored by Sen. Jane Krentz (DFL-May Township), also imposes higher insurance requirements for providers of personal transportation services, increases the permit fees for the providers from \$150 to \$500, and increases the minimum level of insurance they are required to carry. Krentz said the bill addresses many of the concerns that led to the Legislature's move to repeal the

personal transportation service authority last session. Krentz said the service is needed to provide personal transportation for people who want to avoid the ostentatiousness of a limousine. Among the services provided by such businesses are driving children to lessons and other activities, transporting donor organs to rural hospitals when the weather prohibits air travel, and transporting executives.

Representatives from the industry spoke in favor of the bill, saying that allowing the repeal to take effect would be devastating to an industry that employs 3,000 people in the state. Clara Schmit-Gonzalez, Licensing and Consumer Affairs Dept., city of Minneapolis, testified that the city believes the bill has potential, but outlined several concerns. Among them, Schmit-Gonzalez said, is the concern that the wording of the legislation allows numerous new entries into the business by people who want to intentionally blur the distinction between taxi services and personal transportation

services. Such a situation, she said, could create enforcement problems for the city by making it unclear when a service is operating as an illegal taxi service.

The committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), delayed action on the bill to allow time for recasting the bill to address the concerns raised by Schmit-Gonzalez.

In other business, the Senators approved S.F. 1752, designating a portion of trunk highway 14 near Mankato the Laura Ingalls Wilder Historic Highway. The bill, sponsored by Sen. Jim Vickerman (DFL-Tracy), now goes to the Senate floor.

Another highway designation bill, S.F. 1679, sponsored by Sen. Terry Johnston (IR-Prior Lake), was not approved. Senators discussed the bill, which designates trunk highway 212 the Minnesota Veterans Memorial Highway, some noting that there are currently four designated stretches of highway honoring the state's veterans. The bill failed on a tie vote.

# Preview

The Minnesota Senate Week at a Glance

## Monday, March 7

### Environment and Natural Resources Committee

Chair: Sen. Bob Lessard

8 a.m. Room 107 Capitol

Agenda: Continuation of hearing on S.F. 1788 (Johnson, J.B.) Waste Management Act amendments.

### ❖ The Senate will meet at 10 a.m.

### ❖ Agriculture and Rural Development Committee

Chair: Sen. Joe Bertram, Sr.

12 noon Room 107 Capitol

Agenda: Discussion of governor's proposals for flood disaster relief and farm aid. S.F. 1857-Sams: Extending the agricultural homestead provisions of a relative to the father or mother.

### Commerce and Consumer Protection Committee

Chair: Sen. Sam Solon

12 noon Room 112 Capitol

Agenda: Appointment confirmation: Commissioner James Ulland, Dept. of Commerce. S.F. 1749-Larson: Insurance solvency, guaranty association modifications. S.F. 1750-Larson: Commerce Dept. enforcement authority and data disclosure. S.F. 1847-Solon: Mortgage payment services regulation. S.F. 1898-Wiener: Health insurance coverage for diabetic equipment and supplies.

### Judiciary Committee

Chair: Sen. Ember Reichgott Junge

12 noon Room 15 Capitol

Agenda: S.F. 1691-Betzold: Technical corrections to statutory provisions to real property. S.F. 1694-Betzold: Intrusive mental health treatment. S.F. 1820-Kiscaden:

Allowing compensation for examiner of titles. S.F. 1842-Piper: Vulnerable Adults Act. S.F. 1874-Spear: Supreme Court study on commitment laws and procedures.

### Legislative Audit Commission

Chair: Sen. Phil Riveness

12 noon Room 318 Capitol

Agenda: Program Evaluation Division presentation of its report on motor vehicle deputy registrars.

### Crime Prevention Committee

Chair: Sen. Allan Spear

2 p.m. Room 15 Capitol

Agenda: S.F. 1845-Ranum: Juvenile justice bill.

### Jobs, Energy and Community Development Funding Division

Chair: Sen. Carl W. Kroening

2 p.m. Room 112 Capitol

Agenda: DTED supplemental budget, specifically 1) Independent Jobs Skills Partnership Board 2) Minnesota Trade Office and 3) Minnesota Film Board.

## Tuesday, March 8

### ❖ Gaming Regulation Committee

Chair: Sen. Charlie Berg

8 a.m. Room 107 Capitol<agenda>

Agenda: Review of S.F. 103-Berg: The omnibus gambling bill passed in 1993.

### Legislative Commission on Pensions and Retirement Subcommittee to Review Proposed Special Legislation

Chair: Rep. Leo Reding

8 a.m. Room 300S SOB

Agenda: S.F. 1818-Stumpf: H.F. 1927: Major funds; special Medicare referendum. S.F. 2028-Stumpf: TRA; Elwin Leverington

retirement effective date. S.F. 2039-Janezich; H.F. 1843: Major funds; partial pre-1973 retiree bonus payment. H.F. 1913-Farrell: St. Paul Police; retroactive refund eligibility.

### Transportation and Public Transit Committee

Chair: Sen. Florian Chmielewski

8 a.m. Room 112 Capitol

Agenda: S.F. 1816-Krentz: Amending and eliminating the repeal of regulations related to personal transportation service providers. S.F. 1812-Chandler: Authorizing flashing blue lights on certain vehicles. S.F. 1762-Sams: Designating third Monday of January as Minnesota School Bus Driver Day.

### Education Funding Division

Chair: Sen. Lawrence Pogemiller

10 a.m. Room 112 Capitol

Agenda: S.F. 2018-Stumpf: Consolidation of school districts. S.F. 1876-Murphy: Cooperation and combination revenue. S.F. XXX-School bus safety.

### Health Care Committee

Chair: Sen. Linda Berglin

10 a.m. Room 15 Capitol

Agenda: S.F. 1843-Betzold: Removes expiration date for Ombudsman Committee for Mental Health and Mental Retardation. S.F. 1867-Berglin: Study of Single Payor--Legislative Auditor to study administrative costs of providing health care services.

### ❖ Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak

10 a.m. Room 107 Capitol

Agenda: S.F. 1777-Benson, D.: Workers compensation - alternatively providing a new general system of law and insurance provisions

for the compensation of employment-related injuries.

### ❖ Ethics and Campaign Reform Committee

*Chair: Sen. John Marty*  
12 noon Room 107 Capitol  
**Agenda:** S.F. 24-Marty: Code of Ethics.

### Family Services Committee

*Chair: Pat Piper*  
12 noon Room 15 Capitol  
**Agenda:** S.F. 1828-Knutson: Federal child support legislation.  
S.F. 2014-Cohen: Modifications for 1993 child support legislation.  
S.F. 1662-Piper: UIFSA.

### Veterans and General Legislation Committee

*Chair: Sen. Jim Vickerman*  
1 p.m. Room 112 Capitol  
**Agenda:** Confirmation hearing for the Minnesota Veterans Homes board of directors and the Minnesota State Arts board.

### ❖ Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*  
2 p.m. Room 107 Capitol  
**Agenda:** S.F. 1755-Stumpf: Relating to game and fish; agreements on taking and possession of fish taken from Ontario boundary waters.  
S.F. 1958-Janezich: A bill relating to private lands and waters; providing for recreational use, liability and easements of other rights.

### Transportation and Public Transit Finance Division

*Chair: Sen. Keith Langseth*  
2 p.m. Room 125 Capitol  
**Agenda:** Dept. of Transportation capital budget presentation. S.F. 875-Morse: High speed rail. S.F. 26-Langseth: Bridge bonding.

### Legislative Commission to Review Administrative Rules

*Chair: Sen. John Hottinger*  
3 p.m. Room 318 Capitol  
**Agenda:** Election of vice chair. LCRAR report on chapter 370 rulemaking study: Discussion and vote on final report.

### Finance Committee

*Chair: Sen. Gene Merriam*  
4 p.m. Room 123 Capitol  
**Agenda:** S.F. 1758-Samuelsen: Welfare reform bill.

### Taxes and Tax Laws Subcommittee on Property Tax

*Chair: Sen. Carol Flynn*  
4 p.m. Room 15 Capitol  
**Agenda:** Discussion of Local Government Trust Fund deficit.

### Judiciary Committee

*Chair: Sen. Ember Reichgott Junge*  
6:30 p.m. Room 112 Capitol  
**Agenda:** S.F. 1692-Betzold: Public contractors' performance and payment bond act. S.F. 1732-Finn: Conciliation court jurisdiction expansion. S.F. 1766-Reichgott Junge: Unauthorized practice of law. S.F. 1767-Finn: Organization and operation of business corporations. S.F. 1786-Reichgott Junge: Limited liability partnerships. S.F. 1989-Murphy: Workers compensation; exclusion for limited liability companies. S.F. 1911-Finn: Secretary of State corporate filing bill. S.F.

1971-Reichgott Junge: Limited liability companies; workers compensation and unemployment law. S.F. 1998-Cohen: Change of name applications. S.F. 2096-Cohen: Increasing the value of the homestead exemption.

### Legislative Commission on Children, Youth and Their Families

*Chair: Sen. Jane Ranum*  
6:30 p.m. Room 15 Capitol  
**Agenda:** Legislation regarding undocumented persons. The Office of Ombudspersons. Draft amendment to Data Practices Act. LCCYF annual report. Report of LCCYF and Children's Cabinet joint study and recommendations.

### Ethics and Campaign Reform Committee

*Chair: Sen. John Marty*  
7 p.m. Room 107 Capitol  
**Agenda:** If necessary to complete action on S.F. 24-Marty: Code of ethics.

## Wednesday, March 9

### Gaming Regulation Committee

*Chair: Sen. Charlie Berg*  
8 a.m. Room 107 Capitol  
**Agenda:** Discussion of items to be included in a gaming committee bill.

### Governmental Operations and Reform Committee

*Chair: Sen. James Metzger*  
8 a.m. Room 15 Capitol  
**Agenda:** S.F. 2076-Cohen: Establishing a collection entity for collection of debts owed to the state. S.F. 2095-Cohen: Public employee vacation donation program. S.F. 1369-Sams: Establishing a system of licensure for acupuncture practitioners. S.F. 1818-Stumpf: Requiring Medicare coverage for referendum for certain public employees.

### Transportation and Public Transit Committee

*Chair: Sen. Florian Chmielewski*  
8 a.m. Room 112 Capitol  
**Agenda:** S.F. 1910-Wiener: Emission control inspections; requiring contractors operating public inspection stations to make available the opportunity to renew motor vehicle registrations and obtain plates or tabs at inspection stations. S.F. 1673-Olson: Allowing use of existing paved road surface to be used for additional lane of travel on I-394. S.F. 1811-Knutson: Providing incentives for the use of the I-394 parking ramp by high-occupancy vehicles that use highways other than I-394.

### ❖ Health Care Committee

*Chair: Sen. Linda Berglin*  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. XXX-Berglin: MinnesotaCare Bill. Public Testimony.

### Higher Education Division

*Chair: Sen. LeRoy Stumpf*  
10 a.m. Room 112 Capitol  
**Agenda:** University of Minnesota capital budget. Future Funding Task Force report.

### Jobs, Energy and Community Development Committee

*Chair: Sen. Steven Novak*  
10 a.m. Room 107 Capitol  
**Agenda:** Continuation of S.F. 1777-Benson, D.: Workers Compensation - alternatively providing a new general system of law and insurance provisions for the compensation of employment-related injuries.

### The Senate will meet at 11:45 a.m.

### Subcommittee on Bill Referral

*Chair: Sen. William Luther*  
Immediately Following Session Room 237 Capitol  
**Agenda:** S.F. 1773-Price: Rule 35 by Merriam. S.F. 1805-Merriam: Rule 35 by Merriam. S.F. 1866-Metzen: Rule 35 by Chmielewski. S.F. 1962-Mondale: Rule 35 by Vickerman.

### ❖ Agriculture and Rural Development Committee

*Chair: Sen. Joe Bertram, Sr.*  
12 noon Room 15 Capitol  
**Agenda:** S.F. 1948-Berg: Providing for family farm limited liability companies and authorized farm limited liability companies; removing limitation on number of shareholders or partners for authorized farm corporations and partnerships. S.F. 1949-Berg: Removing limitations on ownership and use of agricultural lands by limited liability companies.

### Commerce and Consumer Protection Committee

*Chair: Sen. Sam Solon*  
12 noon Room 112 Capitol  
**Agenda:** S.F. 1702-Reichgott Junge: Pawnbrokers interest rate regulation. S.F. 1729-Metzen: Reciprocal interstate banking geographical limit removal. S.F. 1751-Larson: Omnibus insurance bill. S.F. 1794-Reichgott Junge: Health insurers EMS HIV antibody test results use prohibition. S.F. 1912-Vickerman: Health insurance short term coverage.

### Judiciary Committee

*Chair: Sen. Ember Reichgott Junge*  
12 noon Room 107 Capitol  
**Agenda:** Bills carried over from Monday and Tuesday meetings.

### Crime Prevention Committee

*Chair: Sen. Allan Spear*  
2 p.m. Room 15 Capitol  
**Agenda:** S.F. 1845-Ranum: Juvenile justice bill.

### Jobs, Energy and Community Development Funding Division

*Chair: Sen. Carl Kroening*  
2 p.m. Room 112 Capitol  
**Agenda:** Historical Society capital budget overview and review of individual projects.

### Taxes and Tax Laws Committee

*Chair: Sen. Douglas Johnson*  
4 p.m. Room 15 Capitol  
**Agenda:** S.F. 2030-Bertram: Exempting a tax increment financing district from certain restrictions. S.F. 2073-Pappas: Dept. of Revenue technical bill.

### Health Care Committee

*Chair: Sen. Linda Berglin*  
7 p.m. Room 15 Capitol  
**Agenda:** Continuation of S.F. XXX-Berglin: MinnesotaCare bill and public testimony.

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### Thursday, March 10

❖ The Senate will meet at 8 a.m.

#### Rules and Administration Committee

Chair: Sen. Roger D. Moe  
7:30 a.m. Room 107 Capitol  
Agenda: Report of the Subcommittee on Bill Referral, personnel issues.

#### Education Funding Division

Chair: Sen. Lawrence Pogemiller  
10 a.m. Room 112 Capitol  
Agenda: Governor's supplemental budget recommendations. Capital budget recommendations and requests: 1. Nett Lake; Maximum Effort School loan. 2. Faribault Academies. 3. Minnesota Center for the Arts.

#### Health Care Committee

Chair: Sen. Linda Berglin  
10 a.m. Room 15 Capitol  
Agenda: S.F. 2043-Sams: Requires dentists to participate in state health care programs, expands MA coverage of dental services, increases MA rates for dental. S.F. 2005-Sams: Board of Dentistry. S.F. 1763-Berglin: Nursing home efficiency incentives.

#### Ethics and Campaign Reform Committee

Chair: Sen. John Marty  
12 noon Room 107 Capitol  
Agenda: S.F. 943-Marty: Ethical Practices Board Recommendations. S.F. 2015-Flynn: Metropolitan Reorganization Act of 1994, Article 1.

#### Family Services Committee

Chair: Sen. Pat Piper  
12 noon Room 15 Capitol  
Agenda: Continuation of child support bills.

#### Veterans and General Legislation Committee

Chair: Sen. Jim Vickerman  
12 noon Room 112 Capitol  
Agenda: To be announced.

#### Crime Prevention Committee

Chair: Sen. Allan Spear  
2 p.m. Room 15 Capitol  
Agenda: S.F. 1961-Merriam: DWI penalties.

#### Metropolitan and Local Government Committee

Chair: Sen. Betty Adkins  
2 p.m. Room 107 Capitol  
Agenda: S.F. 1926-Merriam: Allowing merger of Anoka County and City of Anoka libraries. S.F. 1899-Wiener: Eagan; Special Service District. S.F. 1963-Mondale: Hopkins; Special Service District. S.F. 1826-Mondale: Extending reporting and effective date for radio systems planning by Metropolitan Council.

#### Higher Education Division

Chair: Sen. LeRoy Stumpf  
4 p.m. Room 125 Capitol  
Agenda: Capital budget for state universities, community colleges, technical colleges. Higher Education Board reports.

#### Income and Sales Tax Subcommittee of Taxes

Chair: Sen. Ember Reichgott Junge  
4 p.m. Room 15 Capitol  
Agenda: Bills listed are for discussion only: S.F. 1219-Krentz: Expanding dependent care credit. S.F. 1688-Krentz: Changing dependent care credit. S.F. 1916-Pariseau: Changing dependent care credit.

#### State Government Finance Division

Chair: Sen. Richard Cohen  
4 p.m. Room 318 Capitol  
Agenda: The Amateur Sports Commission capital budget and the Dept. of Military Affairs capital budget.

#### Education Funding Division

Chair: Sen. Lawrence Pogemiller  
6 p.m. Room 125 Capitol  
Agenda: Capital budget recommendations and requests. S.F. 1705-Finn: Cass Lake Maximum Effort School loan. S.F. 1697-Johnson, D.: Atwater, Cosmos, Grove City Cooperative secondary facilities grant. Big Lake Maximum

#### Judiciary and Crime Prevention Subcommittee on Data Practices

Chairs: Sen. Jane Ranum and Sen. Skip Finn  
6 p.m. Room 107 Capitol  
Agenda: To be announced.

#### Health Care Committee

Chair: Sen. Linda Berglin  
7 p.m. Room 112 Capitol  
Agenda: Continuation of agenda from 10 a.m. meeting.

### Friday, March 11

#### Governmental Operations and Reform Committee

Chair: Sen. James Metzger  
8 a.m. Room 15 Capitol  
Agenda: To be announced.

#### Transportation and Public Transit Finance Division

Chair: Sen. Keith Langseth  
8 a.m. Room 112 Capitol  
Agenda: Dept. of Transportation supplementary budget request.

#### ❖ Environment and Natural Resources Committee

Chair: Sen. Bob Lessard  
10 a.m. Room 15 Capitol  
Agenda: S.F. 1706-Novak: Prairie Island legislation.

#### Joint Finance Subcommittee on Claims

Chairs: Sen. Randy Kelly and Rep. Andy Steensma  
12 noon Room 400S SOB  
Agenda: Claim against the Dept. of Transportation and the Dept. of Corrections Veterans bonus claims.

❖ Live television coverage will be provided.

# Briefly

The Minnesota Senate Weekly Review

March 11, 1994

## Reorganization bill advances

A proposal to reorganize Metropolitan Area government units cleared its first hurdle Wed., Mar. 9, when it was approved by the Metropolitan and Local Government Committee.

S.F. 2015 requires that the Metropolitan Council consist of 16 elected members, that the operational functions of the Regional Transit Board (RTB), the Metropolitan Transit Commission (MTC), and the Metropolitan Waste Control Commission (MWCC) be placed under the Metro Council, and the boards of the three groups be dissolved. The bill now advances to the Ethics and Campaign Reform Committee.

The committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) heard testimony from representatives of Metro Area organizations before reaching its decision.

Dave Childs, president of the Association of Metropolitan Municipalities, told the members that his group has been concerned that the Metro Council has not been addressing major regional issues. To do that, he said, his association recommends that the Metro Council focus on long-range policies, that it continue to be an appointed body, and that the council be made responsible for approval of the budgets for MTC and MWCC.

Ramsey County Commissioner Ruby Hunt echoed many of Childs' views. Speaking on behalf of county commissioners from the seven-county Metro Area, she said that while there has been a concern that the Metro Council ignores regional issues, adding additional employees under the council would increase that concern. Hunt also said that the commissioners do not support election of the Metro Council members.

Representatives of the Minnesota Association of Townships also expressed opposition to electing the council members.

Lyle Wray, executive director of the Citizen's League, said that his group has examined the issues of regional government and supports the approach the bill takes. "You are not adding a layer of government," he said. "You are making it more accountable." He said the league supports electing Metro Council members because "it legitimizes a level of government that has exercised taxation without representation."

Additional testimony was also heard on components of the bill regarding the role of the administrators in the new organization, and the inability for the current structure to be held accountable.

Sen. Carol Flynn (DFL-Mpls.) offered an author's amendment to delete a provision that prevents a municipality from taking actions that conflict with a comprehensive Metropolitan Area plan. That provision had been added by amendment at the committee's previous meeting.

Other amendments were offered, to create a Metropolitan Commission on Special Transportation Services, to delete the election requirements, and to enable candidates for the Metro Council to receive public campaign financing. All of the amendments failed. S.F. 2015 was then approved on a voice vote.

## MinnesotaCare bill advanced

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.) continued debate on amendments to S.F. 2192, the MinnesotaCare bill. Discussion at the Thurs., Mar. 10 meeting focused on an amendment, sponsored by chief author Berglin and adopted at a previous hearing. Berglin moved to reconsider the provision and bring it back before the panel for discussion. The motion to reconsider was adopted and the amendment was again before the committee. Originally the amendment specified that an allied health provider may require customers to pay the difference between the provider's rate and the amount reimbursed by the community integrated service network (CISN), to the extent that the total rate received by the allied health provider for providing the service is no greater than the rate established for the same service. The amendment also required an expanded network of providers to be offered to enrollees. Sen. Sheila Kiscaden (IR-Rochester) and other opponents stated that the amendment would allow any willing provider to be part of the network, thus making eliminating the incentive for cost containment, therefore jeopardizing universal coverage. In response to the concerns, Berglin moved to alter the previous amendment by removing the provision requiring customers to pay the difference between the provider's rate and the network's contribution. The amendment to the previous amendment was adopted.

Kiscaden proposed an amendment, which was also approved, requiring premiums to be paid no later than 30 days after the due date, or a disenrollment from the plan will result. The bill was approved and was re-referred to the Commerce and Consumer Protection Committee.

## Ethics bill approved

At a meeting, Tues., Mar. 8, the Senate Ethics and Campaign Reform Committee discussed H.F. 1863, the ethics bill approved by the other body last week.

The committee, chaired by Sen. John Marty (DFL-Roseville), began with the language contained in H.F. 1863, carried in the Senate by Majority Leader Roger D. Moe (DFL-Erskine). An amendment, containing the language of S.F. 24, the bill the panel has been discussing for several hearings, was offered. The amendment was adopted. However,

another amendment, offered by Moe, altered the language of S.F. 24. Under the Moe amendment, which was adopted, standards are set at two levels. The first level, which applies to state elected officials, state administration officials and legislative employees, prohibits lobbyists from giving gifts but allows lobbyists to furnish food and beverages. The amendment requires disclosure if the value of food and beverages exceeds \$5. For city and county officials, there is an outright prohibition on gifts by persons that have a direct financial interest in a decision that a local official is authorized to make. However, there is no prohibition on food and beverages at the local level. According to Moe, the reason for the two tiered approach is that "lobbying" does not really apply at the local level because there is no mechanism for registration.

Marty then offered a series of amendments to strengthen the bill. One amendment, which the panel adopted, specifies that not only lobbyists, but "principals," or those who hire the lobbyists, are covered under the provisions of the bill. Another amendment, prohibiting for food and drink from lobbyists or principals exceeding \$3 in value, failed on a voice vote. A third Marty amendment, requiring specific dollar disclosure of lobbying expenditures failed on a divided voice vote.

Members of the committee approved the bill and advanced it to the floor of the Senate.

## Fish bill approved

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Weds., Mar. 9, to take action on a bill presented by Sen. LeRoy Stumpf (DFL-Thief River Falls). S.F. 1755 limits the number of fish that may be brought into Minnesota from Ontario, Canada. According to Stumpf, the bill counteracts current regulations adopted by the province of Ontario on the number of fish that may be taken from border lakes.

Sen. Gene Merriam (DFL-Coon Rapids) offered an amendment that, according to Merriam, gives the bill more flexibility. As stated by Merriam, the amendment will set restrictions equal to Canadian limits on boarder lakes and provide that if a resolution with the Canadian government occurs, another bill will not be necessary to release the restrictions set forth in S.F. 1755. The amendment was adopted. The bill was approved and sent to the Senate floor.

## Accessibility needs addressed

The Senate is committed to making the legislative process available to persons with disabilities. Please call 296-1119 for assistance with special needs.

# Committee update

## Agriculture and Rural Development

### Flood disaster relief discussed

The Agriculture and Rural Development Committee devoted the entire Mon., Mar. 7, hearing to discussion of the governor's proposals for flood disaster relief and farm aid. The relief is needed because of the floods during the summer of 1993 and the resulting poor harvest in Minnesota. At the opening of the hearing, Committee Chair Joe Bertram, Sr. (DFL-Paynesville) said that the committee "needs to work out a solution for relief from the devastating floods." "We can't accept a band-aid and we can't count on the federal government," Bertram said.

Wally Sparby of the Agricultural Stabilization and Conservation Service briefed the committee on the steps taken thus far by the federal government. Sparby said that total damage from the flooding is expected to top \$1.1 billion for agricultural loss in Minnesota. According to Sparby, relief efforts in Minnesota are on track, despite a shortage of staff in the agency. Sparby said that \$720 million, from all funds, has been delivered thus far.

Agriculture Commissioner Elton Redalen said that Minnesota has been a model of action for the rest of nation by showing that all agencies working together can speed the relief efforts. Redalen said that the centerpiece of the governor's proposal is a plan to defer the first half of 1994 property taxes, up to \$2,500, for up to two years. Counties would be reimbursed through the sale of \$50 million in revenue bonds, under the proposal. Redalen said that the counties participation is voluntary. Bertram took issue with the plan and said that he would rather the plan included tax forgiveness instead of deferring the taxes.

Another part of the package includes funds for wheat research to alleviate the damage done by the vomitoxin, or fungus, that struck small grains last year in the wake of the floods. A third component provides \$3 million for a retraining program. A fourth element allows access to the rural finance revolving fund.

Several members of the committee expressed concern about not having a more detailed proposal to study and about the short time remaining before spring planting. Bills relating to flood relief must be heard by several committees and Senators said they were concerned about coming deadlines.

### Limited liability bills heard

The Agriculture and Rural Development Committee met Weds., Mar. 9, to hear testimony on S.F. 1948 and S.F. 1949. The bills, authored by Sen. Charles Berg (DFL-Chokio), concern limited liability arrangements in farming.

S.F. 1948 authorizes the formation of family farm limited liability companies and authorized farm limited liability companies subject to the current restrictions placed on family farm corporations and partnerships as well as authorized farm corporations and partnerships. The bill also removes the limit of five shareholders or partners for authorized corporations and authorized farm partnerships.

S.F. 1949 amends the restrictions of the corporate farming act to remove limited liability companies from the scope of the law. Under the measure, any limited liability company can own or hold interest in agricultural land.

Berg testified to the committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), that in order for Minnesota's farmers to compete with other states and nations, tools are needed to allow farmers to join together beyond the current limits in a limited liability company.

Chris Radatz, a representative of the Minnesota Farm Bureau (MFB), told the committee that the passage of the two bills is a win-win situation for agriculture. Ron Buhl, a hog farmer and member of the Minnesota Pork Producers stressed that current law does not allow the type of business structure needed by hog producers and that S.F. 1948 and S.F. 1949 encourage farmers to work together. Other groups that voiced support for the proposed legislation were the Minnesota AgriGrowth Council, the Minnesota Wheatgrowers Association and the Minnesota Cattleman's Association.

Testifying against the bills, was Monica Kahout, a crop and livestock farmer. Kahout maintained that the bill poses a threat to the environment in Minnesota because storage tanks used by large groups of farmers can develop cracks and leak manure into the ground. Kahout also stated that the bill threatens small and medium sized farms in addition to a way of life in rural Minnesota. Also testifying in opposition was the Minnesota Farmers Union. No action was taken on either bill.

## Commerce and Consumer Protection

### Diabetic equipment coverage

First on the agenda at the Commerce and Consumer Protection Committee's Mon., Mar. 7, meeting was confirming the gubernatorial appointee for Commissioner of Commerce. The Senators voted to confirm James Ulland, Minneapolis, to the post.

In other business, the committee, chaired by Sen. Sam Solon (DFL-Duluth), approved S.F. 1898, sponsored by Sen. Deanna Wiener (DFL-Eagan), requiring insurers to cover the cost of all physician-prescribed and medically approved testing equipment and materials for diabetics. According to Wiener, many people with diabetes are unable to afford equipment such as glucose monitors. Representatives from the American Diabetes Association cited the cost-effectiveness of the measure, saying that the cost of preventing diabetes-related conditions with proper testing is much less than the cost of treating them. A representative from Blue Cross and Blue Shield of Minnesota testified that the company does not oppose the bill. The bill now goes to the full Senate.

The committee also approved and sent to the floor two other bills. The first, S.F. 1749, sponsored by Sen. Cal Larson (Fergus Falls), makes numerous housekeeping and technical changes to the 1991 insurance solvency statutes. Among the revisions made by the bill are changing the timing and content of audits that must be filed by insurers; requiring that insurers file annual financial statements on computer diskette; and setting financial reinsurance criteria.

The second, S.F. 1750, also sponsored by Larson, clarifies the description of the commissioner of commerce's authority and responsibilities.

The committee then turned to S.F. 1847, sponsored by Solon. The bill sets regulations for mortgage payment services, companies that

serve as intermediaries between mortgagors and mortgagees. For a fee, the companies collect biweekly mortgage payments from mortgagors and pay mortgage payments to mortgage companies, a system that provides a discipline for meeting mortgage payments and accelerates payoff of the mortgage. The bill adds to statute a definition of mortgage payment servicers and creates a subclass of activity that does not require a license of compliance with the procedures and rules relating to the debt prorate business. The bill also establishes a bonding requirement of \$5,000 for mortgage payment servicers. Sen. William Luther (DFL-Brooklyn Park), arguing that the bill does not offer consumers enough protection from unscrupulous servicers, offered a delete everything amendment that includes mortgage servicers in regulations governing debt prorate activities. After discussing the bill and the amendment at length, the committee laid S.F. 1847 over for discussion at a future meeting.

### HIV test results limitation

A bill that prohibits insurance companies from obtaining and using HIV test results of patients or emergency medical services personnel cleared the Commerce and Consumer Protection Committee at the Wed., Mar. 7, meeting. S.F. 1794, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), expands the law that currently protects HIV test results of criminal offenders and victims of crimes when a victim has been exposed to an offender's body fluids. The committee approved the bill and forwarded it to the Senate floor.

The committee next heard S.F. 1702, also sponsored by Reichgott Junge. The bill establishes maximum interest rates that pawnbrokers may charge. Reichgott said that an examination of current law reveals that although it is a misdemeanor for a pawnbroker to charge more interest than allowed by law, the law does not specify a maximum interest rate.

Under the measure, pawnbrokers may charge interest no greater than 33 percent per year on unpaid principal amounts under \$750 and 19 percent per year on unpaid principal amounts exceeding \$750. After discussion, the Senators approved a resolution to send a letter to the attorney general requesting an opinion regarding whether current law sets an interest rate for pawnbrokers. The committee then laid the bill over and directed the Dept. of Commerce to study the issue.

The committee also considered and approved three other bills. S.F. 1751, the omnibus insurance bill, makes several technical and substantive changes to insurance law. The bill, sponsored by Sen. Cal Larson (IR-Fergus Falls), revokes the current power of the commissioner of commerce to suspend or revoke, without a hearing, an insurance company's authority to do business in Minnesota. A representative from the Commerce Dept. said this authority is not needed, as the commissioner can still suspend or revoke a company's authority with a hearing. Among the other changes made in the bill are a provision permitting property and casualty insurers to sell credit involuntary unemployment insurance. The bill also refines the definition of professional services in regard to the risk pool for medical malpractice insurance. The change effectively excludes services that rely solely on spiritual healing or divine intervention from coverage.

The committee adopted three amendments to S.F. 1751. The first, offered by Sen. William Luther (DFL-Brooklyn Park), amends a section of the bill that provides that the Joint Underwriters Association risk pool for medical malpractice insurance may cover only practitioners who practice in the state. The Luther amendment specifies that risk pool coverage is available to those eligible professionals who obtain at least 60 percent of their gross revenues from patients who are residents of Minnesota. The second amendment, an author's amendment permits nonprofit health service plan organizations to invest up to 20 percent of their assets in health care service corporations and managed care and administrative services. The third, also an author's amendment makes changes in application requirements for coverage under the Market Assistance Plan and Joint Underwriting Association. Included in the changes are an increase in the threshold for eligibility for coverage by the Joint Underwriters Association. Under the amendment, to be eligible for coverage under JUA, a person who is unable to obtain private insurance must have received a written quote that is ten percent more than the JUA's rate for similar coverage. The former threshold was five percent. After adoption of the amendments, the committee approved the bill. S.F. 1751 now goes to the Senate floor.

The committee also approved S.F. 1912, allowing the sale of short term health insurance coverage. The bill's sponsor, Sen. Jim Vickerman (DFL-Tracy), said last year's MinnesotaCare legislation included restrictions that, when applied to short term policies, made them too expensive for health carriers to offer. Vickerman said short-term coverage is still needed by college students on summer break, new employees, and others. An author's amendment expands the definition of short-term insurance to 185 days and provides that the exclusion for pre-existing conditions defined in the bill does not apply to children born or adopted during the policy period. The committee adopted the amendment, approved the bill and forwarded it to the Senate floor.

S.F. 1729, sponsored by Sen. James Metzger (DFL-South St. Paul), removes a statutory barrier to national reciprocal interstate banking. The bill does so by removing the geographic limitation in the current definition of "reciprocating state." A representative from First Bank Systems testified that removing the limitation means that banks need not make individual requests to the legislature for reciprocal agreements when they wish to acquire banks in other states.

## Crime Prevention

### Juvenile justice bill considered

Discussion continued on the juvenile justice bill, S.F. 1845, sponsored by Sen. Jane Ranum (DFL-Mpls.). The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.) met on Thurs., Mar. 3, and continued to focus on a specific section regarding secure placement for offenders. Difficulty occurred in identifying the exact total of secure beds and the projections based upon those totals. Justice Sandra Gardebring attempted to clarify the numbers and explained that the difficulty lay in the varying definitions of "secure." Ranum stated that the bill successfully approximated the need for more secure facilities, and that the details could be addressed further.

Sen. Gene Merriam (DFL-Coon Rapids)

inquired about the new serious youthful offender category. Proponents including Hennepin County Judge Philip Bush explained that category was a hybrid of systems allowing for the rehabilitation and programming of youths in the juvenile system, while accessing the strength of the adult system.

Several members of the community provided input on the bill. Al McFarlane of the Insight News Group supported the community based aspects of the bill and encouraged empowerment of communities to participate in the justice process of the community. McFarlane stated that the policy would reinforce a sense of responsibility and active intervention in the community. Discussion will continue at the next meeting.

### Juvenile justice bill approved

After several days of discussion, the Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved S.F. 1845 Mon., Mar. 7. Sponsored by Sen. Jane Ranum (DFL-Mpls.), the bill creates a stronger and separate response system for juvenile offenders. The bill establishes a new serious youthful offender category and applicable sentencing guidelines.

Nine amendments were proposed to the bill, eight of which were adopted. One amendment provides for community-based truancy action projects to encourage cooperation between law enforcement, schools, and neighborhoods. Another amendment calls for certification standards for out of state juvenile placement facilities. Several other amendments concern juvenile offenses and programming.

Sen. Patrick McGowan (IR-Maple Grove) suggested an amendment that outlines several crimes to be included in presumptive certification. The amendment broadens the types of offenses in the serious youthful offender category, thereby facilitating certification of a juvenile. A similar amendment proposed by McGowan failed due to concerns that a juvenile's supervision and sentence would be less in the adult system than in the juvenile system. Sen. John Marty (DFL-Roseville) also sponsored an amendment to establish pilot projects in counties to identify and treat mental health problems that contribute to delinquent behavior.

The bill, as amended, will be reviewed in the Crime Prevention Finance Division later this week.

### Funding for juvenile justice bill

The Crime Prevention Finance Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn), met Tues., Mar. 8, to review funding for S.F. 1845, the juvenile justice bill sponsored by Sen. Jane Ranum (DFL-Mpls.). An amendment, introduced by Ranum, specifies appropriations and requests the legislative auditor to evaluate four programs that are the largest number of court-ordered out-of-home placements of children.

Of the appropriations, \$5 million is requested for counsel and appellate services for juveniles. Kevin Kajer of the State Board of Public Defense presented a fiscal note of \$5.8 million for public defenders and support staff. Sen. Randy Kelly (DFL-St. Paul) expressed concern about the high estimate, and the fiscal note will be reviewed in a later meeting.

In additional appropriations, \$130,000 is earmarked for a plan for culturally sensitive, restorative justice programming for serious youthful offenders. The planning and evaluation is directed by joint staff from the Depts. of Corrections and Human Services. A total of \$100,000 is allocated to grants for

increased minority probation officers. Under the bill, \$165,000 of appropriations is for the monitoring of out-of-state facilities.

The allocation for regionally-based secure capacity was left open due to continuing review of policy and term clarification. Kelly said that the state should provide the capital cost for facilities, and should allow the counties to operate and control the facilities. Ranum maintained that a state policy through the Dept. of Corrections was necessary to provide coordination and leadership. Due to continuing policy discussion, the bill was sent back to the full committee.

### Juvenile justice bill amended

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), adopted several amendments to S.F. 1845, the juvenile justice bill authored by Sen. Jane Ranum (DFL-Mpls.). One amendment, offered by Ranum at the Wed., Mar. 9 meeting, prohibits a serious youthful offender (SYO) from possessing, shipping, or transporting a firearm for ten years after the SYO conviction. A Ranum second amendment permits the court, as requested by the prosecutor, to designate the proceeding as a SYO prosecution for any youth 14 to 17 years old who allegedly committed a felony offense. Opponents expressed concern that the requirements for SYOs would be identical to those for adult certification. Hennepin County Judge Philip Bush responded that the amendment allows for case by case decision-making of the courts. Another amendment, proposed by Ranum, increases the statute of limitations for adults who have committed offenses as juveniles and assures their conviction.

Sen. Gene Merriam (DFL-Coon Rapids) sponsored an amendment that broadens the mediation programs for nonviolent offenders and victims to include those juveniles who have allegedly committed nonviolent offenses. An amendment, proposed by Sen. Thomas Neville (IR-Northfield), calls for a pilot project for peer tutoring by juvenile offenders, social services for female offenders and their mothers, a self-sufficient entrepreneurship program, and a mentor program designed to match juveniles with positive adult role models. Local advocates strongly supported the community based preventative aspects of the amendment and said the project is particularly relevant in the inner city communities.

Sen. Ellen Anderson (DFL-St. Paul), proposed two amendments creating juvenile programs. One amendment provides for a community based program to increase the high school graduation rate of high-risk students. The other amendment provides culturally specific, pretrial diversion programs to support positive juvenile programming.

The final policy amendment, presented by Sen. Patrick McGowan (IR-Maple Grove), requires a parent to accompany an alleged SYO child to all hearings. The amendment permits a parental excuse for good cause, and also provides for a penalty of the parent. The bill was re-referred to the Crime Prevention Funding Division.

## Education Committee

### School start option advances

The Education Committee, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) and Sen. LeRoy Stumpf (DFL-Thief River Falls), approved a bill that allows school districts to start the 1994-95 school year before Labor Day at their meeting on Fri., Mar. 4.

# Committee update

S.F. 1693 provides school districts with a one-time option to start classes on the Thursday or Friday before the Labor Day weekend for religious reasons. Sen. Ted Mondale (DFL-St. Louis Park), the bill's author, explained that the option would accommodate those students who wish to celebrate Rosh Hashanah, the Jewish New Year, which falls on the day after Labor Day this year.

Current state law prohibits classes from starting before Labor Day. Past efforts to repeal the legislation have failed, but Mondale said because the bill applies only to this year, there is no opposition to the proposal.

The committee approved the bill on a voice vote and sent it to the Senate floor for consideration.

## Special ed changes proposed

A report recommending changes to special education was presented to the Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), Thur., Mar. 3.

The Task Force on Education for Children with Disabilities, was established by the 1993 Legislature to review special education rules and requirements.

The recommendations come from two areas of concern, said Russell Smith, superintendent of the Cloquet School District, and are meant to "eliminate paperwork and administrivia, and to improve access to effective education for children with disabilities."

The group is recommending some state rules be repealed and others be amended, and that all state and local education requirements include elements addressing the needs of students with disabilities.

Smith explained that general and special education staff often find themselves competing with each other for program resources. "There is a dichotomy in our schools," he said, "We want to end the bickering between general education and special education over resources and make sure that decisions are based on the needs of the child."

To do that requires some changes, Marge Goldberg of the Parents Advocate Coalition for Educational Rights explained, "If we want special and regular education to come closer together, we all need time for teacher training, curriculum development and program evaluation."

"I don't see this work as being done," Claudine Knoblauch, an Anoka special education teacher, added. "This report is really just a first step."

The division also took testimony during the meeting and heard concerns that by rescinding some rules, there may be districts that will no longer apply the "best practice" rules in meeting the needs of students with disabilities.

Additional discussion and testimony on the report and recommendations is expected at future meetings.

## More testimony on bus safety

The recommendations of the School Bus Safety Task Force continued to draw public comment before the Education Division on Fri., Mar. 4.

The division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), heard testimony on the task force report and a bill draft based on recommendations from bus operators, school boards, and law enforcement perspectives.

Lyle Hicks, president of the Minnesota School Bus Operators Association, told the division of his support for the task force's recommendations. "Some will be difficult to

implement," he said, "but not impossible."

He added that the ability to fund the recommendations will be important. "No one can argue the value of monitors on the buses," he noted, "but if we want them, they need to be funded."

Concern over the availability of transportation resources was also a concern for Bob Meeks of the School Boards Association. He told the members that there may be additional costs associated with several provisions that districts will have to bear. "We'll do what you tell us to do," he said, "I hope that you will give us revenue and, hopefully, not a levy."

Sgt. Duane Bartels, a school bus inspector for the State Patrol, asked the division to preserve equipment standards. He said that bus inspectors regularly check the more than 11,000 school buses used in the state and that "we need minimum standards that we can enforce."

The division will continue to take comment on the task force's recommendations, as well as addressing other issues in the coming week.

## Combination proposals reviewed

Two proposals set the stage for the Education Division's discussion of the Cooperation and Combination program during their meeting, Tues., Mar. 8. The division also heard further testimony on the school bus safety recommendations.

The division first heard S.F. 1876, which prevents Cooperation and Combination (C & C) Program funding from being subject to fund balance reduction laws. Current law establishes a maximum per-pupil amount that districts may hold in a fund balance reserve. The Dept. of Education can reduce that balance if the maximum is exceeded.

Sen. Steve Murphy (DFL-Red Wing), the bill's author, said that the Zumbrota-Mazepa School District, two districts that are combining under the C & C program, face a net loss of \$97,000 because those funds are included as part of the fund balance. The bill, he explained, excludes C & C funds from being subject to the fund balance reduction provisions.

Modifications to the program were made during the 1993 session, but committee staff explained that the bill changes a provision that was missed.

The division also reviewed S.F. 2018, creating a Consolidation Transition Program that allows districts to combine over a shorter period of time. Under the C & C Program, districts go through a three-year cooperation period leading up to their combination.

Sen. LeRoy Stumpf (DFL-Thief River Falls), the author of S.F. 2018, said the bill "is an outgrowth of what we do in cooperation and combination," allowing districts that wish to consolidate to move on a faster track than the C & C program dictates.

"We want to accommodate districts who want to try to consolidate, but are unable to do that," Stumpf said. He explained that the costs of combining the staff of two districts forces districts to pay early retirement and severance. He said that those additional costs may impede the combination, and many districts do not have the levy capacity to cover the additional costs.

Gerald Dalzell, superintendent of Warren-Alvarado schools, said his district is discussing consolidation with the Valley North-Oslo system, and that they want to proceed on July 1. "The question is," he said, "what are the costs of consolidation?" He explained that when districts combine, staff costs have to be

considered. "We are asking for the legislature to help make pending consolidations possible." The division took no action on either bill but is expected to consider them at a later meeting.

Steve Peterson, a Mpls. consultant, then added his support for the development of bus safety curriculum. He told the division of his work with the Dept. of Education in developing a safety curriculum, and that how that curriculum is used in the schools is as important as having that curriculum available. Further discussion of school bus safety issues is expected.

## Capital budget, formulas

Capital budgets and higher education funding mechanisms were the focus of discussion for the Higher Education Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), Weds., Mar. 9.

The division reviewed the capital budget requests submitted by the University of Minnesota. President Nils Hasselmo explained that the university's requests are a part of a six-year capital improvement plan that includes construction of new facilities, remodeling of existing building and decommissioning those facilities that will no longer fit in the university's plans.

The university has requested capital bonding authority of \$114 million for five projects that Hasselmo said are at the top of their project priority list. The governor has recommended just more than \$101 million to support work on eight projects.

The university is requesting \$20 million for health and safety projects, \$20 million for facility renewal, \$25 million for construction of a new building for the Carlson School of Management, \$47.8 million to build an Archival Research Facility, and \$1.27 million to pay for special street and utility assessments.

The governor has recommended full funding for the Carlson School project, the facility renewal program, and the assessments request. Also recommended were \$22.46 million for an addition to and renovation of the Architecture Building, \$15 million for health and safety projects, \$13.7 million for reconstruction of the Mechanical Engineering Building, \$2.7 million for the planning portion of the Archival Research Facility project, and \$1 million for Information Services Planning. The health and safety and facility renewal programs will occur system-wide. The new construction and renovation projects will take place on the Minneapolis campus. The division will further discuss the university's capital budget request at a later time.

The division also reviewed a recommendation for a redesigned higher education funding mechanism from the Future Funding Task Force. Established by the 1991 Legislature, the task force examined how post-secondary education is funded and proposed changes to that formula. Darrell Krueger, president of Winona State University and the task force chair, said that the group's recommendations alters post-secondary education funding from being based on enrollment to being results-based.

Krueger explained that each system receives funding for the numbers of students in its schools. He said that the task force recommends a formula that provides systems with an instructional and non-instructional funding base. A portion of the instructional base would be fixed and allow for inflationary and enrollment changes from year-to-year in a variable component.

Along with the formula changes, Krueger recommended that criteria be developed to encourage systems and individual schools to achieve new levels of performance. The division is expected to further consider the report and recommendations at a later time.

## Environment and Natural Resources

### Waste management bill gains

A bill making several changes to the Waste Management Act was the sole topic of discussion at the Mon., Mar. 7, meeting of the Environment and Natural Resources Committee. The panel, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), had been unable to complete work on the measure, S.F. 1788, at a previous hearing.

The chief author of the bill, Sen. Janet Johnson (DFL-North Branch), had held the measure over to allow time for additional amendments to be offered. One of the most controversial amendments, offered by Sen. Gary Laidig (IR-Stillwater), prohibits pricing at public solid waste disposal or resource recovery facilities below operating costs. After extensive debate, Laidig withdrew the amendment. Another controversial amendment, offered by Sen. Pat Pariseau (IR-Farmington), that allows retailers to sell existing inventories of athletic shoes containing a mercury switch if the retailer cannot return the shoes to the manufacturer and if the shoes are sold with information about appropriate disposal, was also withdrawn.

Three amendments were adopted, however. An amendment offered by Sen. Gen Olson (IR-Minnetrista), clarifying the prohibition on toxics in products and providing for exemptions, was adopted unanimously. Another Pariseau amendment, granting additional fee authority to counties, also gained adoption. Finally, an amendment deleting a provision authorizing costs and attorney fees to be paid by a defendant in designation ordinance actions brought by the county in which the county prevailed was approved by the panel. The amendment was sponsored by Sen. Charles Berg (DFL-Chokio).

The bill was approved and sent to the full Senate.

### Trail use and fish testimony

The Environment and Natural Resources committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls) met Tues., Feb. 8, to take action on two environmental bills.

S.F. 1958, authored by Sen. Jerry Janezich (DFL-Chisholm), reduces the liability of a land owner in cases where the land is used by snowmobiles, hikers, and other recreationists. The bill, designed to clarify current law and further limit liability, met opposition from the Minnesota Trial Lawyers Association. Jane Tschida, on behalf of the association, testified that current law is sufficient in protecting the land owner and that the bill is not necessary. Tschida added, "Is it worth it to trade public safety for recreation?"

Douglas J. Franzen of the Minnesota United Snowmobilers Association testified that trails in Minnesota are in jeopardy because land-owners feel they are liable for accidents on their land even if they are not negligent. According to Franzen, there are over 14,000 miles of snowmobile trails in Minnesota, most of which are on private land. "Current law does not afford adequate protection and land owners are closing their trails", Franzen said. Franzen also stated that the Minnesota

Chamber of Commerce as well as Association of Minnesota Counties support the legislation.

A representative of the Parks and Trails Council, Judith Erickson, stated that the council worries that without this legislation, there will be no incentive for land owners to volunteer their land for recreational use. If this is the case, according to Erickson, jobs will be lost and Minnesota habitat will suffer. S.F. 1958 was approved and forwarded to the Judiciary Committee for review.

Minnesotans from the northern part of the state came to St. Paul to testify on S.F. 1755, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls). The measure sparked heated debate over fishing agreements between Ontario, Canada and Minnesota. The purpose of the proposal is to counteract Ontario's regulations limiting the number of fish a non-Canadian may take from boarder lakes.

With more than two dozen citizens testifying, the debate focused on the constitutionality of the bill as well as the effect it will have on Minnesota resorts on the Canadian border. Gary Dietzler, an owner of the Northwest Angle Resort in northern Minnesota lead the proponents of the bill, stating that since the Canadian government insists on regulating the number of fish that can be taken from Ontario, Minnesota must act to equalize the situation so that Canada will be willing to compromise. According to Dietzler, attempts to negotiate with the Canadian government have failed and the situation will effect the northern economy because resorts will be forced to close.

Steve Hunter, an owner of the Crane Lake Resort, testified that although the bill will be helpful for lakes in which the Canadian government placed a limit on number of fish, the bill hurt resorts for which Canada does not limit the take. Hunter said that his resort is on a lake in which there are no unequal limits and the measure will only cause inequality. Hunter and other opponents testified that S.F. 1755 only hinders relations with Ontario and stressed that negotiations should be continued. A vote on the bill is planned for the next committee meeting.

### Panel tours capital budget sites

Members of the Environment and Natural Resources Finance Division, met Fri., Mar. 4, and toured four sites that are included in the capital budget proposal currently before the division. The panel, chaired by Sen. Steven Morse (DFL-Dakota), visited the Coon Rapids dam; the water access acquisition and betterment site at Orono, on Lake Minnetonka; the regional recreation open space system capital improvement program site at Minnetrista; and a flood hazard mitigation grant site in Chaska.

### DNR budget continued

Testimony by the Dept. of Natural Resources (DNR) on its proposed capital budget continued Tue., Mar. 8, before the Environment and Natural Resources Finance Division, chaired by Sen. Steven Morris (DFL-Dakota). Deputy Commissioner Ron Nargang presented five major components of the agencies capital budget request. The division also heard from the Metropolitan Council on a budget initiative contained in the DNR budget.

Nargang outlined a forestry roads and bridges project that includes the upkeep of more than 2,000 miles of roadways and approximately 60 bridges. The next project focuses on fish and wildlife culture rehabilitation. The DNR is seeking funds for construction of spawning stations as well as hatcheries.

Forestry recreation was listed as another budget area, including maintenance for state campgrounds. In order to keep some of Minnesota's water ecosystems vibrant, the DNR proposes the appropriation of funds for fish and wildlife fisheries improvement. Nargang offered wildlife, scientific and natural area, and prairie bank development/habitat improvement as a final budget consideration for the day.

The Metropolitan Council presented a budget issue that is contained in the DNR budget proposal. The issue, regional recreation open space system capital improvement, provides improvements and enhancements to metropolitan parks and recreation areas. Discussion focused around the practice of purchasing dwellings and land in order to expand recreation and park areas. The committee will meet again to hear further testimony from the DNR on the capital budget request.

### Capital budget requests

The Environment and Natural Resources Finance Division met Thur., Mar. 9, to hear capital budget requests from the Minnesota Zoological Garden and the Dept. of Trade and Economic Development (DTED).

Kathryn Roberts, general director of the Minnesota Zoological Garden, presented five budget initiatives to the division, chaired by Sen. Steven Morse (DFL-Dakota). According to Roberts, funding for a 44,000 square foot marine building capable of housing dolphins, large sharks and small marine life is being sought. Roberts stated that in order to handle a water run-off problem, a water management and treatment system is needed. A third initiative, as stated by Roberts, is the repair of animal holding areas. Roberts presented a request for funds to repair and upgrade roadways and pathways within the zoological complex, followed by a request for a bird holding building where birds could be housed and breed.

On behalf of DTED and the Public Facilities Authority, Jennifer Engh presented a capital budget request whereby state dollars are matched by the federal government five to one. According to Engh, the funds are currently used to provide low interest loans to municipalities. Future uses for the funds include providing technical and financial support for a safe drinking water program that replaces municipal water pipes containing lead.

## Ethics and Campaign Reform

### Absentee ballot bill moves to floor

The Ethics and Campaign Reform Committee, chaired by Sen. John Marty (DFL-Roseville), met Thurs., Mar. 3, to discuss S.F. 1483. Marty's bill, which was heard by the committee last year and laid over, relates to absentee ballots. Marty put forth an amendment which rewrites the bill in accordance with information gathered from county auditors, city clerks, and the Secretary of State.

Testimony was given by Secretary of State Joan Grove and Joe Mansky, the director of elections. Grove explained that the increasing mobility in our society, and the growing number of voters unable to go to their polling place, creates a need for changes that facilitate voting.

One of the proposed items authorizes a voter to designate an agent to deliver the ballot in person, or to deposit the return envelope in

# Committee update

the mail. The designee may not mail or deliver the envelopes of more than three persons in any election.

Another addition included in the amendment makes it optional for the voter to provide a telephone number. Marty pointed out that some voters don't have telephones and other individuals have unpublished numbers that they don't want to become part of the public record.

The amendment also makes changes regarding voter verification. It requires that the return envelope for an absentee ballot includes spaces for the voter's name, address, and date of birth. Furthermore, it eliminates the requirement that the marking of the absentee ballot be witnessed by a notary public.

Sen. Patrick McGowan (IR-Maple Grove), raised concerns about names and dates of birth being publicly available. He pointed out that the combination of the two pieces of information allows access to otherwise confidential records.

McGowan also objected to the delivery and collection of the ballot application by the same individual. Sen. Carol Flynn (DFL-Mpls.), emphasized that it is the application being handled, not the ballot itself.

The committee adopted the amendment and endorsed S.F. 1483.

## Family Services

### Welfare reform proposal amended

After hearing public testimony on S.F. 1758, a welfare reform bill, the Family Services Committee, chaired by Sen. Pat Piper (DFL-Austin), considered amendments to the bill, Thurs., Mar. 3.

Authored by Sen. Don Samuelson (DFL-Brainerd), the bill contains provisions requiring AFDC recipients under age 18 to live with their parents in order to receive assistance, tying public assistance with employment and training programs, and ordering the Dept. of Human Services to seek waivers from federal regulations.

Having heard public testimony on his bill, Samuelson offered an amendment altering some of the provisions. In the amendment, minor AFDC recipients are allowed to live with either their parents or in another adult-supervised living arrangement, and AFDC recipients are permitted to continue their post-secondary education beyond two years, if they will earn more with the training than they would without.

Samuelson also offered an amendment to require that the Depts. of Human Services and Jobs and Training develop a job search training program to help long-term AFDC recipients find employment. The committee approved both amendments.

S.F. 1758 includes a provision that limits the number of times an emergency General Assistance program may be given to an individual to once each 12 months. Sen. Phil Riveness (DFL-Bloomington) offered an amendment to delete the limitation. "We heard some of the most compelling testimony about this," he said, "There are those who will have more than one crisis a year. We will take away a their means of survival." The committee approved the amendment.

An amendment allowing Hennepin County and one rural county to start a project placing new AFDC recipients in a job search program was also adopted. "The intent of the program is to get people into a situation where they can

be gainfully employed sooner," Sen. Linda Berglin (DFL-Mpls.), who offered the amendment, explained.

Additional amendments were also discussed and more are expected when the committee continues its action on the bill at a later meeting.

### Welfare reform bill advances

The Family Services Committee, chaired by Sen. Pat Piper (DFL-Austin) approved S.F. 1758, the welfare reform package authored by Sen. Don Samuelson (DFL-Brainerd), Fri., Mar. 4.

Before being advancing the bill, the committee considered and incorporated a number of amendments into the Samuelson bill. An amendment requiring the Dept. of Human Services (DHS) and the Dept. of Jobs and Training (DJT) to develop a plan to restructure public assistance programs statewide was offered by Sen. Joanne Benson (IR-St. Cloud) and adopted.

The plan, which is to be developed and presented to the 1995 Legislature, will include job search and placement assistance, subsidized employment, child support enforcement, child care assistance, medical care eligibility and vendor payments provisions.

Benson told the committee that the amendment requires the departments to plan how to get first-time recipients back to work more quickly by linking public assistance programs with employment and training services. Opponents expressed concern that requiring a plan would commit the state to a program that it may not be able to afford.

Sen. Sheila Kiscaden (IR-Rochester) offered an amendment requiring DHS and DJT to recommend how the STRIDE Program could be more efficient and effective in helping AFDC recipients become employed. The amendment, asking the departments to report to the 1995 Legislature, was adopted.

Among other amendments also approved were provisions that require DHS to apply for a waiver that allows disabled persons eligible for Medical Assistance to be employed, that permits Ramsey County the opportunity to participate in the Minnesota Family Investment Plan project, and directs DHS to explore the potential for child care cooperatives run and used by AFDC recipients who work or attend school.

The bill was approved on a voice vote and referred to the Finance Committee for action.

### Child support measures advance

Two bills that conform Minnesota's child support laws with federal law and laws in other states were approved by the Family Services Committee, Tues., Mar. 8.

The committee, chaired by Sen. Pat Piper (DFL-Austin), heard S.F. 1828, which modifies how paternity is determined and brings enforcement of child support orders in line with recently adopted federal law. Sen. David Knutson (IR-Burnsville), the bill's author, explained that the changes are necessary to insure that the state continues to receive \$44 million in federal funding for child support enforcement efforts.

Knutson explained that the bill adds genetic testing as a way to determine paternity, requires courts to find that previous child support has not been paid in a timely manner before ordering income withholding, and that employers can be fined for using an employee's income withholding as a condition of employment. The committee approved the

bill and referred it to the Judiciary Committee.

Interstate enforcement efforts account for about 30 percent of all child support enforcement cases, Piper said as she presented S.F. 1662, the Uniform Interstate Family Support Act, to the committee. The bill sets up the mechanisms necessary to carry out child support orders issued in one state that need to be enforced in another.

Piper told the committee that the bill is the result of work done by the National Conference of Commission on Uniform State Laws. The language contained in the bill was developed by representatives of all 50 states. The bill was adopted in eight states in 1993 and is before the Legislatures of 14 others this year.

In each state, the language being considered is nearly identical. Piper explained that by adopting the same language, each state will have a uniform approach to child support enforcement, while still taking the individual administrative structures currently in place into account. She said the bill will make it easier for child support orders to be enforced even when the person obligated to pay support lives in other states or has moved to other states. S.F. 1662 was also approved and referred to the Judiciary Committee.

The committee will continue to consider child support proposals at later meetings.

## Finance

### Budget forecast, recommendations

The state's financial outlook for FY 1995 and beyond, and the governor's supplement budget recommendations were the focus of discussion by the Finance Committee, Thurs., Mar. 3.

The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), heard presentations on the budget by Commissioner John Gunyou, Dept. of Finance.

Gunyou told the committee that forecasts now indicate that revenues will exceed spending by \$623 million for FY 1995. In November, the budget forecast indicated that revenues would surpass spending by \$400 million. Gunyou said that tax receipts in amounts higher than expected account for the higher March forecast.

Looking beyond FY 1995, Gunyou told the committee that forecasts, based on historical trends and estimates, indicate resources for FY 1996-97 are expected to be about \$17.56 billion, a 5.8 percent increase over the amounts available for the current biennium. However, the revenue increase will be offset by growth in expenditures, which are required by law, leaving a projected closing balance of about \$237 million.

The committee enter into a discussion of the budget forecast, how it is developed and what assumptions are used. Merriam pointed out that during the 1993 session, the Legislature, in acceding to the governor's recommendation, placed limits on the amounts that could be spent on the three largest spending areas - K-12 education, post-secondary education, and human services. It is those caps, he said, that distort the total picture because they are artificial limits.

State law requires that a portion of the \$623 million be used to restore the state's budget reserve to \$500 million. Gunyou told the committee that the governor is recommending that \$140 million be used to restore the reserve.

Along with the restoration, the governor

has proposed spending \$172 million to restore funding to school districts that had been forced into short-term borrowing by previous changes in law, and setting aside \$180 million as a school aid reserve.

Additional recommendations, which include funding for flood relief, prison expansion, welfare reform, crime initiatives, and other programs, total another \$87.8 million.

Tom Triplett of the Minnesota Business Partnership shared his group's support for restoring the budget reserve and expressed concerns of the impact that spending caps will have in the future.

## Welfare reform costs reviewed

The costs of welfare reform were reviewed when the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met, Tues., Mar. 8.

S.F. 1758 includes employment and training services as a component of public assistance programs, requires teenage AFDC recipients to live with their parents or in an adult-supervised living arrangement, calls for studies of several programs, and instructs the Dept. of Human Services to request waivers from federal rules.

"It is not inexpensive to do welfare reform," the bill's author, Sen. Don Samuelson (DFL-Brainerd), said, as he led the committee through a review of the provisions that require funding.

Preliminary estimates provided to the committee show the total cost of the welfare reform package to be about \$6.85 million for FY 1995. Samuelson said that he felt the essential points of the bill are the requirement that teenage AFDC recipients live at home or in an alternative arrangement, and provisions that remove barriers for recipients to begin work.

He said that requiring AFDC recipients under age 18 to live at home reduces the grant amounts those individuals receive, from a current cost of just over \$1 million to \$853,000. He added that an appropriation of \$1.65 million would be necessary when a waiver of federal regulations that determine AFDC eligibility is received. Federal rules require that the income of other persons living in the same household as the teenage parent be used to determine eligibility.

"Under current policy," Samuelson explained, "a minor can leave home and then begin to get AFDC. Some would argue that AFDC becomes the vehicle for some teenage parents that are leaving home."

The bill also contains a provision allowing AFDC recipients to keep a portion of their grants that they would have to repay if they started work. Samuelson said that if recipients start work in the middle of a month, rules require them to pay back a portion of their grant. "Having to pay back part of the grant they received may prevent some from starting work," he said. "This may be a barrier that we can remove." Just more than \$192,000 is requested for this component.

Other costs associated with the bill are: \$1.9 million to require long-term AFDC recipients to participate in a job search program; \$1 million to provide child care for AFDC recipients involved in a job search; \$300,000 to include Ramsey County in the Minnesota Family Investment Plan; and \$250,000 to expand the Fraud Prevention Program.

The Finance Committee delayed action on the bill so that the fiscal analysis on it can be completed. The committee is expected to continue its discussions later.

## Gaming Regulation

### Omnibus gambling bill reviewed

Sen. Charles Berg (DFL-Chokio), chair of the Senate Gaming Regulation Committee, opened discussion on S.F. 103 Tues., Mar. 8. The bill, authored by Berg, was passed by the Senate last year. Present at the hearing were the Director of the Gambling Control Board, Harry Baltzer; a representative of Allied Charities of Minnesota, King Wilson; and a full room of concerned constituents from Greater Minnesota.

Berg began by summarizing the two major differences between S.F. 103 and the companion bill in the House. The Senate bill contains no reference to off track betting, or to a provision abolishing the current separate gaming commissions and reorganizing them under one umbrella to be known as the Governor's Advisory Council on Gambling.

Continuing on, the committee examined other specifics of S.F. 103, including clarification of "allowable expense." The bill makes advertising an allowable expense for up to five percent of the annual gross profits of the organization or \$5,000 per organization, whichever is less. Wilson supports the stipulation saying, "It allows us to do some limited advertising but not in the scope of the lottery or Indian casino gaming."

A section relating to lawful purpose expenditures was also discussed. The bill makes social, recreational, community, and athletic activities conducted by a nonprofit organization for persons 55 and over a lawful purpose, if the activities are not being conducted primarily for members of the contributing organization.

Berg then questioned a provision that requires continuing education for gambling managers within 12 months of the date of their application for renewal of their license. Baltzer pointed out that if there is a lapse in licensure, a replacement gambling manager must receive the training within 90 days of being reinstated.

The issue of controlled space was also raised. Currently, an organization is required to sell pull tabs only in a designated area of the establishment. Baltzer said that this is to prohibit commingling of funds. Sen. Joe Bertram (DFL-Paynesville), explained that the restriction is often impractical for the establishment. Sen. Jerry Janezich (DFL-Chisholm), said that introduction of dispensing machines would eliminate the burden presently found in the bar locations. Baltzer agreed, saying that the Gambling Board supports dispensing machines.

Besides the use of dispensing machines, the Gambling Board would like to see the abolishment of paper stamp issues and the implementation of bar coding, Baltzer said. Since 1990 the board has studied the reliability of bar coding and believes it to be more efficient. Baltzer said, "This is a better method of tracking games." No action was taken on S.F. 103 and discussion will continue.

### Omnibus gaming bill studied

The Senate Gaming Regulation Committee met Wed., Mar. 9 to discuss the omnibus gaming bill. Chaired by Sen. Charles Berg (DFL-Chokio), the committee heard testimony from Harry Baltzer of the Gambling Control Board, George Hoyem from the Dept. of Revenue, and King Wilson, a representative of Allied Charities Minnesota.

The first amendment, offered by Berg, concerns the introduction of pull-tab dispens-

ing machines. The amendment, supported by both Wilson and Baltzer, gives organizations the option of selling pull-tabs from machines. According to Baltzer, this would make the Gambling Control Board's job easier. "We see this as a regulatory tool," Baltzer said.

Sen. Ted Mondale (DFL-St. Louis Park), and Sen. Patrick McGowen (IR-Maple Grove) raised concerns about which establishments are permitted to install dispensing machines. Presently, any establishment which has been licensed by the board, regardless of its location, can sell pull-tabs. Consequently, there are no sites which are off-limits. Baltzer pointed out that although in principle a grocery store could have such machines, the reality is that the "majority, if not 100 percent," of the places selling pull-tabs are bars and 3.2 taverns.

McGowen also pointed out that there is a possible security problem, since the machines are free standing and not tied into a central computer terminal. Baltzer reported that each machine has four meters, or counting mechanisms, that provide substantial accountability. The likelihood of four not working is very slight, Baltzer said.

Sen. Thomas Neuville (IR-Northfield) moved to make the amendment part of the committee bill, pending specification of machine sites. The amendment was okayed.

Two other amendments, relating to an increase of prizes, were offered. The first, raising the maximum prize awarded for any single pull-tab from \$250 to \$500, was approved. The second, allowing bingo prize increases, was defeated.

Lastly, the committee started discussion on an amendment related to the pull-tab tax. The present tax is levied on all pull-tabs, whether sold or not. According to King, it is unfair to tax unsold pull-tabs. The amendment proposes a tax on gross receipts only. Hoyem said that the Dept. of Revenue supports a rebate arrangement. The committee will continue review of the tax question at its next meeting.

## Governmental Operations and Reform

### More rule repeals approved

Another bill to repeal obsolete, redundant and superseded rules was approved at the Fri., Mar. 4, meeting of the Governmental Operations and Reform Committee. The panel had earlier approved a similar bill based upon the recommendations of several state agencies. S.F. 1421, authored by Sen. John Hottinger (DFL-Mankato), provides for the repeal of rules based on the recommendations of the Revisor of Statutes. According to Hottinger, the bill is another part of the ongoing effort to rid statutes of outdated and erroneous provisions.

The measure was approved and sent to the full Senate.

The panel, chaired by Sen. James Metzen (DFL-South St. Paul), took action on two additional bills. S.F. 844, authored by Sen. William Luther (DFL-Brooklyn Park), specifies that a public employer must give reasonable time off to elected officers or appointed representatives of an exclusive representative of any public employer in the state to conduct the duties of an exclusive representative. In addition, the bill specifies that the public employer must, upon request, provide for leaves of absence to elected or appointed officials of an exclusive representative. The measure was approved and sent to the Senate floor.

# Committee update

S.F. 2081, authored by Sen. Deanna Wiener (DFL-Eagan), requires all multimember agencies, such as advisory task forces, to register with the secretary of state and requires the secretary of state to publish information about the multimember agencies. In addition, the bill broadens the Open Appointments Act to groups created by executive order of the governor and for positions that are to be filled through appointment of a nonlegislator by a legislator or group of legislators.

According to Wiener, the measure is designed to increase public awareness about the various task forces, boards, and commissions in existence. In addition, Wiener said the bill allows the groups to share information and, perhaps, avoid duplication of effort. The measure also authorizes the secretary of state to collect open appointments data, notices and applications electronically. The bill was approved and referred to the Consent Calendar.

## Four bills heard

The Governmental Operations and Reform Committee, chaired by Sen. James Metzen (DFL-South St. Paul), met Weds., Mar. 9, to hear four bills relating to government operations.

Sen. Richard Cohen (DFL-St. Paul) presented S.F. 2095, authorizing an alteration to the public employee vacation donation program. The bill, according to Cohen, allows up to 40 per cent of donated vacation time to be used for housing and transportation accessibility costs incurred by the employee who is injured. Current law specifies that donated vacation time can only be used for medical expenses. The bill was passed by the committee and referred to the Consent Calendar.

S.F. 1950, authored Metzen, brought testimony by Deputy Commissioner Dick Carlquist from the Dept. of Public Safety. Carlquist testified that the bill depoliticizes the employment process for key state safety officials. The bill, according to Metzen, creates a new process for the selection of candidates for the positions of emergency management director, superintendent of criminal apprehension, chief supervisor of the state patrol, and state fire marshall. The bill creates an advisory board that will make recommendations for the positions. S.F. 1950 was approved and sent to the Senate floor.

A bill, authored by Sen. Dallas Sams (DFL-Staples), designed to provide a system of certification for practitioners of acupuncture in Minnesota, was also heard. Testifying on behalf of the Acupuncture Association of Minnesota was Linda Leef. Leef stated that for health and safety reasons, the practitioners should be required to be certified under the National Commission for Certified Acupuncturists (NCCA) requirements and only be allowed to practice in Minnesota if the practitioner is certified. Debate centered over the lack of representation of the South East Asian community on the subject. According to Sen. Duane Benson (IR-Lanesboro), the bill may create a problem with the large South East Asian population in the state. Also, members debated about whether the bill was requiring certification or licensure. According to Sams, the bill is requiring certification and specifying that a practitioner be certified in order to practice. No action was taken pending further research on the bill.

A bill establishing a collections entity for the collection of over one billion dollars of

debt owed to the state was presented by Sen. Richard Cohen (DFL-St. Paul). Sen. Steven Morse (DFL-Dakota) offered an amendment that adds the ability for the state to acquire intellectual property. The amendment was adopted. The bill sparked discussion over whether or not new employees are needed to preform the collections process. An amendment was offered in which the formation of the entity would result in no net increase in state classified employees. Cohen objected to the amendment citing instances in the past where personnel were added to state collection agencies and the results were positive. No action was taken and he bill is expected to be heard again at a future committee meeting.

## Health Care

### Two bills okayed

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Tues., Mar. 8 and approved two bills. S.F. 1843, sponsored by Sen. Don Betzold (DFL-Fridley), extends the expiration date for the Ombudsman Committee for Mental Health and Mental Retardation. Betzold presented the bill and emphasized the effectiveness of the committee and its review and recommendations of medical issues. The bill was endorsed and re-referred to the Health Care and Family Services Finance Division.

Berglin authored S.F. 1867, a bill directing the legislative auditor to study health care administrative costs under both the current Minnesota health care system and under a single payer alternative. The study must rely as much as possible on Minnesota data. Glenn Pearson of the Health Care Campaign of Minnesota favored the study of administrative costs, stating that current waste is largely due to insurance overhead and provider paperwork. The bill was approved by the committee and advances to the floor.

Public testimony on MinnesotaCare also continued at the meeting. The suggestions by advocates included giving attention to family planning services, mental illness coverage, and the quality of health care and staffing. Health care representatives also encouraged equal access for providers as well as consumers, and the establishment of an independent quality oversight structure. MinnesotaCare testimony will continue at the next meeting.

### MinnesotaCare bill debated

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Wed., Mar. 9, to discuss the 1994 MinnesotaCare bill. S.F. 2192, authored by Berglin, details the implementation of the health care reform package approved in the 1991 and 1992 legislative sessions. The bill contains numerous provisions to implement a coordinated state health care system. The bill provides for the creation and licensing of community integrated service networks (CISNs) in addition to implementing the previously authorized ISN system. The measure also establishes requirements for all health plan companies, including report cards and action plans, and provides for the phase-in of the regulated all-payer option (RAPO).

The bill also details future requirements for health plan companies. Requirements include the creation of a universal benefits set, the creation of a consumer advocate office in all ISNs, and the establishment of essential community providers (ECPs). Included in the

bill are implementation and transitional plans for the health care legislation. Time schedules are also outlined for universal coverage.

The bill requires managed care plans to assist in achieving public health goals with their action plans and holds private organizations accountable for public health goals. In addition, the bill addresses financing, administrative simplification, and insurance reform.

After presenting the bill, Berglin offered several amendments, all of which were adopted. One amendment allows community health service agencies to establish an independent advocate. In an effort to better manage costs, the second amendment increases a consumer's freedom in choosing a provider outside their network. Another amendment allows a pharmacy subject to a tax to transfer the tax expense to a third party on behalf of the consumer. The final amendment prohibits exclusive contracts by a provider or health plan company. Berglin explained the plan would establish effective preventative care, and create efficient delivery and financing systems at a local, community level.

The last amendment presented by Berglin included coverage of mental health and dental care, and a 24 hour coverage plan for purposes of workers' compensation. No action was taken on the amendment because of time constraints.

### MinnesotaCare debate continued

Members of the Health Care Committee resumed their discussion of the MinnesotaCare implementation bill at an evening hearing Thurs., Mar. 9.

The committee members heard three hours of testimony from interested parties and then took action on a series of amendments.

Much of the testimony, while indicating general support for the bill and the goal of universal health care, took issue with specific items contained in the measure. Tom Swain, chair of the Minnesota Health Care Commission and Michael Scandrett, executive director of the commission, said that they could no longer support the bill. Swain said that the addition of the amendment, adopted earlier in the day, that allows consumers to choose a provider outside their network threatens universal coverage by undermining cost containment. Sen. Duane Benson (IR-Lanesboro), a co-author of the bill, expressed his displeasure with the earlier amendment and moved to lay the bill on the table. The motion by Benson was not adopted and testimony resumed.

Representatives of several types of providers were critical of the measure because their services were not included.

After hearing the testimony Berglin withdrew the amendment that was pending at the close of the morning hearing and offered a substitute amendment. The amendment provides that a cooperative may establish a community integrated service network, specifies that an advisory committee on dental services also develop recommendations on an appropriate system to deliver dental services, and requires that as part of the implementation plan, the commissioner of health, in consultation with the commissioners of jobs and training and labor and industry, develop a 24 hour coverage plan incorporating the health component of workers compensation with health care coverage to be offered by and ISN. The amendment was adopted.

An amendment, offered by Sen. John

Hottinger (DFL-Mankato), clarifying that the duties of an ombudsperson were not restricted under an earlier amendment was also approved. Another amendment, offered by Berglin, incorporating suggestions of the Health Care Commission to clarify the independence of a shared service cooperative created under the bill, provide for funding in the event of an insolvency of a community network, and specify the contents of action plans was also adopted.

A fourth Berglin amendment requires recommendations for a coordinated program for receiving bids from managed care plans to serve enrollees of the state health plan and recipients of MinnesotaCare, Medical Assistance and General Assistance Medicare. Another amendment, requiring an advisory committee on the universal benefit set, was also sponsored by Berglin. The latter two amendments were adopted.

An amendment, offered by Sen. Dallas Sams (DFL-Staples), providing for a study on integrating ambulance providers with ISNs, was also adopted. Finally, Berglin proposed an amendment specifying that no health plan company may deny access to a covered health care service unless the denial is made by or under the direction of, or subject to the review of a health care professional licensed to provide the service. The amendment was approved.

Before final action was taken on the measure, Sen. Sheila Kiscaden (IR-Rochester), requested that the bill be laid over in order to allow time to review the measure along with the amendments that were adopted. Berglin agreed with the request and no action on the bill was taken.

## Rural dentist bill okayed

In other action at the Thurs., Mar. 10, meeting of the Health Care Committee, the members approved two additional bills. S.F. 2082, sponsored by Sen. Roger D. Moe (DFL-Erskine), establishes a rural dentist education loan program and authorizes, under the Medical Assistance plan, a dental service pilot program in rural areas that lack adequate dental service. The measure also modifies reimbursement provisions for Medical Assistance dental service. Sen. Duane Benson (IR-Lanesboro) successfully offered an amendment requiring the commissioners of human services and revenue to report to the Legislature on the feasibility of giving dentists a tax credit, based upon the percentage of their clients who are Medical Assistance recipients, in lieu of Medical Assistance payments. The bill was approved and forwarded to the Health Care and Family Services Funding Division.

The panel, chaired by Sen. Linda Berglin (DFL-Mpls.), also approved a bill changing the status of Ramsey Health Care. S.F. 2210, sponsored by Sen. Randy Kelly (DFL-St. Paul), authorizes Ramsey Health Care, which operates St. Paul Ramsey Medical Center, to relinquish its status as a public corporation, incorporate as a nonprofit and affiliate with HealthPartners, Inc. The measure was approved and re-referred to the Governmental Operations and Reform Committee.

## Jobs, Energy and Community Development

### Workers' comp reform bill

The Jobs, Energy and Community Development Committee devoted the Tues., Mar. 8, meeting to hearing testimony from employers

calling for reform of Minnesota's workers' compensation system. The bill under consideration, S.F. 1777, sponsored by Sen. Duane Benson (IR-Lanesboro), replaces the state's current system with the Wisconsin model. Benson said that the Wisconsin model has been in place and working for a long time. Minnesota's system, Benson said, is not working for employers or workers, and ranks 10th highest in the nation and is 47 percent above the national average in costs.

Some of the smaller employers testifying said that they may go out of business or will not expand their businesses in Minnesota because of the cost of workers' compensation insurance. Representatives from Marvin Windows, SuperValu, Inc., The Toro Company, and others testified that their comparable operations in other states incur dramatically fewer workers' compensation claims, and that their workers' comp costs in Minnesota are double, and in some cases, triple those in other states, making price competition difficult. The committee, chaired by Sen. Steven Novak (DFL-New Brighton), took no action on the bill, and will hear from opponents at a later hearing.

### Workers' comp testimony

The Jobs, Energy, and Community Development committee heard final arguments Wed., Mar. 9, from supporters of S.F. 1777, a bill replacing Minnesota's workers' compensation system with the Wisconsin model. The bill is sponsored by Sen. Duane Benson (IR-Lanesboro).

Testifying first was John Lennes, commissioner of labor and industry. Lennes said that Minnesota has made progress in bringing down the cost of worker's compensation, but the cost is still too high. Lennes also said that there is no perfect state from which to take a workers' compensation program, but that "perfection isn't necessary" to improve on the system the state has now. Lennes criticized the structure of the Workers' Compensation Advisory Council, saying it doesn't work because it "has total veto power placed in the hands of a few people." He said that after statistical adjustments are made, the new system will yield an estimated savings of 32 percent over the current system.

Senators questioned Lennes closely on specific features of the Wisconsin plan and on where the savings would come from. Sen. Carl Kroening (DFL-Mpls.) criticized the proposed change, saying that the money clearly would come from the pockets of injured workers. Disputing Lennes' assertion that the bill is a non-political one, Sen. Kevin Chandler (DFL-White Bear Lake), said, "The move to adopt the Wisconsin plan is a campaign slogan" for the governor. "It's a very simplistic plan designed for political purposes only," he said.

The committee, chaired by Sen. Steven Novak (DFL-New Brighton), adopted two author's amendments, one technical amendment and one revising the structure of the Workers' Compensation Advisory Council to conform with Wisconsin's. The committee spent the balance of the meeting hearing testimony from opponents of S.F. 1777. Opponents' testimony will continue.

### DTED budget requests

The Jobs, Energy and Community Development Finance Division, chaired by Sen. Carl Kroening (DFL-Mpls.), met Mon., Mar. 7, to hear Dept. of Trade and Economic Development budget requests. The Dept.'s funding requests for the biennium include \$1 million

for increasing the Job Skills Partnership Program budget, \$4,000 for service cost recovery in the Minnesota Trade Office; and \$40,000 for the Minnesota Film Board. The committee also reviewed federal flood relief funds the state has received. Dept. of Trade and Economic Development officials said the state has received \$11.8 million in federal assistance to date and anticipates \$15 million more. Among the department's proposed uses for the funds are community development block grants for repairing, replacing and restoring flood damaged homes, businesses and infrastructure; employing youth in summer jobs programs; environmental trade initiatives to assist Minnesota companies in selling environmental products and services in foreign markets; and funding Dept. of Tourism advertising to counteract the decline in tourism that apparently resulted from misperceptions of the impact of last summer's flooding.

### MHS capital budget reviewed

The Minnesota Historical Society's capital budget request was the subject of discussion at the Wed., Mar. 9, meeting of the Jobs, Energy and Community Development Funding Division. The panel, chaired by Sen. Carl Kroening (DFL-Mpls.), heard a brief overview of the Historical Society's activities presented by Nina Archabal, director. Archabal said that in the past calendar year over 792,000 people visited 32 historic sites throughout the state. The new History Center had over 598,000 visitors over the course of the last year, she said. Membership in the Historical Society has also grown, Archabal said, from 7,000 at the time the History Center opened to more than 11,000 citizens.

John Wood, legislative liaison for the Historical Society, presented a detailed look at the society's bonding requests. Altogether, Wood said, the Historical Society is requesting \$11.620 million for the preservation and utilization of existing resources, for grants-in-aid, for federal fund utilization and for historic site development. However, the governor has only recommended \$4.5 million for the building programs requested by the society.

According to Wood, the agency is requesting \$2.741 million for historic site repair and replacement. High priorities include the Jeffers Petroglyph, the Forest History Center, the 1862 warehouse on the Lower Sioux Agency, the Alexander Ramsey House, the James J. Hill House and the repair of monuments and markers. The Governor recommends \$2.050 million.

The agency is also requesting \$1.273 million for permanent exhibit repair and replacement. The governor's recommendation is for \$950,000. The governor is also recommending \$1 million for matching federal highway funds for historic preservation. Finally, the governor is recommending \$500,000 for matching local funds.

Wood said that the governor's recommendations do not include several of the Historical Society's high priority items such as the St. Anthony Falls Heritage Zone development, and the Northwest Company Fur Post site development in Pine County. Representatives from local governments and civic organizations spoke to the division on behalf of the Historical Society's bonding request for the Northwest Company Fur Post site development. The local officials said that the post is an economic development tool, as well as a "fascinating walk into the past." The governor, however, does not recommend funding the project.

# Committee update

## Judiciary

### Vulnerable adults bill advances

Mon. Mar. 7, the Senate Judiciary Committee approved four bills, and laid over a fifth. The committee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), listened to Sen. Pat Piper (DFL-Austin), present her bill concerning the Vulnerable Adults Act. Piper said, "the bill is extending work of the advisory committee that was done last year." The bill requires the attorney general, in cooperation with the commissioners of health and human services, to provide the Legislature with a detailed plan to implement last year's committee recommendations.

Mamie Segall, of the Medicaid Fraud Division at the Attorney General's Office, testified that the bill clarifies evidentiary standards used by the various agencies. In the past, a broad range of evidentiary standards was allowed, and S.F. 1842 bases all findings on a preponderance of the evidence standard.

S.F. 1842 was okayed and re-referred to the Finance Committee.

Also approved and sent to the Finance Committee was S.F. 1874. Authored by Sen. Allan Spear (DFL-Mpls.), the bill requests the Supreme Court to conduct a study of commitment laws and procedures. The Court is to implement a task force with representatives of the judicial and treatment systems, mental health agencies, clients and advocates, law enforcement, and legislative appointees.

Sen. Shelia Kiscaden (IR-Rochester), offered S.F. 1820, a bill modifying the method of payment to the examiner of titles in Olmstead County. The bill allows Olmstead County to use a fee-for-services payment for the title examiner. The bill was approved and placed on the Consent Calendar. Sen. Don Betzold's (DFL-Fridley) bill, S.F. 1691, includes numerous technical recommendations from the Real Property section of the Minnesota State Bar Association, and was also approved and recommended for the consent calendar.

Lastly, the committee continued discussion of S.F. 1694. The bill, sponsored by Betzold, deals with intrusive mental health treatment. Among other provisions, the bill rewrites the standards and procedures that apply to the administration of neuroleptic medication to include other types of treatment. No action was taken on S.F. 1694.

### Four bills proceed to floor

The Judiciary Committee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), met Tues., Mar. 8, to consider several bills.

Three of the bills were approved and recommended for the Consent Calendar. S.F. 1766, sponsored by Reichgott Junge, expands the remedies for the unauthorized practice of law. Gail Olsen, Consumer Protection Committee for Legal Services, testified that the bill expands the enforcement provisions. The bill adds the penalties under the attorney general's consumer protection authority to the public and private remedies currently available. S.F. 1766 was placed on the Consent Calendar.

Two bills authored by Sen. "Skip" Finn (DFL-Cass Lake), were also placed on the Consent Calendar. S.F. 1732 modifies the conciliation court jurisdiction statute. The bill gives the courts jurisdiction over any action for damages arising from the landlord/tenant relationship under the rental agreement in the county where a rental property is located.

S.F.1911, primarily a housekeeping bill for the Office of the Secretary of State, changes elements related to annual registration for Minnesota business corporations. Katie Engler, a staff attorney at the Secretary of State's Office, testified that two changes are proposed. The first change eliminates naming a registered agent for the corporation. Corporations frequently list a registered agent when none has been appointed. The resulting confusion results in a 20 percent rejection rate of registrations because the registered agent does not match the information on file. Secondly, the bill removes the signature requirement. Although a signature is requested, if one is not provided, the document will still be accepted, providing that other information matches the official records.

The fourth bill sent to the floor was S.F. 1767. The bill modifies provisions for the organization and operation of corporations. S.F. 1767, also sponsored by Finn, incorporates recommendations of the business law section of the Minnesota State Bar Association. Bert Ranum, legislative coordinator for the business law section, outlined the technical amendments incorporated in the bill.

Sen. Don Betzold (DFL-Fridley), presented S.F. 1692. The bill amends existing statutes dealing with bonds for public contracts. The provision, similar to the Mechanics Lien Law in the private sector, requires the posting of a bond whenever specific contracts are done for public bodies. Attorney Dean Thompson, spoke in support of the bill saying that it will reduce litigation. The bill was laid over for further discussion.

Also laid over was S.F. 1971. Sponsored by Reichgott Junge, the bill provides for application of workers compensation and unemployment laws to limited liability companies. Limited liability companies, a hybrid of corporations and partnerships, are currently required to pay worker compensation and unemployment compensation. S.F. 1971 exempts limited liability companies from these laws. No action was taken on the bill.

### Bills move forward

The Senate Judiciary Committee advanced four bills at its meeting Wed., Mar. 9.

The committee, chaired by Ember Reichgott Junge (DFL-New Hope), heard first from Sen. Richard Cohen (DFL-St. Paul). His bill, S.F. 1998, modifies the requirement for a name change application. Presently, a petition must be verified with affidavits confirming a person's identity from two witnesses, and the applicant must make a court appearance. The bill eliminates the requirement for a court appearance. S.F. 1998 was approved and re-referred to the Finance Committee.

Reichgott Junge presented S.F. 1786, a bill relating to partnerships. The bill, which stems from research done by the Minnesota Bar Association, provides for the registration and operation of a new legal entity called a limited liability partnership. Reichgott Junge explained that this type of general partnership protects the partners' personal assets from liability for partnership debts and obligations.

Testifying in favor of the measure were Carter Bishop, a lawyer and professor at William Mitchell School of Law; John Stephan, chairman of the Minnesota Bar Committee on Limited Liability; and Thomas Walsh, Minnesota Society of Certified Public Accountants. The problem with partnerships, Stephan explained, is that partners are equally liable. Subsequently, people gravitate to the

corporation option, an entity that is frequently not the best choice for small businesses. Walsh said that the bill allows small operations, especially start up businesses, to have a more favorable option. The bill allows Minnesota businesses to compete on equal footing with other states. Thus far, approximately thirty-five states have a vehicle similar to the one proposed in Reichgott Junge's bill. S.F. 1786 was approved and re-referred to the Taxes and Tax Laws Committee.

S.F. 1692, authored by Sen. Don Betzold (DFL-Fridley), amends existing statutes dealing with bonds for public contracts. According to Betzold, the bill enacts a new "public contractors performance and payment bond act." Attorney Dean Thompson, of the Minnesota Bar Association, said the bar supports S.F.1692. The committee placed the bill on the Consent Calendar.

The last bill presented, S.F. 1694, relates to the civil commitment procedure. Also sponsored by Betzold, the bill authorizes the release of medical data on past intrusive mental health treatment to a physician making a decision with respect to prescribing and administering intrusive mental health treatment. The bill was re-referred to the Health Care Committee.

## Metropolitan and Local Government

### Regional appointments okayed

The Metropolitan and Local Government Committee met Thurs., Mar. 3, to consider the governor's appointments to three regional governing boards, and recommended a number of the appointments to the full Senate.

After reviewing the qualifications and interviewing the appointees, the committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park), most of the appointees to the Metropolitan Council, the Regional Transit Board and the Metropolitan Transit Commission were recommended for confirmation.

The committee recommended that 14 individuals appointed to the Metropolitan Council be confirmed. They are Roger Scherer, Bill Schreiber, Mary Smith, Julius C. Smith, Martha Head, Carol Kummer, David Hartley, Patrick C. Leung, Esther Newcome, E. Craig Morris, Diane Z. (Dede) Wolfson, Stephen Wellington, Jr., Kevin Howe, and Terrence F. Flower.

Six appointees to the Regional Transit Board were also recommended for confirmation. They include Sally Evert, Sharon Feess, Gary Humphrey, Michael Beard, Ruby Hunt and Morgan Grant.

Four appointees were considered for the Metropolitan Transit Commission. After concerns were raised over management decisions made by the board last year, the committee recommended confirmation of three members. The individuals recommended for confirmation are Frank Snowden, Allyson J. Hartle and Todd Paulson. The committee did not recommend Robert Mairs for confirmation.

Several nominees were unable to attend and are expected to be considered for confirmation by the committee at a later meeting.

### Reorganization comments heard

The Metropolitan and Local Government Committee heard testimony on a proposal to reorganize the Metropolitan Area governing boards Mon., Mar. 7.

S.F. 2015, authored by Sen. Carol Flynn (DFL-Mpls.), establishes an elected 16-member Metropolitan Council and transfers the duties and obligations of the Regional Transit Board (RTB), the Metropolitan Transit Commission (MTC), and the Metropolitan Waste Control Commission (MWCC) to the Metro Council and abolishes the boards of those groups.

Dottie Reitow, chair of the Metro Council, said that while the bill and the Metro Council are looking in the same direction, the council's view is different. Contrary to the bill's provisions, Reitow said that a separation between planning and operating functions should be maintained, that the operational organizations of MTC and MWCC should be maintained and managed by a council-appointed administrator, and that there should be a full-time council chair. "A full-time chair is needed to articulate the regional issues," she said, "We need someone whose focus is on the whole region, not just one area."

Tom Sather, MTC's chief administrator, told the committee he believes an appointed, rather than elected, board is more appropriate. "Now we have an appointed board that we believe is closer to the people, to those who use the transit system," he said. Flynn said that she had envisioned there be an advisory committee on mass transit under the new organization. Sather commented that the commission believes advisory groups are good, "but they don't carry a hammer." "There would be the concern whether that group would have the authority and the ability to respond to changing needs," he said.

Louis Clark, chair of the MWCC, said that while there is agreement with the proposal in concept, there is also concern over three areas. He suggested that the council's oversight be strengthened to protect the existing bond rating, that MWCC funds, which directly support operations, not be transferred into Metro Council accounts, and that the commission's insurance would have to be examined in light of the reorganization, since MWCC is self-insured.

The committee also approved an author's amendment to the bill, which included language that prevents a municipality from taking actions that conflict with a comprehensive Metropolitan Area plan. Flynn said that the provision helps to maintain "the big picture." "When you allow zoning to supersede the comprehensive plan, municipalities could arbitrarily zone and begin development without notifying surrounding municipalities that adhere to the plan," she said.

## Taxes and Tax Laws

### Capital equipment report heard

The Taxes and Tax Laws Subcommittee on Income and Sales Tax met Thurs., Mar. 3, to review the Capital Equipment Advisory Council Report. The panel, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), discussed the report's recommendations on the capital equipment sales taxes and heard testimony on the issue.

The report is the result of a legislative charge to study sales taxation of capital equipment and report back to the legislature. Chief among the recommendations is the expansion of the sales tax exemption to include replacement equipment, parts, and accessories and the conversion of the refund to an exemption. A second recommendation is to exempt pollution control equipment. A third recommendation is to exempt contractor

purchased and installed equipment. The fourth recommendation is to exempt manufacturer's purchases of computers, peripheral equipment and software.

According to the report, if the recommendations are implemented, the loss in revenue would amount to \$168 million in FY 95, \$166 million in FY 96 and \$178 million in FY 97. Thus, the report makes a series of recommendations to offset the revenue loss. The report recommends that the state conform to the federal individual and corporate income tax changes adopted in 1993; that the state impose restrictions on tax increment financing and that it use the budget surplus to cover the phase-in costs of expanding the exemption.

Finally, the report made a general recommendation that the Legislature and the administration explore options for exempting business inputs from sales tax and broaden the range of final consumption purchases subject to the sales tax.

### Trust fund deficit discussed

The Taxes and Tax Law Subcommittee on Property Taxes met Tues., Mar. 8, to hear testimony from local government associations regarding the Local Government Trust Fund (LGTF) deficit. The subcommittee, chaired by Sen. Carol Flynn (DFL-Mpls.), discussed the fund which was established in 1991 in order to provide a stable source of property tax relief funding from a portion of the revenue generated by the sales tax. The fund currently has a shortfall.

Donald R. Diddams from the Association of Minnesota Counties (AMC) told the committee that there are alternatives for balancing the LGTF that do not require the moving or cuts of programs funded from the LGTF. Diddams agreed with testimony by a representative of the Metropolitan Inter-County Association, Dana Frey, that the County Social Services Act (CSSA), a program currently funded out of the LGTF, should continue to be funded in the same manner.

The League of Minnesota Cities suggested that the current surplus in the general fund be used to correct the shortfall, since it is due to legislative changes in the LGTF and excessive expenditures. Gary Carlson, on behalf of the league, stated that the renters refund was another cause for the shortfall.

Timothy Flaherty, speaking for the Coalition of Greater Minnesota Cities, suggested that since the LGTF is not functioning as intended, it should be repealed. Another type of funding source could be established, according to Flaherty. Flaherty also stated that the CSSA should be paid out of the general fund, not out of the LGTF.

Finally, the Association of Metropolitan Municipalities, represented by Roger E. Peterson, testified that the LGTF would be a viable source of property tax relief if it were connected to a stable source of funding. Currently, according to Peterson, the funding is not tied to a stable source of revenue. The subcommittee will meet again to discuss specifics on making up the shortfall and the future of the LGTF.

### Fingerhut bill approved

The Taxes and Tax Laws Committee met Weds., Mar. 9, to hear testimony on two bills. The committee, chaired by Sen. Douglas Johnson (DFL-Cook), listened to presentations on S.F. 2073 and S.F. 2030.

S.F. 2073, authored by Sen. Sandra Pappas (DFL-St. Paul), was approved and sent to the

Consent Calendar. The bill, requested by the Dept. of Revenue, contains technical corrections to current tax laws and administrative practices. According to Pappas, the bill has no revenue impact.

A bill encouraging the Fingerhut Corporation to build and operate a new shipping and packaging facility in St. Cloud was presented by Sen. Joe Bertram, Sr. (DFL-Paynesville) and Sen. Joanne Benson (IR-St. Cloud). According to Bertram, the bill authorizes the St. Cloud Housing and Redevelopment Authority (HRA) to establish an economic tax increment financing district that is subject to special rules and exempt from several of the requirements that otherwise apply to tax increment financing projects.

Sen. Ember Reichgott Junge (DFL-New Hope) stated that the bill contains unprecedented development action, including the use of tax increment financing on the construction of a building and the unusual duration of 25 years for the tax increment. Reichgott offered an amendment that makes the development package similar to usual incentives. According to Reichgott, the amendment grants Fingerhut a \$13 million tax exemption. The amendment failed.

Lee Willering, director of engineering and facilities for Fingerhut, testified that the company received an offer from Kansas City but prefers to open a new facility in St. Cloud. According to Willering, the new facility will create 400 new jobs. The bill was approved by the committee and sent to the Senate floor.

## Transportation and Public Transit

### Mn/DOT building proposals heard

The Transportation and Public Transit Finance Division, chaired by Sen. Keith Langseth (DFL-Glyndon), reviewed the Dept. of Transportation's \$12.8 million funding request for building projects at a Fri., Mar. 4, meeting. Ed Cahoon, deputy commissioner, outlined the requested allocations from the trunk highway fund. They include \$365,000 for fire sprinkler systems at maintenance headquarters in Virginia, Owatonna and Windom; \$1 million for chemical/salt storage buildings in 36 locations around the state; \$886,000 for construction of a new truck enforcement site/weigh scale in Albert Lea; and \$897,000 for building a joint maintenance facility shared by Mn/DOT, McLeod County and the city of Hutchinson. The Dept's request also includes \$5.4 million for replacement of the Maplewood truck station with a new Maryland Avenue truck station in St. Paul; \$355,000 for construction of a welding shop addition in the Detroit Lakes welding shop; \$302,000 for crew room additions at three locations; \$359,000 for replacement of the Tracy truck station; \$435,000 for an equipment storage building in Golden Valley; \$527,000 for replacement of the Wadena truck station; \$174,000 for an addition to the Preston truck station; \$200,000 for construction of five safety rest areas; \$250,000 for land acquisitions at six sites; \$371,000 for design fees for six projects; \$611,000 for pole storage buildings; \$150,000 for asbestos removal; \$259,000 for an addition to the Carlton Truck Station; and \$255,000 for an addition to the Sauk Center Truck Station.

### Personal transit services

The Transportation and Public Transit Committee met Tues., Mar. 8, and reconsidered S.F. 1816, amending and eliminating the

# Committee update

repeal of regulations related to personal transportation service providers. The committee heard testimony from taxi industry representatives, who said that the bill allows personal transportation providers to duplicate the services of taxis while charging less than taxis and circumventing local regulations governing taxis. The owner of one small taxi company said that if the bill is enacted, he will switch to providing personal transportation services because by doing so, he would no longer have to follow Minneapolis regulations. The bill's author, Sen. Jane Krentz (DFL-May Township), said that personal transportation services is a niche market and is adequately distinguished from taxicab service by the stipulation that it be prearranged. After discussion, the committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), approved the bill and sent it to the committee's finance division.

The Senators then turned to S.F. 1762, sponsored by Sen. Dallas Sams (DFL-Staples), designating a day as Minnesota School Bus Driver Day. Sams said that while the bill calls for the day to be the third Monday of January, another day may be chosen because that day is a holiday. The committee approved the bill and forwarded it to the Consent Calendar.

Last, the committee approved S.F. 2022, sponsored by Sen. Joanne Benson (IR-St. Cloud), designating the bridge over the Mississippi River at St. Cloud the Missing Children's Bridge of Hope. The bill now goes to the Consent Calendar.

## High speed rail study okayed

The Tues., Mar. 9, meeting of the Transportation and Public Transit Finance Division was highlighted by a discussion of a proposed high speed rail line between Chicago and Minneapolis. A proposal for a study, undertaken jointly with the state of Wisconsin and the U.S. DOT, to develop a corridor master plan for a high speed rail link, was presented by Sen. Steven Morse (DFL-Dakota) and Sen. Sheila Kiscaden (IR-Rochester). Morse and Kiscaden said that the proposed rail link could carry passengers between the two cities at speeds of 125 m.p.h., 185 m.p.h. or 300 m.p.h., depending on the technology chosen for the rail line. Kiscaden said that studies have shown an increase in ridership for the higher speed technology. She said that the rail lines are envisioned as a complement to air travel between destinations less than 500 miles apart. The division, chaired by Sen. Keith Langseth (DFL-Glyndon), approved a bill, S.F. 875, that authorizes an appropriation of \$730,000 for the study. However, according to an amendment proposed by Morse, the appropriation is contingent upon the state of Wisconsin paying \$500,000 and receipt of federal matching funds for the study. The measure is to be included in the omnibus bill being developed by the division, Langseth said.

In other action, the division concluded the review of the Dept. of Transportation's capital budget presentation. Deputy Commissioner Ed Cohoon, outlined three final areas for projects funded through bond sales. Cohoon said that the governor's requests include providing funds for local bridge replacement and rehabilitation, providing local matching funds for federal demonstration projects and providing funds for the completion of the Bloomington Ferry Bridge. Cohoon said that \$30 million of additional bonding authority per year is needed to permit state assistance for bridge replacement or rehabilitation and to

avoid the loss of federal bridge replacement funds. Cohoon also said that \$3.639 million is needed for the state and local share to match or supplement federal funding of two specific demonstration projects. The governor's proposal recommends a partial funding level of \$1.819 with the balance to be financed by the local units of government. Finally, Cohoon said that \$7.631 million is needed to complete work on the Bloomington Ferry Bridge.

## I-394 extra lane use proposed

A bill to open up one extra lane in each direction on a frequently congested stretch of I-394 in Minneapolis was heard by the Transportation and Public Transit Committee Wed., Mar. 9. S.F. 1673, sponsored by Sen. Gen Olson (IR-Minnetrista), opens up a 330-foot segment of already-paved road surface between I-494 and the Hawthorne interchange. Olson said that opening the lanes, which are now painted to prevent cars from driving in them, does not eliminate the traffic difficulties in the area, but would improve them. Current law limits I-394 to three lanes in each direction.

Testifying against the bill, Brad Johnson, president of the Bryn Mawr Neighborhood Association, said that opening the lanes undermines the trust that was established between Mn/DOT, the Legislature, and the neighborhood in establishing the current six-lane limitation. Johnson said the neighborhood opposes opening the lanes because the noise levels in the neighborhood have already exceeded the state's limits for the past three years. Johnson said that traffic bottlenecks on the highway are caused by structural problems, such as the Lowry Tunnel. After discussion, the committee laid the bill over.

The committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), also considered S.F. 1910, sponsored by Sen. Deanna Wiener (DFL-Eagan). The bill requires contractors operating auto emissions testing stations to offer motor vehicle registration renewal and license plates. Wiener said that "one-stop" shopping makes sense for busy motorists, who now have to go to the emissions station for testing and to a deputy registrar's office for registration, tabs and plates.

Representatives from the Minnesota Deputy Registrar Association said that the bill may have the unintended effect of reducing service to consumers by forcing current Deputy Registrars to close and creating lines at testing stations. The committee took no action on the bill.

S.F. 1774, permitting rural mail carriers to use white flashing strobe lights on their vehicles was also discussed. Two rural mail carriers testified that the conditions of delivering mail in rural areas create life-threatening situations for mail carriers and that the strobe lights are needed to give other motorists advanced warning of their presence. Major Glenn Gramse, State Highway Patrol, said that expanding the use of the white strobe lights, which are already authorized for use on emergency vehicles and snow plows, could have the opposite of the intended effect because as use of the lights is increased, motorists quickly learn to disregard them. Gramse pointed out that the mail carriers already can use high-mounted yellow flashing lights. Time restraints prevented further discussion of the issue and

S.F. 1774, authored by Sen. Paula Hanson (DFL-Ham Lake), was laid over until a future meeting.

## Veterans and General Legislation

### Appointments approved

Members of the Veterans and General Legislation Committee, chaired by Sen. Jim Vickerman (DFL-Tracy), met Tues., Mar. 8, to consider several gubernatorial appointments. The panel voted to recommend confirmation of the appointments of Harvey C. Aaron, M.D., Robert Hansen, Susan Kiley, Stephen J. O'Connor and Michaw Ohnstad to the Minnesota Veterans Homes Board of Directors. In addition, the panel also recommended confirmation of Caroline Baillon, Robert E. Powless and Stephen George Shank to the Minnesota State Arts Board.

### Floor Action

#### Rule repeal bill gains

A bill that repeals numerous state agency rules was given preliminary approval on the General Orders Calendar at the Mon., Mar. 7, session of the Senate. S.F. 1894, authored by Sen. Duane Benson (IR-Lanesboro), repeals obsolete rules and removes statutory references to repealed rules. According to Benson, the rules to be repealed were selected by the agencies because the rules were either totally obsolete, or had been superseded by state or federal law, or are no longer applicable because of other changes.

In other action, Senators granted final passage to two bills on the Senate Calendar and to two bills on the Consent Calendar.

S.F. 1806, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), allows certified clinical specialists in psychiatric or mental health nursing to prescribe and administer drugs. S.F. 1744, authored by Sen. Jim Vickerman (DFL-Tracy), allows the city of Lakefield to expand its public utilities commission to five members. Both S.F. 1806 and S.F. 1744 were given final passage on the Senate Calendar. A third bill, S.F. 1712, authored by Sen. Dean Johnson (IR-Willmar), providing for financial audits in towns that have combined the treasurer and clerk positions and have annual revenues of \$100,000 or more, was returned to the General Orders Calendar.

S.F. 1651, authored by Sen. Gene Merriam (DFL-Coon Rapids), requires publicly owned or leased motor vehicles to be identified. S.F. 1473, authored by Sen. Don Betzold (DFL-Fridley), makes noncontroversial changes in the civil commitment laws concerning the petition and prepetition procedures. Both measures were granted final passage on the Consent Calendar.

Members also held a brief floor session Weds., Mar. 9, in order to process bill introductions and to facilitate the movement of bills from one committee to another.

### 900 number phone issue debated

A bill specifying that telephone customers do not have pay for unauthorized calls made by minors and vulnerable adults to 900 and 976 numbers sparked heated debate at the Thurs., Mar. 10, floor session. The measure, S.F. 819, authored by Sen. Janet Johnson (DFL-North Branch), prohibits collection of charges for information services as if they were charges for telephone services. Johnson said that the measure provides additional tools to drive pornographic telephone services out of business. An amendment, offered by Johnson,

specifies that the bill does not apply to international calls, prohibits the businesses from issuing personal identification numbers and requires telephone companies to inform customers of call blocking services. Johnson said that the telephone companies requested the amendment because many of the suspect services have started to base their operations outside the country. Opposition to the amendment and to the bill centered on two arguments. Sen. David Knutson (IR-Burnsville) argued that the problem is best handled at the federal level because federal regulations are more applicable. Sen. Patrick McGowan (IR-Maple Grove) and Sen. Roy Terwilliger (IR-Edina) argued that the bill allows parents to avoid responsibility for their children's actions. Johnson responded that the measure does not impose undue burdens on local telephone companies and that the measure is designed to complement federal law. In addition, Johnson said that the bill does not relieve parents of responsibility but is focused instead on pressuring the pornographic services. After considerable debate the amendment was adopted and the bill given preliminary approval on a vote of 43-18.

A number of other measures were given preliminary approval on the General Orders Calendar during the course of the Thurs., Mar. 10, floor session. S.F. 1712, authored by Sen. Dean Johnson (IR-Willmar), provides for annual finance audits in towns that have combined the treasurer and clerk positions and

have an annual revenue of more than \$100,000. Sen. Phil Riveness (DFL-Bloomington) successfully amended the bill to require that towns with revenue of \$100,000 or less have audits every four years. S.F. 1846, authored by Sen. Sam Solon (DFL-Duluth), makes numerous noncontroversial technical and clarifying changes to the laws regulating banks and other financial institutions. S.F. 1709, authored by Riveness, removes the cap of \$5.5 million that applies to the property tax targeting program for taxes payable in 1994. S.F. 844, sponsored by Sen. William Luther (DFL-Brooklyn Park), requires public employers to grant time off to appointed representatives of an exclusive representative of any Minnesota public employer. S.F. 1421, carried by Sen. John Hottinger (DFL-Mankato), corrects erroneous, ambiguous, obsolete, redundant, conflicting and superseded rules.

Members of the Senate also granted final passage to a bill on the Senate Calendar. The measure, S.F. 1894, also deals with obsolete rules. The bill, carried by Sen. Duane Benson (IR-Lanesboro), repeals a variety of obsolete rules suggested for repeal by state agencies.

Finally, Senators granted final passage to four measures on the Consent Calendar. S.F. 1660, authored by Hottinger, enacts the Uniform Conflict of Laws-Limitations Act by providing a mechanism for resolution of statutes of limitations conflicts between laws of different states. S.F. 1752, carried by Sen. Jim

Vickerman (DFL-Tracy), designates a highway the Laura Ingalls Wilder Historic Highway. S.F. 2081, sponsored by Deanna Wiener (DFL-Eagan), makes a number of changes in the Open Appointments Act. The measure broadens the Open Appointments Act and authorizes the secretary of state to collect data regarding appointments to multimember agencies by electronic means and requires multimember agencies to register with the secretary of state. S.F. 1898, also authored by Wiener, requires all health plans to provide coverage for equipment and supplies for the management and treatment of diabetes.

Another bill on the Consent Calendar, S.F. 1699, adopting the square dance as the American Folk Dance of Minnesota, was moved to the bottom of the General Orders Calendar for discussion at a later date. The measure is authored by Sen. Paula Hanson (DFL-Ham Lake).

### Call-in program aired

Senate Media Services offers a live, call-in television program weekdays from 4 to 5 p.m. Each day, two legislators answer viewers' questions regarding pending legislation and current issues.

The program is broadcast on cable channel 6 in the Metro Area and cable channels in several Greater Minnesota cities, including Duluth, Rochester, St. Cloud, Cannon Falls, Owatonna, Thief River Falls, Little Falls, and Hibbing. Check your local television listings.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 14

#### Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse

8 a.m. Room 123 Capitol

**Agenda:** S.F. 251-Chmielewski: Rock, gem and mineral interpretive center. S.F. 1824-Chmielewski: Capital improvements at Kettle River. S.F. 1710-Murphy: Combined sewer overflow grants to the City of Red Wing. S.F. 1719-Benson, D.D.: Trail between Lk Louise and City of LeRoy. S.F. 1937-Novak: Laurentian Environmental Learning Center. S.F. 2140-Cohen: Appropriating money for the Science Museum. S.F. 2187-Neuville: Appropriating money for Sakatah Singing Hills State Trail. S.F. 2254-Luther: Appropriating money for the state's commitment to scenic easement acquisition under the federal Lower St. Croix River Act of 1972.

### The Senate will meet at 10 a.m.

#### ❖ Agriculture and Rural Development Committee

Chair: Sen. Joe Bertram, Sr.

12 noon Room 107 Capitol

**Agenda:** S.F. 1948-Berg: Providing for family farm limited liability companies and

authorized farm limited liability companies. S.F. 1949-Berg: Removing limitations on ownership and use of agricultural lands by limited liability companies. S.F. 2038-Stumpf: Modifying certain provisions relating to wheat and barley promotion orders and the payment and refund of checkoff fees. S.F. 1970-Stumpf: Appropriating money for wheat scab research and soybean improvement research. S.F. 1999-Benson, D.: Changing certain pesticide posting requirements. S.F. 1813-Bertram: Regulating the dissemination of false and defamatory statements about certain agricultural products and producers. S.F. 1857-Sams: Extending the agricultural homestead provisions of a relative to the father or mother. S.F. 1945-Morse: Changing the membership of the public facilities authority; increasing the authority's bonding authority.

#### Commerce and Consumer Protection Committee

Chair: Sen. Sam Solon

12 noon Room 112 Capitol

**Agenda:** S.F. 1821-Metzen: Alcoholic beverage brand label registration requirement. S.F. 1847-Solon: Mortgage payment services regulation. S.F. 1848-Solon: Omnibus real estate bill. S.F. 2072-Mondale: Labeling requirements for salvaged food and licensing salvaged food distributors.

#### Joint Crime Prevention and Judiciary Subcommittee on Privacy

Chairs: Sen. Jane Ranum and Sen. Skip Finn

12 noon Room 15 Capitol

**Agenda:** Bills held over from March 10 meeting.

#### Crime Prevention Committee

Chair: Sen. Allan Spear

2 p.m. Room 15 State Capitol

**Agenda:** S.F. 1885-Kelly: Crime information reward fund. S.F. 2163-Kelly: Intensive community supervision. S.F. 2387-Spear: Omnibus DOC bill.

#### Jobs, Energy and Community Development Funding Division

Chair: Sen. Carl Kroening

2 p.m. Room 112 Capitol

**Agenda:** Supplemental Budget for Commerce Dept., Housing Finance Agency, Dept. of Labor and Industry and the Labor Interpretive Center.

#### Metropolitan and Local Government Committee

Chair: Sen. Betty Adkins

2 p.m. Room 107 Capitol

**Agenda:** S.F. 2205-Johnson, D.J.: Duluth Convention Center.

S.F. 2262-Sams: Removing notice requirements for emergency on-site inspections by town boards. S.F. 2241-Pogemiller: Minneapolis; clarifying the procedures that may be used in assessing special assessments. S.F. 2155-Hottinger: Transportation; bonding, abolishing requirement that electorate approve bonds in excess of tax limitations for airports and authorizing issuance 60 percent vote of governing body. S.F. 2157-Hottinger: Local government aids; providing for city aid for calendar year 1994 and thereafter. S.F. 2232-Pappas: Counties; filling by appointment of certain offices previously elective. S.F. 2052-Janezich: St. Louis County; assigning former town of Payne to the 7th commissioner district.

### Joint Family Services and Judiciary Committees

*Chairs: Sen. Pat Piper and Sen. Ember Reichgott Junge*  
6 p.m. Room 15 Capitol  
**Agenda:** S.F. 2129-Piper: Adoption bill. S.F. 1735-Betzold: Adoption and foster care modifications. S.F. 2355-Kiscaden: DHS adoption bill.

### Judiciary Subcommittee on Family Law

*Chair: Sen. Don Betzold*  
8 p.m. Room 15 Capitol  
**Agenda:** S.F. 1662-Piper: Interstate Child Support Act. S.F. 1828-Knutson: Modifying provisions relating to paternity. S.F. 1895-Kiscaden: Factors in child's best interest. S.F. 1997-Cohen: Postnuptial contracts. S.F. 2014-Cohen: Clarifying child support. S.F. 2160-Reichgott Junge: Supreme Court pilot program for family law education.

## Tuesday, March 15

### Governmental Operations and Reform Committee

*Chair: Sen. James Metzger*  
8 a.m. Room 15 Capitol  
**Agenda:** Strategic plan for locating state agencies. Testimony from the Dept. of Administration.

### Transportation and Public Transit Committee

*Chair: Sen. Florian Chmielewski*  
8 a.m. Room 112 Capitol  
**Agenda:** S.F. 1774-Hanson: Permitting white strobe lights on rural mail carriers. S.F. 2101-Hottinger: Requiring graduation or satisfactory attendance in school for juvenile to possess drivers' license. S.F. 2111-Reichgott: Prohibiting issuance of a drivers license unless a person has graduated from or is attending a secondary school. S.F. 1966-Langseth: Requiring Head Start transportation to be by school bus and requiring seat belts for commercial motor vehicles. S.F. 1990-Vickerman: Taxing commuter vans as buses for vehicle registration purposes and regulating personalized, ready reserve, collegiate, and drive-away in transit license plates. S.F. 2260-Johnston: Public Safety technical changes regarding issuance and

record of coded license plates following plate impoundment. S.F. 1967-Pappas: Allowing commissioner of public safety to determine driver's test taken for license reinstatement.

### Environment and Natural Resources Finance Division

*Chair: Sen. Steven Morse*  
10 a.m. Room 123 Capitol  
**Agenda:** S.F. 2054-Morse: DNR personnel working on certain projects. S.F. 1858-Benson D.D.: Authorizing the commissioner to sell lands in the Gordy Yeager wildlife management area in Olmsted Co. S.F. 1928-Stumpf: Collector snowmobiles license. S.F. XXX-Merriam: Stamps and surcharges.

### Health Care Committee

*Chair: Sen. Linda Berglin*  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 2086-Piper: P.A. nurse practitioners to dispense sample drugs. S.F. 2068-Berglin: Nursing home moratorium criteria. S.F. 1763: Nursing home efficiency incentives. S.F. 1873-Berglin: Community mental health centers. S.F. 1849-Piper: Health-related licensing boards may establish a program to protect the public.

### Higher Education Division

*Chair: Sen. LeRoy Stumpf*  
10 a.m. Room 112 Capitol  
**Agenda:** Telecommunications and information technology.

### Jobs, Energy and Community Development Committee

*Chair: Sen. Steven Novak*  
10 a.m. Room 107 Capitol  
**Agenda:** Continuation of S.F.-1777: Benson, D.: Workers compensation.

### Ethics and Campaign Reform Committee

*Chair: Sen. John Marty*  
12 noon Room 107 Capitol  
**Agenda:** Continuation of Thursday, March 10 agenda. S.F. 2015-Flynn: Metropolitan Reorganization Act of 1994, Article 1. S.F. 943-Marty: Ethical Practices Board Recommendations.

### Family Services Committee

*Chair: Sen. Pat Piper*  
12 noon Room 15 Capitol  
**Agenda:** Continuation of adoption legislation.

### Veterans and General Legislation Committee

*Chair: Sen. Jim Vickerman*  
12 noon Room 112 Capitol  
**Agenda:** S.F. 864-Mondale: Establishing a low-cost spaying and neutering program for companion animals. S.F. 1718-Benson, D.D.: Appropriating money for Mower County to acquire the historic Grand Meadow chert quarry. S.F. 1962-Mondale: Hopkins performing arts center grant.

### Commerce and Consumer Protection Committee

*Chair: Sen. Sam Solon*  
2 p.m. Room 112 Capitol  
**Agenda:** S.F. 2192-Berglin: MinnesotaCare bill testimony.

### Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*  
2 p.m. Room 15 Capitol  
**Agenda:** Continuation of hearing on S.F. 1706-Novak: Prairie Island legislation.

### Transportation and Public Transit Finance Division

*Chair: Sen. Keith Langseth*  
2 p.m. Room 125 Capitol  
**Agenda:** Supplemental Budget Request, Dept. of Public Safety. S.F. 2013-Luther: Providing for disposition of unrefunded gasoline tax attributable to off-highway motorcycle use. S.F. 2178-Pappas: Exempting certain transit providers from payment of gasoline excise tax. S.F. 1802-Murphy: Changing eligibility requirements for distribution of funds from the town road account.

### Rules and Administration Audit Subcommittee

*Chair: Sen. Gene Merriam*  
4 p.m. Room 123 Capitol  
**Agenda:** Final report on diagnostic evaluation of Senate by Grant Thornton.

### Taxes and Tax Laws Subcommittee on Property Tax

*Chair: Sen. Carol Flynn*  
4 p.m. Room 15 Capitol  
**Agenda:** S.F. 2391-Belanger: Levy limit repeal. S.F. 2173-Hottinger: Tax Increment Financing legislation. S.F. 2174-Berglin. S.F. 2268-Bertram. S.F. 2299-Langseth.

## Wednesday, March 16

### Governmental Operations and Reform Committee

*Chair: Sen. James Metzger*  
8 a.m. Room 15 Capitol  
**Agenda:** S.F. 1803-Johnson, D.E.: Capital improvements appropriations bill.

### Transportation and Public Transit Committee

*Chair: Sen. Florian Chmielewski*  
8 a.m. Room 112 Capitol  
**Agenda:** S.F. 1856-Lessard: Providing that the statutory procedure for tree removal does not apply to trees removed from town roads dedicated by plat. S.F. 1832-Bertram: Authorizing immediate towing after 12 hours advance notice of restricted parking in cities under 50,000. S.F. 1833-Bertram: Increasing single wheel weight limitation for certain roads. S.F. 1981-Vickerman: Authorizing rail carriers to participate in loan guarantee program. S.F. 2303-Pappas: Requiring persons

age 55 or over to complete a refresher course in accident prevention in order to remain eligible for a reduction in private passenger vehicle insurance rates. S.F. 1896-Pappas: State Transportation plan; prohibiting federal block grant funds from being spent on trunk highways unless ancillary to public transit facilities.

### ❖ Education Funding Division

*Chair: Sen. Lawrence Pogemiller*

10 a.m. Room 112 Capitol

**Agenda:** S.F. 2206-Pogemiller. Technical changes in education programs. S.F. 1798-Robertson. Part H, special ed early childhood intervention. S.F. 1790-Olson. Department of Education policy legislation. S.F. 1994-Betzold. Revenue for programs for at-risk students.

### Health Care Committee

*Chair: Sen. Linda Berglin*

10 a.m. Room 15 Capitol

**Agenda:** S.F. 1849-Piper: Health related licensing boards may establish a program to protect the public. S.F. 2312-Berglin: Community health clinics--increases MA (Faribault and Cambridge). S.F. 2193-Morse: Drinking water revolving fund. S.F. 1930-Betzold: Department of Human Services technical bill. S.F. 1931-Betzold: Minnesota Department of Health technical and housekeeping bill.

**The Senate will meet at 11:45 a.m.**

### Agriculture and Rural Development Committee

*Chair: Sen. Joe Bertram, Sr.*

12 noon Room 107 Capitol

**Agenda:** S.F. 2168-Bertram: Providing an interest buy-down program for farmers and small businesses; creating a program of farm disaster property tax relief payments. S.F. 1609-Sams: Mandating studies of effects of earth as conductor of electricity, stray voltage, and electromagnetic fields; providing complaint procedure and remedies. S.F. 1975-Sams: Providing for uniformity of certain food laws with federal regulations.

### ❖ Commerce and Consumer Protection Committee

*Chair: Sen. Sam Solon*

12 noon Room 112 Capitol

**Agenda:** S.F. 2192-Berglin: MinnesotaCare bill; amendments and discussion.

### Judiciary Committee

*Chair: Sen. Ember Reichgott Junge*

12 noon Room 15 Capitol

**Agenda:** S.F. 1971-Reichgott Junge: Limited liability companies; workers comp. and unemployment law. S.F. 1989-Murphy: Workers' compensation; exclusion of limited liability companies. S.F. 2040-Berglin: Clarifying pension plan obligations. Adoption bills reported from Family Services. Bills reported from Family Law Subcommittee.

### Crime Prevention Committee

*Chair: Sen. Allan Spear*

2 p.m. Room 15 Capitol

**Agenda:** S.F. 1593-Ranum: Eliminating certain prostitution defenses. S.F. 1725-Berglin: Race Bias Task Force bill. S.F. 1759-Betzold: Mental health training for corrections personnel. S.F. 1835-Bertram: Inmate medical procedures. S.F. 2156-Hottinger: Peace officer authority to transport truants.

### Environment and Natural Resources Finance Division

*Chair: Sen. Steven Morse*

2 p.m. Room 123 Capitol

**Agenda:** Continuation of S.F. 1133-Morse: Establishing an environmental cleanup program for landfills.

### Legislative Commission on Pensions and Retirement

*Chairs: Sen. Steven Morse and*

*Rep. Mindy Greiling*

2 p.m. Room 400N SOB

**Agenda:** S.F. 2169-Sams: Police state aid - use of portion of excess aid to fund ambulance longevity award plan. S.F. 2171-Moe: Fire state aid - inclusion of Red Lake Indian Reservation in aid. S.F. 1771-Finn: Judges plan - optional annuity calculation subsidy. S.F. 1860-Riveness: IRAP - administrative bill. S.F. 1906-Metzen: MSRS Correctional - plan membership expansion. S.F. 1908-Morse: Various plans - correction of 1993 early retirement incentive program omissions.

### Metropolitan and Local Government Committee

*Chair: Sen. Betty Adkins*

2 p.m. Room 107 Capitol

**Agenda:** To be announced.

### Higher Education Division

*Chair: Sen. LeRoy Stumpf*

4 p.m. Room 125 Capitol

**Agenda:** Co-located campuses report and budget items.

### Taxes and Tax Laws Subcommittee on Income and Sales Tax

*Chair: Sen. Ember Reichgott Junge*

4 p.m. Room 15 Capitol

**Agenda:** S.F. 1786-Reichgott Junge: Limited liability partnerships. S.F. 2004-Johnson, D.J.: City of Two Harbors; use of lodging tax for additional puposes. S.F. 2071-Pappas: Dept. of Revenue; providing for coordination of sales tax schedules for the state and city of St. Paul.

### Education Finance Division

*Chair: Sen. Lawrence Pogemiller*

6 p.m. Room 112 Capitol

**Agenda:** To be announced.

### Ethics and Campaign Reform Committee

*Chair: Sen. John Marty*

7 p.m. Room 107 Capitol

**Agenda:** Continuation of previous agenda;

S.F. 2197-Pogemiller: Legislative boundaries; S.F. 2199-Pogemiller: Congressional district boundaries; S.F. 2297-Pogemiller: Precinct boundaries.

### Health Care Committee

*Chair: Sen. Linda Berglin*

7 p.m. Room 15 Capitol

**Agenda:** S.F. 2043-Sams: Requires dentists to participate in state care programs, expands MA coverage of dental services, increases MA rates for dental. S.F. 2005-Sams: Board of Dentistry. S.F. 1977-Piper: Infant mortality study.

**Thursday, March 17**

❖ **The Senate will meet at 8 a.m.**

### Health Care Committee

*Chair: Sen. Linda Berglin*

10 a.m. Room 15 Capitol

**Agenda:** Any bills carried over from previous agendas. S.F. 1892-Sams: Clarifying standards for payment rates for developmental achievement centers. S.F. 2130-Berglin: Health insurance counseling. S.F. 2077-Samuels: Efficiency incentives, increase for ICFMR. S.F. 2134-Spear: Group residential housing-Hennepin County.

### Higher Education Division

*Chair: Sen. LeRoy Stumpf*

10 a.m. Room 112 Capitol

**Agenda:** Higher Education Board reports. Allocations.

### ❖ Ethics and Campaign Reform Committee

*Chair: Sen. John Marty*

12 noon Room 107 Capitol

**Agenda:** S.F. 493-Johnson, D.E.: Term limits.

### Veterans and General Legislation Committee

*Chair: Sen. Jim Vickerman*

12 noon Room 112 Capitol

**Agenda:** To be announced.

### Crime Prevention Committee

*Chair: Sen. Allan Spear*

2 p.m. Room 15 State Capitol

**Agenda:** S.F. 2242-Ranum: Escape from electronic monitoring. S.F. 2270-Ranum: Crimes against children. S.F. 2371-Anderson: Female genital mutilation.

### Jobs, Energy and Community Development Funding Division

*Chair: Sen. Carl Kroening*

2 p.m. Room 112 Capitol

**Agenda:** Supplemental Budget for Minnesota Technology Inc., the Dept. of Jobs and Training, and the Dept. of Public Services.

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### Metropolitan and Local Government Committee

*Chair: Sen. Betty Adkins*  
2 pm Room 107 Capitol  
**Agenda:** To be announced.

### Environment and Natural Resources Finance Division

*Chair: Sen. Steven Morse*  
4 p.m. Room 123 Capitol  
**Agenda:** S.F. 1909-Price: Requiring cities and counties to adopt ordinances complying with PCA rules regarding individual sewage treatment systems. S.F. 2220-Price: Relating to water; providing for duties of the Legislative Water Commission; etc. S.F. 1956-Vickerman: Lewis and Clark rural water system.

### Legislative Commission on Pensions and Retirement

*Chairs: Sen. Steven Morse and Rep. Mindy Greiling*  
6:30 p.m. Room 318 Capitol  
**Agenda:** S.F. 2251-Solon: First class city teachers - administrative and other changes. S.F. 2288-Stumpf: Major funds - administrative and other changes. S.F. 2316-Metzen: SBI - various fund management modifications. S.F. 2276-Pogemiller: PERA-P&F - addition of Hennepin County paramedics. S.F. 2060-Solon: Duluth Fire - definition of salary for service pension calculation purposes. S.F. 2250-Metzen: PERA - modification of optional annuity for certain retiree. S.F. 2300-Langseth: TRA - inclusion of additional person in 1993 early retirement incentive. Study of first class city teacher retirement fund associations phase-out or consolidation option.

### Crime Prevention Committee

*Chair: Sen. Allan Spear*  
7 p.m. Room 15 Capitol  
**Agenda:** S.F. 1870-Spear: Victim notice of offender's release. S.F. 1961-Merriam: DWI repeat offender penalties and procedures. S.F.

2019-Beckman: DWI alcohol monitoring pilot. S.F. 2074-Johnson, J.B.: DWI alcohol monitoring pilot. S.F. 2227-Finn: Crime victim and witness rights and procedures. S.F. 2228-Finn: Crime victim ombudsman powers. S.F. 2392-Reichgott Junge: Missing and endangered children; pretrial bail evaluation.

### Legislative Commission on Minnesota Resources

*Chair: Rep. Phyllis Kahn*  
7 p.m. Room 5 SOB  
**Agenda:** Discuss post peer review for 1991 funded research projects conducted Jan. 27 and 28, 1994 and staff recommendations for legislative changes. Consider quarterly report on administrative budget. Discuss review of 1991 final status reports and 1993 first quarter status reports. Consider status report on Dept. of Natural Resources bonding workprogram and various workprogram amendments. Consider proposed quarterly workprogram amendment approval for RIM critical habitat match \$172,604 from bonding and \$342,145 from trust fund appropriations. Consider approval of workprogram for St. Louis River plan implementation and land acquisition. Consider recommendation to 1994 Legislature authorizing an extension of the time the appropriation is available for land and water resource management for the Lower St. Croix National Scenic Riverway. Dept. of Transportation presentation of the current status of the ISTE A program.

## Friday, March 18

### Governmental Operations and Reform Committee

*Chair: Sen. James Metzen*  
8 a.m. Room 15 Capitol  
**Agenda:** To be announced.

### Transportation and Public Transit Finance Division

*Chair: Sen. Keith Langseth*  
8 a.m. Room 112 Capitol  
**Agenda:** S.F. 1816-Krentz: Personal

Transportation Service. S.F. 1807-Stumpf: Authorizing special license plates for vehicles owned by volunteer ambulance drivers. S.F. 2278-Chmielewski: Establishing state patrol motor vehicle account. S.F. 2006-Chielewski: Establishing permit system for alternate fuel vehicles.

### Education Finance Division

*Chair: Sen. Lawrence Pogemiller*  
10 a.m. Room 112 Capitol  
**Agenda:** To be announced.

### ❖ Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*  
10 a.m. Room 107 Capitol  
**Agenda:** S.F. 1841-Piper: State trails. S.F. 1904-Benson, D.D.: Making additions to state trail system. S.F. 2023-Dille: Genetically engineered organisms. S.F. 2235-Lessard: Mississippi headwaters area.

### Judiciary Committee

*Chair: Sen. Ember Reichgott Junge*  
12 noon Room 15 Capitol  
**Agenda:** S.F. 1793-Samuelson: Registration by title in cases of termination of a land contract. S.F. 2094-Krentz: Guardians ad litem. S.F. 2112-Reichgott Junge: Civil cause for persons coerced into prostitution. S.F. 2177-Spear: Liability provisions for child abuse investigations. Bills re-referred from other committees.

### Environment and Natural Resources Finance Division

*Chair: Senator Steven Morse*  
3 p.m. Room 123 Capitol  
**Agenda:** S.F. 1730-Johnson, D.E.: City of Morton advances and loan forgiveness. S.F. 1851-Finn: Citizens lake monitoring. S.F. 1964-Beckman: Appropriating money to Eagle Lake for sewer system. S.F. 2050-Johnson, J.B.: Management of solid waste; indemnify generators of waste.

# Briefly

The Minnesota Senate Week in Review

March 18, 1994

## Welfare reform, Fingerhut bills pass

The Thurs., Mar. 17, floor session was dominated by debate on two major bills. S.F. 1758, the welfare reform package sponsored by Sen. Don Samuelson (DFL-Brainerd) and H.F. 2213, the tax increment financing package for Fingerhut sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), were both designated Special Orders and given final passage.

According to Samuelson, the welfare reform package is designed to help people by removing barriers to self-sufficiency. "We also recognize that child care is a key element in helping people get off welfare so the largest expenditure, nearly \$10 million, if for child care," Samuelson said. Another key policy change is a requirement that minor parents must live with their parents or in a supervised living arrangement Samuelson said.

The bill gained final passage on a vote of 64-0.

The second major bill, H.F. 2213, exempts a tax increment financing district from a number of restrictions. Bertram said that the bill is designed to provide economic assistance to the Fingerhut Corporation for construction of an expanded facility in St. Cloud. However, the primary reason the bill is needed is that interests in Kansas City, Missouri, have offered the company a free building complete with fixtures for the expansion, Bertram said. Bertram said that the bill is the result of a cooperative effort by the city, a clothing and textile union, private industry and the state to bridge the gap between what is being offered in Kansas City and encouraging the expansion in St. Cloud. Bertram also said that Fingerhut currently employs over 7,000 people throughout Minnesota and the St. Cloud expansion is expected to add an additional 400 jobs. "This bill is about jobs and about a productive working partnership," Bertram concluded. Sen. Joanne Benson (IR-St. Cloud) echoed Bertram's comments and said, "The bill provides stability for the operations that are located in Minnesota."

However, Sen. Ember Reichgott Junge (DFL-New Hope) argued against the bill. "I think we must consider the precedent we are setting by giving special treatment to Fingerhut. How are we going to say 'no' to other businesses that ask for similar treatment," Reichgott Junge said. She also said that she was concerned that the property taxpayers are being asked to shoulder increased taxes without a referendum.

Sen. Douglas Johnson (DFL-Cook) responded that there is a need for the bill and that "Fingerhut, unlike other corporations, has tried to provide jobs in rural Minnesota." The measure was granted final passage on a vote of 52-12.

## Ethics bill advances

A sweeping ethical practices bill was granted final passage at the Mon., Mar. 14, Senate floor session. H.F. 1863, authored by Sen. John Marty (DFL-Roseville), sets limits on gifts and entertainment provided to legislators by lobbyists. The ban on gifts does not apply to trinkets or "gifts of insignificant value." The bill also requires lobbyists to report the identity of recipients and the purpose of entertainment expenses over \$5. An amendment, offered by Sen. David Knutson (IR-Burnsville), tightened up the restrictions by placing a complete ban on all gifts and most meals. The exception is for those occasions when the legislator is a guest of an organization before whom the legislator appears to make a speech or answer questions as part of a program. The amendment was adopted on a 43-22 roll call vote. Another amendment, offered by Sen. Pat Pariseau (IR-Farmington), to prohibit former legislators from lobbying for a year after leaving office failed to gain approval. The amendment failed on a 28-36 roll call vote. Another amendment, offered by Sen. Don Betzold (DFL-Fridley), prohibiting political units from soliciting lobbyists for funds during the legislative session, was adopted unanimously.

The bill was approved on a 65-0 roll call vote.

## NSP bill halted

In a continuation of the discussion of Sen. Steven Novak's (DFL-New Brighton) dry cask storage bill, the Environment and Natural Resources Committee met Tues., Mar. 15. The committee, chaired by Sen. Bob Lessard (DFL-Intn'l. Falls), failed to approve S.F. 1706 on a 8-10 roll call vote.

Prior to the vote, members of the committee questioned Novak and other previous testifiers. Northern States Power's Laura McCarten testified at the request of Sen. Gene Merriam (DFL-Coon Rapids) regarding possible scenarios that can take place if the bill is approved or rejected. McCarten stated that if the bill is approved, Prairie Island will operate at 100 percent capacity until the year 2001, with an evaluation by the Public Utilities Commission (PUC) every two years. McCarten added that legislative approval would be needed if NSP wants to expand dry cask storage beyond the provisions in the bill. If the bill is rejected, testified McCarten, spent fuel needs to be removed from the storage pool and placed in dry casks, with the plant possibly being decommissioned (if no federal or private storage facility can be found). McCarten said a federal suppository is expected to be available between the years 2015 and 2020.

Three amendments were introduced to S.F. 1706. The only amendment adopted provides for the construction of a biomass conversion plant, in which NSP is required to produce 50,000 kilowatts of power from biomass.

Sen. Steve Dille (IR-Dassel) appealed to the committee for a favorable vote based on economic, safety, and alternative fuel considerations. Novak stated that the bill stimulates alternate energy resources and assist in the development of those alternatives. Novak also encouraged the committee to pass the bill on the intent of the appellate court for the entire Senate to vote on the bill. Lessard added to the proponents testimony by asking committee members to consider the economic implications of the shutting down of the plant as well as the positive provisions in the bill to phase out nuclear power in Minnesota.

Sen. Phil Riveness (DFL-Bloomington) listed one of his reasons for voting against the bill as the possibility that the situation will occur over and over again. In that, Riveness suggested that the issue of spent fuel storage in Minnesota will continue to surface. Sen. Steven Morse (DFL-Dakota), offering stringent opposition to the bill, stated that NSP has essentially placed itself in the position it is in due to poor management decisions on the issue. Morse stated that the bill institutionalizes nuclear power rather than discourages it. Morse emphasized the need for Minnesota to move away from nuclear power and focus on renewable energy resources. The federal government has made promises on the storage of spent nuclear fuel, according to Morse, and the state should not relieve the federal government of that obligation.

After the bill failed, Dille moved that the bill be referred to the Finance Committee with no recommendation. The motion also failed on an 8-10 roll call vote.

## Wisconsin workers' comp fails

The bill replacing the Minnesota's workers' compensation law with the Wisconsin model failed to gain the approval of the Jobs, Energy and Community Development Committee at a Tues., Mar. 15, meeting. The committee, chaired by Sen. Steven Novak (DFL-New Brighton), concluded its hearings on S.F. 1777, sponsored by Sen. Duane Benson (IR-Laanesboro) with testimony from opponents of the bill, including a representative of the insurance industry, a qualified rehabilitation consultant firm, and an injured worker who has done extensive study of the issue. After extensive testimony and discussion, the Senators defeated the bill on an 8-4 roll call vote. Another workers' comp bill is scheduled to be heard by the committee.

# Committee update

## Agriculture and Rural Development

### Miscellaneous bills passed

The Agriculture and Rural Development Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), met Mon., Mar. 14, to hear eight bills.

S.F. 1999, authored by Sen. Duane Benson (IR-Lanesboro), removes the requirement that areas be posted when pesticides are applied when the label corresponding to that product specifies time for human reentry to that area. The bill, said Benson, requires posting according to label requirements as specified by federal law and should simplify the posting law. The proposal was approved and sent to the Senate floor.

S.F. 1970, authored by LeRoy Stumpf (DFL-Thief River Falls), appropriates funds to the commissioner of agriculture for wheat scab and soybean research. The wheat scab appropriation, according to Stumpf, will be used to provide grants to the U of M for research directed at the problems of wheat scab and vomitoxin. The bill was approved and sent to the Environment and Natural Resources Finance Division.

S.F. 2038, authored by Stumpf, modifies provisions relating to wheat and barley promotion orders and establishes the payment of a refund checkoff fee. S.F. 2038 was approved and sent to the Senate floor.

S.F. 1813, authored by Bertram, encourages the release of accurate information relating to agricultural products and producers. Bertram said the proposal is designed to make it illegal to disseminate false or defamatory statements about agricultural products. The bill was approved and sent to the Judiciary Committee.

S.F. 1857, authored by Sen. Dallas Sams (DFL-Staples), extends the agricultural homestead provisions currently under law to a father or mother living on a relative's property. The bill was approved and referred to the Taxes and Tax Laws Committee.

S.F. 1945, authored by Sen. Steven Morse (DFL-Dakota), provides for a change in the membership of the Public Facilities Authority and increases the body's bonding authority. Morse said that the bill is essentially a pilot program focusing on the Minnesota River Valley. The bill was approved and sent to the Environment and Natural Resources Committee.

The committee reconvened Mon. evening, Mar. 14, to discuss two bills presented by Sen. Charles Berg (DFL-Chokio).

S.F. 1948 provides for family farm limited liability companies and authorized farm limited liability companies, and removes limits on the number of shareholders or partners for authorized farm corporations and partnerships. An amendment offered by Sen. Jim Vickerman (DFL-Tracy) changes the 51 percent requirement of ownership for farmer shareholders to 66 and 2/3 percent for swine operations and also removes the limit of five shareholders. The amendment was adopted. Sen. Steve Dille (IR-Dassel) proposed an amendment changing Vickerman's language from swine operations to livestock operations. Dille's proposal excludes dairy farmers. The amendment was also adopted. S.F. 1948 was approved by the committee and re-referred to the Judiciary Committee.

### Flood relief approved

Three bills were put before the Agriculture and Rural Development Committee Wed.,

Mar. 16. The committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), heard proposals on a potato growing area, stray voltage, and flood relief.

Sen. Roger D. Moe (DFL-Erskine) presented S.F. 2283, a bill expanding a restricted seed potato growing area. The bill was approved and sent to the Senate floor.

Bertram presented the final version of a state flood relief bill. According to Bertram, S.F. 2168 has been scaled back nearly \$38 million to meet with the governor's recommendation. The bill translates to \$12 million for relief to areas adversely affected by the flood of 1993. Bertram presented eleven programs that will receive relief funds.

Those areas are: a matching fund federal emergency management program, a job creation program, wheat scab research, a farm advocates fund, six agricultural resource centers, a legal assistance to farmers fund, a farm financial advocacy and training program, a small business disaster revolving fund, an ethanol production facilities revolving fund, an Agricultural Utilization Research Institute fund, and a dairy litigation fund. The proposal was approved by the committee and referred to the Environment and Natural Resources Committee.

Brief testimony was heard on S.F. 1609, authored by Sen. Dallas Sams (DFL-Staples). David Lucky, a farmer and representative of the Electromagnetic Research Foundation (TURF), explained to the committee that a serious stray voltage problem exists in Minnesota because the earth is used as a ground for electricity carrying systems. Lucky testified that many dairy farmers have experienced a decline in dairy cow productivity due to stray voltage and that dairy farmers need the initiative in the bill to begin researching the problem and the effects on animals. Sams said the bill is designed to set up task force to study and research stray voltage. S.F. 1609 was laid over.

### Stray voltage moves forward

In a Wed., Mar. 16, evening meeting of the Agriculture and Rural Development Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), S.F. 1975 and S.F. 1609 were discussed.

Sen. Dallas Sams (DFL-Staples) presented S.F. 1975, relating to the National Labeling and Education Act. The bill, according to Sams, adopts the act's standards and brings Minnesota into compliance with federal law. Sams reported that no implementation costs to the state are involved with the passage of the bill. S.F. 1975 was approved and sent to the Senate floor.

The committee also completed work on S.F. 1609, authored by Sams. The proposal establishes a task force to look into stray voltage and its effects on farm animals. Sams stated that many dairy farmers notice abnormal behavior and underproduction in their cows that is related to stray voltage. The bill was approved and re-referred to the Jobs, Energy, and Community Development Committee.

## Commerce and Consumer Protection

### Salvaged food labeling advances

A bill requiring labeling for food salvaged from fires, floods, and other disasters cleared the Commerce and Consumer Protection Committee Mon., Mar. 14. Under S.F. 2072, sponsored by Sen. Ted Mondale (DFL-St.

Louis Park), salvaged food must be clearly labeled as salvaged, and stores selling the food must inform customers by posting signs. The bill also establishes licensing and record-keeping for salvage food distributors. The measure also requires eating establishments to clearly identify menu items that contain salvaged food. After a brief explanation of the bill from Dept. of Agriculture representatives, S.F. 2072 was approved and re-referred to the Finance Committee.

The committee also heard S.F. 1821, a bill expanding the category of liquor brand labels that may be registered only by the brand owner or an authorized agent of the owner. Under the bill, hard liquor is included in the registration restriction. Current law extends the restriction only to beer and wine. The bill's sponsor, Sen. James Metzen (DFL-South St. Paul), said that "Minnesota's consumers should be provided the protections already extended to wine and beer."

After hearing testimony, the committee, chaired by Sen. Sam Solon (DFL-Duluth), voted on the bill, defeating it on a 7-4 show of hands.

### Mortgage payment services

The Commerce and Consumer Protection Committee approved S.F. 1847, a bill regulating mortgage payment services, at the Tues., Mar. 15, meeting. The bill, sponsored by Sen. Sam Solon (DFL-Duluth), establishes a category of debt prorate activity that does not require a license or compliance with debt prorate rules. It also establishes bonding requirements for mortgage payment services. Sen. William Luther (DFL-Brooklyn Park), offered an amendment changing several provisions of the bill. The amendment increases the bonding requirement for mortgage payment services from the original bill's \$5,000 to \$100,000. The amendment also requires all terms of the services' contracts with mortgagors to be in writing and include all fees, costs, and charges. The committee approved the amendment and a technical amendment, then forwarded the bill, as amended, to the Consent Calendar.

The committee also approved S.F. 1848, the omnibus real estate bill. The bill, sponsored by Solon, makes a technical change to the statute regulating handling of client funds by real estate brokers and clarifies the meaning of residential real property for purposes of licensing real estate appraisers. An amendment, offered by Luther, provides that when disclosures are made in accordance with statutory requirements, the disclosures satisfy common law disclosure requirements. The amendment also expressly requires that a written disclosure be made when a principal in a transaction is a licensee or relative or business associate of the licensee. It also contains a provision requiring the commissioner of commerce to study disclosure forms and recommend any additions that may be needed. The committee approved the Luther amendment, and S.F. 1848, as amended, now goes to the Senate floor.

The Senators spent the balance of the meeting processing amendments and hearing testimony on S.F. 2192, the MinnesotaCare bill. The committee approved three amendments by the author, Sen. Linda Berglin (DFL-Mpls). The first revises language applying to Community Integrated Service Networks (CISNs). The amendment requires community networks to offer enrollees the option of receiving covered services through an expanded network of qualified providers who agree to comply with the managed care protocols of the network. The network is

allowed to charge an additional premium to persons who choose to receive coverage through this expanded network. Under the amendment, reimbursement to providers in the extended network is the same as that for providers in the preferred network. Berglin said the amendment is intended to make sure that people can maintain continuity of care and make sure that they do not have to travel long distances to reach providers.

The second amendment directs the commissioner of health to apply for federal grant funding under the state rural health network reform initiative and specifies that the funds, if received, are to be used to provide technical assistance and grants to rural communities to establish health care networks and to develop and test a rural health network reform model. The third Berglin amendment makes technical changes to the bill. After adopting the amendments, the committee, chaired by Solon, took testimony and laid the bill over.

### MinnesotaCare debate continues

Members of the Commerce and Consumer Protections Committee, chaired by Sen. Sam Solon (DFL-Duluth), continued their discussion of the MinnesotaCare implementation bill at the Wed., Mar. 16, meeting, S.F. 2192, authored by Sen. Linda Berglin (DFL-Mpls.), sets forth a timetable for the restructuring of the systems and contains language that aims at holding down health care costs through the restructuring.

Committee members offered a series of amendments to the bill during the course of the afternoon's discussion. Sen. Cal Larson (IR-Fergus Falls) successfully offered an amendment to specify that an individual's policy must provide coverage until the end of the month in which the policy is terminated. An amendment, offered by Sen. Edward Oliver (IR-Deephaven), removing the protection that deductibles be limited to \$1,000, was also adopted. Another Larson amendment, adding the commissioner of commerce to the group studying the universal benefit set, gained committee approval. An amendment, offered by Sen. James Metzen (DFL-South St. Paul), clarifying disclosure requirements, was also adopted. A third amendment, offered by Larson, giving the Dept. of Commerce the lead role in the health plan recodification, failed to gain panel approval. Another amendment, offered by Oliver, deleting the requirement that a health care plan that offers group coverage must also offer individual coverage, also failed to gain panel approval. An amendment, offered by Sen. William Belanger (IR-Bloomington), allowing a carrier to withdraw from the individual market if the carrier complies with the regulations for small groups, was adopted.

An amendment, offered by Sen. Ellen Anderson (DFL-St. Paul), establishing regional boards to review ISNs and setting forth the board's composition and duties, failed to be adopted. An amendment specifying the areas to be studied in determining dental benefits to be included in the benefit set, offered by Sen. William Luther (DFL-Brooklyn Park), also failed to gain adoption. An amendment, relating to community rating bands and deleting provisions placing limits on premium rate variations, was defeated on a close voice vote. The amendment was offered by Larson and was strongly opposed by Berglin. Berglin also opposed an Anderson amendment that places a two year freeze on the "megamergers" of large health care providers. Berglin successfully argued against the amendment and Anderson withdrew the amendment.

Because of time constraints, no formal action was taken on the bill.

## Crime Prevention

### Juvenile justice funding okayed

The Crime Prevention Finance Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn), met Fri., Mar. 11, to review the appropriations amendment for S.F. 1845, the juvenile justice bill sponsored by Sen. Jane Ranum (DFL-Mpls.). The approved amendment designates \$13.2 million for funding the provisions of the bill. Of the appropriations, \$4 million is for providing counsel for juveniles by the State Board of Public Defense. The board requested \$2.5 million for the statewide districts where the state currently provides the services for juvenile cases, and \$1.5 million for providing the services in the other districts where the counties fund juvenile defense. Sen. Gene Merriam (DFL-Coon Rapids) proposed raising the \$1.5 million to \$1.7 million, to more equitably distribute funds. The amendment to the amendment was adopted.

In the amendment, \$4.5 million is allocated to the Dept. of Education for a variety of violence prevention grants and other programming. Sen. Randy Kelly (DFL-St. Paul) suggested increasing the funding of the community based truancy action projects from \$100,000 to \$200,000, because of the value of truancy projects. Kelly and Sen. Patrick McGowan (IR-Maple Grove) both favored greater geographic distribution of the project funding. The section was amended to support truancy projects around the state, not only in previously identified counties.

Other appropriations include \$3.2 million to the Dept. of Public Safety, most of which is for community crime reduction grants. The Dept. of Human Services (DHS) is allocated \$865,000 for various programs. The DHS funding supports juvenile mental health screening, interdisciplinary training for criminal justice officials, and compliance with the Indian Family Preservation Act and the Indian Child Welfare Act.

The appropriations amendment was approved as amended, and the Crime Prevention Committee met to resume discussion of the bill. In response to concerns regarding secure facilities, Ranum increased the authorization of secure beds to 100 statewide. Because of time constraints, discussion on the bill will continue.

### Juvenile justice bill approved

After much discussion and several amendments, the juvenile justice bill, S.F. 1845, sponsored by Sen. Jane Ranum (DFL-Mpls.) was approved by the Crime Prevention Committee Mon., Mar. 14. The bill creates a stronger response system for juvenile offenders by establishing a serious youthful offender (SYO) category and applicable sentencing recommendations. The committee, chaired by Sen. Allan Spear (DFL-Mpls.), also endorsed amendments to the bill.

Sen. Thomas Neuville (IR-Northfield) presented an amendment, which was approved, that requires an adult over 23 years old who allegedly committed an offense before the age of 18 to be tried in adult district court.

Sen. Gene Merriam (DFL-Coon Rapids) also proposed an amendment to reflect his concern about mixing of offenders over 20 years old with significantly younger juveniles in correctional facilities. Merriam said that the mixing of a wide range of ages posed a threat to younger offenders, and suggested that older offenders be transferred to an adult

facility at age 20. Commissioner of Corrections Frank Wood testified that the number of offenders in a secure facility aged 21 to 23 was small, because the offenders were either proceeding towards community re-entry, or had re-committed offenses and were placed in adult facilities. The amendment was approved to provide separate programming for offenders 20 and older, but specifies that the offenders won't be sent to an adult facility. In another adopted amendment, proposed by Sen. Patrick McGowan (IR-Maple Grove), the age of the juvenile court's jurisdiction was reduced from 23 to 21.

Another amendment was proposed by Ranum that changes the bill's effective date to August 1994. Sen. Randy Kelly (DFL-St. Paul) supported an effective date of August 1995, stating that the extra time permitted agencies and organizations to arrange for programming. Ranum's amendment failed, and the bill will take effect August 1, 1995.

## Omnibus bill developed

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Wed., Mar. 16, and discussed two bills. S.F. 2378, sponsored by Spear, is the Dept. of Corrections omnibus bill. The bill allows the commissioner of corrections to inspect correctional and foster care facilities for delinquents once every biennium instead of each year. The bill also makes disciplinary confinement sentences consistent with sentences before August 1993. The description of phase III of the challenge incarceration program is amended. The program is the final phase of an offender's sentence that includes a supervised release, based on evaluated public risk. Sen. Patrick McGowan (IR-Maple Grove) expressed concern due to a change in the bill that removes the evaluation of the offender's public risk. The portion was reinstated.

The bill also expands eligibility for the challenge incarceration program by including offenders committed to the commissioner's custody for up to 59 months, instead of the current 36 month limit. The program extends to offenders who are in custody for drug or property offenses, are in the final 36 months of their sentence, and did not receive a dispositional departure. Spear explained that the program is for non-violent offenders, and extends the program to those within the last 59 months of a sentence, but does not expand the types of offenses permitted in the program. In response to some objections, Spear deleted the section from the bill.

Spear presented an amendment to clarify guidelines. The amendment establishes sanctions for inmates who fail to work, and forbids more than one good-time reduction of an offender's sentence. The amendment was adopted, and the bill was approved.

Sen. Randy Kelly presented S.F. 1885, establishing a crime information reward fund and witness and victim protection fund. The bill provides \$250,000 to each fund. The bill was approved, and Kelly proposed incorporation of it into the 1994 omnibus crime bill.

Sen. John Hottinger (DFL-Mankato) presented S.F. 2156, a bill allowing peace officers the authority to transport a truant to school. The bill enables an officer to take a truant child into custody after the first offense, instead of having to warn the student up to seven times. Ranum proposed an amendment that reinstates the inclusion of children in need of protection or services (CHIPS) to the category of truant children that an officer may require to appear in juvenile court. The bill, as amended, will be included in the omnibus crime bill.

# Committee update

## Education

### Budget recommendations heard

The condition of the state's budget and the supplemental budget recommendations for K-12 education spurred discussion in the Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), Thur., Mar. 10.

Ron Hackett of the Dept. of Finance, reviewed the March budget forecast, which shows that state revenues are \$623 million higher than expenditures, and discussed how the education finance portion of the budget is affected by the forecast.

In the supplemental budget recommendations, Hackett said that the governor has recommended appropriating \$172 million for a one-time cash adjustment that restores education aids due to recent accounting changes.

Current law dictates when and what percentage of property tax receipts that districts can receive at certain times during the year. Adjusting that percentage shifts revenue from one fiscal year to the next and districts then borrow funds to maintain their cash flow. The recommended appropriation would lower that percentage for FY 1995.

The governor has also recommended \$180 million to set up a school aid reserve, a total of \$1.8 million to support changes in data-gathering systems, and \$100,000 for a grant to continue the metropolitan-wide desegregation planning process.

The division also began to review capital budget requests and recommendations. The members heard a presentation from Nett Lake School District officials on their request for \$2.97 million to complete construction of a building that will house an elementary school and a range of other community social and recreational services.

While no action was taken on the supplemental budget recommendations, the division began assembling its capital budget package by voting to include the Nett Lake project.

### Facilities proposals heard

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), continued to examine K-12 education facilities issues while considering three capital bonding bills, Thurs. eve., Mar. 10.

The division first heard S.F. 1705, giving the Cass Lake School District an extension to the amount of time the district has to enter into construction contracts. The bill's author, Sen. Harold Finn (DFL-Cass Lake), told the division that after receiving a capital loan to build a new school in 1993, the district has not yet entered into contracts for the project to begin and is requesting the extension. The division approved the bill and added it to their capital budget package.

S.F. 1697, authored by Sen. Dean Johnson (IR-Willmar), provides a \$6 million grant, under the Cooperative Secondary Facilities Program, to the Atwater, Cosmos, and Grove City School Districts. The grant is for a facility to accommodate students in grades 7-12 from the three districts. The three districts have been involved in the Cooperation and Combination Program, and the 1993 Legislature gave the three districts a grant to plan for a cooperative facility.

Johnson said that the proposal has been the subject of debate among those communities in recent months, and the division heard the views of both sides during testimony.

Project supporters included school board members, parents and students, all of whom

expressed their support for the grant request as a step toward combining the districts into one.

Opponents of the project testified in favor of another proposal that had been considered, to build a K-12 campus near Atwater and warned that if the school were built near Grove City, some Atwater students would transfer to other adjacent districts.

The division approved the bill for inclusion in its capital budget package.

A proposal to provide a maximum effort loan to the Big Lake School District was also considered. S.F. 2202 provides the district with \$9.77 million to the district for construction of a new school facility. Pogemiller, the bill's author, said that the projects was unique, because construction on the new school had already begun. He said that the governor is recommending funding for the project, and the division voted to include the project in its bonding package.

### Bonding requests reviewed

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), reviewed the capital budget requests from the Faribault academies and the Center for Arts Education and discussed a library accessibility proposal, Fri., Mar. 11.

Ted Suss, an administrator at the Faribault Residential Academies, said the academies are seeking \$1.59 million to renovate a wing of Noyes Hall, located on the State Academy for the Deaf campus, and requesting nearly \$1.1 million to demolish Dow Hall on the Academy for the Blind campus. Both projects were included in the governor's budget recommendations.

The demolition project is needed to eliminate a potential safety hazard, Suss explained, and the remodeling project would provide additional classroom space.

The Center for Arts Education is requesting \$712,000 to expand boy's dormitory facilities and another \$789,000 to provide recreational facilities. Jim Undercoffer, the center's executive director, said that the increase in dormitory space is needed to accommodate the increasing number of boys enrolling at the school. He added that the school does not currently have recreational facilities for the more than 180 students who live on-campus.

The requests from the Faribault academies and the Center for Arts Education were included in the governor's capital budget recommendations.

As was done with earlier requests, the division approved these requests for inclusion in their budget proposal.

The division reviewed S.F. 1952, creating a library accessibility grant program. Sen. Jerry Janezich (DFL-Chisholm), the bill's author, explained that the program offers local governments with an incentive to remove barriers in libraries that prevent persons with disabilities from using those facilities. Under the program, he said that the state provides a dollar-for-dollar matching grant to the local governments to offset some of the costs. The division discussed the proposal but took no action.

### Interagency program approved

The Education Division approved a proposal, Wed., Mar. 16, establishing an interagency early intervention system aimed at serving young children with disabilities and their families.

The division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), also reviewed bills setting a revenue program for districts with

growing numbers of at-risk students, and that makes some education policy changes.

S.F. 1798 creates a coordinated, interagency system that provides early intervention services to disabled children, from birth to age two. The bill specifies the services that are provided by counties and local school districts, requires an Individualized Family Service Plan for each family receiving services, and arranges for payment of the costs of those services.

The bill brings the state to full implementation of a federal program that began four years ago, said Sen. Martha Robertson (IR-Minnetonka), the bill's author. She said that Minnesota will receive more than \$3 million a year in federal funds for the program once its implementation is completed.

During discussion, a concern was raised that if funds were unavailable or inadequate to cover the total costs of the program, paying for the program would fall onto the school districts. Robertson offered an amendment limiting the kinds of services that districts must pay for to those they would provide under special education provisions. A similar amendment for counties was presented and both amendments were adopted. The division approved the bill and re-referred it to the full Education Committee.

The division also heard two other bills during the meeting. S.F. 1994 creates a new revenue program for some school districts that have a growing numbers of at-risk students. The bill, authored by Sen. Don Betzold (DFL-Fridley), specifies that the at-risk revenue program applies to some districts that are now having to address the needs of at-risk students. The revenue, a combination of aid and local levy, will provide them with the resources for additional support services. No appropriations were included in the bill and the division will consider whether funding would be available for the program.

S.F. 1790 makes a variety of educational policy changes, proposed by the Dept. of Education. Sen. Gen Olson (IR-Minnetrista), the bill's author, reviewed the provisions contained in the bill, which includes changes in outcome-based schools law, and amendments to current staff development provisions. The division will consider the provisions of both bills at a later meeting.

### Bonding requests reviewed

Three public post-secondary systems discussed their facility needs when the Higher Education Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), continued its review of capital budget proposals, Thurs. Mar. 10.

Chancellor Terrence McTaggart, who presented the requests of the State University System, said that health and safety issues and the need for new libraries on three campuses top the system's capital budget priority list.

The State University System is asking for \$14.26 million to support system-wide maintenance and repair projects, such as asbestos abatement, roof repairs, and tuckpointing, \$7 million to install a fire protection system at Mankato State and bring other facilities on that campus up to code, and \$2.1 million for a new boiler at St. Cloud State. The system also is asking for \$24.3 million for a library at Winona State, \$38.9 million to build a library at St. Cloud, and \$8.1 million to remodel the Bemidji State library.

McTaggart added that the system is also seeking \$16.4 million for a remodeling project at Metropolitan State, and \$4.1

million to acquire lands adjacent to the Moorhead and St. Cloud campuses.

The Community College System also emphasized health and safety needs along with facility work to the Metro Area campuses, Dan Brennan, the system's facility manager, explained. He said the system's top priority is a \$10 million request to make repairs necessary to bring facilities up to code.

Brennan said that enrollment growth at Metro Area campuses has produced a need for additional study and instructional space. Atop the list is Normandale Community College, and the system is requesting \$11.2 million to expand and remodel the existing facility. Funds are also being requested to remodel and expand North Hennepin Community College (\$9.5 million), Inver Hills Community College (\$5.8 million), Anoka-Ramsey Community College (\$10.4 million) and at the Cambridge Center (\$8.1 million).

The Technical College System also has campuses with health and safety concerns, Vice Chancellor Robert Madson explained, and to address those needs, the system is requesting \$16.9 million.

Reshaping existing facilities to meet changing needs is the other priority, he said, highlighting the request for \$22.5 million to build a new technical college campus in Brainerd and \$24.3 million for renovation and an addition to the Duluth Technical College. Both projects will provide space for both technical college and community college programs to be offered at one location.

Other projects requests are to meet short- and long-term planning needs. Among those is a \$1.1 million request to purchase equipment for the Medical Lab program at Northwest East Grand Forks, \$3.5 million for the remodeling of St. Cloud Technical College, and amounts ranging from \$270,000 to \$1.2 million to complete facilities planning at several other campuses.

## Technology reports given

Telecommunications and information technology issues were presented to the Higher Education Division, Tues. Mar. 15.

A report on higher education's involvement with the emerging technologies was presented to the division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls).

The 1993 Legislature established a Telecommunications Council, and gave it responsibility for developing a statewide vision and plans for use of distance learning technologies. Joe Graba, the council's chair, said that the group has begun to develop some basic principles that they are using as the basis for their work. He said the principles are based on the council's vision that Minnesotans "have access to expanded and enhanced learning opportunities and information resources anywhere and anytime."

The state should develop an overall plan for the use of telecommunications and information services, Don Riley of the University of Minnesota said. Riley spoke about the university's work in developing and operating Internet, an internationally-available information service. He said that while the state does not have an overall plan, the elements for it are in place.

## Budget review begins

The Higher Education Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), heard a report on co-located campuses and began to review supplemental budget requests and recommendations, Wed., Mar. 16.

Harry Peterson, deputy chancellor of the Higher Education Board (HEB), reported on the co-location efforts that have begun as the three public post-secondary systems move towards merger into one system in July 1995. Currently, 12 communities are home to two or more two post-secondary institutions. Among those communities, Peterson said that the plans to merge institutions have begun. While HEB had no recommendations, Peterson said recommendations on how to facilitate the mergers may be made to the Legislature in 1995.

The division began to review the post-secondary system's supplemental budget requests and recommendations. The governor has recommended that the total higher education budget be reduced by \$10.2 million for FY 95, while total supplemental requests exceeded \$89 million.

The division reviewed the budget requests of the University of Minnesota, the Higher Education Coordinating Board (HECB), the Technical College System, and State University. The University of Minnesota is seeking \$16.5 million for one-time projects and some program support. The Technical Colleges are requesting \$27 million, while the State Universities seek \$3.1 million, and HECB is asking for \$35.2 million. The division will be reviewing the budget requests in greater detail.

## Environment and Natural Resources

### Capital budget requests

The Environment and Natural Resources Finance Division met Thur., Mar. 10, to hear capital budget requests from the Department of Natural Resources (DNR) and the Board of Water and Soil Resources.

Ron Nargang, deputy commissioner of the DNR, continued the presentation of main project areas. Nargang is scheduled to complete testimony before the division, chaired by Sen. Steven Morse (DFL-Dakota), at the next division meeting. On behalf of the Board of Water and Soil Resources, Ron Harnack also presented project areas to the division.

### Prairie Island testimony heard

Many citizens and organizations testified before the Environment and Natural Resources Committee Fri., Mar. 11, on S.F. 1706, a bill allowing Northern States Power (NSP) to store spent nuclear reactor rods in dry cask storage containers. The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), received the bill after it passed through the Jobs, Energy and Community Development Committee.

The bill's author, Sen. Steven Novak (DFL-New Brighton), testified that the proposal allows NSP to construct and maintain 17 steel casks designed to withstand natural and unnatural occurring forces, including "a Noah's ark type flood." Novak reported that the Prairie Island plant produces 20 percent of the energy produced by NSP for use in Minnesota and that thousands of stockholders are dependent on stock revenue.

Other provisions in the bill include authorization for the PUC to extend the number of casks after an environmental study has been done. The bill requires legislative authorization for any additional waste storage needed after the year 2014 and prohibits the construction of new nuclear-powered electric generating plants in Minnesota. A provision in the bill limits the PUC's authority to

extend a certificate of need to store wastes that would allow the plant to operate beyond its licensing period, unless a permanent waste storage location has been found. A feature in the bill specifies that if the plant's annual load capacity falls below 55 percent in three consecutive years, the plant must be shut down. The bill also calls for a two percent gross operating revenue contribution by any nuclear power plant in the state for conservation purposes. Additionally, NSP is required to provide increased low income discounts of 50 percent to qualifying customers under the home energy assistance program.

Laura McCarten represented NSP at the hearing. McCarten stated that the dry cask storage idea is safe, and that the Nuclear Regulatory Commission has certified the casks as safe and an effective means of storage. There will be no detectable background radiation difference at the site, testified McCarten. McCarten stated that some of the consequences of not receiving approval for the casks are an increased cost of power, a rise in pollution, and a decline in the reliability of service for NSP customers. According to McCarten, NSP supports S.F. 1706, but opposes a provision in the bill instructing NSP to pay a \$2.2 million fee, which in turn the state would pay to the Mdwakanton Sioux community for public purposes.

Commissioner Don Storm of the PUC briefed the committee on the history of the storage issue. Storm reported that the PUC unanimously agreed that dry cask storage is in the public's interest and is the most appropriate option for NSP. The commissioner stated that the Minnesota Court of Appeals upheld the PUC's decision, but requires the Legislature to review the issue. Other groups testifying in support of the bill were Goodhue County, the City of Red Wing, the Minnesota Chamber of Commerce, and Koch Refinery.

Opponents testimony focused around a former Nuclear Regulatory Commission (NRC) employee, Bob Pollard, representing the Union of Concerned Scientists, testified that the NRC is more concerned about economics than safety. Pollard expressed reservations to the committee about the storage solution proposed representing permanent storage, as spent fuel, even after Prairie Island is closed, will need to be stored in dry casks. "Safety is a problem because as safety equipment ages, it becomes unreliable," said Pollard. According to Pollard, there is no foreseeable solution to the storage problem because the federal government has been slow in seeking and developing permanent spent fuel storage. Pollard went on to point out that the island is located on a flood plain.

Danelynn Lehto from the Prairie Island Tribal Council testified that the community located near the plant site does not want spent nuclear fuel stored there. Lehto stated that cancer is 6 times more likely to occur in those living close to the plant. Lehto said that NSP has known about the storage situation for years and has done nothing to seek alternate solutions. Other groups testifying in opposition to the bill were the Religious Task Force, the Izaak Walton League and the League of Women Voters.

### DNR budget completed

The Environment and Natural Resources Finance Division finished hearing the capital budget presentation of the Department of Natural Resources (DNR) at a Fri., Mar. 11, meeting.

Deputy Commissioner Ron Nargang

# Committee update

briefed the division, chaired by Sen. Steven Morse (DFL-Dakota), on the last of the DNR's capital budget requests. According to Nargang, local recreation grants money is being sought in order to provide matching grant to municipalities and Indian tribes for acquisition and development of local parks and recreation areas. A continuation of the Saint Louis land acquisition project, whereby undeveloped lands along the Saint Louis, Cloquet, and Whiteface rivers are acquired and protected, was listed as the second project area by Nargang.

A third request by Nargang is for wildlife and natural area land acquisition. Under the project, wildlife management areas are completed, land of scientific merit is acquired, native prairie land is protected, private funds are matched to acquire property, and critical waterfowl areas are stabilized. The acquisition of trout stream easements was listed as a fourth area, by Nargang, followed by water access and betterment under which access to lakes and rivers is created.

## Budget and landfill bills heard

At a Sat., Mar. 12, meeting of the Environment and Natural Resources Finance Division, chaired by Sen. Steven Morse (DFL-Dakota), the Minnesota Pollution Control Agency (PCA) presented its capital budget request. Also S.F. 1133, a bill relating to landfill cleanup, was heard.

The PCA budget, as presented by Assistant Commissioner Peter Larson, contains four main capital budget areas. The first budget area is a continuation of the combined sewer overflow program that was started in 1985. The project entails separating community sanitary and storm sewer systems. Water quality management was the next area presented by Larson. Under the request, Larson stated that 10 permanent water monitoring sites will be constructed for the purpose of continuously monitoring water quality on selected rivers.

The third area for consideration is a solid waste processing facilities capital assistance program. According to Larson, the program supports the writing of grants to municipalities for construction of solid waste processing facilities. The final project is a closed landfill cleanup program. The funding requested includes site investigation, projects design, corrective actions, long-term monitoring, and operations and maintenance of permanent facilities.

The landfill cleanup presentation led to the introduction of S.F. 1133, authored by Morse. Morse stated that the proposal is designed to financially assist landfills with the cleanup operation so that no more Oak Grove incidents occur in which small businesses and residents are held liable for a landfill cleanup. Morse stated that every landfill in the state is eligible to participate. The program essentially limits the future liability for future cleanup operations. No funding mechanism for the proposal was discussed. S.F. 1133 is scheduled for continued discussion at the next division meeting.

## Improvement bills presented

At the Mar. 14 meeting of the Environment and Natural Resources Finance Division, six bills were given consideration. All the bills heard were laid over by the division, chaired by Sen. Steven Morse (DFL-Dakota).

The first bill for consideration, S.F. 251, authored by Sen. Florian Chmielewski (DFL-Sturgen Lake), appropriates \$35,000 for the

design of a Moose Lake State Park interpretive center. According to Chmielewski, the funding for construction of the center is being solicited from private sources. Chmielewski indicated that Carlton County and the city of Moose Lake are making funds available for the project once the state okays the design.

Chmielewski presented another bill, S.F. 1824, asking for \$50,000 for a feasibility study for capital improvements on the Kettle River. According to Chmielewski, the main purpose of the capital improvements will be to expand the states network of parks and trails.

S.F. 2140 was presented by Sen. Richard Cohen (DFL-St. Paul). The bill is a request for including a Science Museum request in the bonding bill. Jim Peterson, president of the Science Museum, outlined the relocation and construction plan for the museum. Peterson responded to questions from the division concerning the proposed site being on a flood plain. Peterson stated that a flood wall will be constructed along the Mississippi River in the proposed area and will provide adequate protection from flooding. Peterson estimated the complete cost of construction and relocation for the state to be \$30 million.

Sen. Duane Benson (IR-Lanesboro) presented S.F. 1719, a bill establishing a trail between Lake Louise and the city of LeRoy. Benson stated that three landowners have offered to donate land to the state so that the trail can be constructed.

A bill granting funding to the city of Red Wing for the purpose of a combined sewer overflow program was presented by Sen. Steve Murphy (DFL-Red Wing). According to Murphy, \$850,000 are needed under S.F. 1710 to begin the project. Murphy stated that the project is slated for completion in ten years.

Sen. Thomas Neuville (IR-Northfield) presented a bill requesting \$500,000 to fund the Sakatah Singing Hills State Trail. S.F. 2187 will complete a 30 mile trail.

## Land sale bill approved

At a Tues., Mar. 15, meeting of the Environment and Natural Resources Finance Division, chaired by Sen. Steven Morse (DFL-Dakota), four bills were presented for consideration.

S.F. 1928, authorizing the issuance of collector snowmobile license plates in cases where the vehicles are used infrequently and primarily for show, was laid over for redrafting. The bill, sponsored by Sen. LeRoy Stumpf (DFL-Thief Rivers Falls), will be reworked to exempt snowmobiles used for parades and related events from needing a license.

A bill to require additional reporting and oversight of funds generated from stamps and surcharges was proposed by Sen. Gene Merriam (DFL-Coon Rapids). According to Merriam, the legislative auditor, upon reviewing dedicated accounts, found that there were not satisfactory explanations for the use of some of the funds. The measure, according to Merriam, is designed to correct the lack of oversight of these dedicated accounts by the Legislature. Merriam stated that the bill strikes the fishing license surcharge and folds it into the basic angling account, as well as provide a committee to oversee and report on the conditions and expenditures of the small game license surcharge fund, the migrating duck stamp fund, the trout and salmon stamp fund, the pheasant stamp fund, the deer habitat improvement surcharge fund, the deer and bear management surcharge fund, and the full game and fish fund. Merriam will continue

presentation of the bill at a future hearing.

Morse offered a bill allowing Dept. of Natural Resources personnel to work on certain projects. According to Morse, the legislation is a Legislative Commission on Minnesota's Resources (LCMR) clean-up bill, intended to correct confusion in the DNR as to whether a classified state employee can be used for an LCMR project. Another provision in the bill, according to Morse, provides for the appropriation of funds for treating biomass from ethanol. A third section of the bill allows a White Bear Lake levels feasibility study. A final provision is aimed at the Niemackl watershed. The bill was approved by the division and referred to the full Environment and Natural Resources Committee.

Sen. Duane Benson (IR-Lanesboro) authored a bill authorizing the commissioner of administration to sell lands in the Gordy Yaeger management area in Olmstead County. Morse inserted a revert clause in the bill, whereby if the land is not used in accordance with the bill, the land will automatically revert back to the state's possession. Benson's bill was approved and referred to the full Environment and Natural Resources Committee.

## Landfill cleanup bill

Establishing a feasible landfill cleanup bill is a necessary and important step for Minnesota, according to Sen. Steven Morse (DFL-Dakota). Morse presented the policy portion of S.F. 1133 before the Environment and Natural Resources Finance Division Wed., Mar. 16.

The division, chaired by Morse, heard testimony from nine citizens who are involved with landfills in Minnesota. Mary Ayde, representing the Minnesota Waste Haulers Association, and Joe Paul, a landfill operator, praised the division for working so seriously on a cleanup bill. Jeff Adrian, environmental director for John Roberts Printing in Anoka, testified that the state needs to act quickly so that no more Oak Grove incidents take place.

At an evening meeting of the Environment and Natural Resources Finance Division, Sen. Steven Morse (DFL-Dakota) continued presentation of a landfill cleanup proposal.

Morse, the division chair, detailed provisions in the bill addressing the policy issues surrounding the problem of costly site cleanup and future liability. Morse also introduced funding mechanism proposals. Among the ideas discussed were toxic material taxes, bonding and fee assessments on landfill deposits.

## Ethics and Campaign Reform

### Met Council bill heard

The Ethics and Campaign Committee, chaired by Sen. John Marty (DFL-Roseville), listened to testimony on S.F. 2015, Thurs., Mar. 10. The bill, sponsored by Sen. Carol Flynn (DFL-Mpls.), establishes the Metropolitan Council as an elected, 16-member board.

Since the establishment of the Met Council in 1967, members have been appointed by the governor. Flynn's bill reorganizes metro agencies by abolishing the Regional Transit Commission, the Metropolitan Transit Commission, and the Metropolitan Waste Control Commission, and transferring their duties to the Metropolitan Council. According to Flynn, the bill's

intention is "to strengthen the regional governing body."

Testifying in support of S.F. 2015 was Lyle D. Wray, executive director of the Citizens League. Wray echoed Flynn's concerns about the council's lack of accountability.

"The issue we are struggling with is whether or not to continue to place the governance of 2.4 million Minnesotans in the hands of a relatively unaccountable, unelected body," Wray said. He pointed out that the budgets and staffing of the metro regional agencies are bigger than that of Minneapolis. Wray continued, "The issue is whether citizens in a democracy should have direct say over half a billion dollars in government spending, thousands of employees, and entities with extensive taxing, spending and policy making authority." Flynn had said earlier in the meeting that the existing situation is, in effect, taxation without representation.

Sen. Ember Reichgott Junge (DFL-New Hope), voiced concerns about parochialism. As the organization is set up now, there is a system of checks and balances, she noted. Sen. Patrick McGowan (IR-Maple Grove), also questioned whether or not an elected body would create even more gridlock than already exists amongst the seven counties.

Testifying in support of S.F. 2015 was Vern Peterson, the executive director of the Association of the Metropolitan Municipalities. He noted that the Met Council determines how quickly a city can develop by granting access to highways and sewer system, yet there is no real accountability.

Flynn said accountability can only strengthen regional government. She cited last year's crisis when Metro Mobility collapsed. Referring to the situation Wray asked, "Who was accountable? Not the director, not the council, not the legislature, not the governor."

In answer to questions posed about duplication and creating more government, Wray emphasized that the government already exists, and that S.F. 2015 only restructures what is currently in place.

No action was taken on S.F. 2015 and the committee will convene next week to continue the discussion.

## Met Council bill amended

The Senate Ethics and Campaign Reform Committee, chaired by Sen. John Marty (DFL-Roseville), met Tues., Mar. 15 to continue discussion of the Metropolitan Council reorganization bill. S.F. 2015, authored by Sen. Carol Flynn (DFL-Mpls.), establishes the Met Council as an elected, non-partisan 16-member regional body.

Sen. Gary Laidig (IR-Stillwater), offered an amendment that deletes the provision mandating that council members be elected, rather than appointed. Flynn, arguing against the amendment, said that the election of Metro Council members provision is the "guts of the bill." However, members approved the amendment and advanced the bill to the full Senate.

The committee then began review of Sen. John Marty's (DFL-Roseville) bill, S.F. 943. The bill incorporates various recommendations proposed by the Ethical Practices Board. The purpose of the bill is to clarify the law and strengthen the board's enforcement powers. Jean Olson, a member of the Ethical Practices Board, outlined the proposals for the committee. The committee will continue its review of S.F. 943 at its next meeting.

## Campaign reform bill approved

The Senate Ethics and Campaign Reform Committee met Wed., Mar. 16, to continue

review of S.F. 943. Sen. John Marty's (DFL-Roseville) bill reforms campaign practices and incorporates recommendations of the Ethical Practices Board. Jeanne Olson, a representative of the board, presented the list of suggested technical changes. The committee, chaired by Marty, approved the measure, sending it to the full Senate.

Sen. Lawrence Pogemiller (DFL-Mpls.), presented three bills related to elections. S.F. 2197 codifies and recodifies the legislative district boundaries used for the 1992 election, with adjustments to avoid dividing the cities of Willernie and New Hope. S.F. 2199 codifies the congressional district plan adopted by the Minnesota special redistricting panel. S.F. 2297 eliminates combined precincts, but authorizes a combined polling place under the same conditions. Two of the bills, S.F. 2197 and S.F. 2199, were placed on the Consent Calendar. The third bill, S.F. 2297 was sent to the floor.

## Family Services

### Child support discussed

The Family Services, chaired by Sen. Pat Piper (DFL-Austin), considered two bills that clarify current child support laws and approved one, Thur., Mar. 10.

The committee began its consideration of S.F. 2090, which permits parties seeking a child support order to do so through an administrative process. The bill requires counties to begin the process when requested by those seeking an order, sets up notification and hearing procedures, and specified that the order will be take effect once consent is reached.

The 1993 Legislature required that all counties create an administrative process in determining child support orders. Sen. Don Betzold (DFL-Fridley), the bill's author, said that child support orders are generally handed down through the court system and that the bill clarifies the alternative process.

The committee also took up S.F. 2014, which includes day care costs as a condition in determining child support, clarifies that a person must have physical custody, with either an absent parent's consent or the court's approval, to file for support, and defines as "insurer," the company that provides forms of health insurance, as it relates to child support laws. The bill's author, Sen. Richard Cohen (DFL-St. Paul), said the bill clarifies some of the child support language adopted last year.

A number of amendments were offered and added onto the bill. Among those was a provision to require that employers submit a copy of a new employee's W-4 form to child support enforcement in order to cross-reference the employee's name and address against those in arrears on their support payments.

Cohen said that other states using this approach have been successful in enforcing child support orders.

The committee also adopted amendments that allow attorney fees and collection costs to be recovered from the obligor and that require the Dept. of Human Services to develop a program to ensure each child is provided with a minimum support level from a non-custodial parent.

S.F. 2014 was approved and re-referred to the Judiciary Committee. Action on S.F. 2090 is pending.

## Adoption issues raised

The Family Services and Judiciary Committees met in a joint session, co-chaired by Sen. Ember Reichgott Junge (DFL-Mpls.)

and Sen. Pat Piper (DFL-Austin), to review and discuss three adoption proposals, Mon. eve., Mar. 14.

S.F. 2129 includes a number of provisions to regulate the adoption process. The bill contains a number of operating requirements for adoption agencies to meet, creates a non-agency adoption process, provides for legal and psychological counseling to be available, and requires an accounting of all costs involved. Developed by the Attorney General's Office, Piper said, the bill's intent is to tighten the regulation of adoption agencies and set up a procedure for adoptions to take place without an agency's involvement.

A second proposal, S.F. 2355, was presented to the members by Sen. Sheila Kiscaden (IR-Rochester). The bill requires a pre-placement study and identifies the components of the study, directs which adoption agencies shall supervise placement and report on those placements to the Dept. of Human Services (DHS), and creates an adoption task force to recommend law changes. Kiscaden said that the bill, developed by DHS, addresses a variety of concerns that could be remedied in a short period of time while providing a way to address adoption issues over a longer term.

S.F. 1735 allows child placement agencies to disclose private information to a child's relatives in order to assist in locating suitable adoptive homes. Sen. Don Betzold (DFL-Fridley) told the members that the bill modifies existing law in order to facilitate placement.

With all three proposals before them, the committees heard public testimony from a number of adoption agencies, parents and attorneys. During the course of that testimony, support for several provisions of the bills was shared and concerns about others were also expressed.

No action was taken on the bills and both committees are expected to continue their discussions on the proposals.

## Adoption bill advances

The Family Services Committee, chaired by Sen. Pat Piper (DFL-Austin), combined two adoption proposals into one and amended a third, Tues., Mar. 15.

The committee had reviewed three adoption bills when they met in a joint meeting with the Judiciary Committee. Two of those bills were similar and an amendment incorporating parts of one into the other was prepared for the committee's consideration.

S.F. 2129 regulates adoption procedures, whether the adoption is processed through or without an agency. The bill, which Piper authored, requires a pre-placement adoption study, gives birth parents the right to an attorney and counseling at the adoptive parent's expense, states that birth parents will provide a family medical history, and sets when birth parents may give their consent and terminate the process.

S.F. 2355, authored by Sen. Sheila Kiscaden (IR-Rochester), has some similarities to Piper's bill. It also requires a pre-placement study, an explanation of rights to the birth parents, medical history disclosure, and adds regulations for adoption agencies.

The differences between the two bills were resolved after the joint meeting, Piper said, by the Attorney General's Office, which developed S.F. 2129, and the Dept. of Human Services (DHS), which prepared S.F. 2355.

Kiscaden offered the amendment to S.F. 2129, which "captures the essence of both bills," she said. Along with some changes to incorporate some phrases of S.F. 2355, the amendment adds a state adoption policy,

# Committee update

includes criminal conviction and domestic violence reports in the pre-placement study, and requires DHS to set up an advisory group to recommend further adoption law changes. The amendment deletes provisions that limit adoption-related advertising and requires the agencies to maintain data summaries.

The committee adopted the amendment and then approved S.F. 2129, re-referring it to the Judiciary Committee.

The committee also considered S.F. 1735, authorizing a placement agency to disclose private data to a child's relatives when necessary to assist in locating a suitable adoptive home. Sen. Don Betzold (DFL-Fridley), the author, presented an amendment requiring that a person caring for a related child be given a foster care license, allows the court hearings to terminate parental rights and set permanent foster care placements to be held the same date, and limits long-term foster care placement. The amendment and bill were approved, and also re-referred to the Judiciary Committee.

## Finance

### Funding requests made

The Finance State Government Division, chaired by Sen. Richard Cohen (DFL-St. Paul), met Thurs., Mar. 10. The division listened to funding requests from three different agencies.

Senators opened the meeting with projects from the Minnesota Amateur Sports Commission (MASC).

The commission outlined five projects it hopes to advance. The first proposal is an addition of 970 parking spaces to the National Sports Center in Blaine. Paul Erickson, executive director of the MASC, said that the increased demand for parking has resulted in patrons parking in unauthorized spots. Erickson said that the center risks violating codes of both the Minnesota Pollution Control Agency and the City of Blaine, if it does not provide more on-site parking. The amount requested for the additional parking is \$120,000.

The second item on the MASC's list was the National Volleyball Center in Rochester. Erickson said that it is a unique opportunity to capitalize on a fast growing sport that is not established in other regions of the state or country. The project calls for approximately \$2 million in state funds.

The next request, \$1 million dollars is for enhancement of the University of Minnesota's Sports Pavilion. The pavilion houses women's sports events and a learning center. Erickson said that the growth in interest for women's sports events will generate an additional 100,000 visitors per year.

Also on the list of intended projects is a plan for inner city sports centers. An attempt to provide at risk youths with sports and recreational alternatives to street life, the center would create numerous jobs as well.

Last on the list of projects was the John Rose Minnesota Oval. The speedskating facility needs additional team rooms, training rooms, and restrooms. A request for \$500,000 dollars of state funds was put forth.

The division then heard from Jeff Denney of the Minnesota Holmenkollen Foundation. A Bloomington facility for nordic ski jumping, the foundation receives funding from the private sector, as well as from the state and the city of Bloomington. The foundation, which plans to host the World Cup Ski Jumping Championships, asked for \$2.5 million in state aid.

The final presentation was given by the Dept. of Military Affairs. The dept.'s request for \$1.115 million which is to be paid out over a six year period, is to cover renovation of kitchens in National Guard Training and Community Centers. The department is particularly concerned about safety hazards related to sanitary standards, electrical services, and fire suppression systems.

### Governor's recommendations heard

The State Government Division of Finance met Mon., Mar. 14, to review recommendations of the governor's 1994-95 supplemental budget. The division, chaired by Sen. Richard Cohen (DFL-St. Paul), first listened to testimony from John Lally, a representative from the Dept. of Revenue.

Lally explained a proposal that streamlines the funding mechanism for an existing Dept. of Jobs and Training program to improve the efficiency of liquefied petroleum gas heating equipment in low-income households. The program is funded directly out of a newly created liquefied petroleum gas special revenue account that replaces the current general fund appropriation transferred from the Dept. of Public Service.

Currently money is collected by the Dept. of Revenue through monthly fees on liquefied petroleum gas. Money is deposited in the general fund and a direct appropriation is made to the Dept. of Public Service, which is then transferred to the DJT. By establishing a special revenue account as a responsibility of the DJT, the process is streamlined and intermediary steps are eliminated which allows the DJT to better provide services to low income households.

Under the governor's proposal, funding available for the program is increased by approximately \$80,000 a year, serving 725 households. Long term benefits include improved efficiency of furnaces, reduced energy usage and costs, and improvement of air quality.

Linda Barton, commissioner of the Dept. of Employee Relations, spoke to the members about several requests. The first recommendation is to allow the State Workers' Compensation Revolving Fund account to retain interest earnings on principal balances. The pay-as-you-go fund is sufficient only to meet obligations within billing lags. When unanticipated expenditures arise, the agency needs advances from the general fund. According to Barton interest retention is a first step toward more practical and cost effective fiscal management of the state's workers compensation program and will provide an estimated \$82,000 increase to the revolving account.

Barton also explained a proposal that transfers \$2.5 million in annual excess police state aid to the general fund. The change helps fund upgrades and access to the criminal justice communications network. Currently the excess funds are deposited in the Public Employee Insurance Trust Fund, which is currently adequately funded.

The governor also recommends reducing the appropriation from the Health Care Access Fund to the Minnesota Employees' Insurance Plan. The proposal reduces projected expenditures from the Health Care Access Fund by \$7.979 million this biennium. Barton noted that due to the significant success of the Private Employers Insurance Trust Fund, appropriations are only needed to cover administration and reinsurance costs. The governor recommends that the excess funds be returned to the general fund.

The Great Lakes Protection Fund was explained to the panel by John Hustad, deputy director of the Office of Strategic and Long Range Planning. Currently, Minnesota owes a final payment of \$500,000, plus interest of \$62,500 on a \$1.5 million obligation to the fund. If not paid by the fiscal '95 deadline, Minnesota loses its board vote, along with bearing the costs of higher payments.

The Dept. of Human Rights, represented by Tracey Elftmann and Delores Fridge, outlined the recommendation of the Information Policy Office that the Dept. of Human Rights be granted \$279,000 for enhancement of its information systems. Fridge said that the Dept. of Human Rights reviews affirmative action plans and issues certificate of compliance on over 5,000 active state contractors, plus tracks over 2,000 discrimination cases and 20,000 inquiries concerning discrimination issues per year. Presently, the data is tracked manually and with three non-integrated computer systems. The total amount requested by the agency from the general fund is \$279,000 dollars.

### Welfare reform bill gains

A major welfare reform bill cleared the Committee on Finance Tues., Mar. 15. According to the author, Sen. Don Samuelson (DFL-Brainerd), S.F. 1758 is designed to accomplish the public policy goal of helping individuals move off the welfare rolls and into the workforce. Samuelson said that the bill is not punitive but, instead, tries to help people by removing barriers to self-sufficiency.

One of the major changes included in the bill, Samuelson said, is a provision that requires teen mothers to either live with their parents or in a supervised living arrangement in order to receive AFDC. The measure also requires the commissioners of human services and jobs and training to develop a plan which assures first time applicants for AFDC and Family General Assistance immediate job search and placement activities. The proposal also requires that the success through reaching individual development and employment program (STRIDE) be completely restructured so that jobs are the first emphasis and employment the expected outcome. The measure also allows AFDC recipients to work more than 99 hours a month and eliminates the requirements for past-work history and 30 days unemployment in order to be eligible for AFDC-unemployed parent if the appropriate federal waivers are granted. Another provision allows for a "start work offset" that permits the increased earnings resulting in an overpayment to be disregarded in the month an AFDC recipient begins work. The bill requires all AFDC recipients who have received aid for 36 months or more out of the last 60 to participate in the job search program.

Committee members, chaired by Sen. Gene Merriam, approved several amendments to the bill. One amendment, offered by Samuelson, made a number of technical changes to the bill. Another amendment, also offered by Samuelson, changes a section of the bill that provides for a parental income disregard for AFDC recipients living with their parents. Under the amendment, if the parent is not on AFDC with other children, income of up to 150 percent of the federal poverty guideline is to be disregarded. Another Samuelson amendment set forth the appropriations needed in the bill. The largest single appropriation, nearly \$10,000 million, is for the sliding fee child care program.

Samuelson said that the appropriation is needed to remove one of the greatest barriers for individuals to become self-sufficient. Other appropriations in the measure total \$5.9 million. The amendment was approved. A final amendment, offered by Sen. Randy Kelly (DFL-St. Paul), clarifies that claims arising from persons injured in the community work programs are not workers compensation claims.

## Budget recommendations continue

The State Government Division of Finance met Wed., Mar. 16, to continue hearing the governor's recommendations for the 1994-95 budget adjustments. Testimony from the Dept. of Administration, the Dept. of Finance, and the Lake Superior Center Project was reviewed by the division.

The first proposal heard was the governor's recommendation of \$550,000 to develop a state-wide comprehensive, coordinated electronic access system for disseminating government information and services. The "kiosk proposal," recommended by the Information Policy Office, includes technology for home and business computers, public access terminals in libraries, touch-screen kiosks, fax-based systems and access through many software applications including Internet. Representatives of the Dept. of Administration's IPO, Beverly Schuft and Steve Clift, explained that the services must be user friendly and easily available to the public. Examples of uses include license applications and renewals, searches for job openings, ordering a birth certificate, and voter registration.

The Dept. of Finance, represented by Assistant Commissioner Laura King, presented a number of proposals. The first request was for \$275,000 to build the statewide Performance and Outcomes Monitoring System. The proposal enables the department to develop better ways to link agency performance information and objectives to biennial budget proposals King said.

The next request from the department was for the revision of the indirect costs statute. Revising the statute allows for examination of individual agencies' treatment of indirect costs, and subsequent standardization of practices. The change will increase the revenue recoveries to the general fund.

Thirdly, the department asked for the repeal of a law creating an ongoing obligation for the state to contribute on behalf of employers for adjustments to pre-1986 teacher salaries. This proposal cancels a non-operating account balance of \$68,000 to the general fund.

The last request was for \$15 million to continue a project to redesign and implement the new statewide accounting, payroll, procurement, human resource and information access systems.

Finally the division reviewed the Lake Superior Center. Built on the Duluth harbor, the center provides natural resources to the public through a variety of exhibits and programs.

## Gaming Regulation Committee

### Advertising ban okayed

The Senate Gaming Regulation Committee, chaired by Sen. Charles Berg (DFL-Chokio), met Tues., Mar. 15, to review two bills related to the state lottery. The committee sent a bill that will ban all forms of gambling advertising to the floor, and referred another measure that proposes a constitu-

tional amendment to eliminate the state lottery to the Rules and Administration Committee.

Sen. Arlene Lesewski (IR-Marshall), presented S.F. 935, a bill that limits advertising of the state lottery. The bill explicitly prohibits the director of the lottery from publishing any advertisement that "is intended to induce persons to participate in the lottery or buy a lottery ticket." Questions related to specifying the lottery for an advertising ban ensued and a subsequent amendment was offered by Sen. Thomas Neuville (IR-Northfield). Neuville proposed to expand the ban to include all forms of advertising or promotion of class II gaming or class III gaming, except advertising and promotion published or disseminated solely on Indian lands. The committee approved the amendment and S.F. 935 was sent to the floor.

The committee then heard from Sen. Steve Dille (IR-Dassel). Dille's bill, S.F. 1643 proposes a constitutional amendment to prohibit the Legislature from authorizing a state lottery. Under the bill, the amendment is to be presented to the voters at the 1994 election, and be effective July 1, 1995. The measure was approved and re-referred to the Rules and Administration Committee.

### Horse racing bill okayed

A bill that allows county fair societies or associations (class D licensees) to transmit and receive telecasts of horse races was approved by the Senate Gaming Regulation Committee, Wed., Mar. 16. The committee, chaired by Sen. Charles Berg (DFL-Chokio), listened to testimony supporting S.F. 2042.

Greg Jensen, from Albert Lea, said that live harness racing will revitalize county fairs and the communities that sponsor them. S.F. 2042, authored by Berg, permits simulcasting of the racing, which in turn, generates funds for the county. "There is a lot of interest in our state Minnesota to do this," Jensen said. However, the number of county fairs able to do so at this time is limited, Jensen said, since many don't have a track.

Dick Krueger, executive director of the Racing Commission, also supported S.F. 2042. In response to questions from Sen. Patrick McGowan (IR-Maple Grove), about security, Krueger said that the Gambling Enforcement Division provides security for track operations. The division uses a number of methods to control a track operation, including day-in balancing and monitors. S.F. 2042 was approved by the committee and sent to the full Senate.

Sen. Joe Bertram, Sr. (DFL-Paynesville), then presented S.F. 2067, a bill that authorizes video lottery machines in bars. Bertram gave a brief summary of the bill, emphasizing that S.F. 2067 "does not eliminate pull-tabs." Testimony supporting Bertram's bill was delivered by Paul Anton, an economist from the firm of Bugbee, Anton and Associates.

Anton said his study of business levels at Minnesota's drinking establishments in recent years, and how these business levels are related to the growth of Las Vegas style casinos. Anton presented data showing that sales at drinking establishments, as reported in state sales tax returns, have fallen. While alcohol consumption in Minnesota is unchanged since 1987, sales at other on-sale outlets have risen. The decline in lawful gambling receipts suggests that fewer people are patronizing drinking establishments. The conclusion of Anton's data is that there is a shift in discretionary spending away from drinking establishments and toward casinos.

Sen. Allan Spear (DFL-Mpls.), said that the committee had reviewed data from

another economist, Stephen Hoenack of the Hubert Humphrey Institute of Public Affairs, and that Hoenack's studies dispute Anton's findings. Spear said that either study is a matter of interpretation. He also pointed out that changing social patterns need to be figured into the equation.

Lastly, Gail Rubin from the State Lottery Board testified against S.F. 2067. Citing the existing availability of gambling options, Rubin testified that video gambling jeopardizes the quality of life in Minnesota. S.F. 2067 was laid over for further discussion.

## Governmental Operations and Reform

### Collections entity reviewed

A discussion over S.F. 2076, a bill establishing a collections entity for the collection of debts owed the state, was continued at a Fri., Mar. 11, meeting of the Governmental Operations and Reform Committee, chaired by Sen. James Metzen (DFL-South St. Paul). The bill, authored by Sen. Richard Cohen (DFL-St. Paul), was approved by the committee and re-referred to the Judiciary Committee.

A discussion of a provision in the bill on fee collection dominated much of the hearing. The bill proposes a collection fee, that in some cases, may be added to interest and penalties already assessed. Joe Saenger, from the collections division of the Dept. of Revenue, testified that a fee can expedite the repayment process, as debtors are compelled to pay before being assessed an extra fee. The committee approved an amendment by Sen. Phil Riveness (DFL-Bloomington) to change the fee assessable from up to 30 percent to up to 25 percent. The amendment also disallows a fee when interest and/or penalties are assessed.

Sen. Lawrence Pogemiller (DFL-Mpls.) offered an amendment that deletes sections of the bill that provided unnecessary instructions to the executive branch. The amendment was adopted.

### Strategic plan presented

The Dept. of Administration appeared before the Governmental Operations and Reform Committee, chaired by Sen. James Metzen (DFL-South St. Paul), Tues., Mar. 15. The department presented its strategic plan for locating state agencies. Included in the plan is relocation and construction in the Capitol area.

Sen. Deanna Wiener (DFL-Eagan), chair of the Governmental Operations and Reform Subcommittee to Review Leasing Procedures, reported on the subcommittee's progress. According to Wiener, the subcommittee was charged with reviewing a lawsuit against the state relating to leasing that was settled in the spring of 1992, whereby the state paid out \$197,500. Wiener also stated that the committee heard the department's strategic plan presentation and recommends that the department adhere to its plan.

Dennis Spalla, assistant commissioner of the Property Management Bureau, presented the strategic plan. According to Spalla, the plan has a goal of realizing significant savings to the state by switching from leasing to owning. Spalla reported that currently the state owns 48 percent of its space and leases 52 percent. The goal, stated Spalla, is for the state to own 70 percent and lease 30 percent. Spalla showed the committee a map of proposed locations for new buildings and for moving agencies. According to Spalla, space and parking needs were assessed by talking with state agencies.

# Committee update

## Capital improvements bill heard

The Governmental Operations and Reform Committee continued hearing the strategic plan for locating state agencies at a Wed., Mar. 16, meeting. The committee, chaired by Sen. James Metzen (DFL-South St. Paul), also reviewed an appropriation bill presented by Sen. Dean Johnson (IR-Willmar).

Tom Ulness, assistant director of the Building Construction Division of the Dept. of Administration, summarized key elements of infrastructure changes needed in the Capitol area.

Johnson began presentation of S.F. 1803, a bill appropriating funds for capital improvements. Johnson highlighted eight areas for consideration by the committee. The first area is a \$18.75 million capital asset preservation and replacement program (CAPA), that is designed to appropriate money for unanticipated emergencies. The next area, according to Johnson, provides \$15 million to adopt Americans with Disabilities (ADA) standards to state buildings. A third area appropriates \$13.416 million to phase three of the transportation building rehabilitation program. Johnson presented a fourth area establishing a \$1.167 million relocation fund for state agencies. \$126,000 of back taxes owed on the history center was listed as a fifth program by Johnson, who presented a sixth provision for \$650,000 for elevator renovation in the Capitol complex area. The last two areas deal with predesign work to be done on a new health building and military affairs facility. Johnson proposed \$400,000 to begin predesign on the health building and \$100,000 to complete predesign work on the military affairs facility.

## Health Care

### Health, Human Services requests

The Health Care and Family Services Funding Division, chaired by Sen. Don Samuelson (DFL-Brainerd), met Thurs., Mar. 10 to review capital requests by the Dept. of Health, the Dept. of Human Services (DHS), and the Veteran's Home Board. Tom Milloy of the Dept. of Health presented the new Dept. of Health building request, which is proposed for the Capitol Complex area. Milloy cited the increase in regulatory, technical consultation, community health and health care reform programs of the department as reasons for its substantial growth. The department requested \$2.1 million for the pre-design phase, and the governor has recommended \$400,000.

Representatives from the Veteran's Home Board presented a budget request for two projects. One project seeks a multi-purpose addition to the Silver Bay Veteran's Home estimated at \$398,000. Robert Hansen of the Veteran's Home Board explained the importance of the other project, a campus renovation of the Minneapolis Veteran's Home, and requested appropriations totalling \$10 million. Hansen stated that the home, listed on the National Historic Register, needs to be renovated to meet current standards.

DHS also presented their capital budget requests to the committee. Elaine Timmer of DHS introduced the four projects, which were recommended by the governor. The first project requests the purchase of 43 state-operated waived services for \$8.8 million. A second project envisions construction and equipping facilities for the Anoka-Metro Regional Treatment Center, costing \$38 million. The third project requests \$1.6

million for the purchase of two apartment complexes for pre-discharge programs for persons with mental illness. The final project requests a building demolition and foresees federal, as well as state, financial participation. All budget requests are under division consideration.

## Drug dispensing bill approved

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), okayed three bills at the meeting Tues., Mar. 15. Sen. Pat Piper (DFL-Austin) sponsored S.F. 2086, a bill permitting physician assistants (PAs) and nurse practitioners to dispense sample drugs and medical devices. Supporters said that the bill makes the care, which is already available, more time and cost efficient. Bill Bond of the Minnesota Pharmacist Association opposed the bill, stating that the authority the bill grants is too broad, allowing PAs and nurse practitioners to dispense any medication, a potentially dangerous situation. Sen. John Hottinger (DFL-Mankato) proposed an amendment to relieve concerns about sampling and dispensing. The amendment, which was adopted, forbids PAs and nurse practitioners from dispensing medication for profit. The bill now goes to the Consent Calendar.

The committee also approved S.F. 1763, sponsored by Berglin, restoring funding for nursing home efficiency incentives. Berglin stated that the bill encourages cost containment through competition in the nursing home field. The bill was re-referred to the Health Care and Family Services Funding Division.

Berglin also authored S.F. 2068, modifying the nursing home moratorium exception process. The exception process is intended to give existing nursing homes the opportunity to meet certification requirements and enable the state to maintain control over expenditure growth. The bill clarifies the purpose of the process, and delineates the criteria for the review panel. Berglin offered an amendment that proposes that criteria be individually weighed, and in which none of the criteria could singly be cause for rejection of the proposal. Sen. Sheila Kiscaden (IR-Rochester) moved to delete the portion of the amendment regarding the weighing of the criteria, and the motion passed. Sen. Dallas Sams (DFL-Staples) proposed a technical amendment enabling the funding of interior as well as exterior nursing facility construction. The bill, as amended, now goes to the floor.

## Chem. dep. program okayed

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), approved several bills at its meeting Wed. morning, Mar. 16.

Sen. Pat Piper (DFL-Austin) presented S.F. 1849, a bill allowing health related licensing boards to establish a program for health professionals who have a chemical dependency condition, an illness, or a mental, physical, or psychological condition. H. Leonard Boche of the State Board Medical Practice explained the voluntary program is intended to provide recovery assistance on an ongoing basis. The information obtained from the program remains private, unless the professional does not complete the program. Sen. Harold "Skip" Finn (DFL-Cass Lake) expressed concern that health professionals, who are impaired and receiving treatment, are permitted to continue serving the public. Boche responded that the program is aimed

at the undiagnosed and untreated professionals, and encourages treatment while protecting public safety. The bill was re-referred to the Governmental Operations and Reform Committee.

Sen. Steven Morse (DFL-Dakota) authored S.F. 2193, which establishes a drinking water revolving fund to be administered by the Public Facilities Authority and the commissioner of health. The revolving fund provides loans to meet the purpose of the federal Drinking Water Infrastructure Financing Act. The bill outlines the terms of the loans and the commissioner's rule-making authority. The bill advances to the floor.

Berglin presented S.F. 2312, a bill that increases the medical assistance reimbursement rates by 20 percent for covered services that are provided by the Faribault and Cambridge community health clinics. The bill also provides for an appropriation from the general fund. The community health clinics represent a large share of the Medical Assistance (MA) clients, and the reimbursement increase is for the clients who are already receiving MA. The approved bill was re-referred to the Finance Committee.

Sen. Don Betzold (DFL-Fridley) sponsored two bills. S.F. 1931 makes several technical amendments to the Lead Abatement Act, the Clean Indoor Air Act, the Health Enforcement Consolidation Act, and the Environmental Education Board. The bill was approved and goes to the Consent Calendar. S.F. 1930 makes several technical changes to statutes governing the administration of programs by the Dept. of Human Services. Betzold moved to delete sections regarding MA administrative rules. The amendment was adopted, and the approved bill advances to the Family Services Committee.

## Dentistry board expanded

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.) met Wed. evening, Mar. 16 and approved two bills. S.F. 2005, sponsored by Sen. Dallas Sams (DFL-Staples), expands the size of the board of dentistry, allows the board to share investigative data with other states, and requires health care providers and plans to report internal disciplinary action to the board. The bill expands the board from nine members to 14 by adding one public member, two dentists, one dental assistant, and one hygienist. Dr. Dick Dierks from the Board of Dentistry testified that the increase is necessary to assure quality standards and public protection, appropriately address disciplinary issues, and retain an equitable balance of members. Sams presented an amendment, which was adopted, requesting a quality control plan for the board.

Jeanne Anderson and Raula Gustafson of the Minnesota Dental Hygienists Association opposed the bill, stating that the board is not a fair representation of dental hygienists and is not responsive to the public's or the hygienists' needs. Anderson and Gustafson requested that four members of the board be hygienists and that the scope of dental hygienist's practice be instituted in statute. Sen. Jim Vickerman (DFL-Tracy) and committee members explored possible compromises, but were unsuccessful. The bill was approved as amended, and advances to the Judiciary Committee.

Sen. Pat Piper (DFL-Austin) presented S.F. 1977, a bill allowing the commissioner of health to conduct fetal, infant, and maternal death studies to assess health and welfare systems and improve pregnancy outcomes in

Minnesota. Piper noted that while Minnesota has the sixth best white infant mortality rate in the nation, the state African-American infant mortality rate is the nation's worst. The bill gives the commissioner of health access to certain medical data and records, and classifies the data created from the records as private. The bill was approved, and now goes to the Judiciary Committee.

## Jobs, Energy and Community Development

### Workers comp opponents

The Jobs, Energy and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), spent the Thurs., Mar. 10, hearing testimony in opposition to S.F. 1777. Bernard Brommer president, Minnesota AFL/CIO, testified that the organization unequivocally opposes the bill's replacement of the Minnesota workers' compensation system with the Wisconsin model. Brommer cited a long list of improvements that have been made in the Minnesota system in recent years. He also quoted statistics that place Minnesota's system higher in administrative costs than Wisconsin's, saying that future cost savings should be "wring out of administrative costs instead of out of the hides of injured workers." Specifically, Brommer said, the insurance industry is absorbing too many resources that should be going to be injured workers, and the state should return to regulating insurance companies as soon as possible. Commenting on the political maelstrom that surrounds the workers' compensation debate in Minnesota, Brommer said, "It's time to stop victimizing the workers of this state for politics and profit. Let's get the politics out of workers' compensation in this state."

### Budget requests heard

The Jobs, Energy and Community Development Funding Committee met Mon., Mar. 14, and reviewed several supplemental budget requests. The Dept. of Commerce is requesting \$1.8 million from the general fund and \$364,000 from the special revenue fund for FY 1995 to change the licensing for the real estate and insurance industries from an annual to a biennial system. The Dept. of Labor and Industry is requesting an increase of \$50,000 from the workers' compensation special fund in FY 1995 to match additional federal funds which have been made available for the state's OSHA program. The Dept. of Labor and Industry also requests that for FY 1995, \$110,000 in fees and penalties from qualified rehabilitation consultant (QRC) enforcement services be moved from the general fund to the workers' compensation special fund, the fund from which the costs of the services are paid. The committee, chaired by Sen. Carl Kroening (DFL-Mpls.), also heard a request from the Housing Finance Agency for \$200,000 for FY 1995 for financing the replacement of existing non-conforming septic systems. In addition, the Labor Interpretive Center is requesting startup funds of \$45,000 for FY 1994 and \$90,000 for FY 1995.

## Judiciary

### Child support bills advance

The Judiciary Family Law Subcommittee, chaired by Sen. Don Betzold (DFL-Fridley), heard five bills covering child support, custody and paternity determinations, postnuptial contracts, and a family law

education project, Mon. eve., Mar. 14. Each of the bills were approved and re-referred to the full committee.

S.F. 1662, the Uniform Interstate Child Support Act, establishes procedures to enforce child support orders when a non-custodial parent lives in another state. Sen. Pat Piper, the author, said that the bill provides a vehicle to insure that children in all states receive child support. The subcommittee did include one amendment to the bill to clarify how notices of legal proceedings are delivered.

S.F. 1895, authored by Sen. Sheila Kiscaden (IR-Rochester), requires a court to consider a parent's disposition for allowing a child to maintain a relationship with the other parent before determining custody. Kiscaden said that including this factor as part of custody decisions will have a positive long-term impact on the child's life.

S.F. 1828 includes genetic testing as a method of determining paternity, prevents employers from using a court-ordered child support withholding as a condition of employment, and prohibits insurers from terminating coverage without evidence that a court order is no longer in effect. Kiscaden, presenting the bill on behalf of the author, Sen. David Knutson (IR-Burnsville), said that the bill would conform state law with recent federal legislation.

S.F. 1997 provides for postnuptial contracts, limits execution of those contracts to spouses with a combined property value of \$1.2 million, and requires that the contracts be nullified if either spouse starts separation or divorce proceedings for two years after the contract takes effect. Sen. Richard Cohen (DFL-St. Paul) said the bill facilitates family-giving and estate-planning, and allows spouses the opportunity to amend a pre-marital agreement.

S.F. 2160 allows the State Supreme Court to establish a family law education pilot project. Sen. Ember Reichgott Junge (DFL-Mpls.), said the court is to develop a program that gives orientation and education services to families in a divorce proceeding.

### Continuation of data practice bills

Two bills containing provisions related to information sharing were discussed Mon., Mar. 14, at the meeting of the Joint Crime Prevention and Judiciary Subcommittee on Data Practices. The subcommittee, chaired by Sen. Jane Ranum (DFL-Mpls.), heard testimony on S.F. 1953 and S.F. 1815.

Bill Conley from the Mental Health Association voiced a concern about the broad language found in Sen. Tracy Beckman's (DFL-Bricelyn) bill, S.F. 1953. The bill requires that a person applying for a transferee gun permit provide a written release of information to law enforcement agencies regarding data held by a public or private treatment facility, to the extent that the information relates to the proposed transferee's eligibility to possess firearms. Conley pointed out that the provision requires law authorities to check mental health and chemical dependency histories and records by contacting public and private treatment facilities. Under current law, a person who has been committed is prohibited from owning a firearm. Discussion of S.F. 1953 will continue at the committee's next meeting.

The second bill on the agenda, S.F. 1815, sponsored by Thomas Neuville (IR-Northfield), relates to safe school provisions. Doug Madison, a police investigator for the Eagan School district, testified in support of Neuville's bill saying that use of school photographs will greatly improve law

enforcement's ability to apprehend a suspect. Madison said that juvenile crime continues to grow at an alarming rate and as the student population becomes increasingly mobile, the process of locating youthful offenders becomes more difficult. "We would be able to solve more crimes if we had access to these photographs," Madison testified. No action was taken on S.F. 1815

## Several bills advance

The Senate Judiciary Committee, reviewed several bills Wed., Mar. 16. Placed on the Consent Calendar was S.F. 2040, a bill authored by Sen. Linda Berglin (DFL-Mpls.). The bill clarifies pension plan obligations. Under the marriage dissolution statute, one of the limitations on the court's ability to order a pension plan to pay surviving spouse benefits, applies only to a former spouse.

The committee also moved three bills to the full Senate. S.F. 1662, sponsored by Sen. Pat Piper (DFL-Austin), enacts the Uniform Interstate Family Support Act, which replaces the current Uniform Reciprocal Enforcement of Support Act.

A bill amending the definition of "best interests of the child," S.F. 1895, authored by Sen. Sheila Kiscaden (IR-Rochester), was also approved by the committee and passed to the floor. In making a custody order, the court will consider the disposition of each parent to encourage contact by the other parent with the child.

Lastly, S.F. 1997, sponsored by Sen. Richard Cohen (DFL-St. Paul), was okayed by the committee and moved to the full Senate. Cohen's bill authorizes the execution of postnuptial contracts under specific circumstances. Before acting on the bill however, the members heard opposition from the committee chair, Sen. Ember Reichgott Junge (DFL-New Hope). Reichgott Junge stated that she believes S.F. 1997 is poor public policy because it establishes a divorce settlement during the marriage.

Reichgott Junge then presented S.F. 1971, a bill that provides for application of workers' compensation and unemployment compensation laws to limited liability companies. The bill was referred to the Jobs, Energy, and Community Development Committee.

Sen. David Knutson's (IR-Burnsville) bill, S.F. 1828, was re-referred to the Family Services Committee. The bill modifies provisions relating to paternity.

Two bills were laid over for further discussion. S.F. 1989, authored by Sen. Steve Murphy (DFL-Red Wing), deals with workers' and unemployment compensation laws as applied to limited liability companies. Lastly, a bill that clarifies child support, S.F. 2014, sponsored by Cohen, will also be taken up at the next meeting of the committee.

## Metropolitan and Local Government

### Local government bills advance

The Metropolitan and Local Government Committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, considered and approved several local interest bills, Thurs. Mar. 10.

The committee heard S.F. 1963, which gives the city of Hopkins the authority to sell bonds, use the bond revenue to fund repairs in a residential area, and then charge the costs back to the neighborhood property owners. Mondale, the author, said a neighborhood made up of condominium and patio home complexes, needs common-area and structural repairs. The committee approved

# Committee update

the request and sent the bill to the floor.

S.F. 1921 allows the Metropolitan Council to use its bonding authority to support the development of housing projects. Sen. Sandra Pappas (DFL-St. Paul), the bill's author, told the committee the council would be able to use up to \$20 million in bonding authority to assist in development of publicly-owned elderly and low-income housing projects. Tom McElveen, Director of the Metropolitan Housing and Redevelopment Authority, said as many as 600 low-income housing units could be added across the Metro Area. The committee approved the bill and re-referred it to the Tax Committee.

The committee also approved and sent five bills to the consent calendar.

S.F. 1926 merges the Anoka city and county public library systems and gives responsibility for providing city library services to the county. Sen. Gene Merriam (DFL-Coon Rapids), the author, said the number of libraries in that area will not be reduced by combining the administration of the two systems.

S.F. 1826 maintains a moratorium on local and state agencies who desire to apply for use of 800 megahertz channels and allowing a Metro Council group to complete its plans for regional use of those channels. Mondale is the bill's author.

S.F. 2118 adds members to the Moose Lake Fire Protection District Board, makes title changes and classifies the board as a governmental unit. Sen. Florian Chmielewski (DFL-Sturgeon Lake) said his bill enables the board to complete a property purchase from the Dept. of Natural Resources for a new fire station site.

S.F. 1899 establishes a special service district in Eagan. Sen. Deanna Wiener (DFL-Eagan) said the bill provides the city with the authority to make physical improvements to a commercial area.

S.F. 2070 allows home rule charter cities to use state law in situations not covered in their charter. The author, Sen. Martha Robertson (R-Minnetonka), said that if a charter does not cover a particular situation, those cities do not have an option except to go through the process of amending their charter.

## LGA increase offered

A proposal that increases local government aid and continues a limit on the amounts that some cities receive was approved by the Metropolitan and Local Government Committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, Mon., Mar. 14.

S.F. 2157 raises the Local Government Aid total for FY 1995 to \$347 million, a five-percent increase over FY 1994. The bill also limits the increased LGA amount that Mpls., St. Paul, and Duluth receive to no more than the percentage that the entire appropriation is increased.

Sen. John Hottinger (DFL-Mankato), the bill's author, told the committee that if the appropriation is approved but the aid cap was not in effect, Mpls., St. Paul and Duluth would receive an eight-percent increase in LGA. He explained that his proposal to continue the cap, which the 1993 Legislature adopted, provides more stability in the program by allowing more communities to receive LGA. After hearing testimony in favor of the bill, the committee gave its approval, re-referring it to the Tax and Tax Laws Committee.

The committee also reviewed S.F. 2322, which makes some county officers appointed,

rather than elected, officials. The author, Sen. Sandy Pappas (DFL-St. Paul), explained that the proposal gives county boards the authority to appoint individuals to the office of county attorneys, auditors, coroner, recorder, sheriff and treasurer. Testimony in opposition was taken and an amendment to maintain the county attorney elections was adopted, but the committee took no further action.

The committee also approved and re-referred S.F. 2155 to the Taxes and Tax Laws Committee. The bill gives the joint operations airport authority of Mankato the authority to issue bonds without a referendum. Hottinger, the author, explained that the bond revenue would be used to make improvements to the airport.

The Duluth City Council is allowed to issue bonds of up to \$4 million under S.F. 2205, authored by Sen. Douglas Johnson (DFL-Cook). The bond revenue may be used to finance improvements to the Duluth Convention Center. The committee approved the bill and also sent it to the Tax and Tax Laws Committee.

The committee approved three other bills and sent them to the floor for consideration. S.F. 2262 allows officials to conduct administrative business without being subject to the three-day public notice requirement. Sen. Dallas Sams (DFL-Staples) said the bill lets town board members visit work sites if a good faith effort to notify interested parties is made.

S.F. 2241 authorizes Mpls. to place a special assessment on property after the city has abated a nuisance. Sen. Lawrence Pogemiller (DFL-Mpls.) said a law suit against the city over its special assessment procedures led the city to seek the clarification in his bill.

S.F. 2052 assigns a portion of Meadowlands Township in St. Louis County to the seventh county commissioner district. Sen. Jerry Janczich (DFL-Chisholm), said the bill includes the 22 residents of a former township as part of the current township and county district.

## County appointments approved

The Metropolitan and Local Government Committee approved several bills that will let county boards appoint some positions, Wed. Mar. 16.

The committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, also discussed proposals to create an ambulance district in northern Minnesota and amendments to the Open Meeting Law.

The committee discussed S.F. 2232, making all county officers appointed positions. After opposition to the bill was expressed by county attorneys and county sheriffs, Sen. Sandra Pappas (DFL-St. Paul), offered an amendment that keeps the county attorney and sheriff elections but allows county boards to appoint other officers. The committee adopted the amendment, approved the bill, and re-referred it to the Governmental Operations and Reform Committee.

The committee approved three other bills that give specific counties the authority to appoint some county officers and sent them to the Consent Calendar. S.F. 2383 allows Koochiching County to appoint the county recorder, unless the office is abolished by a reorganization. Sen. Bob Lessard (DFL-Int'l Falls) said the individual elected to that position will serve out their term.

S.F. 2274 lets the Freeborn County Board appoint their county recorder and auditor/

treasurer, unless those offices are reorganized into others. Sen. Pat Piper (DFL-Austin) said that the county board can also proceed with reorganization efforts.

S.F. 2460 permits Washington County to also appoint their county auditor, treasurer and recorder. Sen. Kevin Chandler (DFL-White Bear Lake) said the county board to publish its intention to make those positions appointed.

S.F. 2476 creates a Nashwauk area ambulance district in Itasca County, and authorizes a property tax levy of no more than \$25,000 each year for the district to use. Lessard said that setting up the district is more feasible than requiring each town to provide the service. The committee approved the bill, re-referring it to the Taxes and Tax Laws Committee.

S.F. 1880 amends the Open Meeting Law, allowing public bodies to hold one or more closed meetings when allegations or charges that are being made against an individual are being considered. Sen. Gene Merriam (DFL-Coon Rapids), said the bill specifies that a board may need more than one closed meeting in order to determine if there is substance to any allegations or charges against an employee.

Mark Anthonson, representing the Minnesota Newspaper Association, opposed the proposal. He said that the problem is secrecy and that by specifying that boards can meet more than once, some public accountability is lost. The committee approved the bill and re-referred it to the Judiciary Committee.

## Rules and Administration

### Diagnostic audit discussed

The Rules and Administration Audit Subcommittee met Tues., Mar. 15, to discuss a draft report on a diagnostic review of the Senate's administrative operations. For the last 10 years the Senate has had annual financial audits, however, this year the review of administrative operations was also undertaken to insure that the Senate is operating effectively and efficiently. The firm of Grant Thornton was selected, on the basis of competitive bids, to conduct both the financial audit and the diagnostic review. The results of the financial audit were heard at a January hearing.

The operations review was presented by Tom Watson at the Tues. hearing. According to Watson, the review was limited to completing a "big picture," objective assessment of Senate administrative functions with the aim of reducing expenditures, increasing efficiency, improving effectiveness, improving controls and improving quality. The report found that the administrative operations of the Senate are effectively completed as to the accuracy, completeness and compliance required in the administrative functions. However, the report recommended that the Senate should consider making improvements in some areas of administrative operations. Primarily, the recommended improvements include organizational changes to insure accountability, effectiveness and efficiency. The report also recommended acquiring and disbursing stamps in installments, rather than in a single large purchase and considering the use of postage meters rather than rolls of stamps. In addition, the report recommended revisiting the Senate's per diem and expense allowance policies in light of the IRS rules involved and the questions about interpretation.

The panel, chaired by Sen. Gene Merriam

(DFL-Coon Rapids), took the report under consideration and will meet again to discuss the recommendations in more detail.

## Taxes and Tax Laws

### Dependent care credit

Over 40,000 Minnesota families will qualify for dependant care credit if proposed legislation becomes law, according to Mary Krippen, a stay-at-home mother from Hinckley, testifying before the Taxes and Tax Laws Subcommittee on Sales and Income Tax.

At the Thur., Mar. 10, meeting of the subcommittee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), three home tax credit bills were reviewed. S.F. 1688, authored by Sen. Jane Krentz (DFL-May Township), and S.F. 1916, authored by Sen. Pat Pariseau (IR-Farmington), are identical bills designed to extend the dependent care credit. The bills make married taxpayers with children at or under age 6 who do not participate in a dependent care assistance program but do meet an income requirement eligible for a dependent care credit. S.F. 1834, authored by Sen. Joseph Bertram, Sr. (DFL-Paynesville) increases current income thresholds that apply to the dependent care credit. Current law established a \$15,620 threshold. S.F. 1834 proposes increasing that amount to \$20,000.

A statement from the Department of Revenue was issued that showed that S.F. 1688 and S.F. 1916 would result in a \$13.6 million loss of revenue to the state. S.F. 1834 was shown to produce a \$3.1 million loss. The subcommittee will discuss all three bills at a future meeting.

### Seven bills discussed

Seven bills were heard by the Taxes and Tax Laws Subcommittee on Property Tax Tues., Mar. 15. According to the committee chair, Sen. Carol Flynn (DFL-Mpls.), some of the bills have not been referred to the Taxes and Tax Laws Committee, thus all bills were heard for discussion purposes only.

Sen. William Belanger (IR-Bloomington) presented S.F. 2391, a bill establishing a Dept. of Revenue levy limit. Belanger stated that the bill is similar to a bill passed last year, with the exception of the retention of spending limits in certain provisions. According to a financial analysis done by the Dept. of Revenue, the bill eliminates obsolete and redundant property tax levy limitations and has no effect on the general fund.

S.F. 2299, authored by Sen. Keith Langseth (DFL-Glyndon), authorizes cities to exempt agricultural processing facilities from property taxes. To qualify under the bill, Langseth stated that the investment by the facility must be at least \$100 million. Langseth told the committee he intends to broaden the scope of the bill.

Sen. Joseph Bertram, Sr. (DFL-Paynesville) introduced S.F. 2268. The proposal provides for the establishment of tax increment financing (TIF) districts designated as manufacturing districts. According to Bertram, in order to establish a TIF district, the facility must be in the public interest because either it will discourage commerce from moving to another state, result in increased employment for the state, or result in the preservation of the tax base.

A bill exempting redevelopment districts from the local government aid (LGA) and homestead and agricultural credit aid (HACA) offset applied to TIF districts, was presented by Sen. John Hottinger (DFL-

Mankato). According to Hottinger, S.F. 2173 encourages municipalities to develop previously undeveloped property for sale to private parties.

Sen. Linda Berglin (DFL-Mpls.) presented S.F. 2174. The measure extends the period in which tax increments may be used to finance the costs of interest reduction programs from 12 years to 15 years.

S.F. 1923, authored by Sen. Steve Murphy (DFL-Red Wing), authorizes the Red Wing City Council to extend two TIF districts until Aug., 2009. Currently, law requires these TIF districts end in Aug., 2001.

Sen. Ted Mondale (DFL-St. Louis Park) presented a proposal changing TIF law restrictions on hazardous substance subdistricts and soil condition districts.

### Limited liability heard

The Taxes and Tax Laws Subcommittee on Sales and Income Tax, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), convened Wed., Mar. 16, to hear four bills.

Reichgott presented S.F. 1786 relating to limited liability. Reichgott explained to the subcommittee the legal differences between limited liability partnerships and limited liability companies. Reichgott's bill allows general partnerships to form in limited liability partnerships without the expense of limited liability companies. Reichgott presented a financial analysis from the Dept. of Revenue that explained that there will be no economic impact on the state if limited liability partnerships are allowed to form. The bill was approved and referred to the full Taxes and Tax Laws Committee.

Sen. Sandra Pappas (DFL-St. Paul) outlined a bill, requested by the city of St. Paul, designed to correct a computational abnormality in the city's sales tax tables. According to Pappas, the way sales taxes are calculated now, an 8 percent sales tax is the result of the state's 6.5 percent and the city's .5 percent tax. Under the provision, that would be corrected to the proper 7 percent rate. Pappas stated that the bill authorizes the Dept. of Revenue to correct the problem. The bill was approved and referred to the full committee.

S.F. 2004, authored by Sen. Douglas Johnson (DFL-Cook), authorizes the city of Two Harbors to use 1 percent of its current 3 percent tax on lodging for the restoration of a historic tug boat. Johnson stated that the city would like to use the Edna G. tug boat as a promotion for tourists. The bill was approved and referred to the full committee.

Sen. Carol Flynn (DFL-Mpls.) presented a Dept. of Revenue technical bill. The bill focuses on numerous clarifications and documentation corrections to bring laws current with Dept. of Revenue practices. The bill was approved and referred to the full committee.

## Transportation and Public Transit

### Omnibus funding bill advances

The omnibus transportation supplemental funding bill was unveiled at the Fri., Mar. 11, meeting of the Transportation and Public Transit Finance Division. S.F. 2097, carried by division Chair Keith Langseth (DFL-Glyndon), also provides a mechanism for an annual gasoline tax rate adjustment. Langseth said that the proposal "is a well balanced solution for damage control" in the struggle to fund growing transportation and transit needs. The centerpiece of the proposal is a new formula for the gasoline tax rate. Under the proposal, the gasoline tax is

adjusted annually on the basis of inflation and gasoline consumption. To set the rate that will be effective June 1, 1994, the bill provides that the current tax rate be multiplied by the percentage change in inflation and gasoline consumption since the date of the last tax rate change, which was 1988.

The bill also transfers 16 percent of the motor vehicle excise tax (MVET) proceed to the transit assistance fund for use in funding mass transit. The current distribution of the transit funding--80 percent metro and 20 rural--is repealed under Langseth's bill.

Langseth said that the proposal also contains \$50 million in bonding to fill the gap between the time the new gas tax starts and the time the proceeds become available for use so that construction and maintenance projects can go forward this summer.

The bill also contains funding for an electric vehicle technology study, provides funding for a high-speed rail study, provides partial funding for an environmental impact statement for the Wakota bridge on I-494, and appropriates \$37.316 million in total bond proceeds for capital improvements.

The bill was advanced to the full Transportation and Public Transit Committee for further discussion.

In other action, the division also approved a measure, S.F. 2055, authored by Sen. Terry Johnston (IR-Prior Lake), that contains a similar gasoline tax annual adjustment mechanism and a 16 percent MVET transfer for transit provision. The bill also goes to the full committee for further discussion.

Earlier, the panel heard the supplemental budget requests of the Dept. of Transportation, the Regional Transit Board and the Metropolitan Transit Commission.

### Teen driver's license requirement

A bill calling for suspending the drivers' licenses of teens who drop out of school or who are habitually truant cleared the Transportation and Public Transit Committee Tues., Mar. 15. The bill, S.F. 2111, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), requires suspension of drivers' licenses of 16- to 18-year-olds who withdraw from or are dismissed from school, or are found to be juvenile offenders or habitual truants by a juvenile court. The measure also specifies that a driver's license may not be issued to anyone under 18 years of age without evidence of enrollment in or graduation from a secondary school or certain other programs. Catherine Burke-Moore, director of driver and vehicle services division, Dept. of Public Safety, said that the division opposes the legislation because it opposes denying drivers' licenses for non-driving related offenses. The committee approved one amendment to the bill by Sen. Sandra Pappas (DFL-St. Paul), providing for school officials to report dismissals from school for students 15 years and older. The original bill had the reporting begin for students 13 and older. After hearing testimony on the bill, the Senators approved S.F. 2111 as amended and re-referred it to the Crime Prevention Committee.

The committee also approved S.F. 1774, sponsored by Sen. Paula Hanson (DFL-Ham Lake). The bill permits use of strobe lights by rural mail carriers. Because of concerns expressed by the State Patrol at a previous hearing of the bill, Hanson offered an amendment specifying that the lights used be high-mounted amber strobe lights. The committee voted to approve the bill and forwarded it to the Senate floor. The committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake) also approved two additional bills.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 21

❖ The Senate will meet at 10 a.m.

#### Agriculture and Rural Development Committee

Chair: Sen. Joe Bertram, Sr.  
12 noon Room 107 Capitol  
Agenda: S.F. 1973-Hanson: Requiring registration of manufacturers and distributors of BGH. S.F. 2093-Morse: Establishing a program to identify milk and milk products free of BGH. S.F. 2150-Dille: Responsibility for control of pollution by animal feedlots to the Dept. of Agriculture.

#### Commerce and Consumer Protection Committee

Chair: Sen. Sam Solon  
12 noon Room 112 Capitol  
Agenda: S.F. 2267-Samuels: Real estate title insurance companies mortgage discharge. S.F. 2311-Kelly: Currency exchange services regulations modifications. S.F. 2388-Chandler: Environmental marketing deceptive trade practices regulation. S.F. 2425-Stevens: Fireworks operators certification requirements.

#### ❖ Judiciary Committee

Chair: Sen. Ember Reichgott Junge  
Noon Room 15 Capitol  
Agenda: S.F. 1318-Betzold: Health care review organizations records confidentially scope clarification. S.F. 1700-Vickerman: Desecration of the flag. S.F. 1764-Betzold: Access to vehicle registration data. S.F. 1791-Knutson: Classification and release of commerce data. S.F. 1823-Ranum: Listing provisions codified outside the govt. data practices act that limit access to data. S.F. 2291-Merriam: Prohibit fees for public bond counsel. Bills re-referred from Privacy Subcommittee.

#### ❖ Crime Prevention Committee

Chair: Sen. Allan Spear  
2 p.m. Room 15 Capitol  
Agenda: S.F. 1725-Berglin: Race Bias Task Force bill. S.F. 1759-Betzold: Mental health training for correctional officers. S.F. 2111-Reichgott Junge: Juvenile driver's license bill. S.F. 2163-Kelly: Intensive community supervision modifications. S.F. 2238-Kelly: Standards for payment of local corrections inmate claims. S.F. 2348-Spear: Legislative committee reference update for reports. S.F. 2567-Ranum: Scope of first degree domestic child abuse murder; domestic abuse OFP. S.F. 2583-Anderson: Crime prevention programs oversight.

#### Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse  
2 p.m. Room 123 Capitol  
Agenda: S.F. 1859-Chandler: Packaging reduction.

#### Jobs, Energy and Community Development Funding Division

Chair: Sen. Carl Kroening  
2 p.m. Room 112 Capitol  
Agenda: Capital budget requests.

#### Metropolitan and Local Government Committee

Chair: Sen. Betty Adkins  
2 p.m. Room 107 Capitol  
Agenda: S.F. 2551-Solon: Miller-Dwan Hospital. S.F. 2526-Hottinger: Mankato - port authority. S.F. 2522-Sams: Wadena County - consolidate offices. S.F. 2132-Beckman: Eliminating authority of county recorders to collect certain fees. S.F. 2218-Lessard: Itasca County - additional levy authority. S.F. 1740-Knutson: Met. Council to study housing redevelopment and rehabilitation costs. S.F. 1779-Dille: Hutchinson to incur debt for improvements.

#### Legislative Commission on Pensions and Retirement

Chair: Sen. Phil Riveness  
6 p.m. Room 125 Capitol  
Agenda: To be announced.

#### Education Funding Division

Chair: Sen. Lawrence Pogemiller  
6:30 p.m. Room 112 Capitol  
Agenda: S.F. 1837-Bertram: Debt redemption fund transfer ISD 738. S.F. 2057-Morse: Allowing Rollingstone to construct and lease space to the school district. S.F. 2075-Sams: Motley-Staples referendum levy revenue. S.F. 2263-Sams: Transportation aid adjustment. S.F. 2281-Finn: Fund transfer. S.F. 2339-Chmielewski: Enhanced curriculum pilot program.

#### Judiciary Committee

Chair: Sen. Ember Reichgott Junge  
6:30 p.m. Room 15 Capitol  
Agenda: S.F. 584-Krentz: Protection from civil lawsuits for exercising constitutional rights. S.F. 1784-Riveness: Immunity for reporting suspected insurance fraud. S.F. 1958-Janezich: Provide for recreational use, liability, and easements or other rights. S.F. 2021-Laidig: Limiting liability out of livestock activities. S.F. 2247-Sams: Changing law on nuisance liability of ag. operations. S.F. 2309-Reichgott Junge: Tort recodification. Bills re-referred from other committees.

#### Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse  
7 p.m. Room 123 Capitol  
Agenda: S.F. 2445-Merriam: Stamps and surcharges

### Tuesday, March 22

#### ❖ Gaming Regulation Committee

Chair: Sen. Charles Berg  
8 a.m. Room 107 Capitol  
Agenda: S.F. 2067-Bertram: Lottery - video lottery machines for poker, keno, slots and bingo. Discussion of committee gaming bill

#### Governmental Operations and Reform Committee

Chair: Sen. James Metzzen  
8 a.m. Room 15 Capitol  
Agenda: S.F. 2170-Sams: Requiring prompt payment for grantees. S.F. 2363-Hottinger: Administrative procedures - regulating rulemaking. S.F. 1969-Hottinger: Revising

procedures for administrative rules.

#### Transportation and Public Transit Committee

Chair: Sen. Florian Chmielewski  
8:00 a.m. Room 112 Capitol  
Agenda: S.F. 2510-Ranum: Regulating Head Start school buses. S.F. 1802-Murphy: Distribution of funds from the town road account. S.F. 2474-Moe: Authorizing the TRB to permit a class II-L carrier to own a second terminal. S.F. 2035-Finn: Allowing citizen enforcement programs to enforce vehicle parking laws relating to the physically disabled. S.F. 762-Morse: Port development assistance program. S.F. 1957-Janezich: Study of vehicle safety standards and inspection programs. S.F. 2415-Hanson: Reportable vehicle accidents. S.F. 1968-Pappas: Extending eligibility for special veterans' license plates to allied veterans. S.F. XXX: DOT housekeeping bill. S.F. 2097-Langseth: Omnibus funding bill.

#### Health Care Committee

Chair: Sen. Linda Berglin  
10 a.m. Room 15 Capitol  
Agenda: S.F. 2413-Sams: First responder. Report on prescription drugs. S.F. 2381-Finn: Prescription drugs. S.F. 2661-Hottinger: Health care - prohibits certain mergers and acquisitions.

#### Education Funding Division

Chair: Sen. Lawrence Pogemiller  
10 a.m. Room 112 Capitol  
Agenda: S.F. 2167-Pogemiller: Male responsibility bill. S.F. 2463-Pappas: Pilot program for Ramsey County school districts. S.F. 2206-Pogemiller: Dept. of Education technical bill. S.F. 1790-Olson: Dept. of Education policy bill.

#### Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse  
10 a.m. Room 123 Capitol  
Agenda: S.F. 2294-Johnson, D.E.: Prairie Woods environmental learning center. S.F. 1588-Moe, R.D.: Agassiz environmental learning center. S.F. 1133-Morse: Landfill cleanup program. S.F. 2235-Lessard: Mississippi Headwaters area.

#### ❖ Ethics and Campaign Reform Committee

Chair: Sen. John Marty  
12 noon Room 107 Capitol  
Agenda: S.F. 493-Johnson, D.E.: Term limits.

#### Family Services Committee

Chair: Sen. Pat Piper  
12 noon Room 15 Capitol  
Agenda: S.F. 2090-Betzold: Administrative hearings. S.F. 2135-Sams: CSSA time line modifications. S.F. 2000-Berglin: Child care staff retention. S.F. 2271-Stevens: Child support "most wanted" bill.

#### Veterans and General Legislation Committee

Chair: Sen. Jim Vickerman  
12 noon Room 112 Capitol  
Agenda: S.F. 2219-Lessard: Grand Rapids civic center. S.F. 2333-Finn: Battle Point historic site. S.F. 2376-Finn: Museum and center of American Indian history. S.F. 2380-

Johnson, D.J.: St. Louis County Heritage and Arts Center. S.F. 2422-Finn: Burial grounds and civil actions. S.F. 2437-Finn: Amateur sports - 1995 Indigenous Games. S.F. 2450-Metzen: Minn. Historical Society status.

#### Environment and Natural Resources Committee

Chair: Sen. Bob Lessard  
2 p.m. Room 107 Capitol  
Agenda: S.F. 1909-Price: Individual sewage treatment systems. S.F. 1915-Johnson, D.J.: Return to water fish snagged. S.F. 1956-Vickerman: Lewis and Clark rural water system. S.F. 2220-Price: Duties of Legislative Water Commission. S.F. 2289-Merriam: PCA reimbursement. S.F. 2451-Johnson, J.B.: Adding lands to certain state parks. S.F. 2523-Merriam: Office of Waste Management. S.F. 2608-Johnson, D.J.: Cook County land sale.

#### Transportation and Public Transit Finance Division

Chair: Sen. Keith Langseth  
2 p.m. Room 125 Capitol  
Agenda: S.F. 1866-Metzen: Wakota bridge. S.F. 2201-Lessard: Highway rest area. S.F. 348-Anderson: Highway 280.

#### Legislative Coordinating Commission Subcommittee on Budgets and Salaries

Chair: Rep. Irv Anderson  
3:30 p.m. Room 229 Capitol  
Agenda: Personnel matters. Legislative plan for employee benefits.

#### Legislative Coordinating Commission

Chair: Sen. Allan Spear  
3:45 p.m. Room 229 Capitol  
Agenda: Report of the Subcommittee on Budgets and Salaries.

#### Higher Education Division

Chair: Sen. LeRoy Stumpf  
4 p.m. Room 125 Capitol  
Agenda: Higher Education Board supplemental budget. S.F. 2120-Larson: Modifying award of grants for faculty exchange. S.F. 2367-Stumpf: Higher education merger bill. Technical colleges and Higher Education Board capital budgets.

#### Taxes and Tax Laws Subcommittee on Income and Sales Taxes

Chair: Sen. Ember Reichgott Junge  
4 p.m. Room 15 Capitol  
Agenda: S.F. 1778-Runbeck: MVET on park trailers. S.F. 1787-Knutson: Exemption for electronic funds transfer of withholding taxes. S.F. 1830-Bertram: Exemption for certain firefighting equipment. S.F. 2025-Novak: Exemption for firefighting personal protective equipment. S.F. 2176-Reichgott Junge: Exempting bookmobiles from the MVET. S.F. 2179-Solon: Insurance - allowing certain assessments as offsets against certain tax liabilities. S.F. 2188-Pappas: Subtraction from federal taxable income for federal mortgage interest credits. S.F. 2336-Kelly: Income tax credit for home mortgage interest. S.F. 2408-Novak: Regulating exemptions for fundraising by nonprofits.

#### Legislative Commission on Pensions and Retirement

Chair: Sen. Phil Riveness  
6 p.m. Room 125 Capitol  
Agenda: To be announced.

#### Crime Prevention Committee

Chair: Sen. Allan Spear  
7:30 p.m. Room 112 Capitol  
Agenda: S.F. 1817-Spear: Plea bargaining. S.F. 1839-Metzen: Kidnapping penalty when victim is not found. S.F. 1863-Kiscaden: Contributing to delinquency or CHIPS status

of a minor. S.F. 1918-Belanger: First degree life without parole murder for killing a local corrections guard. S.F. 2089-Spear: Defense services reimbursement limited to court-appointed counsel. S.F. 2442-Hottinger: Probable cause arrest for nonfelony crimes in a school zone. S.F. 2511-Reichgott Junge: Sexual assault definition of consent. S.F. 2602-Lesewski: Peeping Tom crimes.

## Wednesday, March 23

#### Governmental Operations and Reform Committee

Chair: Sen. James Metzen  
8 a.m. Room 15 Capitol  
Agenda: To be announced.

#### Gaming Regulation Committee

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

#### Transportation and Public Transit Committee

Chair: Sen. Florian Chmielewski  
8 a.m. Room 112 Capitol  
Agenda: S.F. 1736-Belanger: Regional Transit Board. S.F. 862-Price: Licensing of persons engaged in commercial practices related to new motor vehicles. S.F. 1805-Merriam: Allowing dealers to act as deputy registrars. S.F. 2354-Vickerman: Transportation of hazardous material and hazardous waste. S.F. 2099-Larson: Requiring DOT to accept competitive design-build bids for non-vehicular bridges. S.F. 2032-Bertram: Charter carrier limited authority to pick up and let off passengers. S.F. 1796-Laidig: Requiring loads of aggregate be covered when traveling at 40 miles per hour or greater. S.F. 2097-Langseth: Omnibus funding bill.

#### Education Committee

Chairs: Sen. LeRoy Stumpf and Sen. Lawrence Pogemiller  
10 a.m. Room 112 Capitol  
Agenda: S.F. 2120-Larson: Modifying award of grants for faculty exchange. S.F. 2367-Stumpf: Higher education merger bill.

#### Health Care Committee

Chair: Sen. Linda Berglin  
10 a.m. Room 15 Capitol  
Agenda: S.F. 1694-Betzold: Invasive treatment for mentally ill and dangerous. S.F. 2345-Vickerman: Physician license - foreign graduates. S.F. 2273-Krentz: Teen program to reduce pregnancy. S.F. XXX-Solon: Lead paint abatement.

#### Higher Education Division

Chair: Sen. LeRoy Stumpf  
After full committee. Room 112 Capitol  
Agenda: Supplemental budget allocations. Bonding.

#### The Senate will meet at 12 noon.

#### Agriculture and Rural Development Committee

Chair: Sen. Joe Bertram, Sr.  
Immediately following session Room 107 Capitol  
Agenda: To be announced.

#### Commerce and Consumer Protection Committee

Chair: Sen. Sam Solon  
Immediately following session Room 112 Capitol  
Agenda: S.F. 2168-Bertram: Farm disaster relief. S.F. 2117-Larson: Agents and brokers licensing fee modification. S.F. 2335-Berglin: Coverage for sign and other language

translation. S.F. 2346-Metzen: Securities registration modifications. S.F. 2576-Anderson: Women-owned businesses credit needs study.

#### Judiciary Committee

Chair: Sen. Ember Reichgott Junge  
Immediately following session Room 15 Capitol  
Agenda: S.F. 1793-Samuelson: Registration by title in cases of termination of a land contract. S.F. 1888-Reichgott Junge: Prohibiting marital status discrimination. S.F. 2552-Spear: Increasing number of trial court judgeships. S.F. 2642-Finn: Privilege for certain communications. S.F. 2031-Bertram: Enforcement of commitments for debts related to lawful gambling activities. S.F. 2314-Chandler: Guardianships and conservatorships.

#### Rules and Administration Subcommittee on Bill Referral

Chair: Sen. William Luther  
Immediately following session Room 237 Capitol  
Agenda: S.F. 1643-Dille: Rule 35 Merriam - relating to lotteries. S.F. 2193-Morse: Rule 35 Merriam - relating to water.

#### Crime Prevention Committee

Chair: Sen. Allan Spear  
2 p.m. Room 15 Capitol  
Agenda: S.F. 1804-Metzen: Definition, destruction of forfeited weapons. S.F. 1919-Kelly: Juvenile, federal conformity, etc., firearms bill. S.F. 2115-Kelly: Illegal second party transfer, mandatory minimum, other firearms penalties.

#### Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse  
2 p.m. Room 123 Capitol  
Agenda: S.F. 2254-Luther: Lower St. Croix River Act. S.F. 1937-Novak: Laurentian environmental learning center. S.F. 2092-Finn: Imposing an assessment on wood acquired by mills.

#### Jobs, Energy and Community Development Funding Division

Chair: Sen. Carl Kroening  
2 p.m. Room 112 Capitol  
Agenda: Capital Budget requests.

#### Metropolitan and Local Government Committee

Chair: Sen. Betty Adkins  
2 p.m. Room 107 Capitol  
Agenda: S.F. 2598-Pogemiller: Authorizing the park and recreation board of Minneapolis to transfer conveyed land to Mn/DOT. S.F. 2550-Flynn: Appointment of Metropolitan Area soil and water conservation supervisors by metro counties. S.F. 365-Hottinger: Annexations. S.F. 1853-Hottinger: Annexations. H.F. 228-Vickerman: Annexations.

#### Rules and Administration Committee

Chair: Sen. Roger D. Moe  
4 p.m. Room 107 Capitol  
Agenda: Report of the Bill Referral Subcommittee; and the Ad Hoc Personnel Subcommittee.

#### State Government Finance Division

Chair: Sen. Richard Cohen  
4 p.m. Room 125 Capitol  
Agenda: Capital budgets of the Dept. of Administration and the CAPP.

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### Taxes and Tax Laws Committee

Chair: Sen. Douglas Johnson  
4:00 p.m. Room 15 Capitol  
Agenda: S.F. 1786-Reichgott Junge: Limited liability partnerships. S.F. 2004-Johnson, D.J.: Two Harbors lodging tax. S.F. 2071-Pappas: Coordinating of sales tax schedules for the state and city of St. Paul. S.F. 2391-Belanger: Levy limit repeal bill. S.F. 2420-Flynn: Department policy bill.

### Environment and Natural Resources Committee

Chair: Sen. Bob Lessard  
6 p.m. Room 123 Capitol  
Agenda: S.F. 1133-Morse: Landfill bill. S.F. 1937-Novak: Laurentian environmental learning center. S.F. 2140-Cohen: Appropriation for Science Museum. S.F. 2445-Merriam: Game and fish revenues. S.F. 2467-Berg: Modifying size limit for walleyes. S.F. 2468-Finn: Beaver control.

### Governmental Operations and Reform Committee

Chair: Sen. James Metzen  
6 p.m. Room 15 Capitol  
Agenda: To be announced.

### Health Care Committee

Chair: Sen. Linda Berglin  
7:30 p.m. Room 112 Capitol  
Agenda: S.F. 2077-Samuelsen: Efficiency incentives, ICFMR. S.F. 2455-Berglin: Community Clinic Consortium. S.F. 2396-Berglin: Wage bill.

## Thursday, March 24

❖ The Senate will meet at 8 a.m.

### ❖ Education Funding Division

Chair: Sen. Lawrence Pogemiller  
10 a.m. Room 112 Capitol  
Agenda: S.F. 2587-Merriam: Metro magnet school facilities grant. S.F. XXX-Mondale: Advancing metropolitan school desegregation.

### Health Care Committee

Chair: Sen. Linda Berglin  
10 a.m. Room 15 Capitol  
Agenda: S.F. 2374-Johnson, J.B.: Campus and community services in Cambridge RTC for those with developmental disabilities. S.F. 2640-Benson, D.D.: DHS Medical Assistance (MA) and General Assistance Medical Care (GAMC) bill.

### Ethics and Campaign Reform Committee

Chair: Sen. John Marty  
12 noon Room 107 Capitol  
Agenda: S.F. 2395-Luther: Uniform elections.

### Veterans and General Legislation Committee

Chair: Sen. Jim Vickerman  
12 noon Room 112 Capitol  
Agenda: To be announced.

### Commerce and Consumer Protection Committee

Chair: Sen. Sam Solon  
2 p.m. Room 112 Capitol  
Agenda: S.F. 2161-Solon: Omnibus liquor bill. S.F. 2255-Luther: Farm liability insurance policies pollution coverage study. S.F. 2582-Reichgott Junge: Fire insurance policy protections extension.

### ❖ Crime Prevention Committee

Chair: Sen. Allan Spear  
2 p.m. Room 15 Capitol  
Agenda: S.F. 2226-Spear: Metro Area firearms regulation law.

### Higher Education Division

Chair: Sen. LeRoy Stumpf  
4 p.m. Room 112 Capitol  
Agenda: Allocations and bonding.

### State Government Finance Division

Chair: Sen. Richard Cohen  
4 p.m. Room 318 Capitol  
Agenda: To be announced.

### Education Funding Division

Chair: Sen. Lawrence Pogemiller  
6 p.m. Room 125 Capitol  
Agenda: Special Ed. Task Force Draft Bill. S.F. 2216-Ranum: Data on violence in schools involving IEP students.

### Governmental Operations and Reform Committee

Chair: Sen. James Metzen  
6 p.m. Room 15 Capitol  
Agenda: Any remaining bills.

### Crime Prevention Committee

Chair: Sen. Allan Spear  
7:30 p.m. Room 123 Capitol  
Agenda: S.F. 1765-McGowan: Governor's crime bill. Re-referrals from other committees.

## Friday, March 25

### Governmental Operations and Reform Committee

Chair: Sen. James Metzen  
8 a.m. Room 15 Capitol  
Agenda: To be announced.

### ❖ Transportation and Public Transit Committee

Chair: Sen. Florian Chmielewski  
8 a.m. Room 112 Capitol  
Agenda: S.F. 2097-Langseth: Omnibus funding.

### Education Funding Division

Chair: Sen. Lawrence Pogemiller  
10 a.m. Room 112 Capitol  
Agenda: To be announced.

### Environment and Natural Resources Committee

Chair: Sen. Bob Lessard  
10 a.m. Room 107 Capitol  
Agenda: S.F. 1858-Benson, D.D.: DNR sale of lands in Gordy Yaeger wildlife management. S.F. 2062-Stevens: Mille Lacs land sale. S.F. 2066-Hanson: Anoka County tax-forfeited land sale. S.F. 2152-Langseth: Sale of tax-forfeited land in Clay and Wilkin counties. S.F. 2236-Lessard: Sale of native tree seed and tree planting stock. S.F. 2305-Lessard: Sale of tax-forfeited land in Aitkin County. S.F. 2385-Lessard: Voyageurs National Park. S.F. 2429-Lessard: Nonresident multiple zone antlerless deer licenses. S.F. 2561-Lessard: Sale of land in Itasca and St. Louis Counties. S.F. 2562-Lessard: Sale of land in Itasca County. S.F. 2588-Lessard: Land commissioner bill.

### Judiciary Committee

Chair: Sen. Ember Reichgott Junge  
12 noon Room 15 Capitol  
Agenda: To be announced.

### Governmental Operations and Reform Committee

Chair: Sen. James Metzen  
6 p.m. Room 15 Capitol  
Agenda: To be announced.

❖ Live television coverage will be provided. Check Channel 6 for schedule.

# Briefly

The Minnesota Senate Week in Review

ST. PAUL, MN 55155

March 25, 1994

## Juvenile justice bill passed

A bill revamping the state's juvenile justice system received final passage at the Mon., Mar. 21, floor session. H.F. 2074, authored by Sen. Jane Ranum (DFL-Mpls.), creates a serious youthful offender program, provides for secure placement of juveniles convicted under the serious youthful offender category and provides additional funding for prevention and diversion programs. Ranum said that the bill provides for "major systemic change in the juvenile justice system" and that the overwhelming majority of the provisions contained in the bill reflect the recommendations of the Supreme Court's Advisory Task Force on Juvenile Justice.

Ranum also said that while the bill places emphasis on a strong response to serious and repeat juvenile crime, the measure also is "a thoughtful package of initiatives grounded in the belief that Minnesotans believe rehabilitation and prevention are preferable to the institutionalization of juveniles."

"The bill is also the product of a strong bipartisan working relationship and represents excellent public policy," Ranum concluded.

Sen. Patrick McGowan (IR-Maple Grove) echoed Ranum's comments and said, "The bill is a balanced approach that holds the offender accountable, yet provides hope by steering juveniles away from crime by funding prevention programs."

After an explanation of the bill and the adoption of technical amendments providing for consistent wordage and the addition of legislators to a task force created in the bill, the measure was given final passage on a vote of 64-0.

## Metro reorganization bill passed

The metropolitan governance bill was the focus of debate at the Thurs., Mar. 24, floor session. S.F. 2015, authored by Sen. Carol Flynn (DFL-Mpls.), makes the terms of the 16 Metropolitan Council members coterminous with the governor, provides that the chair is one of 16 members, abolishes other metro agencies such as the Metropolitan Transit Commission and the Metropolitan Waste Commission and brings the responsibilities of the abolished agencies under the jurisdiction of the Metro Council. "The issue before us is accountability," Flynn said in her introductory remarks. "The breakdown of Metro Mobility last fall illustrates the confusion about a governmental system that is not working," she said. According to Flynn, the traditional separation of planning and operations is part of the problem and the bill is designed to combine those functions.

Much of the debate centered on an amendment, offered by Sen. Ted Mondale (DFL-St. Louis Park), requiring that the

members of the Metropolitan Council be elected. Mondale argued that the election of Metro Council members would increase the accountability of regional government. Opponents argued that imposing another elected layer of government on the region would lead to gridlock and the politicalization of the Council. The amendment was defeated on a 27-37 roll call vote. An amendment, offered by Sen. Ed Oliver (IR-Deephaven), to retain the current appointment structure of a 17 member council with a full time chair elected at staggered intervals, was also defeated. After adoption of two technical amendments, offered by Flynn, the bill was given final passage on a 64-2 vote.

In other action, members granted final passage to H.F. 1845. The measure, sponsored by Mondale, authorizes school districts to start before the Labor Day holiday next fall. According to Mondale, the bill is needed to accommodate students who wish to celebrate Rosh Hashanah and not miss the opening day of school. Rosh Hashanah falls the day after Labor Day this year, the same day schools are scheduled to open.

A bill requiring the contractors who operate the emission control inspection stations to also make available the opportunity to renew vehicle registrations, license plates and tabs was defeated by the Senate. S.F. 1910, sponsored by Sen. Deanna Wiener (DFL-Eagan), failed on a vote of 28-37.

Members also adopted a resolution reprimanding Sen. Sam Solon (DFL-Duluth), for his conduct in allowing others to use his Senate telephone to make long distance calls.

## Term limits fail

On a 7-5 roll call vote, the Senate Ethics and Campaign Reform Committee defeated S.F. 493, Tues. Mar. 22. The bill, authored by Sen. Dean Johnson (IR-Willmar), imposes term limits on legislators and executive officers.

The committee, chaired by Sen. John Marty (DFL-Roseville), listened to testimony against the measure. Among the opponents were Bob Rootes, United Steel Workers of America and Joan Higinbotham, executive director of Common Cause.

Rootes said that 90 percent of his membership opposes term limits. Their main objection is that term limits allow for the population of one geographic area to decide for another geographic area how long an elected member can hold office, he said.

Sen. Lawrence Pogemiller (DFL-Mpls.) said that the current system already allows for voters in his district to limit his term--they can vote him out. Pogemiller went on to say that S.F. 493 "will institutionalize 10

year terms." The problem of entrenched chairs needs to be addressed internally, by the Legislature, Pogemiller said.

Sen. Roger Moe (DFL-Erskine) also argued against the bill. He said that term limits restrict the number and type of candidates running for office, as well as shifting power from the legislative branch to the executive branch. Furthermore, the full effect of term limits are yet to be evaluated, Moe said.

Higinbotham proclaimed, "Putting a bad idea on the ballot is a waste of resources, of both time and money."

## Video gaming approved

A measure that expands gambling to include use of video lottery machines was approved at the Tues., Mar. 22 meeting of the Senate Gaming Regulation Committee. On a 5-4 roll call vote, S.F. 2067, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), was approved and re-referred to the Taxes and Tax Law Committee.

Testifying against the bill was Stephen Hoenack, an economics professor at the Hubert Humphrey Institute of Public Affairs. Hoenack said that a review of data on bar sales since 1974, shows that the most important factors contributing to declining bar sales have been the advancing age of Minnesota's population and a decline in income. Hoenack said that since 1974 liquor sales in bars have been declining steadily, and that data suggests that the impact of casino gambling has possibly benefitted bars in adjacent counties.

Paul Anton, an economist from the firm of Bugbee, Anton and Associates disputed Hoenack's conclusions, saying that the growth of Las Vegas style casinos has effected the business levels at drinking establishments in recent years.

The committee, chaired by Sen. Charles Berg (DFL-Chokio), approved an amendment that allows 3.2 taverns and bingo halls to install video gambling. The members also endorsed an amendment banning all gifts to the director, board member, or employee of the lottery board.

## Call-in program aired

Senate Media Services offers a live, call-in television program weekdays from 4 to 5 p.m. Each day, two legislators answer viewers' questions regarding pending legislation and current issues.

The program is broadcast on cable channel 6 in the Metro Area and cable channels in several Greater Minnesota cities, including Duluth, Rochester, St. Cloud, Cannon Falls, Owatonna, Thief River Falls, Little Falls, and Hibbing. Check your local television listings for stations and times.

# Committee update

## rBGH bills heard

Sen. Steven Morse (DFL-Dakota) and Sen. Paula Hanson (DFL-Ham Lake) presented bills allowing milk and milk products that do not come from cows treated with recombinant bovine growth hormone (rBGH), to be labeled as such to the Agriculture and Rural Development Committee, Mon., Mar. 21. The committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville) will continue hearing the bills at the next committee meeting.

S.F. 2093, presented by Morse, establishes a certification and labeling program to identify milk and milk products free of rBGH. According to Morse, consumers have a concern with products containing rBGH and have a right to know if the item they are consuming contains rBGH. Morse stated that the bill allows the commissioner of agriculture to inspect dairy operations to ensure those producers who say the are not using the rBGH input are being truthful.

S.F. 1973, a proposal incorporated into Morse's bill, requires the registration of manufacturers and distributors of recombinant bovine somatotropin (rBST). According to Hanson, the bill also provides for licensing, fees, and inspections of dairy operations. The fees are \$100.00 per year for manufacturers and \$50.00 per year for distributors.

Dr. Michael Hansen from Consumers Union testified that rBGH can have some unhealthy effects on dairy cows, thus it is an input consumers should be aware of. Fleisha Bush, a registered dietician, told the committee that rBGH poses no threat when consumed and only three out of 10,000 people she has talked with had any concerns with rBGH.

## rBGH bill moves forward

The Agriculture and Rural Development Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), met Tues. evening, Mar. 22, to take action on a bill authorizing recombinant bovine growth hormone (rBGH) free labeling and a bill relating to feedlots.

Sen. Steven Morse (DFL-Dakota) continued the presentation of S.F. 2093, establishing certification and voluntary labeling to identify milk and milk products free of rBGH. Morse stated that the bill does not require the labeling of milk or milk products, but rather is voluntary.

Duane Winhorse, a dairy farmer from southern Minnesota, testified that rBGH is a competitive advantage in the dairy industry, however, labeling takes away that advantage. Dwight Hasselquist, a dairy farmer and representative of the Minnesota Farm Bureau, stated that the Food and Drug Administration (FDA) has tested and found the product to be safe, thus there is no need to label milk that has or has not come from a cow treated with rBGH.

Wayne Kelly, a dairy farmer, testified that he sees labeling as a marketing tool and that labeling a product as rBGH-free is only telling the truth about the product.

Sen. Dan Stevens (IR-Mora) offered an amendment that provides for the uniformity of labels going outside the state. Under the amendment, producers have the option to consult with the commissioner of agriculture on labeling to ensure labels comply with other state's standards. The amendment was adopted.

Sen. Steve Dille (IR-Dassel) offered an amendment that adds to the label that "no significant difference has been shown between milk derived from rBGH treated

cows and those that are not." Other provisions in the amendment, according to Dille, adds a fee to producers who use the label, prohibits making a false statement about rBGH, and deletes the licensing requirement of a manufacturer. The amendment was adopted. The bill was approved and re-referred to the Environment and Natural Resources Committee.

Dille presented S.F. 2150, a bill establishing a feedlot and manure management advisory committee. The bill was approved and re-referred to the Environment and Natural Resources Committee.

## Dairy pricing bill approved

The Agriculture and Rural Development Committee met Wed., Mar. 23, to discuss bills relating to milk pricing and rural financing.

Sen. Charles Berg (DFL-Chokio) presented S.F. 2709, a bill amending provisions on the pricing of dairy products. Dan Larson testifying on behalf of the Minnesota Grocers Association, stated that the need for the proposal centers on the protection of small grocers in Minnesota. According to Larson, the bill provides that a processor or wholesaler may not sell class I or II dairy products at a price lower than the processor's or wholesaler's cost. Larson also stated that the proposal does not allow a retailer to sell class I or II dairy products at a retail price lower than 100 percent of the retailers cost until June 30, 1994 and at the retailers cost beginning July 1, 1994. Sen. Dallas Sams (DFL-Staples) urged the committee to allow current legislation relating to milk prices to produce results before approving the bill. S.F. 2709 was approved by the committee on a 4-5 roll call vote and sent to the Senate floor.

S.F. 2326, a bill requesting \$2 million for an appropriation to the capital access program to cover losses sustained by lenders who enroll in the program and make loans to farmers was presented by Sen. Keith Langseth (DFL-Glyndon). Langseth said the farmers must use the funds to finance the purchase of stock in a cooperative that wants to construct and operate an agricultural product processing facility. Langseth stated that the bill makes capital available to those farmers wishing to join a cooperative under certain circumstances. The bill was approved and re-referred to the Finance Committee.

Sen. Roger D. Moe (DFL-Erskine) presented S.F. 2325, a bill establishing a revolving fund to help farmers in Minnesota buy into cooperatives for the purpose of constructing and operating an agricultural product processing facility. The bill was approved and re-referred to the Finance Committee.

Sen. LeRoy Stumpf (DFL-Thief River Falls) outlined S.F. 2485, a bill authorizing the commissioner of agriculture to lease grain testing equipment to country elevators. Further testimony is expected on S.F. 2485. No action was taken.

## Commerce and Consumer Protection

### MinnesotaCare bill advances

The Commerce and Consumer Protection Committee advanced S.F. 2192, the MinnesotaCare implementation bill, at the Thurs., Mar. 17, meeting. The committee, chaired by Sen. Sam Solon (DFL-Duluth), approved three amendments to the bill. The first, offered by the bill's author, Sen. Linda Berglin (DFL-Mpls.), adds detail to the bill's

requirements for the advisory committee on dental services. The amendment specifies that the committee must study the quality and cost-effectiveness of capitated dental networks, discounted dental preferred provider organizations, and independent practice dentistry. The committee also approved an amendment by Sen. Cal Larson (IR-Fergus Falls) making technical changes that involve more providers in solvency protection for MinnesotaCare.

The Senators turned next to an amendment offered by Sen. Edward Oliver (IR-Deephaven). The committee approved a provision in the amendment that imposes investment restrictions on community integrated service networks (CISNs); a provision that specifies that the total of surcharges on a community network or health carrier may not exceed two percent of its average annual premium; and a provision that requires a study of whether CISNs should use risk-based capital standards for their solvency standards. The committee did not approve a portion of the Oliver amendment requiring CISNs to meet the same solvency standards required of HMOs.

S.F. 2192 now goes to the Governmental Operations Committee.

### Coverage for fibrocystic conditions

The Commerce and Consumer Protection Committee, at the Mon., Mar. 21, meeting, approved a bill that prohibits insurers from cancelling or not renewing health insurance for people with fibrocystic conditions. S.F. 1951, according to its sponsor, Sen. Terry Johnston (IR-Prior Lake), is intended to prevent insurance companies from discontinuing coverage for women who have fibrocystic breast conditions -- conditions, very prevalent among women over age 30, that cause benign lumps in the breast. In addition, the bill prohibits putting people with the condition in a higher-risk category or excluding coverage for the condition. The committee approved the bill and re-referred it to the Consent Calendar.

The committee, chaired by Sen. Sam Solon (DFL-Duluth), approved five other bills. S.F. 2267, sponsored by Sen. Don Samuelson (DFL-Brainerd), allows title insurance companies to execute a certificate of release on behalf of a mortgagor when the release of mortgage has not been executed after 60 days and the mortgagee has been informed. The bill was approved and re-referred to the Judiciary Committee.

S.F. 2311, sponsored by Sen. Randy Kelly (DFL-St. Paul), expands current law regulating currency exchanges and increases the penalty for violating the law from a misdemeanor to a gross misdemeanor. The bill expands the definition of currency exchanges to include wire transfers and money order sales. It also clarifies the kind of information a license applicant is required to submit and requires all applicants to submit to a background check, including a criminal history check. The bill also increases the required bond from \$10,000 to \$25,000. After discussion, the committee adopted an amendment by Sen. Cal Larson (IR-Fergus Falls), raising the bond requirement to \$50,000. The committee approved S.F. 2311 as amended and re-referred it to the Crime Prevention Committee.

The panel also approved S.F. 2425, a bill ordering a study of the safety aspects of public fireworks displays and fireworks display operator qualifications. The bill's sponsor, Sen. Dan Stevens (IR-Mora), cited several accidents involving fireworks displays and

said the study is needed to explore how legislation could increase the safety level and establish qualification requirements for fireworks operators. The bill now goes to the Consent Calendar.

S.F. 2388, sponsored by Sen. Kevin Chandler (DFL-White Bear Lake), requires that a person who makes an environmental claim about a product sold in the state must comply with federal guidelines regulating deceptive trade practices. The bill was approved and forwarded to the Consent Calendar.

S.F. 2501, sponsored by Sen. William Luther (DFL-Brooklyn Park), extends consumer protections in Minnesota's insurance laws to insureds holding fire insurance policies from township mutual fire insurance companies. Under the bill, the cancellation and nonrenewal standards that now apply to insurance companies are applicable to township mutuals. After hearing testimony that the move could restrict the availability of fire insurance in rural Minnesota, Luther moved to lay the bill over for further discussion.

## Workers' comp discussed

The Commerce and Consumer Protection Committee, chaired by Sen. Sam Solon (DFL-Duluth), devoted the Tues., Mar. 22, meeting to hearing S.F. 2475, a bill making several changes in Minnesota's workers' compensation system. The bill's author, Sen. Steven Novak (DFL-New Brighton), said the core of the bill is the reregulation of the insurance industry and a new definition of permanent total disability. Under the bill, an injured worker must have a disability rating of 15 percent of the whole body to be eligible for permanent total disability.

Testimony about the bill focused primarily on the reregulation of insurance rates. Representatives from the Minnesota Chamber of Commerce, the Minnesota Trial Lawyers Association, and the Insurance Industry of Minnesota testified against the portion of the bill that regulates rates. A representative from the Minnesota AFL/CIO also testified against the bill, saying that the insurance industry has numerous ways to help employers keep their premiums under control.

The committee adopted one amendment, offered by the author, to delete a section of the bill that was inadvertently included due to a recording error.

The panel failed to adopt two other amendments. The first, offered by Sen. Cal Larson (IR-Fergus Falls), incorporates the Wisconsin workers' comp model as an amendment to the bill. The second, offered by Sen. Edward Oliver (IR-Deephaven), deletes the bill's insurance rate regulation provisions.

The committee voted to approve the bill and re-refer it to the Finance Committee.

## Securities bill okayed

The Commerce and Consumer Protection Committee, chaired by Sen. Sam Solon (DFL-Duluth), met Weds., Mar. 23, and advanced two bills to the Senate Consent Calendar.

S.F. 2346, authored by Sen. James Metzen (DFL-South St. Paul), provides for the calculation of registration fees and uniform expiration, renewal and reporting provisions relating to securities registration statements and sales reports filed by open-end investment companies and unit investment trust companies. S.F. 2117, authored by Sen. Cal Larson (IR-Fergus Falls), provides for a 24 month, rather than an annual, license period for insurance agents, real estate agents and

real estate appraisers. The measure also adjusts the appropriate fees to reflect the extended license period. An amendment was adopted to specify that one half of the continuing education requirements be completed during the first year of the license period.

## Crime Prevention

### Crimes against women, children

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Thurs. afternoon, Mar. 17 to discuss and approve four bills. Sen. Jane Ranum (DFL-Mpls.) presented S.F. 1593, providing that consent and mistake as to age are not defenses to engaging in prostitution with individuals under 13 years old. In addition, the same two conditions are prohibited defenses for other prostitution related offenses regarding minors. Several proponents testified about the existence of solicitation of underage prostitution, including a former underage prostitute, who affirmed the specific demand for young girls. Sen. Patrick McGowan (IR-Maple Grove) said that minors older than 16 should have some amount of accountability for criminal actions. The bill was approved and goes to the Consent Calendar.

Sen. Ellen Anderson presented S.F. 2371, making female genital mutilation of a minor a felony. Anderson introduced an amendment that was adopted, which extends the protection to adult women. The bill provides for education and outreach activities to immigrant communities. The bill was endorsed and re-referred to the Health Care Committee.

Ranum also presented S.F. 2270, clarifying child abuse provisions and expanding the definition of sexual contact with a person under 13. Fred Karasov, assistant Hennepin County attorney explained the severe emotional damage to children that can be caused by any type of sexual contact. The bill was approved and incorporated into the crime omnibus bill.

Sen. Joe Bertram (DFL-Paynesville) introduced S.F. 1835, a bill that prohibits states and counties from providing health care for inmates that is not constitutionally required. The bill would exclude coverage of any cosmetic or purely elective procedures. The approved bill advances to the Consent Calendar.

## Budget requests heard

The Crime Prevention Finance Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn) met Fri., Mar. 18, to review supplemental budget requests. Commissioner of Corrections Frank Wood presented three additional recommendations. The department requested \$700,000 for special health care needs of inmates. Wood attributed the increase to longer sentences and an increased geriatric population. Wood explained that the department is required to provide the same level of care that is found in the community. Recommendations include \$1.5 million in 1994 and \$14.6 million in 1995 for inmate bed expansions at the Lino Lakes and Faribault facilities. Wood noted the current problems of overcrowding, violence, and the need for increased staffing. The final request is \$4.5 million for security staff for the bed expansion. Upon clarification, the request is intended to rectify the \$5 million cumulative deficit faced by the department.

The Board of Public Defense budget requests were presented by Kevin Kajer and John Stewart. The requests, which were not recommended by the governor, include a

minority law clerk/paralegal pilot program, requiring \$168,000 for salaries. The other request replaces federal grant funding for training grants and other programs. Kajer and Stewart also discussed the state takeover of misdemeanor and juvenile public defense services. Kajer stated the service is logical and cost effective because of the unified court system throughout the state. The division is considering the requests.

## Juvenile driver's bill advances

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Mon., Mar. 21, and approved several bills. Sen. Ember Reichgott Junge (DFL-New Hope) presented S.F. 2111, a bill that denies driving privileges to minors who do not comply with school attendance laws, are dismissed from school, commit any delinquent act, commit a juvenile petty offense, or commit a major traffic offense. The 30-day suspension of a driver's license is mandatory, instead of being dependent on the discretion of the court, under the bill.

Catherine Burke Moore of the Dept. of Public Safety expressed concern that the bill was a punishment and not a remedial sentence, since the license removal was not limited to driving offenses. Supporters noted that a license to drive was a privilege and not a right. Sen. Ellen Anderson (DFL-St. Paul) presented an amendment, which was adopted, deleting a section that would place offenders on a list for law enforcement. Sen. Thomas Neuville (IR-Northfield) raised the issue of the effect of a juvenile's license suspension upon parents' insurance rates. Reichgott Junge offered to explore the issue. The bill was approved and advances to the Education Committee.

Sen. Randy Kelly (DFL-St. Paul) presented S.F. 2163, a bill expanding the eligibility for the intensive community supervision program. The bill eliminates the requirement for the court's written approval. The bill also expands participation in the program to offenders in custody for up to 30 months, extending the current length of 27 months. In addition, the bill allows the offender to be readmitted to the supervision program instead of serving the term of imprisonment in prison.

Jim Bruton, deputy commissioner of corrections, explained that the program places low risk, non-violent offenders under a form of house arrest. Sen. Patrick McGowan (IR-Maple Grove) opposed re-entry of offenders into the program, stating that it had already been determined that offenders were irresponsible or dangerous in the program. The section allowing re-entry was deleted. Sen. Gene Merriam (DFL-Coon Rapids) proposed an amendment, that was adopted, requiring notification of the court that an offender has been placed in the community supervision program. The bill, as amended, will be incorporated into the crime omnibus bill.

Sen. Don Betzold (DFL-Fridley) presented S.F. 1759, which requires mental health training for correctional facility personnel. The bill includes an inmate mental health training study. The training is intended to improve identification and care of the severely mentally ill inmates. Betzold proposed an amendment establishing a HIV/AIDS training study, exploring the treatment and issues related to HIV/AIDS. The amendment and the bill were adopted; the bill advances to the floor.

Another bill was presented by Sen. Linda Berglin (DFL-Mpls.). S.F. 1725 requires a permanent course for bias motivated crimes, and increases the duties of the criminal and

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juvenile information policy group. In addition, the bill establishes a statewide judicial interpreter certification and training program. The bill was approved and goes to the Finance Committee.

Anderson presented S.F. 2583, a bill establishing a violence prevention task force to coordinate the crime prevention programs. McGowan expressed concern of duplication of other task forces, and their effectiveness. The bill was okayed and advances to the Governmental Operations and Reform Committee.

## Work and learn bill advances

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Tues., Mar. 22, to discuss several bills. Sen. Lawrence Pogemiller (DFL-Mpls.) presented S.F. 2679, a bill establishing two residential work and learn facilities for nonviolent juvenile offenders as an alternative to incarceration. The metropolitan and wilderness sites provide academic and skills training, and personal development. The program is targeted at, but not exclusive to, minority males between 14 and 21 years old who have not received a high school diploma, and who have been convicted of a non-violent crime. William Pierce, of the Right Step Academy, emphasized the community based aspects of the program, stating the importance of community involvement, and of allowing non-offenders into the program who are at risk. The bill goes to the Crime Prevention Finance Division.

Sen. Ember Reichgott Junge (DFL-New Hope) presented S.F. 2511, a bill modifying the definition of consent for the purpose of criminal sexual conduct prosecutions. The bill states that a mentally impaired, mentally incapacitated, or physically helpless person cannot consent to a sexual act. In addition, corroboration of the victim's testimony is not required to show lack of consent. In the other sections of the bill, a sexual assault coordinating board is created, and \$30,000 is requested for the trial courts to conduct training on sexual assault.

The first section of the bill, relating to consent, was incorporated into the omnibus crime bill. The remaining portion of the bill was approved, and advances to the Finance Committee.

Sen. Sheila Kiscaden (IR-Rochester) presented S.F. 1863, a bill expanding the statutes relating to adults who contribute to a minor's delinquency and children in need of protection or services. Michael Lutz, a concerned parent, explained the lack of jurisdiction regarding adult males influencing young girls, and supported the coordinated effort to rescue girls while prosecuting the adult offender. The bill was laid over.

Sen. James Metzen (DFL-South St. Paul) sponsored S.F. 1839, a bill providing life imprisonment for kidnapping, even if the victim is not found. Metzen explained the sentence provides an incentive for offenders to reveal information. Sen. Thomas Neville (IR-Northfield) and others questioned the life sentence and incentive, since no conviction of murder exists. The bill failed to gain approval.

Sen. Arlene Lesewski (IR-Marshall) presented S.F. 2602, a bill prohibiting the use of an observation device inside or outside a private place without consent of the people entitled to privacy. The bill was incorporated into the omnibus crime bill.

Spear sponsored a bill requiring each county attorney to adopt written guidelines

regarding plea bargaining policies and practices. S.F. 1817 was incorporated into the omnibus crime bill.

Sen. William Belanger (IR-Bloomington) presented S.F. 1918, expanding the first degree murder statute to include the murder of a local correctional officer and peace officer. The bill advances to the Consent Calendar.

The final approved bill was presented by Sen. Linda Runbeck (IR-Circle Pines). S.F. 2104 establishes an abused child program to provide grants for abused children services at the Dept. of Corrections. Runbeck explained that the program is currently organized informally at the department as a task force. The bill now goes to the Governmental Operations and Reform Committee.

## Firearms bill laid over

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Wed., Mar. 23, to discuss several bills. Sen. Pat Parisseau (IR-Farmington) presented S.F. 2424, a bill regarding federal firearms law conformity. Sen. Randy Kelly (DFL-St. Paul) and others expressed concern about sections of the bill that changed current gun laws. Janis Tweedy of the Dept. of Public Safety testified that the bill's requirement of identifying weapons by specific make and model increases the difficulty of identifying illegal weapons. Sen. Thomas Neville (IR-Northfield) proposed an amendment, that was adopted, to delete the section regarding specific identification of models of weapons. Spear also questioned the genesis and contents of the bill, which he stated were not reserved to housekeeping issues. Members of the committee requested that the bill be revised to specifically address federal compliance issues. The bill was laid over.

Sen. James Metzen (DFL-South St. Paul) presented S.F. 1804, a bill requiring the destruction of firearms if an agency decides the weapons will not be used for law enforcement purposes. Ed Steenberg, deputy chief of the St. Paul Police Dept., explained that the department supports the effort to curtail the misuse of firearms. Sen. Gene Merriam (DFL-Coon Rapids) proposed an amendment, that was adopted, permitting law enforcement the discretion not to destroy a weapon if a good reason is found. Sen. Patrick McGowan (IR-Maple Grove) presented another amendment, that was adopted, allowing a 90 day period for law enforcement to attempt to return the weapon to the owner, if the weapon had been stolen. The bill will be incorporated into the omnibus crime bill.

## Education

### Abatements impact discussed

Remedies to the effects of property tax abatements on school finance and a variety of other proposals were discussed by the Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), Fri. Mar. 18.

Tom Melcher of the Dept. of Education, explained that abatements are awarded when a taxpayer succeeds in challenging the assessed value of a property and they take effect the year they are awarded. The abatements, he said, lower the total property values within a school district and reduce the amount of revenue the district will receive.

A formula is in law to offset the effects of abatements on school districts. However, the gap between abatements awards and the aid available to offset those amounts is growing,

Melcher said, noting that they reduced school district funds by \$63 million in 1993. Some districts lost more than \$1 million in property tax revenues.

The division considered some options for assisting districts hit by abatements. S.F. 1900 uses state funds to loan the amount of funding districts lost. The bill, authored by Sen. Deanna Wiener (DFL-Eagan), also allows the Dept. of Education to reduce the amount of revenue a district would receive over the next two years by capturing the abatement revenue generated by the formula. S.F. 1840, sponsored by Sen. James Metzen (DFL-South St. Paul), limits the number of abatements a county can report in a year and allows districts to levy for abatement revenue a year earlier.

The division began adopting provisions that will be included in the education finance omnibus bill by approving S.F. 1711. Authored by Sen. Linda Berglin (DFL-Mpls.), S.F. 1711 makes the accredited Opportunities Industrialization Centers (OICs) eligible institutions in the Post-Secondary Enrollment Options Program.

The division heard two proposals to expand state subsidies for school breakfasts. S.F. 2044 sets up a program to study the effects of a school breakfast program on student performance. Sen. Jane Ranum (DFL-Mpls.), the author, said that grants would be awarded to provide free breakfasts to all students in four schools. S.F. 2564 increases the school breakfast subsidy for schools serving between 30 and 40 percent of lunches at a free or reduced rate. Pogemiller said the bill will raise the subsidy from 5.1 cents for each full-priced breakfast to 18.25 cents.

In other business, the division heard S.F. 1993, establishing a certification process for persons hired by a school district to provide American sign language, interpreting or sign transliterating services. Sen. Jane Krentz (DFL-May Township), the author, said that a certification process would be phased in over the next five years. The division will continue to its discussion of the proposal.

The members also reviewed, but did not act on, S.F. 2084 which creates a Librarians of Color Program. Sen. Sandra Pappas (DFL-St. Paul) said the program provides grants to students of color interested in becoming librarians. Sen. Tracy Beckman (DFL-Bricelyn) presented S.F. 2331, which amends the 1993 Youth Works Program, bringing it into conformity with federal national and community service legislation. Beckman said that the changes will help Minnesota receive federal aid for the Youth Works program.

## Funding proposals adopted

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), began assembling the education finance omnibus bill on Mon. evening, Mar. 21, incorporating five proposals into the package.

Three bills give specific school districts the authority to transfer funds from one account to another. S.F. 1837, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), allows the Holdingford school district to transfer \$100,000 from their debt redemption fund to the general fund. S.F. 2281 allows the Remer-Longville district to transfer \$150,000 from their bus purchase account to capital funds. Sen. Harold "Skip" Finn (DFL-Cass Lake) explained that the funds will be used acquire new equipment. Under S.F. 2075, the Motley-Staples district can place \$800,000 in expected referendum revenue in its capital fund account. Sen. Dallas Sams

(DFL-Staples) said that referendum revenue goes to the general fund and cannot be transferred if a district is in operating debt. Motley and Staples are combining and the bill allows the fund transfer to meet their facility needs and shorten the period of time the district would operate in debt.

Sams also presented S.F. 2263, which gives \$77,000 in state transportation aid to the Motley-Staples district. He said that the aid will recoup the costs incurred from transporting students from Motley to Staples under open enrollment. The division approved the bill, adding it to the omnibus bill.

The division also approved a proposal for an individualized learning and year-round school pilot program. S.F. 2339, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), appropriates an \$85,000 grant to the Cloquet district for the voluntary K-6 program.

The division heard S.F. 2057 to allow the city of Rollingsstone to issue bonds for the construction of a facility that will be leased by the Winona School District and used as an elementary school. Sen. Steve Morse (DFL-Dakota) said that the bill clarifies a proposal approved last session. The division took no action on the bill and will discuss it at a later meeting.

## Program proposals heard

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), adopted the provisions of one bill and considered three others at its meeting on Tues., Mar. 22.

The division approved S.F. 2206, which contains technical amendments, recommended by the Dept. of Education, that clarify current law. The bill, which Pogemiller authored, will become the education finance omnibus.

S.F. 2167, authored by Pogemiller, creating a male responsibility and parenting grant program, was also reviewed by the division. The bill awards up to 10 grants to programs for the purpose of providing child development and parenting skills to young males. A \$1 million appropriation is proposed for the program. The division will consider the bill at a later meeting.

Sen. Sandra Pappas (DFL-St. Paul) presented S.F. 2463, establishing two voluntary consortiums to design a model for financing public schools without using property taxes. She said that the consortiums would examine alternative funding sources, such as income taxes or sales tax. Currently, property taxes generate \$2 billion for school funding. The division discussed the proposal and took no action on it.

The division continued its review of S.F. 1790, authored by Sen. Gen Olson (IR-Minnetrissa). The bill contains a variety of education policy changes proposed by the Dept. of Education. No action was taken on the bill.

## Faculty exchange modified

The Higher Education Division approved a bill extending the faculty exchange program to include all of the state's post-secondary institutions at the meeting, Tues. Mar. 22.

The division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), also concluded the review of supplemental and capital budget requests.

S.F. 2120 allows public and private post-secondary institutions, which have teacher preparation programs, to take part in the faculty exchange program. The program enables K-12 and higher education faculty to change places. Grants are available to offset any impact that the exchange may have on retirement credits or insurance coverage

either of the teachers receive. Current law limits participation to public post-secondary institutions but the bill removes that limit, Sen. Cal Larson (IR-Fergus Falls), the bill's author, said. The division approved the bill and re-referred it to the Education Division.

The division members turned their attention to the supplemental and capital budget requests from the Higher Education Board (HEB), the body that will govern the combined state university, community college and technical college systems when the merger occurs in 1995.

Jay Noren, HEB chancellor, said the board's requests are based on needs that will enable them to manage the merged system when that merger takes effect. The HEB has requested a total of \$6.4 million to set up an accounting, personnel and procurement system and \$600,000 to establish a student records system at five co-located campuses. Another \$900,000 is requested for space rental, to provide retraining or out-placement for employees coming into the merged system, and to cover legal expenses associated with the merger.

Noren said the HEB capital budget focuses on libraries and co-located campus projects. The governor recommended the board be given \$104 million in bonding authority for a project list that combined the priorities of the three merging systems.

## Environment and Natural Resources

### Spear fishing date changed

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Intn'l. Falls), met Fri., Mar. 18, to hear six bills. The committee also confirmed William A. Urseth to the Minnesota Pollution Control Agency.

Sen. Don Samuelson (DFL-Brainerd) presented a bill changing the spear fishing ending date to the third Monday in February. S.F. 2237 was approved and sent to the Senate floor.

Sen. Steve Dille (IR-Dassel) briefed the committee on S.F. 2023. According to Dille, the bill allows work on the commercialization of genetically engineered organisms in agriculture products. The bill, stated Dille, excludes human genetic work. Dille's proposal was approved and sent to the Senate floor.

S.F. 1841 establishes future planning for state trails. According to Sen. Pat Piper (DFL-Austin), the author of the proposal, a future trail from Chatfield to the Mississippi River and the use of abandoned rail line, will be ensured. "We want to plan sensibly," stated Piper. S.F. 1841 was approved and sent to the Consent Calendar.

Sen. Gene Merriam (DFL-Coon Rapids) presented a bill allowing nonresidents to take rough fish by harpooning. S.F. 1741 was approved and sent to the Senate floor.

Sen. Charles Berg (DFL-Chokio) presented a bill expanding the scope of cooperative farming agreements on hunting, game refuge or wildlife management. According to Berg, S.F. 2154 exempts these agreements from treatment as leases for tax purposes. The proposal was approved and re-referred to the Taxes and Tax Laws Committee.

Sen. Dan Stevens (IR-Mora) outlined S.F. 2149 for the committee. Stevens stated that the bill puts the pilot field citation project into law. The pilot project has worked remarkably well at reducing solid waste that is disposed of illegally, according to Stevens. S.F. 2149 was approved and sent to the Consent Calendar.

## OWM changes approved

Four bills were approved at the Tues., Mar. 22, meeting of the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls).

S.F. 2523, authored by Sen. Gene Merriam (DFL-Coon Rapids), changes the name of the Office of Waste Management to the Office of Environmental Assistance. According to Merriam, the bill transfers the environmental assistance programs from the Minnesota Pollution Control Agency (PCA) and waste management and policy planning from the Metropolitan Council to the new Office of Environmental Assistance. Merriam stated that the arrangement separates the regulatory and education/promotion programs within the state agencies.

The bill was approved and re-referred to the Governmental Operations and Reform Committee.

A bill appropriating \$50,000 to the Lewis and Clark rural water system and allowing a state agency to solicit federal funding for the program was presented by Sen. Jim Vickerman (DFL-Tracy). According to Vickerman, under S.F. 1956, the system provides a needed water resource to southwestern Minnesota. The bill was approved and sent to the Finance Committee.

Sen. Douglas Johnson (DFL-Cook) presented S.F. 1915, a bill requiring that snagged fish be returned to the water. According to Johnson, the proposal prevents the taking of intentionally snagged fish and prohibits the taking of snagged live fish on the tributaries of Lake Superior. The bill was approved and sent to the Senate floor.

Johnson also presented S.F. 2608, a bill authorizing the Dept. of Natural Resources to have a new sale of land for lots in Cook county at which the lessee may bid. Johnson stated that a problem with a previous sale occurred and a family was placed in a position that caused them to overbid on the parcel of land being offered. The bill was approved and sent to the Senate floor.

## Flood relief advances

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Wed. evening, Mar. 23, to hear fourteen bills.

The flood relief package, S.F. 2168, was approved and advanced to the Finance Committee. The author, Sen. Joe Bertram, Sr. (DFL-Paynesville), explained that the bill appropriates \$12 million to aide flood stricken agricultural producers and businesses. Sen. Richard Cohen (DFL-St. Paul) presented S.F. 2140. According to Cohen, the bill requests funds for the development of the Minnesota Science Museum. The proposal was laid over for consideration. S.F. 2289, authored by Sen. Gene Merriam (DFL-Conn Rapids), authorizes the Minnesota Pollution Control Agency (PCA) to collect fees proportionate to the additional cost it incurs when processing an expedited permit application. The bill was approved and re-referred to the Finance Committee.

Sen. Leonard Price (DFL-Woodbury) presented S.F. 1909. The bill requires cities and counties to adopt ordinances complying with PCA rules regarding individual sewer systems. S.F. 1909 was approved and re-referred to the Finance Committee. S.F. 2220, authored by Price, provides for the revised duties of the Legislative Water Commission. The bill was approved and re-referred to the Governmental Operations and Reform Committee. Sen. Steve Morse (DFL-Dakota) presented S.F. 2054. According to Morse, the proposal clarifies the projects for which the Dept. of Natural Resources is

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allowed to use classified employees. The bill was approved and re-referred to the Finance Committee. S.F. 2451 adds land to some state parks, according to Sen. Janet Johnson (DFL-North Branch). Johnson stated that the bill does not appropriate funds toward the purchase of the land, rather, it establishes priority list for expansion. Johnson's proposal was approved and sent to the Consent Calendar. Morse presented a comprehensive landfill cleanup bill. S.F. 1133 addresses a need for state assistance in the cleanup of Minnesota's landfills, said Morse. The bill was approved and re-referred to the Commerce and Consumer Protection Committee.

S.F. 1616, authored by Sen. Kevin Chandler (DFL-White Bear Lake), establishes a private cause of action for the abandonment of hazardous waste. According to Chandler, the legislation discourages a lessee from leaving hazardous waste in the possession of a lessor. S.F. 1616 was approved and sent to the Consent Calendar. Sen. Steven Novak (DFL-New Brighton) presented S.F. 1937. The bill is a request for \$1.8 million for the Laurentian Environmental Learning Center. The bill was laid over for consideration.

Sen. Ted Mondale (DFL-St. Louis Park) outlined S.F. 2313. The bill provides for the release of liability pertaining to waste and the determination of fault in waste related cases. The proposal was approved and re-referred to the Judiciary Committee. Merriam presented S.F. 2445, a bill modifying accounts within the game and fish fund and allowing for additional oversight of the budgeting and use of the funds. The proposal was re-referred to the Finance Committee.

Sen. Harold "Skip" Finn (DFL-Cass Lake) presented a bill allowing local road authorities to remove beaver dams with the permission of the commissioner of natural resources when the dams are threatening a road or public safety on a road. S.F. 2468 was approved and sent to the Consent Calendar. Sen. Charles Berg (DFL-Chokio) outlined S.F. 2467, a bill modifying the size limit for walleyes. The approved bill provides for a limit of no more than one walleye longer than 24 inches and one pike no longer than 30 inches. The bill also changes the boundary of the west central goose range. S.F. 2467 was approved and sent to the Senate floor.

## Flood relief moves forward

The Environment and Natural Resources Finance Division met Fri., Mar. 18, to hear six bills. The division, chaired by Sen. Steven Morse (DFL-Dakota), approved three of the bills and laid the others over for more consideration.

Sen. Joe Bertram, Sr. (DFL-Paynesville) presented S.F. 2168. The bill provides \$12 million for relief to flood stricken farmers and agriculture producers. The provisions in the bill call for an exemption from sales tax on the purchase of farm equipment, an ethanol development fund, a matching federal emergency management assistance fund, a jobs creation program, a wheat scab research fund, an agricultural resource centers fund, a training program in farm financing, a farmer's advocacy and dairy litigation fund, and an Agricultural Utilization Research Institute appropriation. Morse commended Bertram for developing a proposal that provides long term solutions to short term problems. The bill was approved by the division and referred to the full Environment and Natural Resources Committee.

S.F. 1730, authored by Sen. Dean Johnson (IR-Willmar), provides for the forgiveness of

a \$42,000 debt owed by the city of Morton. Johnson stated that the city of Morton was loaned \$50,000 for a pilot litigation loan project relating to waste water treatment. According to Johnson, an agreement between the Minnesota Pollution Control Agency (PCA) and the city of Morton fell through and the city was left with a debt it can not pay. The bill was approved and referred to the full Environment and Natural Resources Committee.

If waste is sent to an environmentally inferior landfill, an extra fee must be added, according to a bill authored by Sen. Janet Johnson (DFL-North Branch). In Johnson's proposal, S.F. 2050, landfills that are determined to be environmentally inferior under PCA standards, are mandated to set aside a trust fund for future cleanup. Johnson's proposal was approved and referred to the full Environment and Natural Resources Committee.

Sen. Harold "Skip" Finn (DFL-Cass Lake) presented S.F. 1851. Under the bill's provisions, \$75,000 is appropriated to fund the continuation of a citizens lake monitoring and electronic lakes bulletin board program. According to Finn, 500 citizens assist in the collection of lake water in order to monitor quality. S.F. 1851 was laid over for consideration.

A total of \$154,000 is appropriated to the city of Eagle Lake to pay for an interceptor connection to a waste water treatment center in Mankato, under S.F. 1964. The proposal's author is Sen. Tracy Beckman (DFL-Bricelyn). The bill was laid over for consideration.

Sen. Bob Lessard (DFL-Intn'l. Falls) presented a bill to continue funding of the Voyageurs National Park Citizen's Council. According to the council's chair, Milt Knoll, the council plays an important role in representing Minnesota's interests in decisions made concerning the national park. Jennifer Hunt, a representative of the Voyageurs Regional National Park Association, urged the division to discontinue the funding for the citizen's council because it represents special interests, not Minnesota as a whole. The bill was laid over for consideration.

## Packaging bill reviewed

At the Mon., Mar. 21, meeting of the Environment and Natural Resources Finance Division, Sen. Kevin Chandler (DFL-White Bear Lake) presented a packaging reduction bill.

S.F. 1859 is a proposal to give private industry a goal to work toward in reducing packaging and the waste it generates, according to Chandler. Chandler stated that the bill does not take effect until 1997 and 1998, allowing private industry time to keep progressing in the direction it is now. Chandler said a base year of 1990 is set by the bill for calculations of recycling and packaging reduction progress. If the goal of the legislation is met prior to the deadlines, a provision in the bill prevents the limits contained in the bill from taking effect, said Chandler. Dave Locey of the Minnesota Soft Drink Association, Pat Van Keuren of the American Can Company, and Terry Bedell of the Clorox Company, testified against the proposal stating that industry is progressing well on the reduction of waste packaging and does not require legislation to continue being motivated to reduce packaging.

Chandler's proposal was laid over until an evening meeting of the division, chaired by Sen. Steven Morse (DFL-Dakota).

## Packaging reduction bill fails

The Environment and Natural Resources Finance Division, chaired by Sen. Steven Morse, met Mon. evening, Mar. 21, to continue work on S.F. 1859 and act on two additional bills.

S.F. 1859, presented by Sen. Kevin Chandler (DFL-White Bear Lake), was not approved by the division. According to Chandler, the bill establishes goals reducing waste generated by packaging. Kevin Johnson from the Office of Waste Management stated that the estimated net cost of the proposal to industry is between \$2.3 million and \$22 million.

Sen. Leonard Price (DFL-Woodbury) outlined S.F. 2220 for the division. The bill is an attempt to clarify the 1989 Ground Water Act, according to Price. Price stated that the bill provides for the duties of the Legislative Water Commission and requires reports on ground water to be sent to the Environment Quality Board. S.F. 2220 was approved and referred to the full Environment and Natural Resources Committee.

S.F. 2445, authored by Sen. Gene Merriam (DFL-Coon Rapids), makes revisions to the stamps and surcharge funds in the game and fish fund. The bill is an attempt to make expenditures from the funds match the intended use of the funds, said Merriam. The proposal was approved and referred to the full Environment and Natural Resources Committee.

## Landfill cleanup bill approved

The Environment and Natural Resources Finance Division, chaired by Sen. Steven Morse (DFL-Dakota), met Tues., Mar. 22, to hear two environmental learning center appropriation bills and to take action on a landfill cleanup bill.

The landfill bill, S.F. 1133, received the division's approval and was sent to the full Environment and Natural Resources Committee. Morse, the author of the cleanup proposal, stated that the bill is a positive step toward dealing with the landfill pollution cleanup problems of the state.

S.F. 2294, presented by Sen. Dean Johnson (IR-Willmar), requests \$1.5 million for the Prairie Woods Environmental Learning Center. According to Johnson, the money will be granted to the center for construction of a residential learning center in Kandiyohi county. Johnson said the land on which the center will be built will be leased to Prairie Woods by the county. S.F. 2294 was laid over for consideration.

S.F. 1588, authored by Sen. Roger D. Moe (DFL-Erskine), requests a \$3.3 million grant for the construction of a residential learning center at the Agassiz Environmental Learning Center in Polk county. According to Moe, the center has a valuable impact on education in the area. S.F. 1588 was laid over for consideration.

## Junkyard bill advances

A bill providing for the evaluation of motor vehicle salvage facilities by the PCA was advanced to the policy committee by members of the Environment and Natural Resources Finance Division. The division, chaired by Sen. Steven Morse (DFL-Dakota), amended the measure by clarifying that the funds for the bill are a reallocation of part of the appropriation made to the waste tire fund for FY 95. S.F. 2520, authored by Sen. Leonard Price (DFL-Woodbury), also requires the commission of the Pollution Control Agency to conduct facility evaluations to

evaluate waste management practices and provide technical assistant for corrective actions.

In other action, the panel heard two additional bills at the Wed., Mar. 23, meeting. S.F. 1937, authored by Sen. Steven Novak (DFL-New Brighton), provides an appropriation of \$1.85 million from the bond proceeds fund for improvements at the Laurentian Environmental Learning Center. Two elementary school students from Moundsview testified in favor of the bill. S.F. 2254, authored by Sen. William Luther (DFL-Brooklyn Park), appropriates money for the state's commitment to scenic easement acquisition under the federal Lower St. Croix River Act of 1972. No formal action was taken on either bill, however, the measures are to be considered for inclusion in the omnibus bill.

Finally, division members began hearing testimony on a bill imposing an assessment on wood acquired by wood mills and providing for the certification of loggers and foresters. Morse indicated that no action would be taken on the bill, S.F. 2092, this year. The measure, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), is expected to be the subject of interim discussion.

## Ethics and Campaign Reform

### Term limits testimony begins

The debate surrounding term limits began in the Ethics and Campaign Reform Committee Thurs., Mar. 17. The committee, chaired by Sen. John Marty (DFL-Roseville), listened to Sen. Dean Johnson (IR-Willmar) present S.F. 493. The bill proposes an amendment to the Minnesota constitution, intended for the 1994 ballot, that restricts the number of terms legislators and executive officers can serve.

Among the bill's supporters were Chuck Slocum, Minnesotans For Term Limits; Tom Weaver, from the governor's office; Bob Kuhlen, Libertarian Party of Minnesota; and Chris Georgacas, IR party chair. Based on polls showing that 79 percent of the population wants to vote on the issue, proponents argued that time has come to let the electorate decide.

Slocum said that term limits are necessary to level the playing field of the political scene. The average percentage rate of incumbency in the Legislature is 90 percent and for a new candidate to overcome that obstacle is almost impossible. The effect is that fewer people participate in government, he said. Pointing to the 17 states that currently have term limits, Slocum said "The trend is unmistakable and well documented."

"The point is to make representative government more representative," Kuhlen said. He explained that changes in the membership of a body, produce changes of committee chairs and other influential positions. According to Kuhlen, "Certain legislators have too much power and others have too little."

Weaver pointed out that term limits is a unique issue because by withholding it from the ballot, the Legislature is, in effect, deciding for the public. "There is a patent conflict of interest," he said.

Supporters also claim that career politicians have entrenched relationships with monied lobbyists. Term limits are a method of loosening the grip on legislators, they claim.

Arguing against Johnson's bill were several organizations and individuals including Kay Erickson, League of Women Voters, and Rich

Keiser from Carlton College in Northfield.

Opponents insist that politicians will be more susceptible to influence from special interest groups under term limits. As new members, legislators are dependant on staff and outsiders. Anderson said that in California lobbyists have gone so far as to write legislation for junior members.

Erickson said that politics is the only area where experience is not valued. "You would not employ an amateur pediatrician," she said, "so why an amateur politician?"

The "revolving door" problem was also addressed.

Lastly, opponents argued that there is no need for limits. As Anderson declared, "We already have term limits--They're called elections."

## Family Services

### Coordinator position approved

The Family Services Committee, chaired by Sen. Pat Piper (DFL-Austin), approved a measure, Thurs., Mar. 17, that adds a position to the State Board of Aging.

S.F. 2049 adds an Indian Elders Coordinator position to the Board of Aging, Sen. Harold "Skip" Finn (DFL-Cass Lake) said, and defines the responsibilities that will go with that post. He said that a coordinator is needed on the board in order to address the unique needs of Indian elders that are not now being met.

In other business, the committee reviewed a proposal creating an administrative process that can be used to set up child support orders. S.F. 2090, authored by Sen. Don Betzold (DFL-Fridley), creates a process that includes mechanisms for setting uncontested support orders and administrative hearings in order to reach support settlements without court action. Betzold said that contested support proceedings would still be decided in the court system.

The committee also considered the nomination of Maria Gomez for the position of Commissioner of Human Services and recommended her for confirmation by the full Senate.

### Support order process approved

The Family Services Committee approved a bill establishing an administrative process that can be used to set child support orders at its meeting, Tues., Mar. 22.

The committee, chaired by Sen. Pat Piper (DFL-Austin), also approved a bill modifying the submission requirements of the Community Social Services Plan, and a proposal that sets up a child care staff retention grant program.

S.F. 2090 establishes an administrative process that can be used to set child support orders. The author, Sen. Don Betzold (DFL-Fridley), explained that the bill allows uncontested orders to be set through the process, provides a procedure for administrative hearings on contested proceedings, and allows parties that wish to use the court system to do so. Upon its approval, the bill was re-referred to the Judiciary Committee.

The committee approved S.F. 2135, a bill that changes when counties submit their Community Social Services plan to the Commissioner of Human Services for approval. The bill also allows summaries, rather than copies of the entire plan, to be used during the public review process. Sen. Dallas Sams (DFL-Staples), the bill's author, said that current law requires counties to submit their plans for approval by Nov. 15, but the bill delays those submissions until 30 days after counties have approved their

budgets in Dec. The bill was sent to the Consent Calendar.

Sen. Linda Berglin (DFL-Mpls.) presented S.F. 2000, providing for the award of grants to child care providers based on the number of low-income and special needs children they serve. She said providers could receive up to \$200 for each of the children they serve. The bill also limits the amounts a provider may receive. The bill was approved and re-referred to the Health Care and Family Services Finance Division.

The division also began discussing S.F. 2271, requiring the Dept. of Human Services to publish the names and last known addresses of those who have not made a child support payment in the last 12 months and who owe at least \$3,000 in back payments. Sen. Dan Stevens (IR-Mora), the bill's author, said that the list would be published quarterly in newspapers with the widest circulation in each county. The committee heard testimony from child support enforcement officials who said the published list would give them another tool to use in locating individuals who owe child support. Opponents raised concerns about data privacy issues and asked that a pre-publication notice be given to those who will be on the list. The committee took no action on the bill.

## Finance

### Capital budgets presented

The State Government Division of Finance, chaired by Sen. Richard Cohen (DFL-St. Paul), met Wed., Mar. 23, to review three proposals.

Sen. Jim Vickerman (DFL-Tracy) presented S.F. 649, a bill that authorizes construction of a noncommercial television tower in Murray County. Vickerman said that the southwest corner of the state is the only remaining large geographic area not served by public television. The tower will provide cultural, educational, and public affairs programming to an estimated 84,284 households. The project requires \$1.2 million in state funds, to be matched by \$1.2 in federal funds. No action was taken on the bill.

Also presented by Vickerman was a request from the commissioner of veterans affairs. During the 1993 session the County Veteran Service Officer Grant and Education legislation was passed with an accompanying annual appropriation of \$155,000. The commissioner requests that a rider, to disregard the limitation on the number of grants awarded to counties in each of the four veteran population categories be attached.

The division reviewed capital budgets of the Dept. of Administration and the Capitol Area Architectural Planning Board. Dennis Spalla, Assistant Commissioner from the Dept. of Administration, said that the Strategic Plan for Locating State Agencies establishes a flexible framework for meeting agencies' space needs during the next 20 years.

Currently, 48 percent of the space occupied by state agencies is state-owned. The department's goal is to move toward 70 percent ownership of state-occupied space by the year 2013. Spalla said that the intention is to encourage development in the Capitol Area, the Capital City, and the Capital Region.

The Capitol Area is the hub of state government and provides the setting for the Capitol Building, Spalla said. Public service agencies with strong ties to the Capitol will be located immediately east, west, and north

# Committee update

of the Capitol. Spalla emphasized that community development within the Capitol Area is also projected.

Gary Grefenberg, executive director of the Capitol Area Architectural Planning Board spoke to the division about the Capital City concept. The plan calls for the reunification of the Capitol City and the Capitol Area, as originally envisioned by Cass Gilbert, prior to being severed by the freeway. A corridor linking the areas will be developed along Robert and Cedar Streets, extending from I-94 to Kellogg Boulevard and from St. Peter to Wall Street. Grefenberg said that the development will recognize St. Paul's urban landscape, while reinforcing the symbolic importance of the three major visual landmarks—the Cathedral, downtown skyscrapers, and the Capitol.

## Gaming Regulation

### Gaming bill okayed

The Senate Gaming Regulation Committee made final changes to an omnibus gambling bill at its closing meeting Wed., Mar. 23. S.F. 2685, authored by the committee's chair, Sen. Charles Berg, (DFL-Chokio), incorporates a variety of amendments.

Several amendments adopted relate to pull-tabs. Sen. Joe Bertram, Sr. (DFL-Paynesville) offered an amendment that allows employees to participate in lawful gambling at the establishment in which they work, provided the organization voluntarily posts, or is required to post, the major prizes. Furthermore, an organization may sell and redeem pull-tabs from any place behind the bar, while maintaining separate cash banks for each deal of pull-tabs, unless two or more deals are commingled in a single receptacle, or the organization uses a board approved cash register to record sales by separate deals. Lastly, an amendment allowing for a base adjustment for unsold tickets was approved.

Sen. Thomas Neuville (IR-Northfield) moved an amendment stating that license renewals can not be denied unless the board has notified the licensee by registered mail and allowed the licensee five business days from the date of receipt to respond.

Neuville also offered an amendment that allows for reimbursement of reasonable expenses to an organization supporting a military marching unit.

The committee also adopted an amendment that allows establishments to collect on bad checks written for gambling debts. Previously, these checks were non-collectable.

Finally, an amendment to establish an advisory council on gambling was approved. The council will consist of 17 members from various interests, and their study findings must be reported to the legislature by Jan. 1, 1995. The bill was advanced to the Taxes and Tax Laws Committee

## Governmental Operations and Reform

### Acupuncture bill goes to floor

The Governmental Operations and Reform Committee, chaired by Sen. James Metzen (DFL-South St. Paul), met Fri., Mar. 18, to take action on six bills.

Acupuncture practitioners in Minnesota will require certification under S.F. 1369. Sen. Dallas Sams (DFL-Staples), the proposal's author, stated that the bill is

needed for health and safety reasons. Edith Davis, president of the Acupuncture School, testified in support of the proposal. S.F. 1369 was approved and sent to the Senate floor.

S.F. 2195, presented by Sen. Phil Riveness (DFL-Bloomington), prohibits standing requirements by the Legislature for periodic reports. According to Riveness, the bill also requires a fiscal note stating the cost of preparing the report. The bill was approved by the committee and sent to the Senate floor.

Sen. Duane Benson (IR-Lanesboro) presented a bill authorizing the towns in Olmsted county to adopt and enforce the state building code. S.F. 2056 was approved and sent to the Consent Calendar.

Sen. Ember Reichgott Junge (DFL-New Hope) presented a proposal to provide grants to local governments for innovative programs under the board of government innovation and cooperation. According to Reichgott, the legislation simplifies the grant process. S.F. 2143 was approved and re-referred to the Taxes and Tax Laws Committee.

S.F. 2367 makes provisions for the transition from the technical college, community college, and state university system to the unified higher education board system. According to the author, Sen. LeRoy Stumpf (DFL-Thief River Falls), the Higher Education Board will have the authority to negotiate and administer collective bargaining agreements. Opponents of the legislation cited the need for a uniform negotiating system under the Dept. of Employee Relations. S.F. 2367 was laid over for further consideration.

Under a proposal by Riveness, audits of local governments must include a best practices review. According to Riveness, S.F. 2194 allows money saving and efficiency increasing ideas to be shared via the Legislative Auditor's Office. S.F. 2194 was approved and re-referred to the Finance Committee.

### Higher ed bill approved

The Governmental Operation and Reform Committee, chaired by Sen. James Metzen (DFL-South St. Paul), met Tues., Mar. 22, to discuss two bills.

Sen. LeRoy Stumpf (DFL-Thief River Falls) presented two revisions to S.F. 2367, a bill laying down rules for the higher education merger. The amendment, according to Stumpf, allows the Dept. of Employee Relations to approve collective bargaining agreements. Stumpf also said that the Dept. of Employee Relations has agreed to work cooperatively with the Board of Higher Education on the issue. The second compromise outlined by Stumpf is a provision dealing with employment security. The agreement provides for a Memorandum of Understanding that prohibits layoffs until an agreement has been negotiated between the represented unions and the employers. The amendment was adopted and the bill was approved and sent to the Education Committee.

Sen. John Hottinger (DFL-Mankato) outlined S.F. 1969. According to Hottinger, the bill revises procedures used for the adoption and review of administrative rules. Hottinger stated that the provisions in the bill are based on standards adopted by the Legislative Commission to Review Administrative Rules (LCRAR). "There is a need to look at the rule making process," said Hottinger, who added that the bill is designed to enhance legislative oversight, allow more public access to the rule making process, and increase accountability for the Legislature,

governor, and state agencies. Hottinger said that the bill is not increasing the ease or speed of rule making. S.F. 1969 was approved and re-referred to the Finance Committee.

### Capital improvements bill gains

The Governmental Operations and Reform Committee, chaired by Sen. James Metzen (DFL-South St. Paul), approved S.F. 1803 at a Wed., Mar. 23, meeting. The committee also began hearing Sen. Linda Berglin's (DFL-Mpls.) health care bill.

Sen. Dean Johnson (IR-Willmar) continued presenting S.F. 1803, a bill appropriating funds for capital improvements and construction. Dennis Spalla, assistant commissioner of the Dept. of Administration, reviewed three remaining components of the bill. Spalla stated that under the provisions of the bill, \$400,000 funds a design competition by the Capitol Area Architectural Planning Board. According to Spalla, the bill provides \$250,000 for predesign work on an education building and \$5.485 million for the replacement of the Capitol roof, repair of the Capitol balustrade, restoration of the Capitol Quadriga, and for designing review fees.

Sen. Lawrence Pogemiller (DFL-Mpls) proposed an amendment deleting the sections of the bill that do not pertain to the committee's legislative area. Metzen offered an amendment that removes \$2.5 million of funding for predesign and design. Sen. Deanna Wiener (DFL-Eagan) proposed a measure that requires the commissioner of administration to report to the Legislature periodically on the status of the long range strategic plan. All three amendments were adopted.

Berglin began the presentation of S.F. 2192, the MinnesotaCare bill and will continue at a future hearing.

### County CPA audits okayed

As the first committee deadline approached, members of the Governmental Operations and Reform Committee began a series of evening meetings Wed., Mar. 23. The panel, chaired by Sen. James Metzen (DFL-South St. Paul), cleared eight bills from the agenda.

One of the more controversial proposals was a bill to allow counties to hire certified public accountants to perform county audits. S.F. 1715, authored by Sen. Cal Larson (IR-Fergus Falls), also specifies that the state auditor may prescribe the methods and conditions for the examinations by CPAs. Currently, the state auditor performs county audits. Larson said that, under current law, school districts and cities, other than cities of the first class, are allowed to use outside firms for audits. According to Larson, the bill is designed to streamline the audit function and reduce the cost of having the state auditor perform the county audits. However, representatives of the state auditor argued that the state auditor provides more objective audits of county finances. Sen. Lawrence Pogemiller (DFL-Mpls.) offered an amendment specifying that a county may not employ the same outside audit firm for more than five years. The amendment was adopted, the bill was approved and sent to the full Senate.

Members also approved S.F. 1695, authored by Sen. Don Samuelson (DFL-Brainerd). The bill establishes a veterans' cemetery near Camp Ripley and provides for the funding of the cemetery. The measure was re-referred to the Finance Committee. S.F. 1742, authored by Sen. Gene Merriam (DFL-Coon Rapids), was also approved and

re-referred to the Committee on Finance. The measure authorizes that the staff and administration of the Environmental Quality Board report directly to the board rather than the Office of Strategic and Long Range Planning. An amendment, offered by Sen. Duane Benson (IR-Lanesboro), provides for the commissioner of the Pollution Control Agency to serve as chair of the agency. The amendment was adopted.

S.F. 1849, authored by Sen. Pat Piper (DFL-Austin), provides that health-related licensing boards may establish a program to protect the public from persons regulated by the boards who are unable to practice with reasonable skill and safety by reason of illness, use of alcohol, drugs, chemicals or other substances, or as a result of a mental, physical or psychological condition. The measure was approved and re-referred to the Finance Committee. S.F. 2316, authored by Metzen, makes numerous housekeeping changes in the laws governing the State Board of Investment. The measure was approved and sent to the Senate floor. A bill making housekeeping changes in the laws governing the Dept. of Employee Relations, S.F. 2462, was also approved and recommended for the Consent Calendar. The measure is carried by Sen. Roy Terwilliger (IR-Edina). S.F. 2669, authored by Pogemiller, establishing a public employees insurance cooperative task force, was approved and sent to the Finance Committee. S.F. 2720, sponsored by Sen. Richard Cohen (DFL-St. Paul), provides an appropriation for preliminary planning for a human development center in or near the Capitol. The measure was approved and sent to the Finance Committee.

## Health Care

### Insurance counseling approved

The Health Care Committee met Thurs., Mar. 17, and approved several bills. Sen. Linda Berglin (DFL-Mpls.), the chair of the committee, sponsored S.F. 2130, a bill establishing a health insurance counseling and assistance program for senior citizens. The bill provides free assistance to any Medicare beneficiary, or any friend or family member of a Medicare beneficiary. Dawn Simonson, of the Minnesota Senior Health Insurance Community Network, stated that the program provides critically needed assistance for individuals who are confused by the policies and procedures of Medicare. The assistance program is expected to recover Medicare dollars through expanding counseling and education.

The bill appropriates \$350,000 to be distributed on the basis of the number of individuals 65 or over in an area. Sen. Sheila Kiscaden (IR-Rochester) expressed concern that the program was publicly subsidized, and proposed a fee for service program. Kiscaden said that the state was acting unjustly towards other population groups by providing services specifically for Medicare recipients. The bill was approved and re-referred to the Health Care and Family Services Funding Division.

Sen. Allan Spear (DFL-Mpls.) presented S.F. 2134, a bill that allows an exception to the moratorium on the development of group residential housing beds for a facility in Hennepin County for chronic chemically dependent American Indians. Several supporters, including Judy Olson of the American Indian Housing Corporation, testified about the importance of the housing facility. Olson stated that the facility gives American Indians greater opportunities and choices by assisting in residential needs. In addition to housing, the facility provides residents with a sense of self-respect and

dignity, Olson said. The bill advances to the Health Care and Family Services Funding Division.

Sen. Dallas Sams (DFL-Staples) presented S.F. 1892, clarifying standards for payment rates for Developmental Achievement Centers (DAC). The bill allows a variance from the payment rates for services for persons with mental retardation, and provides an appeal process for a vendor when the commissioner rejects a request for a variance. Charles Oakes of the Wadena County DAC stated that the bill was rigorous in requiring proper evidence, but that the bill removed restrictive language. The bill was approved and now goes to the Health Care and Family Services Funding Division.

### Prescription drug bill approved

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.) heard testimony on S.F. 2181 at the meeting Tues., Mar. 22. The bill, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), gives the commissioner of administration the authority to negotiate contracts for all prescription drugs sold in the state. State agencies are prohibited from purchasing prescription drugs from a manufacturer that does not adhere to the contract price requirements established in the contracting program. The bill allows the commissioner of human services to seek a waiver in order to allow Medical Assistance to participate in the state contracting program. In the bill, drugs purchased by a hospital or by a community health clinic for internal use are exempt.

Supporters stated that the bill would end discriminatory pricing practices by pharmaceutical manufacturers, and lower consumer drug prices by creating more competition. Joan Winn, of the Minnesota Senior Federation, testified about the exorbitant prescription drug costs. Winn stated that the bill ensures community pharmacists' viability and benefits consumers through the Dept. of Administration's negotiating leverage.

Opponents of the bill testified that the state is not necessarily an effective, cost-efficient purchaser, and that determining the drug prices eliminates competitive incentives to keep down costs. Linda Warner, of the Epilepsy Foundation, stated that the bill may cause a lack of access to necessary drugs, and a limited formulary based only on cost considerations. Finn responded that the bill does not provide for any formulary. The bill was approved and advances to the Finance Committee.

Sen. Dallas Sams (DFL-Staples) presented S.F. 2413, a bill establishing the definition and requirements for first responder medical caregivers. The bill was laid over for further discussion.

### ENABL bill, others advance

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Wed. morning, Mar. 23, to approve four bills. Sen. Jane Krentz (DFL-May Township) presented S.F. 2273, a bill developing a teen pregnancy prevention program modeled after the "Education Now and Babies Later" (ENABL) program in California. The program focuses on reducing the incidence of teen pregnancy through an abstinence-based curriculum. Several supporters from a broad range of organizations testified to the need for teen support in resisting the pressure to be sexually active. The bill goes to the Health Care and Family Services Funding Division.

Sen. Sam Solon (DFL-Duluth) presented to S.F. 2710, a bill clarifying the lead abatement law administered by the Dept. of

Health. The bill develops building codes, and provides guidance for the removal of paint that violates the lead paint standard. Proponents testified that the bill provides an important function of encouraging lead safety and identifying lead safe directives. Bob Bell, a remodeler, expressed concern about the increase cost to the consumer, and the resulting risk to consumers who decide to remodel without a professional. Sen. Harold "Skip" Finn (DFL-Cass Lake) proposed two amendments concerning data privacy and the definition of lead abatement. The bill, as amended, advances to the Consent Calendar.

S.F. 1694 was presented by Sen. Don Betzold (DFL-Fridley). The bill modifies the procedures for administering neuroleptic medications to persons committed as mentally ill or mentally ill and dangerous under the Civil Commitment Act. The bill addresses the delays in the process and places judicial review at the time of a patient's commitment. The bill goes to the floor.

Sen. Jim Vickerman (DFL-Tracy) sponsored S.F. 2345, a bill that modifies provisions regarding licensure of foreign medical school graduates and classifies data on physician license application forms. The bill advances to the Consent Calendar.

### Health care merger prohibition

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), reconvened Wed. evening, Mar. 23, to act on four bills. Sen. John Hottinger (DFL-Mankato) presented S.F. 2661, a bill establishing a moratorium on mergers and acquisitions by hospitals, hospital systems, and health carriers. Hottinger explained that the moratorium allows the state to supervise growth in the marketplace and not let private organizations decide the direction of health care. John Youngdahl, of Minnesota COACT, supported the bill's effort to prevent the three largest health carriers from continuing mergers. Jan Malcomb, of Health Partners, opposed the bill, stating that the bill discourages healthy, vertical integration, and affects the efficiency of the delivery system. Berglin presented an amendment, that was adopted, to delete hospitals and hospital systems from inclusion in the bill and to allow vertical integration and hospital mergers. The bill was approved and advanced to the Commerce Committee.

Berglin sponsored S.F. 2396, providing wage increases for lower paid employees serving persons with mental retardation or mental illness. The bill increases employees' wages an average of 15 percent for those workers making less than \$7.25 an hour. Dave Seeba, of the Range Center, testified that the low wages result in low morale, high turnover, and have a detrimental effect on the patients. The committee adopted an amendment, proposed by Sen. Dallas Sams (DFL-Staples), allowing for automatic inflation adjustments for semi-independent living services and day training and habilitation services. The bill goes to the Health Care and Family Services Funding Division.

Berglin also presented S.F. 2455, a bill that requires managed care plans that provide services to Medical Assistance (MA) and MinnesotaCare recipients to reimburse community health clinics at least the medical assistance rate that would be paid directly to the clinics by the Dept. of Human Services. Berglin explained that the community health clinics have a disproportionate share of MA patients and are losing money. The bill goes to the Consent Calendar.

Sen. Don Samuelson (DFL-Brainerd) presented S.F. 2077, a bill increasing the maximum efficiency incentives for intermedi-

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ate care facilities for the mentally retarded (ICF/MR) reimbursement from \$1.50 to \$2.00 per resident per day. Sams presented an amendment regarding exceptions for replacement beds. The bill, as amended, goes to the Health Care and Family Services Funding Division.

Sams also resumed discussion on S.F. 2413, defining the term first responder and specifying standards for training and certification. Due to imprecise specifications, the bill was laid over.

## Jobs, Energy and Community Development

### Second workers' comp bill

The Jobs, Energy and Community Development Committee continued discussion on the second workers' compensation bill of the session at the Thurs., Mar. 17, meeting. S.F. 2475, according to its author, Sen. Steven Novak (DFL-New Brighton), contains five significant provisions: insurance rate regulation, an increase in permanent partial benefits, a requirement that independent contractors be covered under their employers' workers' compensation insurance, coordination with Social Security benefits, and a requirement that an injured worker must have a disability rating of 15 percent of the whole body to be declared eligible for permanent total disability.

The committee, chaired by Novak, considered three amendments to the bill. The Senators first approved an author's amendment limiting the bill's provisions regarding independent contractors to the construction industry. The panel failed to approve an amendment by Sen. Steve Dille (IR-Dassel), that eliminates the cost of living adjustment to injured workers. The committee also did not adopt an amendment offered by Sen. Linda Runbeck (IR-Circle Pines) that eliminates the 2-tier system.

### Radioactive waste site search

The Jobs, Energy and Community Development Committee met Mon. evening, Mar. 21, and approved six bills. The first, S.F. 1985, sponsored by Sen. Steve Murphy (DFL-Red Wing), memorializes the president and congress to act expeditiously in procuring a site or sites for the storage of high level radioactive waste. The committee approved one amendment, offered by Sen. Dennis Frederickson (IR-New Ulm), specifically asking for an acceleration of the study of the Yucca Mountain site.

The committee approved S.F. 1985 and forwarded it to the Senate floor.

Next, the panel considered two bills sponsored by Sen. Ellen Anderson (DFL-St. Paul). The first, S.F. 1701, calls for the Dept. of Trade and Economic Development to conduct a study on the status of women-owned businesses. The study is to include information on the size, demographics, and types of women-owned businesses, as well as to determine barriers that women in business face in obtaining capital. The panel approved the bill and sent to the committee's funding division.

The second Anderson bill, S.F. 1983, establishes an international partnership program to promote joint business ventures between Minnesota companies, foreign companies and foreign governments. The bill was approved and sent to the Senate floor.

The panel also approved S.F. 1938, sponsored by Sen. Kevin Chandler (DFL-

White Bear Lake), establishing a fine of up to \$5,000 for non-compliance with the law permitting employees the right to review their personnel records.

The committee approved the bill and forwarded it to the Judiciary Committee.

S.F. 2310, sponsored by Sen. Randy Kelly, authorizes \$20 million in bonding and \$10 million from the general fund for financing cleanup grants to clean up pollution to cities, housing and redevelopment authorities, and economic development and port authorities. The bill was approved and sent to the committee's funding division.

Last, the committee heard S.F. 2465, sponsored by Sen. Arlene Lesevski (IR-Marshall). The bill provides an exception to an approval process for contracts that include approval by the attorney general and commissioner of finance. The exception applies to contracts under which the Dept. of Jobs and Training uses state and federal funds to subcontract for the provision of program services to eligible recipients.

The committee approved S.F. 2465 and forwarded it to the Senate floor.

### Elevator worker certification

A bill providing certification for persons who install or repair elevators cleared the Jobs, Energy and Community Development Committee at the Tues., Mar. 22, meeting. Under S.F. 1872, sponsored by Sen. Paula Hanson (DFL-Ham Lake), only a registered elevator mechanic or a person working under the on-site supervision of a registered elevator mechanic may perform work on passenger elevators. To be registered, a worker must complete the national elevator industry education program or its equivalent. A registered mechanic must also have an elevator constructor or master elevator constructor license from the State Board of Electricity.

After taking testimony on the bill, the Senators voted to approve S.F. 1872 and send it to the Senate floor.

The panel next took up S.F. 1862, a bill that adds a thirteenth member to the Jobs Skills Partnership Board. The bill's sponsor, Sen. Phil Riveness (DFL-Bloomington), said that adding one more member prevents tie votes. The Senators approved the bill and forwarded it to the Governmental Operations Committee.

The Senators also approved S.F. 2496, sponsored by Sen. Ember Reichgott Junge (DFL-Mpls.). The bill, according to Reichgott Junge, streamlines the process of obtaining licenses needed to conduct business by moving toward a "one-stop shopping" model. The bill directs the commissioner of Trade and Economic Development to expand the master application procedure to enable an applicant for business licenses to submit a single application and pay a single fee. The bill also directs the commissioner to recommend a timetable for carrying out the changes. S.F. 2496 was approved and sent to the Governmental Operations Committee.

Last, the panel began taking testimony on S.F. 615, sponsored by Sen. Richard Cohen (DFL-St. Paul). The bill changes the definition of disability as it applies to disabled persons under the human rights law, which has the effect of broadening the scope of unfair employment practice. The bill also narrows an exemption from the unfair employment practices provisions, and puts a heavier burden of proof on employers. Because of time constraints, the committee laid S.F. 615 over.

### Disabled worker bill debated

The Jobs, Energy and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met Weds., Mar. 23, and considered four bills. The committee continued taking testimony on S.F. 615, sponsored by Sen. Richard Cohen (DFL-St. Paul). The purpose of the bill, according to its author, Sen. Richard Cohen (DFL-St. Paul), is to prevent an employer from discriminating against a person with a disability who wishes to return to work after having filed a workers' compensation claim.

The bill is supported by the Minnesota State Council on Disabilities and the Minnesota Trial Lawyers Association, whose representatives testified that current law allows employers to discriminate with impunity against workers who have a disability and want to return to work after filing a workers' compensation claim. The bill's opponents, including a representative of the the Minnesota Chamber of Commerce, testified that the bill undermines the original intent of workers' compensation by providing a double remedy for people with disabilities.

The committee first voted on a motion by Sen. Linda Runbeck (IR-Circle Pines), to table the bill. The motion was defeated on a 6-6 vote. Next, the Senators voted on the bill, also defeating it on a 6-6 vote. Subsequently, a Senator who had been detained in another committee requested another vote on the bill. The committee granted the request, and agreed to vote on the bill again at a future meeting.

The committee then heard and approved two bills. S.F. 1982, the Housing Finance Agency housekeeping bill, makes changes in low-income and tribal housing and accessibility loans. The bill, sponsored by Novak, was approved and re-referred to the Taxes and Tax Laws Committee.

S.F. 1825, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), restricts the venue for repossessions of manufactured homes to the county in which the manufactured home is located. The bill was approved and re-referred to the Judiciary committee.

Last, the panel began discussion of S.F. 2473, sponsored by Sen. Kevin Chandler. The bill provides for the availability of alternative regulation plans for telephone companies. Chandler said the bill's purpose is to provide telephone customers with high quality service and rate ceilings, and to provide telephone companies with greater regulatory flexibility. S.F. 2473 was laid over for further discussion and testimony.

### Bonding requests heard

The Jobs, Energy and Community Development Funding Division met Mon., Mar. 21, to consider capitol bonding requests from four agencies.

The Senators heard first from representatives from the Sibley House, who are requesting \$1.073 million for restoration, reconstruction and construction of buildings in the Sibley Historic Complex. The committee, chaired by Sen. Carl Kroening (DFL-Mpls.), also took testimony regarding three other bonding requests: \$1.3 million for the restoration of the west wing of the old Gillette Hospital for use by the Minnesota Humanities Commission; \$6.65 million to continue the Dept. of Public Safety's energy conservation loan program for public buildings; and \$12.5 million for the Labor Interpretive Center.

## Capitol budget requests

The Jobs, Energy and Community Development Funding Division met Weds., Mar. 23, and considered capitol bonding requests for the remainder of the current biennium. The committee, chaired by Sen. Carl Kroening (DFL-Mpls.), heard a request from the Housing Finance Agency for \$2 million, to be used for funding approximately 100 additional units in the Publicly Owned Transitional Housing Program. Next, the Senators heard the Dept. of Jobs and Training request for \$2 million to build or repair Head Start Centers and other early childhood programs. The panel then listened to a request from the city of Minneapolis for \$14.8 million in bonding for the remainder of this biennium to fund an expansion of the Minneapolis Convention Center. The anticipated future bonding requests for the project total an additional \$99.7 million.

## Judiciary

### Two bills laid over

The Joint Judiciary and Crime Prevention Subcommittee on Date Practices laid over two bills Thurs., Mar. 17. The first, S.F. 2359, sponsored by Sen. Linda Berglin (DFL-Mpls.) concerns provisions of the Minnesota Care bill. Berglin told the subcommittee, chaired by Sen. Jane Ranum (DFL-Mpls.) and Sen. Harold "Skip" Finn (DFL-Cass Lake), that significant savings can be realized in the health care industry by implementing a set of administrative standards and simplified procedures when using electronic methods of data interchange.

Concerns were voiced by witnesses regarding the use of social security numbers as identifiers. Ted Thompson, an attorney with the Minnesota Medical Association, said that once personal privacy rights have been harmed, the damage done is irreparable. He also pointed out that there are no defined penalties for misuse of informations.

Don Gemberling, Dept. of Administration, said that currently the social security number is widely used for a variety of things. Private companies may demand that an individual provides a social security number, and if the person refuses to do so, the company can deny service. Regarding the government's use of a social security number, under the 1974 Federal Privacy Act, a social security number is mandatory for matters related to taxes, programs of public assistance, and drivers' licenses.

Berglin said that the bill provides for the encryption of social security numbers, and also an option for those individuals who don't have social security numbers.

Nanette Schroeder, Minnesota Dept. of Health, said that the intention has always been to use the social security number. She said that it provides for uniformity within the state and country, emphasizing that President Clinton's health plan intends to use an encrypted social security number.

Berglin presented an amendment to S.F. 2641 that includes provisions for a patient satisfaction survey and company report cards. The amendment was adopted, and the bill laid over.

The committee resumed discussion about Ranum's bill, S.F. 2539, dealing with provisions regarding the sharing of information on juveniles between schools and law enforcement.

Kathy Kasnoff, a lawyer with the Minnesota Disability Law Center, said that confidentiality is a critical issue for parents of children with emotional, behavioral, or psychiatric emotional disorders. If parents

believe their privacy will be compromised, they are less likely to seek help. The subcommittee will continue work on S.F. 2359 at a future meeting.

### Two bills advance

The Senate Judiciary Committee moved two bills to the floor Fri., Mar. 18. The first, S.F. 2112, authored by the committee's chair, Sen. Ember Reichgott Junge (DFL-New Hope), creates a civil cause of action for persons coerced into prostitution.

Testifying in support of the bill were Mary Madden, an attorney and member of the board of Women Hurt in Systems of Prostitution Engaged in Revolt (WHISPER) and Beverly Balos, a criminal law professor at the University of Minnesota's Law School.

Sen. Allan Spear (DFL-Mpls.) voiced concerns about the provision that lists various acts that are not defenses to a cause of action. Spear said that the way S.F. 2112 is written a defendant is not able to offer any defense of his or her action.

Discussion of the statute of limitations followed. The provision states that an action must commence within six years of the time the plaintiff knew and understood that she or he had been injured by the defendant. The court may grant an extension of the limitations under specific circumstances. S.F. 2112 was approved and moved to the floor.

A bill relating to child abuse reporting, S.F. 2177, was presented by Spear. Currently there are no established protocols for conducting investigations, and Spear's bill implements procedures to protect the child and the innocent. The measure also allows for reimbursement of costs and attorney's fees if the alleged perpetrator prevails in a civil action arising from a report. The committee okayed the measure.

The committee also discussed Sen. Richard Cohen's (DFL-St. Paul) bill, S.F. 2014, which clarifies child support provisions, and Sen. Pat Piper's (DFL-Austin) adoption bill, S.F. 2129.

A bill that addresses guardian ad litem issues, S.F. 2094, was withdrawn by its author, Sen. Jane Krentz (DFL-Stillwater).

### Flag bill to floor

Mon., Mar. 21, the Senate Judiciary Committee approve a resolution requesting the proposal of an amendment to the U.S. Constitution that prohibits desecration of the flag. Testifying in support of the bill, carried by Sen. Jim Vickerman (DFL-Tracy), was Judge Daniel Foley. Foley said that the intention of the bill, S.F. 1700, is to elevate the status of the flag.

Sen. Allan Spear (DFL-Mpls.) argued against the bill, saying that the measure violates the most fundamental principle for which the flag stands, the freedom of speech.

Foley responded that even though the Bill of Rights guarantees freedom of speech, there are, in fact, many situations where actual freedom of speech is curtailed, specifically, laws governing libel and obscenity. "The idea is not to stifle freedom of speech, but to dignify the flag," Foley proclaimed.

Also speaking against the bill was Sen. Don Betzold (DFL-Fridley). Betzold said that although he finds the act of flag burning a despicable gesture, he defends an individual's right to freedom of political expression. S.F. 1700 was sent to the full Senate.

The committee, chaired by Sen. Ember Reichgott Junge, (DFL-New Hope), also sent S.F. 1318 to the floor. The bill, sponsored by Betzold, modifies provisions dealing with the records of health care review organizations. Review organizations are professional

committees established for the purpose of reviewing information related to the care and treatment of patients.

A technical bill, S.F. 1823, was placed on the Consent Calendar. The bill, carried by Sen. Jane Ranum (DFL-Mpls.), corrects cross-references to data practice provisions codified outside of the Data Practices Acts.

Betzold also presented S.F. 1689. The bill contains provisions relating to domestic violence. The measure gives the Juvenile Court power to terminate parental rights if the parent has been convicted of assaulting a family or household member.

S.F. 1689 was re-referred to the Crime Prevention Committee.

### Panel moves against SLAPP suits

At its Mon., Mar. 21, evening meeting, the Senate Judiciary Committee reviewed several bills that aim to protect persons from malicious litigation and reduce frivolous lawsuits. The committee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), opened with discussion of Strategic Lawsuits Against Public Participation (SLAPP).

S.F. 584, authored by Sen. Jane Krentz (DFL-May Township), provides protection from SLAPP suits, civil lawsuits against persons who have exercised constitutional rights by voicing public criticisms. Several witnesses testified in support of the measure, saying that it seriously limits citizen participation in public issues. Beth Goodpaster, Minnesota Public Interest Research Group, said that although the lawsuit bears the name of a real civil action, such as libel or slander, "the genuine aim of these types of suits is to muzzle citizen opposition."

S.F. 584 streamlines and clarifies the applicability of the act and specifies the conduct that is given immunity. The bill also provides for suspension of discovery proceedings, which gives the responding party the burden of proof. An amendment changing the evidentiary standard to "preponderance of the evidence" was adopted, along with another which deletes language stating that a motion must be expedited. The committee approved S.F. 584 and sent it to the full Senate.

S.F. 1784, sponsored by Sen. Phil Riveness (DFL-Bloomington), grants immunity to persons reporting insurance fraud. The measure, which also requires insurers to release to authorities relevant information in the insurer's possession, was moved to the floor.

A bill that establishes a health insurance counseling and assistance program by the Board of Aging was referred to the Health Care Committee. S.F. 2130, carried by Sen. Linda Berglin (DFL-Mpls.), protects certified counselors from civil liability if the counselor's actions are in good faith, within the scope of his or her responsibility, and are not willful or reckless conduct. Furthermore, the measure classifies data maintained by the counselors as private.

Reichgott Junge presented S.F. 2309, a bill that recodifies torts. Amended into S.F. 2309 were two bills. The first, S.F. 651, carried by Sen. Duane Benson (IR-Lanesboro), provides immunity from liability for volunteer athletic physicians and trainers. Also folded into S.F. 2309 was S.F. 1958. The bill, authored by Sen. Jerry Janezich (DFL-Chisholm), limits the standard of liability for landowners who allow the public to use their land for recreational purposes. S.F. 2309 was laid over.

The committee also laid over S.F. 2021, a bill that recognizes "inherent risks of livestock activities." The bill is sponsored by Sen. Gary Laidig (IR-Stillwater).

# Committee update

## Several bills advance

The Senate Judiciary Committee met Wed., Mar. 23, to review a number of bills. The committee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), advanced four bills to the full Senate.

Reichgott Junge presented S.F. 1888, a bill that amends the Human Rights Act, prohibiting discrimination based on marital status. S.F. 1764, authored by Sen. Don Betzold (DFL-Fridley), allows probation and parole agencies, as well as child support enforcement agencies, access to vehicle registration information. S.F. 2291 regulates fees for attorneys performing services as bond counsel for the state, a state agency, or political subdivision. Sponsored by Sen. Gene Merriam (DFL-Coon Rapids), the bill clarifies that fees may not be based primarily on a percentage of the amount of the bonds sold.

Lastly, a bill containing amendments to the statutes governing guardianships and conservatorships was okayed by the members. Carried by Sen. Kevin Chandler (DFL-White Bear Lake), S.F. 2314 provides that kinship should be considered in determining the best interests of the ward or conservatee.

Two of the bills heard by the committee were placed on the Consent Calendar. A bill authored by Sen. Don Samuelson (DFL-Brainerd), S.F. 1793, establishes a procedure for the termination of a time-share interest on a certificate of title. S.F. 1791, carried by Sen. David Knutson (IR-Burnsville), authorizes the commissioner of commerce to provide a copy of a complaint to the subject of the complaint, when the commissioner determines that access is necessary to effectively conduct the investigation.

Sen. Allan Spear (DFL-Mpls.) presented S.F. 2552, a bill that increases the number of judges in various judicial districts. Spear said that it would be folly to pass tough crime measures without implementing a means for easing the additional demands that will be made on the judicial system. The bill was re-referred to the Finance Committee.

## Omnibus data privacy bill begins

The Joint Judiciary and Crime Prevention Subcommittee on Data Practices, chaired by Sen. Jane Ranum (DFL-Mpls.) and Sen. Harold "Skip" Finn (DFL-Cass Lake), convened Wed. evening, Mar. 23, to review a number of bills containing data privacy issues.

Two measures were approved and rolled into an omnibus data privacy bill. The first, S.F. 1977, authored by Sen. Pat Piper (DFL-Austin), establishes a process for the commissioner of health to conduct fetal, infant, and maternal death studies. Piper testified that Minnesota has the highest infant mortality rate among African Americans in the nation. Crucial to the bill is a provision allowing the commissioner to collect data, under some circumstances, without the consent of the subject.

Also folded into the omnibus bill was S.F. 2359, sponsored by Ranum. The measure incorporates recommendations of the data exchange committee draft report, and includes the creation of an official school publication containing photographs of students. The bill also states that a county attorney must transmit a copy of a court's disposition order to the school, if the juvenile has convicted a crime of violence.

The first of three bills re-referred to the Judiciary Committee, was authored by Sen. Linda Berglin (DFL-Mpls.). S.F. 2641 establishes the Minnesota Health Care Administrative Simplification Act and

implements electronic data interchange standards.

S.F. 2005, a bill that requires health care providers to report adverse employment action regarding an individual licensed by the Board of Dentistry, was also re-referred to the Judiciary Committee. Carried by Sen. Dallas Sams (DFL-Staples), S.F. 2005 classifies all reports as private or confidential.

A bill presented by Sen. Richard Cohen (DFL-St. Paul) was the last measure re-referred to the Judiciary Committee. S.F. 2076 amends the statute dealing with copyright or patent of a computer program to include new provisions relating to the acquisition of intellectual property by a state agency or political subdivision. Furthermore, the bill gives the centralized state collection entity access to private data for the sole purpose of collecting debt.

The committee's final action was approval of S.F. 1880. The bill, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), modifies provisions dealing with closing an open meeting for preliminary consideration of allegations or charges against an individual. Under the measure, more than one meeting could be closed. Additionally, if it is concluded that discipline may be warranted as a result of specific charges or allegations, further meetings or hearings relating to the charges or allegations after the conclusion is reached must be open. S.F. 715, authored by Sen. Phil Riveness (DFL-Bloomington), was incorporated into S.F. 1880.

## Metropolitan and Local Government

### Zoning, local issues heard

The Metropolitan and Local Government Committee, chaired by Sen. Carol Flynn (DFL-Mpls.) for Sen. Betty Adkins, approved a prohibition on certain zoning ordinances, Thurs., Mar. 17.

S.F. 2421 prevents municipalities from adopting and enforcing new zoning ordinances altering the requirements on manufactured home parks that were developed before January 1, 1995. Sen. John Hottinger (DFL-Mankato), the author, said that bill stems from a court case that resulted when a municipality imposed a new ordinance on a manufactured home park as a way to force it to close. The committee approved the bill and sent it to the Senate floor for later consideration.

The committee approved S.F. 2106, which Flynn authored, requiring the city of Mpls. to report the amount of taxes being contributed to the Mpls. Teachers Retirement Fund (MTRF) as part of truth-in-taxation. The bill was re-referred to the Taxes and Tax Laws Committee.

Two House Files were approved and placed on the Consent Calendar. H.F. 1955 permits Wright County to transfer a piece of property in Cokato to Functional Industries, Inc., a non-profit agency, explained Sen. Steve Dille (IR-Dassel), author of the companion bill.

Sen. LeRoy Stumpf (DFL-Thief River Falls), presented H.F. 1890, giving Lake of the Woods County special authority to forgive the existing debt on a Baudette building being used as a health care facility.

### Local interest bills

The Metropolitan and Local Government Committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, approved a number of local interest bills at

their Mon., Mar. 21, meeting.

The committee approved and sent two bills to the floor. S.F. 2551 establishes the membership and duties of the Miller-Dwan Hospital board of directors, and changes other provisions of a 1969 law related to the Duluth public hospital. The bill also identifies the board as a public body subject to the Open Meetings Law. Sen. Sam Solon (DFL-Duluth), the bill's author, said that the bill was proposed by the Duluth City Council in order to ensure the hospital board is held publicly accountable for its activities and decisions.

S.F. 1740 requires the Metropolitan Council to study the costs of housing rehabilitation and redevelopment in the Metro Area. The author, Sen. David Knutson (IR-Burnsville), explained that while the study is included in the council's work plan, the legislation was needed to require other agencies to participate in the study.

Three other bills were approved and placed on the Consent Calendar. S.F. 2522, authored by Sen. Dallas Sams (DFL-Staples), allows the Wadena County board of commissioners to combine the offices of auditor and treasurer. S.F. 2526 allows the Mankato city council to use the powers of a port authority, which the bill's author, Sen. John Hottinger (DFL-Mankato), said will allow the city to compete with others for economic development opportunities. H.F. 1901 gives the city of Hutchinson the authority to issue up to \$1.5 million in bonds to fund a portion of a new maintenance facility. Sen. Steve Dille (IR-Dassel), author of the companion Senate File, said city will share the new facility with McLeod County and the Dept. of Transportation.

The committee approved S.F. 2132 and re-referred it to the Finance Committee. Sen. Tracy Beckman (DFL-Bricelyn) said that the bill repeals a two dollar surcharge that county recorders collect for certain real estate filings. He said that the surcharge was established to fund public defenders, which he felt was in an inappropriate connection of funding and services.

The committee approved S.F. 2218, which contains two Itasca County provisions. Sponsored by Sen. Bob Lessard (DFL-Int'l Falls) the bill amends a 13-year-old provision that gave the Greenway Joint Recreation Board a mill rate levy on the part of the Coleraine School District that lies in the recreation area, and allows the towns in the Lakeview Cemetery Association to levy up to up \$15,000 for cemetery purposes.

The bill was referred to the Taxes and Tax Law Committee.

### Soil district changes

The Metropolitan and Local Government Committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, heard and approved two proposals, one authorizing a land transfer in Mpls., and the other changing how Metro Area soil and water conservation supervisors are chosen, Wed., Mar. 23.

S.F. 2598, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), allows the Mpls. Park and Recreation Board to transfer a small piece of property beneath one end of the Stone Arch Bridge to the Dept. of Transportation, which possesses the other property on which the bridge is located. The committee approved the bill and re-referred it to the Consent Calendar.

The committee then considered S.F. 2550,

making all Metro Area Soil and Water Conservation District supervisors appointed, rather than elected, positions. Sen. Carol Flynn (DFL-Mpls.), the bill's author, said that each of the seven Metro Area counties has its own soil and water conservation district, which serves as an advisory group to the county and other local conservation groups. Each county board would appoint the conservation district supervisors in their county.

After taking testimony from both opponents and supporters, the committee approved the bill and sent it to the floor.

## Taxes and Tax Laws

### Omnibus bill considerations heard

The Taxes and Tax Laws Subcommittee on Sales and Income Tax met Tues., Mar. 22, to hear eight bills to be considered for the omnibus tax bill.

Sen. Linda Runbeck (IR-Circle Pines) presented S.F. 1778. According to Runbeck, the bill requires the commissioner of the Dept. of Revenue to refund 35 percent of the motor vehicle excise tax (MVET) paid on a park trailer if the trailer was purchased after Jan. 1, 1993, the owner has paid the MVET tax on the purchase, and the property tax on the land on which the trailer is set has been paid for the past two years.

Sen. David Knutson (IR-Burnsville) presented S.F. 1787. The bill allows an exemption from the electronic funds transfer (EFT) requirement for sales taxes, withholding taxes, and estimated taxes paid by partnerships, corporations, and trusts. Under the proposal, a taxpayer must pay the amount due three days before the payment is due.

Sen. Steven Novak (DFL-New Brighton) presented S.F. 2025. Novak stated that the proposal exempts fire fighters' personal protective equipment, such as helmets and boots, from sales tax. Novak also explained S.F. 1830, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), and said that the bill exempts purchases of fire fighting equipment by local government units from sales tax.

Sen. Ember Reichgott Junge (DFL-New Hope), the subcommittee chair, presented S.F. 2176. Reichgott Junge said that the bill exempts vehicles purchased for use as bookmobiles or delivery vehicles for public libraries from paying sales tax.

Sen. Sam Solon (DFL-Duluth) presented S.F. 2179. Solon said the bill allows insurance companies to offset against their premium tax or income tax liabilities the amount of assessments the company has paid to the Minnesota Insurance Guarantee Association or the Minnesota Life and Health Insurance Guarantee Association.

Sen. Sandra Pappas (DFL-St. Paul) presented S.F. 2188. According to Pappas, under the mortgage credit certificate program, a provision for a subtraction from federal taxable income equal to the amount of federal income tax credit taken by the taxpayer is allowed. Pappas stated that the program helps those who want to purchase a first home.

Sen. Randy Kelly (DFL-St. Paul) presented S.F. 2336, a bill similar to S.F. 2188 authored by Pappas. The bill provides an income tax credit equal to 25 percent of the federal credit taken by the taxpayer under the mortgage credit certificate program.

Novak presented S.F. 2408. The bill provides for the regulation of exemptions from sales tax for fund raising by nonprofit organizations. All the bills that gained approval will be incorporated in an omnibus tax bill.

## Partnership bill okayed

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Wed., Mar. 23, to hear five bills.

Sen. Ember Reichgott Junge (DFL-New Hope) outlined S.F. 1786. According to Reichgott, the bill provides for the registration and operation of a limited liability partnership and protects partners' personal assets from the debt of the partnership. The bill was approved and re-referred to the Finance Committee.

S.F. 2071, authored by Sen. Sandra Pappas (DFL-St. Paul), directs the Dept. of Revenue to adjust tax schedules for the city of St. Paul to reflect the accurate tax. The proposal was approved and sent to the Consent Calendar.

Johnson detailed S.F. 2004, a bill that authorizes the city of Two Harbors to apply one percent of its three percent lodging tax to restore the Edna G. tug boat. S.F. 2004 was approved and sent to the Senate floor.

Sen. William Belanger (IR-Bloomington) presented S.F. 2391. The bill is a Dept. of Revenue levy limit repeal bill. The proposal was approved and sent to the Senate floor.

S.F. 2420, authored by Sen. Carol Flynn (DFL-Mpls.), is a Dept. of Revenue technical bill. According to Flynn, it is designed to clarify laws that the Dept. of Revenue has requested. The proposal was approved and sent to the Senate floor.

## Transportation and Public Transit

### Personal transportation bill okayed

A bill eliminating the repeal of regulations related to personal transportation service providers was approved at the Fri., Mar. 18, meeting of the Transportation and Public Transit Finance Division. The bill, S.F. 1816, authored by Sen. Jane Krentz (DFL-May Township), defines terms and sets requirements related to personal transportation services. An amendment requiring safety inspections and the issuance of safety certificates was adopted. The bill was approved and advanced to the full committee.

In other action, the division, chaired by Sen. Keith Langseth (DFL-Glyndon), advanced two additional bills to the full policy committee. S.F. 2006, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), establishes a permit system for alternate fuel vehicles and bases the permit fees on the weight of the vehicle. S.F. 1807, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), authorizes special license plates for vehicles owned by volunteer ambulance drivers. Under the bill, an additional \$10 fee is imposed for the special plates.

Members also considered, but took no action on, a bill increasing the fee for motor vehicle transfers and dedicating the proceeds to pay for state patrol vehicles. S.F. 2278, authored by Chmielewski, increases the fee by \$3.50 from July 1, 1994 to June 30, 1997 and by \$1 after June 30, 1997. Sen. Terry Johnston (IR-Prior Lake) raised questions about the use of fees already collected for the various documents associated with a new car purchase. As a result, the bill was laid over in order to gather more information on the topic.

### Head start bus bill okayed

The Transportation and Public Transit Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met Tues., Mar. 22, and cleared 13 bills from their agenda.

S.F. 2510, authored by Sen. Jane Ranum (DFL-Mpls.), regulates the use and operation of Head Start school buses. The bill, which was developed by a task force over the interim, sets forth definitions, exempts the buses from the color requirements of school buses, provides for inspection, provides for driver training and specifies that the buses not be equipped with the four-way or eight-way light system or with a school bus stop arm. The measure was approved and sent to the Senate floor.

S.F. 762, authored by Sen. Steven Morse (DFL-Dakota), provides for a \$3 million appropriation from bond proceeds for a port development assistance program for the city of Red Wing.

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

S.F. 2474, authored by Sen. Roger D. Moe (DFL-Erskine), authorizing the Transportation Regulation Board to allow a class II-L carrier to have a second terminal if two criteria are met, failed to gain the committee's approval. Members said that the bill, by providing an exception to a hard fought compromise enacted last session, would open the way to further exceptions.

S.F. 2035, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), allows all statutory or home rule charter cities to establish a program to enforce handicapped parking restrictions using citizen volunteers to issue citations. The measure was approved and sent to the Senate floor. S.F. 1802, authored by Sen. Steve Murphy (DFL-Red Wing), changing the eligibility requirements for distribution of funds from the town road account, was also approved and sent to the full Senate.

Two measures were approved and recommended for the Consent Calendar. S.F. 1968, carried by Sen. Sandra Pappas (DFL-St. Paul), extends eligibility for special veterans' license plates to Hmong veterans who served in the Laos War with American forces. S.F. 2415, sponsored by Sen. Paula Hanson (DFL-Ham Lake), increases, from \$500 to \$1,000, the threshold level of reportable motor vehicle accidents.

S.F. 1816, authored by Sen. Jane Krentz (DFL-May Township), eliminates the repeal, and amends, the regulations related to personal transportation service providers. The measure also sets requirements related to personal transportation service and increases the fee. S.F. 2680, carried by Sen. Keith Langseth (DFL-Glyndon), changes the mileage limitation for municipal state-aid streets. S.F. 1807, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), authorizes special license plates for vehicles owned by volunteer ambulance drivers. S.F. 2178, carried by Pappas, exempts transit providers receiving reimbursement for transporting persons needing medical assistance from payment of the gasoline tax. S.F. 2013, authored by Sen. William Luther (DFL-Brooklyn Park), provides for the distribution of unfunded gasoline tax attributable to off-highway motorcycle use. S.F. 2006, authored by Chmielewski, establishes a permit system for alternative fuel vehicles and provides that the permit fee be based on vehicle weight. All the bills were approved and advanced to the Senate floor.

### Hazardous materials transport

A bill regulating the transportation of hazardous materials topped the agenda of the Transportation and Public Transit Committee, Weds., Mar. 23. The bill, S.F. 2354, sponsored by Sen. Jim Vickerman (DFL-Tracy), enables Minnesota to participate in the Uniform State Hazardous Materials

# Committee update

Motor Carrier Registration and Permit Program, a pilot program to establish uniform, reciprocal regulations regarding transportation of hazardous materials. The panel approved one amendment, by Sen. Steve Dille (IR-Dassel), exempting fertilizer and agricultural chemical retailers when they are delivering to farms no more than 50 miles away. The committee approved the bill and sent it to General Orders.

S.F. 1736, sponsored by Sen. William Belanger, Jr. (IR-Bloomington), allows the Regional Transit Board (RTB) to use the proceeds of transit bonds issued by the Metropolitan Council, to provide financial assistance to private operators of public transit systems. The bill expands the uses of the RTB's bonding authority to include capital expenditures. The bill was approved and sent to the Finance Committee.

The committee then considered S.F. 2099, a bill requiring Mn/DOT to accept competitive design-build bids for some non-vehicular bridges, such as those on pedestrian facilities and bicycle paths. The bill's sponsor, Sen. Cal Larson (IR-Fergus Falls), said the bill saves money by changing the current bidding procedure, in which Mn/DOT accepts bids only on finished designs, to a system in which vendors could bid on a package including both design and construction of a project. The bill was approved and forwarded to the Senate floor.

The panel next approved S.F. 2778, sponsored by Sen. Joe Bertram (DFL-Paynesville), allows a charter carrier who is providing special passenger service to pick up and let off passengers within 50 miles of the carrier's service territory, or within five miles of the most time-saving or direct route to the destination. S.F. 2778 now goes to the Senate floor.

Sen. Florian Chmielewski (DFL-Sturgeon Lake), presented S.F. 2278, a bill that raises the money needed for renewing the state patrol's fleet with an increase in vehicle title transfer and issuance fees. Under the bill, the fee is raised by \$3.50 for a three-year period. After the three-year period, the fee drops to \$1 over the current fee. Chmielewski said that it is imperative to find funding for fleet replacement because soon more than one-third of the state patrol's cars will have more than 100,000 miles on them.

The bill was approved and sent to the Finance Committee.

Lastly, the committee began discussing S.F. 2097, sponsored by Sen. Keith Langseth (DFL-Glyndon). The bill establishes an indexing formula for calculating the gasoline tax and dedicates 16 percent of the Motor Vehicle Excise Tax to transit assistance. Because of time constraints, no action was taken on the bill.

## Veterans and General Legislation

### Children's Museum grant okayed

Members of the Veterans and General Legislation Committee met Thurs., Mar. 17, and cleared six bills from the agenda. The panel, chaired by Sen. Jim Vickerman (DFL-Tracy), approved all of the bills.

S.F. 2223, authored by Sen. Sandra Pappas (DFL-St. Paul), authorizes a \$1.25 million appropriation from the bond proceeds fund to provide grants to the Minnesota Children's Museum for site preparation and construction. The bill was re-referred to the Committee on Finance. S.F. 2009, authored by Sen.

Roy Terwilliger (IR-Edina), increases the membership of the Emergency Response Commission from 17 to 18 members and requires that a member be a representative of emergency managers. The bill was recommended for placement on the Consent Calendar. S.F. 2181, carried by Sen. Dean Johnson (IR-Willmar), appropriates \$50,000 to the Minnesota National Guard Youth Camp to fund a foundation to run the camp. The measure also requires that the appropriation be matched by nonstate funds. The measure goes now to the Committee on Finance.

S.F. 2189, authored by Sen. Ember Reichgott Junge (DFL-New Hope), alters the definition of potentially dangerous dog by including a dog that when unprovoked, chases or approaches a person on private property in an apparent attitude of attack. Current law only includes public property. In addition, the bill requires the dangerous dog tag to contain the uniform dangerous dog symbol. The bill was sent to the full Senate. S.F. 2292, authored by Sen. Gene Merriam (DFL-Coon Rapids), expedites the pay and expenses of military forces ordered to active duty. The bill was re-referred to the Finance Committee. S.F. 2350, authored by Vickerman, extends the closure of Natural Guard armories to July 1, 1996 and provides that the appropriation for each armory sold be used to provide grants to municipalities or counties that purchase the closed armories is available until June 30, 1996.

The measure was recommended for the Consent Calendar.

### Historic projects advance

Several bills providing for appropriations for historical projects were advanced by members of the Veterans and General Legislation Committee at the Tues., Mar. 22, meeting. Members, chaired by Sen. Jim Vickerman (DFL-Tracy), okayed a bill to provide \$3 million for an addition to the St. Louis County Heritage and Arts Center. S.F. 2380, sponsored by Sen. Douglas Johnson (DFL-Cook), was re-referred to the Finance Committee.

The panel also approved four measures sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake). S.F. 2333 provides for \$500,000 in bond proceeds for the Battle Point historic site and S.F. 2376 provides for \$2 million in bond proceeds for a museum and center of American Indian history to be located at Bemidji State University. Both measures were re-referred to the Finance Committee. S.F. 2422 adds to the list of persons who may bring law suits against a person who disturbs a burial ground. Under the bill, a state agency or political subdivision, a private person, partnership, corporation or other entity could sue for civil damages. The measure was re-referred to the Judiciary Committee.

S.F. 2437 provides for a \$300,000 appropriation to the Minnesota Amateur Sports Commission for a grant to the Minnesota Chippewa Tribe for promoting the 1995 Indigenous Games. The measure was also sent to the Finance Committee.

Two final bills gained the panel's approval. S.F. 2450, authored by Sen. Jim Metzgen, deletes archaic language dealing with the status of the Historical Society. The measure was recommended for the Consent Calendar. S.F. 2219, authored by Sen. Bob Lessard (DFL-Int'l. Falls), provides for \$1.5 million from bond proceeds for an addition to the Grand Rapids civic center.

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

## Floor Action

### Consent Calendar bills passed

In addition to completing work on the juvenile justice bill during the Mon., Mar. 21, floor session, Senators also granted final passage to several relatively noncontroversial bills on the Consent Calendar.

H.F. 1956, carried by Sen. Gene Merriam (DFL-Coon Rapids), authorizes the public library systems of Anoka County and the city of Anoka to merge. S.F. 1826, authored by Sen. Ted Mondale (DFL-St. Louis Park), extends the reporting and effective dates for radio systems planning by the Metro Council and extends the moratorium on applications for 800 megahertz channels. S.F. 2073, sponsored by Sen. Sandra Pappas (DFL-St. Paul), makes numerous housekeeping and technical changes in the laws governing the Dept. of Revenue. H.F. 2130, carried by Sen. Jerry Janezich (DFL-Chisholm), assigns the former town of Payne to the 7th commissioner district in St. Louis County. S.F. 1967, authored by Pappas, allows the commissioner of public safety to determine the driver's test taken for license reinstatement.

S.F. 2274, authored by Sen. Pat Piper (DFL-Austin), permits the appointment of the recorder and auditor/treasurer in Freeborn County and authorizes the reorganization of county offices. S.F. 2383, carried by Sen. Bob Lessard (DFL-Int'l. Falls) permits the appoint of the recorder in Koochiching County and authorizes the reorganization of the office. S.F. 2260, carried by Sen. Terry Johnston (IR-Prior Lake), makes numerous technical and housekeeping changes in laws concerning the Dept. of Public Safety. S.F. 2199, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), codifies the congressional district plan adopted by the Minnesota Special Redistricting Panel. S.F. 2197, also carried by Pogemiller, codifies the legislative district boundaries used for the 1992 election, with adjustments to avoid dividing the cities of Willernie and New Hope and simplifying the division of Ham Lake.

S.F. 2009, authored by Sen. Roy Terwilliger (IR-Edina), increases the membership of the Emergency Response Commission by one representative of emergency managers. S.F. 2040, authored by Sen. Linda Berglin (DFL-Mpls.), clarifies pension plan obligations. S.F. 1931, authored by Sen. Don Betzold (DFL-Fridley), makes numerous housekeeping changes in laws relating to the Dept. of Health. H.F. 1955, carried by Sen. Steve Dille (IR-Dassel), permits the transfer of a sheltered workshop facility to its operator without bids or consideration.

### Brief session held

Members met for a very brief floor session Wed., Mar. 23. In addition to processing committee reports and bill introductions, Senators also granted concurrence and repassage to a bill. S.F. 1709, authored by Sen. Phil Riveness (DFL-Bloomington), removes the cap of \$5.5 million that applies to the property tax targeting program for taxes payable in 1994.

### Senate numbers to note

Senate information	296-0504
TDD	296-0250

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 28

The Senate will meet at 10 a.m.

#### Commerce and Consumer Protection Committee

*Chair: Sen. Sam Solon*  
12 noon Room 112 Capitol  
**Agenda:** S.F. 1879-Solon: Concrete and masonry workers licensing requirements. S.F. 2215-Oliver: Residential building contractors and remodelers license bond requirements. S.F. 2637-Sams: Tobacco retail sales licensure by local units of government. S.F. 2714-Solon: Lead abatement liability insurance coverage.

#### Judiciary Committee

*Chair: Sen. Ember Reichgott Junge*  
12 noon Room 15 Capitol  
**Agenda:** S.F. 1558-Finn: Uniform probate code update. S.F. 2586-Ranum: Presumptive custody in grandparents. Bills that have made first deadline.

#### Crime Prevention Committee

*Chair: Sen. Allan Spear*  
2 p.m. Room 15 Capitol  
**Agenda:** S.F. 1919-Kelly: Juvenile, federal conformity, etc., firearms bill. S.F. 2115-Kelly: Illegal second party transfer, mandatory minimum, other firearms penalties. Bills not completed or heard that will be incorporated into S.F. 2378-Omnibus Anti-Crime Bill.

#### Metropolitan and Local Government Committee

*Chair: Sen. Betty Adkins*  
2 p.m. Room 107 Capitol  
**Agenda:** S.F. 2119-Chmielewski: Requiring understandable notice of requirements for appealing town road damage awards. S.F. 2256-Luther: Metro Waste Control Commission - providing for a part-time chair.

#### Education Funding Division

*Chair: Sen. Lawrence Pogemiller*  
6 p.m. Room 118 Capitol  
**Agenda:** S.F. XXX-School Bus Safety draft bill. Other items to be announced.

#### Joint Judiciary and Crime Prevention Subcommittee on Data Practices

*Chairs: Sen. Jane Ranum and Sen. Skip Finn*  
6 p.m. Room 318 Capitol  
**Agenda:** S.F. 715-Riveness: Exceptions to the open meeting law. S.F. 2591-Runbeck: Classifying DTED data. S.F. 2461-Krentz: Information sharing for family service agencies. S.F. 1717-Finn: 911 information. S.F. 2079-Finn: Omnibus Data Practices bill.

### Tuesday, March 29

#### Governmental Operations and Reform Committee

*Chair: Sen. Jim Metzen*  
8 a.m. Room 15 Capitol  
**Agenda:** S.F. 2358-Flynn: Employee relations bill - labor contracts. S.F. 2231/H.F.2680-Pappas: Charitable organizations, changing definitions. S.F. 2447-Terwilliger: Permitting

state employees to donate vacation leave for a certain employee. S.F. 1680-Murphy: Red Wing police to elect retirement coverage by PERA. S.F. 2394-Kelly: St. Paul Police Consolidated fund. S.F. 1280-Piper: Austin Fire - modification of health insurance and surviving spouse benefits. S.F. 1854-Kroening: MSRS - exception to reemployed annuitant earnings limitation in certain instances. S.F. 1723-Piper: Local police and paid fire relief assn. - mandatory remarried surviving spouse benefits. S.F. 609-Kroening: Out-of-state teaching service procedure. S.F. 793-McGowan: PERA - modifying disability benefit limitation for reemployed disabled persons. S.F. 2028-Stumpf: TRA - Elwin Leverington retirement effective date. S.F.1818-Stumpf: Second medicare coverage referendum for active basic members. S.F. 1641-Riveness: Additional investment performance disclosure.

#### Transportation and Public Transit Committee

*Chair: Sen. Florian Chmielewski*  
8 a.m. Room 112 Capitol  
**Agenda:** H.F. 524/S.F. 430-Vickerman: Authorizing rural postal carriers to operate rural mail delivery vehicles with metal stud tires. S.F. 2472-Johnson, J.B.: Authorizing Commissioner of Transportation to contract with state of Wisconsin to build and operate truck inspection station in Wisconsin.

#### Education Funding Division

*Chair: Sen. Lawrence Pogemiller*  
10 a.m. Room 112 Capitol  
**Agenda:** To be announced.

#### Environment and Natural Resources Finance Division

*Chair: Sen. Steven Morse*  
10 a.m. Room 123 Capitol  
**Agenda:** To be announced

#### Health Care Committee

*Chair: Sen. Linda Berglin*  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 2036-Hottinger/H.F. 2327: Permits providers to request state agency hearing - MA prior authorization. S.F. 1760-Betzold/H.F. 2148: Mental health emergency services. S.F. 1733-Betzold/H.F. 1940: Alternative system for Anoka County Mental Health Services. S.F. 2133-Betzold/H.F. 2288: Group residential housing.

#### Jobs, Energy and Community Development Committee

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

#### Ethics and Campaign Reform Committee

*Chair: Sen. John Marty*  
12 noon Room 107 Capitol  
**Agenda:** H.F. 2222-Hottinger: Polling places for certain precincts. S.F. 2395-Luther: Uniform elections.

#### Family Services Committee

*Chair: Sen. Pat Piper*  
12 noon Room 15 Capitol  
**Agenda:** House bills.

#### Environment and Natural Resources Committee

*Chair: Sen. Bob Lessard*  
2 p.m. Room 107 Capitol  
**Agenda:** S.F. 2124-Lesewski: Abandoning judicial ditch number 37 in Redwood and Lyon Counties. Other bills may be added.

#### Transportation and Public Transit Finance Division

*Chair: Sen. Keith Langseth*  
2 p.m. Room 125 Capitol  
**Agenda:** To be announced.

#### Taxes and Tax Laws Subcommittee on Property Tax

*Chair: Sen. Carol Flynn*  
4 p.m. Room 15 Capitol  
**Agenda:** S.F. 1857-Sams: Relative agriculture homestead to father or mother. S.F. 1899-Wiener: Eagan Special Service District. S.F. 1921-Pappas: Met Council housing bond credit enhancement. S.F. 1963-Mondale: Hopkins Special Service District. S.F. 1976-Sams: Homestead eligibility for trust property. S.F. 2106-Flynn: Minneapolis levy for Teacher Retirement Fund as special levy. S.F. 2143-Reichgott Junge: Waiver - Board of Government Innovation and Cooperation. S.F. 2152-Berg: Exempting certain leases on state game refuges. S.F. 2199-Hottinger: Municipal Airport bonding authority-no referendum. S.F. 2162-Pappas: State payment of St. Paul special assessment on state property. S.F. 2205-Johnson D.J.: Duluth G.O. bonds. S.F. 2329-Price: Property tax exempt cogeneration facilities. S.F. 2476-Lessard: Nashwauk Ambulance District. S.F. 2613-Finn: Property tax appeal process. S.F. 2705-Finn: Airport property tax classification.

#### Governmental Operations and Reform Committee

*Chair: Sen. James Metzen*  
6 p.m. Room 15 Capitol  
**Agenda:** To be announced.

#### Education Funding Division

*Chair: Sen. Lawrence Pogemiller*  
6 p.m. Room 123 Capitol  
**Agenda:** To be announced.

#### Crime Prevention Committee

*Chair: Sen. Allan Spear*  
7:30 p.m. Room 107 Capitol  
**Agenda:** Bills not completed or heard during the week of March 21-25, 1994, which will be incorporated into S.F. 2378-Omnibus Anti-Crime Bill.

### Wednesday, March 30

#### Governmental Operations and Reform Committee

*Chair: Sen. James Metzen*  
8 a.m. Room 15 Capitol  
**Agenda:** S.F. 2258-Metzen: Civil service reform. S.F. 2259-Metzen: Executive branch reorganization. Possible additions.

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**Education Funding Division**  
*Chair: Sen. Lawrence Pogemiller*  
10 a.m. Room 112 Capitol  
**Agenda:** To be announced.

**Health Care Committee**  
*Chair: Sen. Linda Berglin*  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 2628-Piper: Modification of social worker licensure. S.F. 2825-Kiscaden: Department of Human Services long term care bill. S.F. 372-Merriam: Clean indoor air act-condominiums. S.F. 2469-Samuelsen: ISN technical assistance.

**Jobs, Energy and Community Development Committee**  
*Chair: Sen. Steven Novak*  
10 a.m. Room 107 Capitol  
**Agenda:** To be announced.

The Senate will meet at 11:45 a.m.

**Commerce and Consumer Protection Committee**  
*Chair: Sen. Sam Solon*  
Immediately following session  
Room 112 Capitol  
**Agenda:** S.F. 2634-Luther: Community action agencies status clarifications.

**Judiciary Committee**  
*Chair: Sen. Ember Reichgott Junge*  
Immediately after session Room 15 Capitol  
**Agenda:** To be announced.

**Rules and Administration Subcommittee on Bill Referral**  
*Chair: Sen. William Luther*  
Immediately after session. Room 237 Capitol  
**Agenda:** S.F. 2130-Berglin: Rule 35 by Sen. Belanger.

**Crime Prevention Committee**  
*Chair: Sen. Allan Spear*  
2 p.m. Room 15 Capitol  
**Agenda:** S.F. 1871-Spear: DNA admission of evidence constitutional amendment. S.F. 1884-Kelly: Bail procedures, constitutional amendment. S.F. 2401-Spear: Bail procedures.

**Metropolitan and Local Government Committee**  
*Chair: Sen. Betty Adkins*  
2 p.m. Room 107 Capitol  
**Agenda:** H.F. 228-Vickerman: Relating to annexation.

**Higher Education Division**  
*Chair: Sen. LeRoy Stumpf*  
4 p.m. Room 125 Capitol  
**Agenda:** To be announced.

**Rules and Administration Committee**  
*Chair: Sen. Roger D. Moe*  
4 p.m. Room 123 Capitol  
**Agenda:** Report of the Bill Referral Subcommittee, other.

**Taxes and Tax Laws Committee**  
*Chair: Sen. Douglas Johnson*  
4:15 p.m. Room 15 Capitol  
**Agenda:** The following bills will be heard if passed in Property Tax Subcommittee on March 29: S.F. 1857-Sams: Relative agriculture homestead to father or mother. S.F. 1899-Wiener: Eagan special service district. S.F. 1921-Pappas: Met Council housing bond credit enhancement. S.F. 1963-Mondale: Hopkins special service district. S.F. 1976-Sams: Homestead eligibility for trust property. S.F. 2106-Flynn: Minneapolis levy for teacher retirement fund treated as special levy. S.F. 2143-Reichgott Junge: Waiver board of government innovation and cooperation. S.F. 2154-Berg: Exempting certain leases on state game refuges. S.F. 2155-Hottinger: Municipal Airport Bonding authority, no referendum. S.F. 2162-Pappas: State payment of St. Paul Special Assessment on state property. S.F. 2205-Johnson, DJ: Duluth general obligation bonds. S.F. 2329-Price: Property tax exempt cogeneration facilities. S.F. 2476-Lessard: Nashauk ambulance district. S.F. 2613-Finn: Property tax appeal process. S.F. 2705-Finn: Airport property tax classification. S.F. 2192-Berglin: MinnesotaCare bill.

**Environment and Natural Resources Committee**  
*Chair: Sen. Bob Lessard*  
5 p.m. Room 123 Capitol  
**Agenda:** To be announced.

**Governmental Operations and Reform Committee**  
*Chair: Sen. James Metzner*  
6 p.m. Room 107 Capitol  
**Agenda:** To be announced.

❖ **Metropolitan and Local Government Committee**  
*Chair: Sen. Betty Adkins*  
6 p.m. Room 15 Capitol  
**Agenda:** S.F. 2725-Pogemiller: Target Center buyout. Public testimony.

## Thursday, March 31

The Senate will meet at 8 a.m.

**Education Funding Division**  
*Chair: Sen. Lawrence Pogemiller*  
10 a.m. Room 112 Capitol  
**Agenda:** To be announced.

**Health Care Committee**  
*Chair: Sen. Linda Berglin*  
10 a.m. Room 15 Capitol  
**Agenda:** S.F. 778-Finn/H.F. 916: Health related boards. S.F. 2612-Kiscaden/H.F. 2853: Department of Human Services Long Term Care Commission.

**Jobs, Energy and Community Development Committee**  
*Chair: Sen. Steven Novak*  
10 a.m. Room 107 Capitol  
**Agenda:** To be announced.

**Ethics and Campaign Reform Committee**  
*Chair: Sen. John Marty*  
12 noon Room 107 Capitol  
**Agenda:** Confirmation of Vanne Owen Hayes, Governor's appointment to the State Ethical Practices Board. Any remaining bills from previous agenda or other referrals.

**Crime Prevention Committee**  
*Chair: Sen. Allan Spear*  
2 p.m. Room 15 Capitol  
**Agenda:** S.F. 1961-Merriam: DWI repeat offender penalties and procedures. S.F. 2573-McGowan: Snowmobile and motorboat DWI.

❖ **Metropolitan and Local Government Committee**  
*Chair: Sen. Betty Adkins*  
2 p.m. Room 107 Capitol  
**Agenda:** S.F. 2725-Pogemiller: Target Center buyout.  
Committee discussion and vote on the bill.

## Friday, April 1

No meetings scheduled.

❖ Live television coverage will be provided. Check Channel 6 for schedule.

# Briefly

The Minnesota Senate Week in Review

April 1, 1994

## Prairie Island bill tabled

The Tues., Mar. 29, floor session was devoted to debating the controversial bill allowing Northern States Power to expand nuclear waste storage at the Prairie Island plant. After nearly four hours of discussion, members voted to lay the bill on the table.

The bill, S.F. 1706, authored by Sen. Steven Novak (DFL-New Brighton), authorizes NSP to use up to 17 casks to store spent nuclear fuel until the year 2002. The bill prohibits any additional casks unless NSP's nuclear power plants are decommissioned or there is a permanent waste storage site located outside the state. The measure also prohibits NSP from "re-racking" the waste contained in the Prairie Island plant's storage pools in order to increase storage capacity. The measure also requires the state and NSP to enter into a contractual agreement binding the parties to the terms spelled out in the bill. The bill also contains a provision authorizing NSP to use 4 cask but requiring NSP to find an alternative site before all 17 casks may be used. Finally, the bill provides for investment in alternative energy development.

Novak said that the measure "places us on a rational time line in moving away from nuclear power without serious job dislocation or energy disruption." Novak offered an amendment to remove the provision in the bill requiring NSP to find an alternative site for the waste storage. Opponents of the amendment, led by Sen. Janet Johnson (DFL-North Branch) and Sen. Ellen Anderson (DFL-St. Paul), argued that the proposed site at Prairie Island poses a threat to the Mississippi River. However, the amendment was adopted on a vote of 36-29.

A motion, by Sen. Duane Benson (IR-Lanesboro), to table the measure failed on a vote of 32-33. Novak then successfully fought off a series of amendments relating to the dry cask storage site, the commitment to renewable energy sources, dates by which NSP must develop contingency storage plans and plans for decommissioning the plant. An amendment, offered by Johnson, prohibiting NSP from asking for a rate increase to cover costs associated with the advertising campaign for Prairie Island was adopted on a 37-29 vote. After nearly four hours of debate, Johnson moved to the table the bill. This second motion to table was successful and was approved on a vote of 36-30.

Action on the measure was expected to be resumed during an evening floor session

Wed., Mar. 30, after this edition of *Briefly* had gone to press.

## Omnibus funding bill gains

The omnibus highway and transit funding bill cleared the Transportation and Public Transit Committee Fri., Mar. 25, and was re-referred to the Committee on Taxes and Tax Laws. S.F. 2097, authored by Sen. Keith Langseth (DFL-Glyndon), establishes an annual gasoline excise tax rate adjustment and increases the transfer of the motor vehicle excise tax (MVET) to the transit assistance fund. According to Langseth, the new version of the bill uses an inflation factor for indexing, rather than the inflation factor plus gasoline usage formula used in a previous version of the bill. Langseth said that the bill sets an increase, measured from the last time there was an increase in the gas tax in 1988, of about 4.4 cents per gallon. Langseth also said that the bill provides a cap of 1 cent per year on future increases. As a result, Langseth said, the gasoline tax in Minnesota will still compare favorably with the gasoline taxes imposed by other states in the upper Midwest.

In the area of transit funding, the bill increases the transit share of the state portion of the MVET to 23 percent, or about \$19 million, Langseth said. The measure also contains \$50 million in bonding to finance construction this summer until there are revenues from the gasoline tax increase. "The bill establishes a balance between transit and highways with money for construction this summer," Langseth said. "If this bill passes, everyone comes out ahead," he said.

Other sections of the bill require a study of electric vehicle transportation technology, fund a high-speed rail study, provide for the environmental impact statement for the Wakota Bridge, and authorize the sale of state bonds. An amendment, offered by committee chair, Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes funds for federal aid demonstration projects in St. Louis and Nicollet Counties. The amendment was adopted and, after extensive supportive testimony, the bill was approved.

## Governor's crime bill modified

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Thurs. evening, Mar. 24, to discuss S.F. 1765, the governor's crime bill, sponsored by Sen. Patrick McGowan (IR-Maple Grove). McGowan presented the numerous aspects of the bill. The bill

includes a mandatory sentence of 15 years for a person convicted of a violent crime who has been convicted of two previous violent crimes. The provision embodies the well known "three strikes and you're out" concept. The bill also makes it a felony to possess a dangerous weapon on school property, and makes parents who fail to control and supervise delinquent children responsible for their child's offenses. In addition, the bill expands the community crime reduction grant programs to include at-risk juvenile offenders. The bill also allows the laws licensing pistols to extend to explosive manufacturers and storers. Other provisions of the bill include a presumption of multiple sentences and transitional programming for supervised release inmates.

Discussion focused on the 15 year minimum sentence provision. McGowan explained that the offenders concerned are repeatedly violent and have proven to be a constant danger to public safety. The provision compels responsibility and accountability for three-time offenders, McGowan said. Spear expressed concern about ineffectively incarcerating more offenders and continuing to build more prisons. Spear noted the failure of the provision in other states to reduce the crime rate. Opponents also noted the cost impact.

Sen. Randy Kelly (DFL-St. Paul) proposed an amendment, that was approved, to delete the section. Kelly also proposed an amendment to delete the felony penalty for a convicted felon who possesses or receives a firearm up to ten years after a sentence. The motion was approved.

The bill also addresses school safety by setting a felony penalty to possess a dangerous weapon of school property. A section was amended to define property more narrowly. The section relating to community crime reduction grants was laid over due to concern about the effectiveness of the programs.

## Editor's note

Because Senate offices are closed Fri., Apr. 1, the deadlines for coverage in this publication were moved forward one day. Thus, this edition covers committee and floor action up until the afternoon of Wed., Mar. 30. As the second deadline for committee activity approaches, a number of major bills are scheduled to be acted upon during the evening hours Wed., Mar. 30 and Thurs., Mar. 31. Look for coverage in the next edition of *Briefly*.

# Committee update

## Agriculture and Rural Development

### Livestock compensation approved

At an evening meeting of the Agriculture and Rural Development Committee, Thurs., Mar. 24, five bills were approved. The committee is chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville).

Sen. Harold "Skip" Finn (DFL-Cass Lake) said that damage done to livestock by animals, such as wolves, protected under the federal Endangered Species Act of 1972 should be paid for by the state. S.F. 2430, according to Finn, establishes a program under which livestock owners are given fair market value for animals damaged by the protected animal. The proposal was approved and re-referred to the Finance Committee.

S.F. 2247, authored by Sen. Dallas Sams (DFL-Staples), alters the law on nuisance liability relating to agricultural operations. Sams said that the bill provides more protection against nuisance laws for farmers on agriculturally zoned land. The bill was approved and re-referred to the Judiciary Committee.

Sen. LeRoy Stumpf (DFL-Thief River Falls) presented S.F. 2458, a bill establishing a state sponsored lease program for grain testing equipment. The bill was amended to appropriate money toward the training of grain testing personnel, the testing of equipment, and an analysis of the grain testing problem in Minnesota. According to Stumpf, the Dept. of Agriculture must submit a report on the grain testing problem to the Legislature by Jan. 1, 1995. In its revised form, the bill does not authorize the leasing of grain testing equipment. The bill was approved and re-referred to the Finance Committee.

Stumpf outlined S.F. 2435 for the committee. According to Stumpf, the proposal appropriates \$70,000 to the commissioner of agriculture for grants to the Beaver Damage Control Joint Powers Board for the purpose of controlling damage caused by beavers. S.F. 2435 was approved and re-referred to the Finance Committee.

Sen. Ted Mondale (DFL-St. Louis Park) presented S.F. 2072, a bill providing funds for the tracking of salvaged food in the state. Mondale said the bill is modeled after a national act put in place in 1962. The proposal provides for the tracking of salvaged food and the enforcement food safety laws to ensure consumers are purchasing safe salvaged food. The bill was amended to include a provision calling for the labeling of Canadian wild rice as such. S.F. 2072 was approved and re-referred to the Finance Committee.

## Commerce and Consumer Protection

### Liquor omnibus bill okayed

The Commerce and Consumer Protection Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved S.F. 2161, the omnibus liquor bill, at the Thurs., Mar. 24, meeting. The bill contains numerous provisions, including a requirement that brand extensions must be assigned to the wholesaler who has been granted the exclusive sales territory for the brand. The bill, sponsored by Solon, also requires distilled spirits and wine carriers to apply for a special permit, sets a \$20 permit fee and authorizes several on-sale and off-sale liquor

licenses. The bill now goes to the Senate floor.

S.F. 2255, sponsored by Sen. William Luther (DFL-Brooklyn Park), requires the commissioner of commerce to conduct a study of pollution coverage offered with or contained in Minnesota basic farm liability policies. Under the bill, the commissioner is also directed to appoint an advisory committee, whose recommendations are to be included in the report. The bill was approved and sent to the Consent Calendar.

The committee also approved S.F. 2582, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), extending the statutory protections given to mortgages in the standard fire insurance policy to contract for deed vendors. The bill now goes to the Consent Calendar.

The committee next reviewed the insurance provisions in S.F. 1133, sponsored by Sen. Steven Morse (DFL-Dakota), establishing an environmental cleanup program for landfills. The bill grants the commissioner of commerce investigative powers relating to landfills, directs the attorney general to pursue all available insurance claims under the bill, and establishes a voluntary buyout option for insurers who wish to buy out of future liability for landfills in return for a cash payment to the state. The bill was approved and re-referred to the Judiciary Committee.

### Medigap rate regulation advances

The Commerce and Consumer Protection Committee, at the Fri., Mar. 25, meeting, approved a bill regulating the premiums on Medicare supplement policies. Under S.F. 2738, sponsored by Sen. Dallas Sams (DFL-Staples), premiums must be deemed reasonable and actuarially justified by the commissioner of commerce and must comply with predetermined minimum loss ratios. The bill also specifies that premium increase notices to policyholders must itemize the sources of the increase and that carriers must hold public hearings as a condition of rate approval. S.F. 2738 was re-referred to the Finance Committee.

The panel, chaired by Sen. Sam Solon (DFL-Duluth), also granted approval to S.F. 2661, a bill that places a moratorium on mergers and acquisitions by large health care providers until July 1996. The measure, according to its sponsor, Sen. John Hottinger (DFL-Mankato), is needed in order to slow down the current trend of mergers in order to allow time for thoughtful public policy discussions about how all Minnesotans can be best served by the health care system. The bill now goes to the Senate floor.

Two more bills received approval at the meeting. S.F. 1781, sponsored by Sen. Steve Dille (IR-Dassel), requires that unclaimed property, in the form of outstanding checks issued by a county, must be given to the county. S.F. 1781 was sent to the Finance Committee. S.F. 2579, sponsored by Sen. Kevin Chandler (DFL-White Bear Lake), provides grounds for injunctive action if there is a likelihood of injury to business reputation or dilution of the distinctive quality of a mark or trade name. The bill now goes to the Consent Calendar.

### Tobacco sales bill amended

A bill requiring local governments to more strictly regulate the sale of cigarettes to minors cleared the Commerce and Consumer Protection Committee Mon., Mar. 28, after being amended by its author. The committee

adopted a delete everything amendment to S.F. 2637 offered by its author, Sen. Dallas Sams (DFL-Staples), and took testimony on the bill. Under the amended bill, local governments must conduct annual, unannounced inspections at tobacco retailers' places of business to test compliance with the state's laws prohibiting tobacco sales to minors. The measure also requires retailers to conduct a training program for employees who sell tobacco and establishes a maximum penalty of \$100 for failing to train an employee. The committee discussed, then defeated, a motion by Sen. Ellen Anderson (DFL-St. Paul), to return the bill to its original form, which included stiffer penalties for retailers who sell cigarettes to minors. S.F. 2637 now goes to the Senate floor.

The panel, chaired by Sen. Sam Solon (DFL-Duluth), also approved four other bills. S.F. 1879, sponsored by Solon, requiring concrete and masonry workers to be licensed as residential contractors, now goes to the Governmental Operations and Reform Committee. H.F. 2035, sponsored by Sen. Edward Oliver (IR-Deephaven), clarifies a 1993 law relating relation to license bonds and license renewal for residential building contractors and remodelers. The measure clarifies that a contractor or remodeler must continuously maintain a license bond until the license is renewed. The bill now goes to the Consent Calendar. Last, S.F. 2634, authored by Sen. William Luther (DFL-Brooklyn Park), includes community action agencies in the municipal court liability laws. The bill was re-referred to the Judiciary Committee.

## Crime Prevention

### Metro gun bill discussed

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), convened Thurs., Mar. 24, to discuss S.F. 2226. The bill, sponsored by Spear, requires licensing of firearms retailers in the Metropolitan Area. The bill establishes a uniform licensing system, and bans the sale and possession of semi-automatic assault weapons in the Metro Area. Spear explained that the proliferation of firearms is a growing metropolitan issue, and that the federal requirements are not rigorous enough. Minneapolis Mayor Sharon Sayles Belton spoke about the increase of gun violence and the rise of "kitchen table" firearms dealers who are inadequately inspected. Belton said that the bill contributes to the stability and protection of neighborhoods and citizens.

Joe Olson, of the Gun Owners Civil Rights Alliance, opposed the bill, stating that the bill would not decrease metropolitan violence and that the current lack of enforcement of existing laws should be examined instead. Opponents asserted that the bill hurts legitimate distributors and does not affect criminals. Spear proposed an amendment, that was adopted, to permit federally licensed firearms and ammunition dealers to sell or possess semi-automatic assault weapons. Spear explained that the bill is not intended to affect legitimate dealers, but is aimed at unlicensed proliferation. Discussion will continue.

### Firearms restrictions approved

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), convened Fri., Mar. 25, to approve several bills.

Sen. Don Betzold (DFL-Fridley) presented

S.F. 1689, a bill that restricts possession of firearms by a person convicted of domestic assault. The bill prohibits a person convicted of assaulting a family member with a firearm from possessing a firearm for the rest of the person's life. The bill carries a gross misdemeanor penalty if the provision is violated. Sen. Patrick McGowan (IR-Maple Grove) and others questioned the logic of linking a firearm offense and an offense against a family member. McGowan stated that the penalty for an offense against a stranger shouldn't be different, and that the bill sets a precedent for banning other weapons. Sen. Randy Kelly (DFL-St. Paul) said that the ownership of a firearm was a privilege that should be revoked when abused. The bill was incorporated into the omnibus crime bill.

Beckman sponsored S.F. 2590, a bill that allows the state takeover of misdemeanor and juvenile public defense services. Kevin Kajer, of the Board of Public Defense, explained the cost increase for the services, estimated at \$11 million annually. The bill provides a formula of aid reductions to offset the cost to the state. The bill advances to the Taxes and Tax Laws Committee.

Another bill was presented by Sen. Roy Terwilliger (IR-Edina). S.F. 2645 provides release conditions for persons charged with crimes against others, and permits the court to forbid possession of a firearm by the offender or anyone in the offender's residence. Sen. Jane Ranum (DFL-Mpls.) expressed concern about possible constitutional infringements, and Neuville presented an amendment stating that the offender may not live with someone possessing a firearm, or the owner may voluntarily surrender the firearm. The bill, as amended, goes to the floor.

Ranum presented S.F. 2567, allowing the court to exclude a domestic abuser from an area within 300 feet of a residence. The bill will be incorporated into the omnibus crime bill.

Sen. John Hottinger (DFL-Mankato) authored S.F. 2442, allowing for the arrest of a person if there exists probable cause to believe that the person has committed a fifth degree assault within a school zone within the past four hours.

An amendment was approved to define "zone" more narrowly, and the bill was incorporated into the omnibus crime bill.

Kelly sponsored S.F. 2238, a bill requiring verification of safety training and standards before payment by the state for injuries suffered by claimants who are supervised by local government corrections agencies. The bill was approved and goes to the Finance Committee.

Kelly also presented S.F. 2311, regulating currency exchanges and providing for a national criminal history check on license applicants. Kelly said there is a need for background checks in the currency exchange business to ensure the operations are legal. The bill goes to the floor.

Spear presented S.F. 2348, substituting references in statutes so that reports be directed to crime prevention committees in both legislative bodies. The bill was placed on the Consent Calendar.

The Crime Prevention Finance Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn) met briefly prior to the Crime Prevention Committee, to review S.F. 2392. The bill relates to missing and endangered children. Sponsored by Sen. Ember Reichgott-Junge (DFL-New Hope), the bill includes the cost estimates of pre-trial bail screening and information on pre-trial release. The bill was approved and advances to the Finance Committee.

## Firearms bill laid over

The Crime Prevention Committee, chaired by Sen. Allan Spear, met Mon., Mar. 28, to discuss three bills. Sen. Randy Kelly (DFL-St. Paul) presented S.F. 2115, a bill that relates to the mandatory minimum sentence law regarding gun-related offenses. The bill requires prosecutors to report the number of cases charged and the cases that result in the mandatory sentence. The bill also makes it a felony to transfer a weapon in violation of transfer requirements, if the transferee uses the weapon in a felony crime.

Sen. Patrick McGowan (IR-Maple Grove) expressed concern about the felony penalty to the seller. Kelly explained that the seller is protected as long as a legal, documented transfer occurred. Due to concerns expressed, Kelly proposed an amendment that makes the transfer a gross misdemeanor if a crime is committed within one year of transfer, and if the transferee was legally prohibited from possession at the time, or the criminal purpose of the transferee was foreseeable. The bill and the amendment were laid over.

The committee re-reviewed S.F. 1863, a bill sponsored by Sen. Sheila Kiscaden (IR-Rochester), that had been laid over. The bill revises penalties for adults contributing to delinquency or to the children in need of protection or services (CHIPS) status of a minor.

Sen. Gene Merriam (DFL-Coon Rapids) expressed concern that the conditions for a contributing offense to delinquency were too broad. The treatment of adults was amended to distinguish between contributing to truancy and to running away. Sen. John Marty (DFL-Roseville) proposed the amendment, that makes contributing to truancy a gross misdemeanor, while contributing to running away remains a felony. The bill was approved, as amended, and goes to the floor.

Sen. Don Betzold (DFL-Fridley) presented S.F. 2549, a bill relating to the jurisdiction in transit zones regarding crimes involving drugs and firearms. The authority of the Metropolitan Transit Commission (MTC) police is increased, and the penalties for crimes committed in the transit zones are enhanced. Kelly said that the bill expands the MTC police powers too much, and questioned the need for assisting city police. Kelly presented an amendment to delete several sections of the bill permitting expansion of the MTC's policing authority. The amendment was adopted and the bill was laid over.

## Firearms bills approved

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Tues., Mar. 29, to review two bills relating to firearms. Spear authored S.F. 2226, a bill that establishes a uniform metropolitan licensing system and bans the sale and possession of semi-automatic assault weapons in the Metro Area. Because of concerns raised earlier about various provisions of the bill, several amendments were suggested. Spear proposed an amendment, which was adopted, that exempts federally licensed firearms and ammunition manufacturers from the bill. Another approved amendment, offered by Spear, makes it a gross misdemeanor to sell a firearm or ammunition without meeting the license requirements.

Sen. Randy Kelly (DFL-St. Paul) presented an amendment to bring the state into compliance with the federal firearms regulations that were enacted as a result of the Brady bill. Bill Clumpp, assistant attorney general, explained the amendment aligned policies regarding the possession of

pistols and assault weapons, the waiting period, and the records reviewing process. The amendment was adopted. Sen. Patrick McGowan (IR-Maple Grove) offered an amendment, that was approved, clarifying the requirements of the licensing division and classifying the transaction data as private. Another amendment, attempting to define semi-automatic weapons, was also debated. After discussion about the unclear nature of the definitions, the amendment was not offered. Sen. Gene Merriam (DFL-Coon Rapids) also proposed an amendment to delete penalties for displaying ammunition that is directly accessible to minors. The amendment was approved and the bill was incorporated into S.F. 2378, the omnibus crime bill sponsored by Spear.

Kelly authored S.F. 2115, a bill providing mandatory minimum sentences relating to gun offenses, and making it a felony to transfer a pistol or semi-automatic weapon in violation of the transfer permit requirements when the transferee uses the weapon in a crime of violence. Discussion focused on the felony penalty to the transferor. Kelly suggested eliminating the felony provision, changing the offense to a gross misdemeanor, and eliminating the exclusion of transfers by people who are not federally licensed firearms dealers. McGowan suggested an alternative of applying the gross misdemeanor penalty to any non-federally licensed dealers and allowing exclusions to the provision. The exclusions include loans to prospective buyers and any non-federally licensed dealers.

Supporters of both suggestions stated that the changes would better address the issue of private party transfers and track the weapon's ownership. Lt. Phil Hafvenstein, of the Mpls. Police Dept., stated that McGowan's suggestion places responsibility on the seller to ensure the requirements are met. Kelly's amendment also applies the same requirements that exist for licensed dealers to private transfers. The amendment was approved. Kelly proposed another amendment, which was approved, to include drive-by shootings in the category of mandatory minimum sentence crimes. The bill was incorporated into S.F. 2378.

## Education

### Merger bill advances

A bill that lays the groundwork for the merger of the State University, Community College and Technical College Systems was approved by the Education Committee, co-chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) and Sen. LeRoy Stumpf (DFL-Thief River Falls), during its meeting, Thurs. morning, Mar. 24.

S.F. 2367 contains provisions that will enable the 4,500 employees of the three post-secondary systems to be placed under the governance of the Higher Education Board (HEB) on July 1, 1995. The bill, which Stumpf authored, had been approved by the Governmental Operations and Reform Committee.

John Ostrom, technical college system vice chancellor, said the bill covers employee designation and bargaining, various employee transition provisions, a bonding authority transfer, and addresses other administrative and finance issues. The bill requires the commissioner of employee relations to negotiate with the systems' bargaining units, states that faculty and staff will be placed in appropriate bargaining units, and provides employee reinstatement rights. It also transfers the State University System's bonding authority, which has been used to build dormitories, to HEB and designates the

# Committee update

HEB as the sole state agency to receive federal vocational education funds.

The committee adopted an amendment, offered by Stumpf, giving HEB the authority to enter into a binding memoranda of understanding with the bargaining representatives of each system's employees. HEB Chancellor Jay Noren said the memoranda states the board's intent to maintain the employees in the positions they now hold.

Sen. Sam Solon (DFL-Duluth) offered another amendment that permits each individual campus to develop their own distinct missions after the merger occurs. That amendment was approved, as was one presented by Sen. Joanne Benson (IR-St. Cloud) establishing how the student representatives to the merged system's governing board are selected.

The committee then approved the bill, as amended, and re-referred it to the Finance Committee.

## Grant program changes

A proposal to modify a grant program was approved by the Higher Education Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), at the Thurs., Mar. 24, meeting.

S.F. 1495 changes the eligibility standards that are to be used for the child care grant program administered by the Higher Education Coordinating Board (HECB). The bill eliminates the use of sliding scale income guidelines in determining grant awards, basing them on an individual's, and family's, income, the number of members in the family, and the number of children in the family in need of child care services. The maximum grant award was set at \$1,500 per academic year.

Sen. Steve Murphy (DFL-Red Wing), the author, said that the bill simplifies the award process by allowing HECB to set up a chart that shows the grant amounts available based on the factors to be used. The division approved the proposal, incorporating it into the higher education omnibus bill.

The division also reviewed S.F. 2716, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), allowing Fond du Lac Community College Center to become a full community college. Arrowhead Community Colleges president Gregg Braxton-Brown said that the center serves as both a state and federal college, because it serves the needs of the Native American community in northern Minnesota and is subject to review by the Bureau of Indian Affairs. He said that the name change would clarify the center's relationship with the other community colleges. The division took no action on the proposal.

## Driver's license bill amended

A proposal to deny the driving privileges of minors who have a number of unexcused absences or who have been dismissed from school was amended by the Education Committee, co-chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) and Sen. LeRoy Stumpf (DFL-Thief River Falls), at their meeting, Thurs. evening, Mar. 24.

S.F. 2111 sets up a procedure requiring the Dept. of Public Safety to revoke driving privileges when 16- and 17-year-olds either withdrew from school, had 10 consecutive or 15 unexcused absences from school, as well as committed any delinquent act, a juvenile petty offense or a major traffic offense.

The bill, sponsored by Sen. Ember Reichgott Junge (DFL-Mpls.), also makes enrollment in school a condition for granting a driver's license.

Reichgott Junge argued that the bill provides students with an incentive to stay in school. Concerns were raised that the bill placed the state in the role that parents should play. The committee moved to delete the provisions making enrollment a condition for receiving a driver's license. The remaining parts of the bill allow license revocation applied to juvenile offenders. With the pertinent education policy provisions deleted, the bill was approved and sent to the floor.

## Desegregation bills heard

Metropolitan-wide desegregation proposals were discussed by the Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), at their Thurs. evening, Mar. 24, meeting. The division also considered the components of a bill draft based on the recommendations of the Special Education Task Force.

The division reviewed S.F. 2646, authored by Sen. Ted Mondale (DFL-St. Louis Park), a proposal to advance desegregation throughout the Metro area. The division first approved an author's amendment and then reviewed the components on structural coordination, staff and community development, student programs, and transportation and compensatory revenue.

S.F. 2646, as amended, establishes a Voluntary Interdistrict Coordinating Council (VICC) to coordinate activities and help school districts implement desegregation and integration plans in the seven-county Metro Area. The Metropolitan Council is required to work with VICC to adopt a long-range policy for desegregation that contributes to racial and economic desegregation in the region. The bill also adds desegregation and integration activities to school staff development programs, and amends the Open Enrollment Program to allow a student of color from a Metro district with a student of color enrollment 15 percent above the Metro-wide average to enroll in another district whose student of color population is less than half the Metro-wide average.

The bill provides revenue to districts for the number of student transfers that occur under an approved desegregation plan, and also provides transportation aid. Compensatory funding, given to districts with high concentrations of AFDC pupils is also increased.

The division also reviewed S.F. 2587, creating a Metropolitan Magnet School Grant Program. Sen. Gene Merriam (DFL-Coon Rapids), the bill's author, said that the commissioner of education, after consulting with VICC, may award grants to build magnet schools proposed by districts involved in voluntary desegregation. The districts must indicate how the magnet school would improve learning in those districts. A total of \$20 million in bonding is available under the bill. The division heard testimony on both bills from both supporters and opponents. No action was taken on the bills.

A proposal to establish a cultural exchange program was also presented. Under S.F. 2632, authored by Sen. Jane Krentz (DFL-May Township), students from Greater Minnesota would be able to enroll in a Metro Area school and vice versa. The division took no action on this proposal.

The division did adopt parts of a bill draft containing the recommendations of the Special Education Task Force, and incorporated those components into S.F. 2206, the Education Finance Omnibus bill.

The division approved proposals allowing

special education services to be available to students to age 22, removing the restriction that prevents the State Board of Education from adopting rules on special education teachers' case loads, and requiring school districts to provide reasonable accommodations and modifications for students with a disability.

Also approved were provisions eliminated in 1993, reauthorizing reimbursement for a part of the salaries for administrators and secondary vocational education that serve children with a disability, and that reinstates a repealed section of law requiring accommodations of certain students in regular physical education classes. A proposal to include a representative of special education on the staff development committee in each school district was also approved. Other components of the bill draft remain for further discussion.

## Transfer bills approved

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), incorporated three bills into the Education Finance Omnibus bill, and reviewed eight others during their meeting, Fri., Mar. 25.

The division approved two bills, both authored by Sen. Roger D. Moe (DFL-Erskine), concerning the construction of a new school in the Red Lake School District. S.F. 2504 allows the transfer \$160,000 in funds from any of its accounts into its capital expenditure fund to be used for equipment in the school's new gymnasium. The other bill, S.F. 2505, lets the district increase the amount of indebtedness it can incur from \$9.926 million to \$10.075 million in order to complete the construction project. Both bills were incorporated into S.F. 2206, the omnibus bill.

S.F. 2792 permits the state to transfer a parcel of property to the Faribault School District. Sen. Thomas Neuville (IR-Northfield) said that the property would be used by the school district as the site for a new elementary school. The division adopted the proposal and added it to the omnibus bill.

The division reviewed four other fund transfer requests, setting them aside for future consideration. Pogemiller presented S.F. 2208, allowing the Monticello School District to transfer \$250,000 from its capital fund to the transportation fund. S.F. 1746, authored by Sen. Martha Robertson (IR-Minnetonka), gives school districts the authority to use up to one-third of its capital expenditure facilities revenue for equipment purchases.

Sen. Bob Lessard (DFL-Int'l Falls) presented two fund transfer bills. S.F. 2517 allows the Nashwauk-Keewatin School District to use the full amount of its health and safety revenue for FYs 1993, 1994 and 1995 to relocate a vocational center. S.F. 2559 permits the Floodwood School District to transfer revenue from health and safety to their capital fund in the support of a building construction project, if a bond referendum is successful in the district.

A proposal that changes the exception criteria used to reduce a district's referendum allowance was also heard. Under S.F. 2639, districts that have an operating fund balance that is less than \$787.50 per pupil and that other current criteria are met, qualifying districts would be exemption from the required revenue allowance reduction. Sen. William Luther (DFL-Brooklyn Park) said the proposal increases the number of districts that qualify for the exemption from 40 to 53.

The division discussed the proposal and set it aside for later consideration.

Two bills modifying the outcome-based school program were presented and set aside for further review. S.F. 2529 gives post-secondary institutions the authority to sponsor an outcome-based school and increases the number of schools that may be chartered from 20 to 50. Under the bill, authored by Sen. Ember Reichgott Junge (DFL-New Hope), an existing school may become an outcome-based school if 50 percent of the full-time teachers vote to do so, and an appeal process is established for schools whose charter is not renewed by the State Board of Education.

S.F. 2743 allows outcome-based schools to limit admission to allow children of parents who were involved in the initial organization of the school, as long as this number of students does not exceed 30 percent of the total enrollment. Sponsored by Sen. Gen Olson (IR-Minnetrissa), the bill also modifies how state aids are paid to outcome-based schools, giving them 15 percent of their total aid on the first payment and the remaining aid payments in 22 equal installments during the first year the school is in operation. In subsequent years, the school is to receive 23 equal aid payments.

The division discussed, but took no action on S.F. 2470, giving municipalities the authority to require that developers pay a school impact fee for each unit of housing they construct. Sen. Len Price (DFL-Woodbury), the bill's author, said the proposal is offered as a way to help growing school districts build new schools along with new land developments.

### Task force proposals adopted

After many hours of testimony and discussion, the Education Division approved a number of proposals based on the recommendations from both the School Bus Safety and Special Education Task Forces during their Mon. evening, Mar. 28, meeting. Those proposals are to be incorporated into S.F. 2206, the Education Finance Omnibus Bill.

Chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), the division approved an amendment to a bill draft that was prepared based on the recommendations of the School Bus Safety Task Force. Sen. Martha Robertson (IR-Minnetonka), in offering the amendment, shifts the focus on the school transportation system from equipment to operations.

The amendment includes components on accountability and pupil management, personnel, and equipment. The proposal shifts the responsibility for school transportation safety from the Dept. of Education to the Dept. of Public Safety, requires the commissioner of public safety to establish a School Bus Safety Advisory Committee, and gives bus safety rule-making authority to the Dept. of Public Safety. School districts are required to develop a district bus safety policy and designate an individual in the district as the bus safety director.

The amendment also reserves one percent of a district's total transportation revenue for student transportation safety. That revenue may be used only for paid or volunteer bus monitors, to purchase external public address systems and video cameras for buses, and for other activities and equipment that have been reviewed by the state advisory committee and approved by the commissioner of public safety.

In addition, the Dept. of Public Safety will conduct a driver's license check before issuing or renewing a school bus endorsement, restricts persons convicted of crimes from

driving school buses, and adopts national school bus equipment standards into law.

Having adopting some of the recommendations of the Special Education Task Force at an earlier meeting, the division approved several more provisions from a bill draft based on those recommendations.

Amended into the omnibus bill are provisions requiring the State Board of Education to consult the Special Education Advisory Council while developing a high school graduation rule and include a school transition outcome as part of that rule, and adds a member representing special education to the Coalition for Education Reform and Accountability.

The division also adopted proposals re-authorizing the task force for another year, directing the commissioner of education to develop a special education manual that lists federal and state laws, rules, regulations, best practice recommendations, student and parent rights and procedural safeguards.

After much discussion on the rule-making process and a proposal that the state board adopt the task force's proposed rules by July 31, 1994, the division approved an amendment offered by Sen. Ember Reichgott Junge (DFL-New Hope) directing the board to adopt, amend or repeal special education rules and hold a public hearing on the rules the task force proposed by August 15, 1994.

Sen. Jane Krentz (DFL-May Township) offered an amendment that requires the Minnesota School Boards Association, the Dept. of Education and the task force to develop a model curriculum on special education to be used to train newly-elected school board members.

The division also heard S.F. 2216, requiring the commissioner of education to conduct a two-year study of student suspensions and expulsions. The bill, authored by Sen. Jane Ranum (DFL-Mpls.), was similar to a task force proposal and was approved by the division.

### Division work continues

The Education Division continued to work its way through a number of bills at its meeting, Tues. morning, Mar. 29, adding a fund transfer and a proposal that prevents certain reimbursements from being deducted from a school district's special education revenue.

The division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), approved S.F. 2862, allowing the Inver Grove Heights School District to transfer \$91,255 from its community service fund to its general fund. Sen. James Metzger (DFL-South St. Paul), the author, said the transfer reverses a transfer that the district made several years ago when the community service fund was in deficit by that amount. The bill was incorporated into S.F. 2206, the Education Finance Omnibus bill.

S.F. 2789 prevents third-party payer reimbursements for services from having to be deducted when a school district determines its special education revenue. The author, Sen. Paula Hanson (DFL-Ham Lake), said the bill will encourage districts to seek reimbursement for services that may be supported through medical assistance or other insurance programs. S.F. 2789 was also approved and added to the omnibus bill.

A proposal to provide the Worthington School District with \$2.6 million in bonding proceeds was reviewed and accepted for consideration with the division's other bonding proposals. S.F. 2353, sponsored by Sen. Jim Vickerman (DFL-Tracy), allows the district to acquire land and build residential facilities in support of a non-residential

special education program operated by the district.

A bill to expand the number of districts able to seek equalized revenue for interactive television was rejected by the division. S.F. 2740, sponsored by Sen. Gen Olson (IR-Minnetrissa), would have made an existing revenue program available for Carver and Scott County districts.

The Senators also discussed two other bills. S.F. 2400, authored by Sen. Jane Ranum (DFL-Mpls.), requires districts to provide summer special education programs for resident and non-resident students enrolled in a residential treatment program. Sponsored by Sen. Roger D. Moe (DFL-Erskine), S.F. 2623 creates a pilot continuing education program in multi-cultural education for teachers in the Red Lake School District. No action was taken on either bill.

### Repealing repealers discussed

Bills that overturn earlier repealers of some local tax levies, that delay or prevent implementation of a high school graduation requirement rule, and which change how some programs are funded were all heard by the Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), at their Tues. evening, Mar. 29, meeting.

The division reviewed four bills that would reinstate the ability of the Intermediate School Districts to levy property taxes. The levy authority of the Intermediate Districts, whose members include suburban school districts, had been repealed.

S.F. 2770, authored by Sen. Ted Mondale (DFL-St. Louis Park), and S.F. 2655, sponsored by Sen. Kevin Chandler (DFL-White Bear Lake) amend current law by repealing the repeal of the intermediate districts' levy authority.

Two other bills also delete the repealer, and contain other proposals concerning the intermediate districts. Sen. Roy Terwilliger (IR-Edina) presented S.F. 2635, which includes a repeal of the levy repealer along with provisions setting a staff development amount for intermediate districts and repeals a sunset of the districts. As well as overturning the tax repeal, S.F. 2788, authored by Sen. Len Price (DFL-Woodbury), requires that members of the intermediate district board be elected, not appointed.

The division heard testimony from intermediate district administrators, staff and parents who all encourage the members to reinstate the district's levy authority. That authority, they said, is used to support the intermediate's special and vocational education programs and allows those programs to be delivered efficiently. No action was taken on any of the bills, pending further testimony and discussion.

S.F. 2284, sponsored by Sen. Steven Novak (DFL-New Brighton), also repeals a provision in law that sunsets all referendum levies on July 1, 1997. Supporters of the bill said the referendum levies help districts meet unfunded needs and that eliminating the ability of districts to have referendum levies will cause program reductions. Further testimony on the bill will be taken.

The division took action on two proposals concerning the high school graduation requirements rules being developed by the State Board of Education. S.F. 1987 changes the state board into an advisory group, eliminates their rule-making authority, and requires the board to recommend a high school graduation rule to the commissioner of education and the Legislature. The division voted to not include the bill, authored by Sen. David Knutson (IR-Burnsville), in the education finance omnibus bill.

# Committee update

S.F. 2412, sponsored by Price, delays the adoption and implementation of the graduation rule by a year, and includes a provision requiring the state to pay for test fees for students participating in the Advanced Placement and International Baccalaureate Programs. The division also rejected delaying the graduation rule provisions, but did vote to incorporate the requirement that the state pay for students' test fees.

The members also approved S.F. 2141, increasing the pupil unit weighting factor used to calculate the amount of general education revenue districts receive for each kindergartner. The bill, authored by Sen. Janet Johnson (DFL-North Branch), will be included in the omnibus bill.

Also amended into the omnibus bill was a provision contained in S.F. 1790, the Dept. of Education's policy bill sponsored by Sen. Gen Olson (IR-Minnetrista), allowing the Minnesota Academic Excellence Foundation to offer employment benefits to three employees of the foundation.

A proposal to raise the index factor used to calculate the amount of revenue some large, sparsely-populated districts receive was presented by Sen. Bob Lessard (DFL-Int'l Falls). He said that change offered in the bill, S.F. 2382, would allow the 14 northernmost school districts to receive the additional revenue. No action was taken on the bill.

## Funding proposals considered

The Education Division continued to review funding and program proposals for incorporation into the Education Finance Omnibus bill during their Wed., Mar. 30, meeting. The division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), approved all or part of three bills during the meeting and set aside a fourth proposal for further consideration.

S.F. 2818 allows 11th and 12th grade students enrolled at American Indian-controlled tribal contract or grant schools to participate in the Post-Secondary Enrollment Options Program. The bill's author, Sen. Harold "Skip" Finn (DFL-Cass Lake), said students from the schools have been unable to participate in the program because the schools are not included in the definitions applied to the program. The division approved the bill and added it to the omnibus bill.

S.F. 2726 establishes a grant program to assist districts in using technological advances to improve individual learning and manage information. Pogemiller, the author, said the grant program would support a district's efforts at using technology to give learners more responsibility for their success and change the role of teacher to learning facilitator. The members voted to add the proposal to the omnibus bill. An appropriation for the program is to be considered later.

The division also heard S.F. 2131, authored by Sen. Jane Krentz (DFL-May Township). The bill includes an increase in the general education formula from \$3,150 to \$3,400 per pupil, making staff development revenue a separate funding category, and continues local districts' ability to levy to cover the costs of health insurance for retired employees. The members voted down all but two sections of the bill. They did approve a proposal increasing the pupil unit factor districts use in determining the amount of revenue they receive for each kindergartner, replacing a similar provision amended into the omnibus bill earlier. A second provision, clarifying a factor used to determine Learning and Development Revenue amounts, was also

approved and included in the omnibus bill.

No action was taken on S.F. 2542, authored by Sen. Jane Ranum (DFL-Mpls.). The bill, which increases the base amount used to calculate late activity bus revenue and raises the inflation factor used to set non-regular transportation revenue, was set aside for later consideration.

## Environment and Natural Resources

### Prairie Island bill to floor

The controversial Prairie Island nuclear waste storage proposal cleared the Environment and Natural Resources Committee at an evening hearing Thurs., Mar. 24. The bill, S.F. 1706, authored by Sen. Steven Novak (DFL-New Brighton), goes to the full Senate.

Sen. Gene Merriam (DFL-Coon Rapids), moved to reconsider the vote whereby the bill had failed to pass. Merriam said that he made the motion, "not because I've changed my mind but because it has become apparent that the bill is going to pass and I determined that it is better to have some effect on a compromise." Merriam's motion was adopted and the bill was again before the panel. Merriam then offered a compromise version of the bill. Merriam said that "a critical point in the compromise is an ironclad agreement between the state and Northern States Power for 17 casks with no more anywhere in this state unless the plants are decommissioned." The amendment provides for NSP to use 17 casks to store nuclear waste but prohibits any additional casks unless nuclear power plants are decommissioned or there is a permanent site located outside the state.

The amendment also prohibits NSP from "re-racking" the waste contained in the Prairie Island plant's storage pools in order to increase the pools' capacity. Further, if the power company finds a disposal site outside the state, the company must ship the casks first and, once shipped, the casks must be decommissioned. The measure also provides for a contractual agreement between the state and NSP and includes the Mdewakanton Sioux Tribal Council as an intended third party beneficiary with standing to enforce the agreement. Under the amendment, a requirement that NSP pay an annual fee to the Mdewakanton Sioux is deleted. Finally, the amendment requires additional resources to be directed to wind power generation with a goal of 300 kilowatts by 2005. The measure also requires resources be devoted to other forms of energy development. The compromise was adopted on a voice vote without debate.

Sen. Phil Riveness (DFL-Bloomington) offered a second amendment. The amendment authorizes NSP to use four casks and simultaneously look for an alternative site away from the Mississippi River. If no alternative is found by Dec. 31, 1997, the amendment requires NSP to return to the Legislature for authorization for additional casks. Further, the amendment specifies that if no alternative site is found, the state must transfer land to the Mdewakanton Sioux. The amendment was also adopted.

There was not a great deal of debate on the measure. Sen. Janet Johnson (DFL-North Branch) said that she opposed the bill and that the bill does not aggressively pursue alternative energy development. Novak countered that the bill provides a fair and reasonable standard and makes a commitment to alternative energy. The measure was approved on a 16-2 roll call vote.

## Omnibus bills approved

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls), met Fri., Mar. 25, to review 25 bills, including an omnibus forestry and an omnibus fish and game bill.

The committee approved twelve bills authorizing the selling of land.

Sen. Duane Benson (IR-Lanesboro) presented S.F. 1858, a bill authorizing the sale of land in the Gordy Yaeger Wildlife area around Rochester. The bill was approved and re-referred to the Finance Committee. Sen. LeRoy Stumpf (DFL-Thief River Falls) presented S.F. 1959, a bill authorizing the sale of tax-forfeited land in Roseau County. The bill was approved and sent to the Consent Calendar.

S.F. 2017, authorizing the correction of a title problem on tax-forfeited land in Meeker County was presented by Sen. Dean Johnson (IR-Willmar). The bill was approved to the Consent Calendar. Sen. Dan Stevens (IR-Mora) presented S.F. 2062, authorizing the sale of land in Mille Lacs County. The bill was approved and sent to the Consent Calendar. S.F. 2066, authored by Paula Hanson (DFL-Ham Lake), authorizes the sale of tax-forfeited land in Anoka County. The proposal was approved and sent to the Consent Calendar. Sen. Keith Langseth (DFL-Glyndon) presented S.F. 2152, a bill authorizing the sale of tax-forfeited land in Clay and Wilkin counties to the city of Moorhead. The bill was approved and sent to the Consent Calendar.

Sen. Steven Murphy (DFL-Red Wing) presented a bill allowing the exchange of land in Wabasha and Fillmore counties to a private party. S.F. 2246 was approved and sent to the Consent Calendar. Lessard presented a proposal authorizing the sale of land in Aitkin county. S.F. 2305 was approved and sent to the Consent Calendar. Sen. Don Samuelson (DFL-Brainerd) presented S.F. 2436, a bill permitting the sale of land in Crow Wing County. The proposal was approved and sent to the Consent Calendar.

Sen. Joe Bertram, Sr. (DFL-Paynesville) presented S.F. 2491, a bill authorizing the sale of land in Stearns County. The bill was approved and sent to the Consent Calendar. Lessard presented S.F. 2562. The bill, authorizing the sale of land in Itasca County, was approved and sent to the Consent Calendar. S.F. 2561, presented by Lessard, allows the sale of land in Itasca and St. Louis counties. The bill was approved and sent to the Consent Calendar.

Sen. Steven Morse (DFL-Dakota) outlined a bill allowing the use of the state revolving fund for nonpoint pollution correction. According to Morse, \$34 million is needed to address the problem. S.F. 1945 was approved and re-referred to the Finance Committee. S.F. 1986, authored by Hanson, amends the Wetland Replacement Act to provide a 50 percent reimbursement for the replacement of wetlands. The proposal was approved and sent to the Senate floor. Sen. Sam Solon (DFL-Duluth) presented a proposal providing a grant to the Northern Counties Land Use Coordinating Board for developing a planning process and comprehensive land use plans.

The bill was approved and re-referred to the Finance Committee.

A feedlot manure management committee and a livestock expansion program are created under Sen. Steve Dille's (IR-Dassel) proposal in S.F. 2150. The bill was approved and re-referred to the Finance Committee. S.F. 2410 clarifies the registration language of off-road recreational vehicles. The bill,

authored by Sen. William Luther (DFL-Brooklyn Park), was approved and sent to the Consent Calendar. Sen. Florian Chmielewski (DFL-Sturgeon Lake) presented S.F. 2493, a bill creating a sewer district in Pine County and a sanitary sewer board to administer the district. The bill was approved and sent to the Consent Calendar. A bill transferring funds from the waste tire site program to the motor vehicle salvage facilities program was approved and re-referred to the Finance Committee. Sen. Leonard Price (DFL-Woodbury) is the author of the proposal.

Lessard presented a bill exempting public lands from road dedication provisions. S.F. 2588 was approved and sent to the Consent Calendar. Stumpf outlined a proposal to replace plans currently approved under county comprehensive wetland management plans and clarify the applicability of the Wetland Conservation Act. S.F. 2724 was approved and re-referred to the Finance Committee. Stumpf also offered a bill relating to solid waste management.

S.F. 1757 was approved and sent to the Consent Calendar.

Lessard presented a Dept. of Natural Resources sponsored omnibus forestry bill. According to Lessard, the main provision in the bill authorizes the sale of native tree seed to private nurseries. Other sections of the bill remove the limit on the number of species and the number of trees that can be acquired for other states or the federal government. S.F. 2236 was approved and sent to the Senate floor. A bill allowing a non-resident to take an antlered deer within a multiple buck zone was presented by Lessard. The bill, S.F. 2429, was amended numerous times. The amendments allow a non-resident to take rough fish, modify the definition of a game bird, expand existing fencing requirements for livestock restraint, revise aquatic and wild animal statutes, and require a special permit from the commissioner of the Dept. of Natural Resources to administer chemicals to wild animals.

The omnibus game and fish bill was approved and sent to the Consent Calendar.

## rBGH bill gains

The Environment and Natural Resources Committee met Tues., Mar. 29, to review 11 bills. The committee is chaired by Sen. Bob Lessard (DFL-Int'l. Falls).

Sen. Steven Morse (DFL-Dakota) briefed the committee on S.F. 2093, allowing voluntary labeling of dairy and dairy products free of the recombinant bovine growth hormone (rBGH) input. Morse said the state is responsible for the enforcement of labeling and labeling standards. The bill was approved and re-referred to the Commerce Committee. Sen. Arlene Lesewski (IR-Marshall) presented S.F. 2124, a bill transferring the title of judicial county ditch number 37 in Redwood and Lyon Counties to the state. The bill was approved and sent to the Consent Calendar. S.F. 1489, revising and updating the litter laws by adding cross references for existing civil penalties, was presented by Sen. Deanna Wiener (DFL-Eagan). S.F. 1489 was approved and sent to the Consent Calendar. A bill allowing the sale of tax-forfeited land by sealed bid in Anoka County was approved and sent to the Consent Calendar. S.F. 1929 is authored by Sen. Don Betzold (DFL-Fridley).

Sen. Janet Johnson (DFL-North Branch) presented S.F. 2050, a bill providing for the management of solid waste. Sen. Gene Merriam proposed two amendments designed to ensure that waste is disposed of in the most environmentally beneficial manner possible.

The amendments and the bill were laid over for consideration at a Thurs., Mar. 31, hearing. Sen. Pat Piper (DFL-Austin) outlined S.F. 2749, a bill conveying land in Mower County to the city of Austin. The proposal was approved and sent to the Consent Calendar. S.F. 1922, according to the author, Sen. Jane Ranum (DFL-Mpls.), restricts the killing of dogs wounding or pursuing big game. Ranum also said that the state needs to restrict when a dog can be killed in the Metropolitan Area of the state. Ranum said that the bill will be reworked and clarified. The bill was laid over. Merriam presented S.F. 2277, a bill allowing the Metropolitan Waste Control Commission to enter into agreements to implement total watershed management. The bill was approved and sent to the Consent Calendar.

S.F. 2486, authored by Sen. Gary Laidig (IR-Stillwater), relates to the Toxic Pollution Prevention Act. According to Laidig, the bill clarifies applicability of the act and modifies schedules for the submission of pollution plans. The bill was amended to modify eligible recipients and fee schedules. The bill was approved and re-referred to the Finance Committee. Sen. Ellen Anderson (DFL-St. Paul) presented S.F. 2584, a bill allowing transferable handicapped permits to be issued and used by handicapped persons when parking at state parks. The proposal was approved and sent to the Consent Calendar. Sen. Leonard Price (DFL-Woodbury) presented S.F. 2757, a bill authorizing the commissioner of the Dept. of Natural Resources (DNR) to make subgrants. According to Price, the DNR lacks explicit authority to make subgrants and the bill clearly authorizes such grants.

The bill was approved and re-referred to the Finance Committee.

## Feedlot bill advances

S.F. 2150 and S.F. 2484 were reviewed by the Environment and Natural Resources Finance Division, chaired by Sen. Steven Morse (DFL-Dakota), Thurs., Mar. 24. The committee approved both bills and referred them to the full Environment and Natural Resources Committee.

S.F. 2150, authored by Sen. Steve Dille (IR-Dassel), establishes a feedlot and manure advisory committee. The bill also creates a farm advisory committee and a livestock expansion loan program. According to Dille, the livestock expansion loan program is administered by the Rural Finance Authority (RFA) and provides capital to farmers expanding their livestock operations. Dille also stated that appropriations are made to the University of Minnesota for research on manure practices, storage, run-off, odor reduction, and nutrient management. Finally, the bill provides funds for the Farm Safety Program, the dairy leaders roundtable, and debt service on bonds sold to cover the administrative costs of the livestock expansion loan program.

S.F. 2484 establishes a special vehicle license plate for the purpose of generating money to benefit wetlands' wildlife. The bill, presented by Sen. Leonard Price (DFL-Woodbury), emulates other states projects designed to raise money to benefit the environment. Under the program, said Price, the consumer pays \$30 for a specially designed license plate. Price said that the proceeds from the sale of the plates are placed into a wetlands' wildlife legacy account to be used for acquiring, preserving, enhancing, restoring, establishing, and managing wetlands for the benefit of wildlife. According to Price, the program has been successful in Oregon and Wisconsin.

## rBGH moves ahead

Sen. Steven Morse (DFL-Dakota) presented a bill allowing voluntary labeling of dairy and dairy products free of the recombinant bovine growth hormone (rBGH) input before the Environment and Natural Resources Finance Division on Tues., Mar. 29.

Morse, the division chair, said that voluntary labeling is a consumer right to know issue. The provisions in the bill provide for the inspection of dairy operations using the rBGH-free label. The bill establishes a surcharge for the label users, and defines a labeling format. Morse suggested an amendment deleting the appropriation and funding aspects of the bill. The amendment was adopted.

S.F. 2093 was approved and referred to the full Environment and Natural Resources Committee.

## Ethics and Campaign Reform

### Broadcast access bill okayed

A bill giving state and local candidates access to broadcast facilities was approved by the Senate Ethics and Campaign Reform Committee, Thurs., Mar. 24. The committee, chaired by Sen. John Marty (DFL-Roseville), placed two other bills on the Consent Calendar and laid over a fourth.

Sen. Carol Flynn (DFL-Mpls.) presented S.F. 1995, a bill that requires broadcasting stations to sell reasonable amounts of time to candidates running for public office. Flynn explained that since political advertising must be sold at lower rates than commercial advertising, stations have denied access to candidates. "We want the access that is provided at the federal level extended to state and local elections," Flynn said.

Raising concerns about the measure was Peter Popvitch, Minnesota Broadcasters Association. Popvitch said that regarding access, broadcast media are pre-empted by the FCC. Additionally, he said that to single out broadcast media, while ignoring print media, is unfair. The bill was sent to the floor.

S.F. 2011, authored by Sen. Sam Solon (DFL-Duluth), provides for simulated elections. According to Don Bye, research shows that young people feel intimidated by the voting process, and simulated elections lessens anxiety and increases voter turn out.

Sen. Patrick McGowan (IR-Maple Grove) asked about security issues. Bye answered that the "ballots" are to be a different color, and also coded so that a computer can distinguish between an actual ballot and a facsimile. Bye said that a similar effort has increased voter turn out by 3-11 percent in Arizona. He also emphasized that the program, while not costing taxpayers anything, provides the benefit of increased political awareness. S.F. 2011 was placed on the Consent Calendar.

Also placed on the Consent Calendar was S.F. 2671. The bill, authored by Sen. Bob Lessard (DFL-Int'l. Falls), permits the Itasca County Board to submit a nonbinding referendum determining the form of governance for the Itasca medical center. S.F. 165, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), a measure proposing an amendment that provides for initiative and referendum, was laid over.

### Uniform elections bill heard

The Senate Ethics and Campaign Reform Committee, chaired by Sen. John Marty, (DFL-Roseville), met Tues., Mar. 29 to discuss two bills regarding elections, and to review the governor's appointment to the State Ethical Practices Board.

# Committee update

S.F. 2395, authored by Sen. William Luther (DFL-Brooklyn Park), establishes the first Tuesday in November of odd-numbered years as the uniform local government election date. Currently there are only 99 cities that have elections in odd-numbered years, consequently, the bill impacts 87 counties, 757 cities, and about 360 school districts. The measure has no impact on towns, but does move special district elections, including bodies such as soil and water conservation districts and hospital districts, to November of odd-numbered years.

Based on a proposal of the Minnesota School Board Association, S.F. 2395 includes a provision that requires cities to use school district boundaries as precinct boundaries, where practical, and to consult with school boards before adopting the boundaries. The cost of local elections is allocated among the participating local governments in accordance with rules adopted by the secretary of state.

Members approved S.F. 2395 and re-referred it to the Rules and Administration Subcommittee.

Sen. John Hottinger (DFL-Mankato) sponsored H.F. 2222. The bill creates a single polling place for two precincts of different counties, given that the smaller precinct does not contain more than 100 registered voters. Besides providing separate ballot boxes, a single set of election judges must be appointed by the governing body to serve at the polling place.

The bill was placed on the Consent Calendar.

Lastly the committee confirmed the appointment of Vanne Owens Hayes to the Ethical Practices Board. Owens Hayes, dean of students at the University of Minnesota Law School, has been a member of the board since 1990 and currently serves as the board's president.

## Family Services

### Obligor list bill approved

A bill that may provide a tool to collect child support payments was approved by the Family Services Committee, chaired by Sen. Pat Piper (DFL-Austin), at the Thurs., Mar. 24, meeting.

S.F. 2271 requires that the Dept. of Human Services (DHS) publish the names and last known addresses of child support obligors who owe at least \$3,000 in payments and who have not made a payment in a 12-month period. Sen. Dan Stevens (IR-Mora), the author, said that the list of obligors would be published every three months in the newspapers with the widest circulation in each county.

Several amendments were added to the bill. The committee adopted an amendment offered by Sen. Don Betzold (DFL-Fridley) requiring that obligors be given advance notice that DHS will publish their name and give them the opportunity to make arrangements to have their name removed. Sen. Linda Berglin (DFL-Mpls.) presented an amendment allowing a name to be removed from the list if the obligor claims, and DHS determines, there is good cause for nonpayment of child support.

The committee also adopted an author's amendment, allowing the names to be released under data privacy provisions, and another from Sen. Randy Kelly (DFL-St. Paul), requiring DHS to report on the program.

The committee approved the bill, as amended, and re-referred it to the Judiciary Committee.

The committee also heard S.F. 1930, the DHS technical bill, which had been re-referred from the Health Care Committee. Betzold, the author, said the bill aligns some provisions with federal law and clarifies others.

The committee approved the bill and sent it to the Consent Calendar.

Also approved was S.F. 2572, clarifying that applicants for a family day care or foster care license would be ineligible for the license if they have been convicted of violent or drug-related crimes and clarifies other child maltreatment reporting procedures.

The bill, authored by Sen. Jane Krentz (DFL-May Township), was sent to the floor.

## Finance

### Capital hearings conclude

The State Government Finance Division concluded its review of capital budgets, Thurs., Mar. 24. The division, chaired by Sen. Richard Cohen (DFL-St. Paul), listened to representatives from the Dept. of Administration present proposals for the Strategic Plan for Locating State Agencies. Present were Dennis Spalla, assistant commissioner, and Gary Grefenberg, executive director of the Capitol Area Architectural Planning Board.

Grefenberg outlined the board's budget requests for 1994-1995. The top priority is exterior restoration and renovation of the Capitol building, followed by planning and rehabilitation of landscaping. Among the repairs are new roofing, restoration of the Quadriga, and the compilation of a maintenance manual for the building's exterior. Grefenberg emphasized a tremendous need for a comprehensive master plan for developing the Capitol grounds. A list of proposed projects was presented to the division. Grefenberg said that the board hopes to use creative landscaping as memorials, for example pools and gardens, rather than traditional standing monuments.

A request for \$100,000 was made for a pre-design study of the space within the Capitol for future locations of constitutional officers. Spalla told the division that currently the offices are spread about the Capitol, the Administration Building, the State Office Building, and numerous non-state owned leased facilities.

A pre-design proposal for a new education building was requested. The department's goal is to consolidate the state's higher education systems into one efficient and effective management unit, thereby eliminating duplication of facilities and staff. The total cost of the five year project is \$48.195 million.

To comply with local codes, the department requested \$1.100 million for lighting and surveillance equipment. The equipment includes increased lighting around all Capitol buildings and the entrances, along sidewalks and parking facilities, at transit stops, and on the mall.

A request for \$500,000 to upgrade five elevators in the Centennial building was made. A second part of the proposal is for pre-design funds to study the possibility of converting the elevators in the Capitol building back to their original Cass Gilbert design. The cost for the plan is estimated at \$150,000.

## Governmental Operations and Reform

### Pension bills advance

Members of the Governmental Operations and Reform Committee, chaired by Sen. James Metzen (DFL-South St. Paul), met Thurs., Mar. 24, for an evening hearing and considered 23 pension bills. Five of the measures were advanced to the Committee on Finance and the balance were sent to the Senate floor for consideration.

One measure, S.F. 1906, authored by Metzen, sparked considerable debate. The bill transfers various employment positions in the Dept. of Corrections and the Dept. of Human Services from coverage by the general state employees retirement plan or the Teachers Retirement Association to the Correctional Employees Retirement Plan. The measure specifies that the employees, such as special teachers, nursing personnel and various other correctional personnel, must spend at least 50 percent of their working time in direct inmate or patient contact. The measure was approved and re-referred to the Finance Committee.

S.F. 2498, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), offers options of coverage for employees of the Higher Education Board upon merger of the state's higher education systems. S.F. 1860, carried by Sen. Phil Riveness (DFL-Bloomington), makes changes to the State University and State Community College Individual Retirement Account Plans by including technical college teachers, allowing current IRAP members to elect coverage by the Teachers Retirement Association and requires a recodification of the IRAP law. S.F. 2169, authored by Sen. Dallas Sams (DFL-Staples), limits future excess police state aid funding of the Public Employee Insurance Program (PEIP), mandates a feasibility study of a police stress reduction program, provides funding of the program and redirects the balance of excess police state aid to the ambulance longevity plan. All three measures were re-referred to the Finance Committee.

The remaining bills were all advanced to the full Senate. S.F. 1801, authored by Sen. Steven Morse (DFL-Dakota), increases employee contribution rates and benefit computation formulas for the Teachers Retirement Fund. S.F. 1908, also sponsored by Morse, corrects unintended omissions from previous early retirement legislation. S.F. 2060, authored by Sen. Sam Solon (DFL-Duluth), clarifies terms relating to the calculation of pension benefits contained in the bylaws of the Duluth Firefighters Relief Association. S.F. 2171, authored by Sen. Roger Moe (DFL-Erskine), adds American Indian tribal government entities located within federally recognized reservations to the definition of "municipality" for fire and police state aid purposes. S.F. 2180, carried by Sen. Carl Kroening (DFL-Mpls.), provides for terms on which surviving spouse benefits are granted to members of the Minneapolis Fire Dept. Relief Association. S.F. 2210, carried by Sen. Randy Kelly (DFL-St. Paul), specifies that employees of Ramsey Health Care, Inc., are not public employees, but allows current employees with retirement coverage by the Public Employees Retirement Association (PERA) to remain PERA members. S.F. 2240, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for level benefits for the Mpls. Police Relief Association and changes the definition of

surviving spouses eligible for benefits.

S.F. 2276, also sponsored by Pogemiller, adds Hennepin County paramedics and emergency medical technicians to the Public Employees Police and Fire Fund. S.F. 2213, carried by Sen. Bob Lessard (DFL-Int'l. Falls), provides for coverage of employees of a lessee of Itasca Medical Center facilities by PERA. S.F. 2250, authored by Metzen, enables retired divorced members of PERA to rescind a selection of a joint and survivor annuity and to receive a normal retirement annuity under specific conditions. S.F. 2332, carried by Sen. Pat Piper (DFL-Austin), permits purchase of service credit by specific soil and water conservation district employees. S.F. 2432, sponsored by Sen. Don Samuelson (DFL-Brainerd), authorizes purchase of prior service credit from the Teachers Retirement Association by a specific person.

S.F. 2519, carried by Metzen, clarifies probationary employment for purposes of South St. Paul Police Chief Association service credit. S.F. 2593, carried by Sen. Ellen Anderson (DFL-St. Paul), permits employees of Minnesota Project Innovation, Inc. to participate in the state employee benefit programs. S.F. 2251, authored by Solon, defines salary, authorizes purchase of service credit for parental or maternity leave and provides for the resumption of teaching by basic program retirees in the first class city teacher funds. S.F. 2357, carried by Morse, waives the annuity reduction for faculty in the state university system who return to teaching part-time after retirement and mandates employer paid health insurance for the faculty. S.F. 2500, authored by Kelly, provides for the governance of the St. Paul Teachers Retirement Fund Association.

S.F. 2464, carried by Pogemiller, authorizes the purchase of prior service credit in PERA by an employee of the city of Mpls. S.F. 2288, carried by Stumpf, makes various administrative and minor changes in the laws governing the Minnesota State Retirement System, PERA and the Teachers Retirement Association.

## MinnesotaCare approved

The Governmental Operations and Reform Committee, chaired by Sen. James Metzen (DFL-South St. Paul), met Fri., Mar. 25, to consider eight bills.

MinnesotaCare, a bill authored by Sen. Linda Berglin (DFL-Mpls.), was approved and re-referred to the Tax Committee. The committee examined the provisions in the bill dealing with governmental operations. The proposal, S.F. 2192, was amended several times. Among the revisions is a non-discriminatory clause proposed by Sen. Phil Riveness (DFL-Bloomington). According to Riveness, a community service integrated network (CISN) must allow a provider access to the network, if the network offers the provider's type of service as a part of its plan. Another amendment makes it mandatory that at least 51 percent of the governing members of a CISN be consumers elected by the enrollees. Both amendments were approved.

Sen. Leonard Price (DFL-Woodbury) presented S.F. 2220, a bill revising the duties of the Legislative Water Commission. The bill also establishes a sustainable agriculture advisory board. The bill was approved and referred to the Senate floor. S.F. 2496, a bill designed to streamline the licensing process by providing a "one-stop" licensing system, was approved and sent to the Senate floor. According to the bill's author, Sen. Ember Reichgott Junge (DFL-New Hope), the proposal automates the licensing system and reduces paperwork.

Sen. Sandra Pappas (DFL-St. Paul) outlined a proposal changing the process of filling certain Metro Area county offices. Pappas's bill allows the positions of county auditor, county corner, and county recorder to be appointed, rather than elected. S.F. 2232 was approved and sent to the Senate floor. Sen. Linda Runbeck (IR-Circle Pines) presented S.F. 2104, a bill that establishes an abused child program under the direction of the commissioner of corrections. The proposal also establishes a twelve member advisory council directed to report on the progress of the program and make suggestion to the commissioner of corrections. The bill was approved and sent to the Senate floor.

S.F. 1862, authored by Riveness, provides for an increase in the size of the board of the Job Skills Partnership Board from 12 to 13. The bill was approved and sent to the Consent Calendar. A bill providing for the oversight and planning of crime prevention programs, was presented by Sen. Ellen Anderson (DFL-St. Paul). S.F. 2583 creates a chemical abuse prevention resource council and instructs the council to report the results of a violence prevention study to the Legislature by Jan., 1995. The bill was approved and re-referred to the Finance Committee.

Sen. Gene Merriam (DFL-Coon Rapids) presented S.F. 2523. According to Merriam, the bill transfers the environmental assistance programs from the Minnesota Pollution Control Agency (PCA) and waste management and policy planning from the Metropolitan Council to the new Office of Environmental Assistance. Merriam stated that the arrangement separates the regulatory and education/promotion programs within the state agencies. Several proposed amendments to the bill failed. The bill was approved and re-referred to the Finance Committee.

## Retirement bills heard

The Governmental Operations and Reform Committee met Tues., Mar. 29, to hear a series of bills. The committee is chaired by Sen. James Metzen (DFL-South St. Paul).

Sen. Carol Flynn (DFL-Mpls.) presented S.F. 2358, a bill ratifying labor contracts and compensation agreements for state employees that had been given interim approval by the Legislative Commission on Employee Relations (LCER). The bill was approved and sent to the Finance Committee. S.F. 2231, a bill modifying registration and waiver requirements for charitable organizations wishing to be included in the state employees' campaign, was also approved. The bill's author, Sen. Sandra Pappas (DFL-St. Paul), said that the bill allows the United Negro College Fund and Open Your Heart to participate in the campaign. Discussion surrounded the exclusion of charities that operate and benefit people outside the state. The bill was sent to the Senate floor. Sen. Roy Terwilliger (IR-Edina) outlined S.F. 2447, a bill permitting state employees to donate vacation leave for a specific employee. The proposal was approved and sent to the Consent Calendar. Red Wing police employees are allowed an additional 60 days to select coverage under the Public Employee Retirement Account (PERA), under a bill authored by Sen. Steven Murphy (DFL-Red Wing). S.F. 1680 was approved and sent to the Consent Calendar.

Under S.F. 2394, a St. Paul Police officers's consolidated fund allocation is paid out to the employee's estate since there are no beneficiaries. According to the author, Sen. Randy Kelly (DFL-St. Paul), an employee's benefit at the time of his death will be paid to

his estate, rather than be retained by the fund. S.F. 2394 was approved and sent to the Consent Calendar. Sen. Pat Piper (DFL-Austin) presented S.F. 1280, a bill extending health insurance and the surviving spouse benefit to legally married spouses of retired Austin Fire Dept. employees. The bill was approved and sent to the Senate floor. S.F. 1854 allows a former University of Minnesota employee to be exempted from the Minnesota State Retirement System re-employment clause. According to Sen. Carl Kroening (DFL-Mpls.), the bill's author, the employee was adversely effected by the changes in procedures regarding the retirement plan at the universities steam plant. No action was taken of the proposal. S.F. 1723 allows remarried surviving spouses to be eligible for surviving spouse benefits for the Local Police and Paid Fire Relief Association. Piper authored the bill, which was approved and sent to the Senate floor.

Kroening presented S.F. 609, a bill allowing the purchasing of prior out of state service credit in order to add years of credited service under the Mpls. Teacher Retirement Fund Association. The bill was approved and sent to the Senate floor. Sen. Patrick McGowan (IR-Maple Grove), author of S.F. 793, said that the bill modifies the disability benefit limitation under PERA for re-employment disabilitants. The proposal was approved and sent to the Consent Calendar. According to Sen. LeRoy Stumpf (DFL-Thief River Falls), S.F. 2028 clears up an error in the election of an employee's retirement selection. S.F. 1818 allows a person to select medicare coverage. The bill was approved and sent to the Consent Calendar. S.F. 614, providing for an enhanced salary and service credit for part time teachers who job share was approved and sent to the Senate floor.. The bill was presented by Sen. Jane Krentz (DFL-May Township).

## Information access approved

The Governmental Operations and Reform Committee, chaired by Sen. James Metzen (DFL-South St. Paul), met Wed., Mar. 30, to take action on six bills.

Sen. Ted Mondale (DFL-St. Louis Park) presented S.F. 2657, a bill increasing the public's access to government information and services through information technology. According to Mondale, the bill creates a board to develop plans in cooperation with private organizations in order to make recommendations to the Legislature. The bill also authorizes a request for proposal from private organizations. The bill was approved and re-referred to the Finance Committee.

A six member task force is created to advise the commissioner of human resources on the formation of standardized forms under S.F. 2036. Sen. John Hottinger (DFL-Mankato), the author, said the bill also allows denied MinnesotaCare applicants a hearing request for reconsideration of their application. The bill was approved and re-referred to the Finance Committee.

Sen. Phil Riveness (DFL-Bloomington) outlined S.F. 1641. Riveness said that the bill mandates additional investment performance disclosure. According to Riveness, the bill is designed to encourage groups with pension funds, such as volunteer firefighter organizations, to use the State Board of Investment. The board can produce a better yield than many funds are currently generating, said Riveness. Riveness stated that the bill also provides the state with a better idea of exactly how retirement funds are doing in comparison to their predicted yield. The bill was laid over for future consideration.

S.F. 1879, authored by Sen. Sam Solon

# Committee update

(DFL-Duluth), requires concrete and masonry contractors to fulfill licensing requirements. The bill takes effect Aug. 1, 1995. According to Solon, the contractor is required to post a \$5000 bond under the licensing agreement. The bill was approved and sent to the Senate floor.

A Sustainable Economic Development and Environmental Protection Task Force is established by S.F. 2363, presented by Sen. Kevin Chandler (DFL-White Bear Lake). According to Chandler, the task force makes suggestions on the use and management of state land as well as provides a comprehensive land use strategy. The proposal was approved and sent to the Finance Committee.

Excess building permit surcharges are returned to the municipalities under S.F. 2185. The bill's author, Sen. Pat Pariseau (IR-Farmington), said that currently excess surcharges are kept on hand by the respective departments and that it seems reasonable that the excess should be returned to the originating level of government.

The bill was approved re-referred to the Finance Committee.

## Health Care

### MA/GAMC bill re-referred

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Thurs., Mar. 24, to discuss three bills. Sen. Duane Benson (IR-Lanesboro) presented S.F. 2640, making several changes in the Medical Assistance (MA) and General Assistance Medical Care (GAMC) policies. The bill modifies requirements for children's mental health collaboratives and implements the hospital peer grouping system approved in 1993. The bill also makes modifications to asset transfer and asset recovery policies.

Discussion and testimony focused on a section relating to implementation of the peer grouping system, which groups hospitals into six classes, and limits MA and GAMC payments within each group to near median levels. Opponents of the peer grouping stated that the groups were artificially created and that hospitals would face reductions as a result. Berglin presented an amendment, which was approved, regarding mental illness case management rates. The bill was sent to the Health Care and Family Services Funding Division without recommendation.

Sen. Don Samuelson (DFL-Brainerd) presented S.F. 2374, a bill sponsored by Sen. Janet Johnson (DFL-North Branch). The bill establishes an integrated network of campus and community services in the catchment area served by the Cambridge Regional Human Services Center. Theresa Williams, of the Alliance for Consumer Options, said that the bill precludes residents from choices about where and with whom they live. "By determining through legislative mandate the number of people required to reside in state operated services, you are limiting consumer choice," Williams said. Several amendments were presented to address the lay-off procedure of public employees at the Cambridge Center. The amendment proposed by Sen. John Hottinger (DFL-Mankato) was approved, and specifies that the procedure shall be used only as a mechanism to fill state services positions in the area, and only until June 1995. The bill was approved and advances to the Health Care and Family Services Funding Division.

The third bill was authored by Sen. Dallas Sams (DFL-Staples). S.F. 1878 authorizes projects that provide residential services in

homes owned by persons with developmental disabilities. The bill now goes to the Health Care and Family Services Funding Division.

### Authorization process okayed

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Tues., Mar. 29, to discuss several bills. Sen. John Hottinger (DFL-Mankato) sponsored S.F. 2036, a bill modifying the medical assistance appeals and prior authorization process by permitting providers of therapy services to request a state agency hearing and other modifications. Hottinger said that the bill reflects the areas of the process that were not adequately resolved. The bill also creates a task force on prior authorization supporting documentation.

Anne Henry, of Legal Advocacy for People with Developmental Disabilities, supported the bill, stating that it permits representation in the appeals process and allows for cost efficiency steps such as wheelchair repair. Berglin and others expressed concern about examining cases only on paper and stated that funding should be directed to the needs of the people rather than to a task force. The bill failed to gain approval. Sen. Pat Piper (DFL-Austin) then presented an amendment to the bill deleting the establishment of community standards by the commissioner of human services and creating an expiration date for the task force. The amendment was approved and the bill advances to the Governmental Operations and Reform Committee.

Sen. Ellen Anderson (DFL-St. Paul) presented S.F. 2371, a bill making female genital mutilation a felony and providing for education and outreach in communities. Anderson said that the mutilation procedure is medically unethical. Sen. Sheila Kiscaden (IR-Rochester) proposed an amendment limiting the bill to genital mutilation of minors only, but the amendment failed to gain approval. The bill advances to the Health Care and Family Services Funding Division.

Sen. Don Betzold (DFL-Fridley) presented two bills. S.F. 2133 amends the group residential housing payment rate by allowing a county to negotiate a supplementary rate for settings for persons with a mental illness or chemical dependency. The bill specifies that several conditions must be met, including special needs support services. Several proponents testified on the need for the bill, stating that the rates have been fixed for over a decade, and that the bill permits equity and flexibility. Betzold proposed an amendment, that was adopted, that limits the resident programs to only mental illness and chemical dependency programs. The bill goes to the Health Care and Family Services Funding Division.

Betzold also sponsored S.F. 1760, establishing a pilot program to monitor and evaluate the provision of emergency adult mental health services in three counties. The bill, as amended, goes to the Governmental Operations and Reform Committee.

Sen. Roy Terwilliger (IR-Edina) sponsored S.F. 2845, a bill requiring waste reduction reports to be distributed to legislators. The bill was approved and goes to the Consent Calendar.

### Peer grouping examined

The Health Care and Family Services Funding Division met Thurs., Mar. 24, to review the issue of peer grouping, found in S.F. 2640. The bill, authored by Sen. Duane

Benson (IR-Lanesboro), implements a peer grouping system of six classes of hospitals. Payments within each peer group are limited to the median for Medical Assistance (MA) payments, 139 percent of the median for rehabilitation, and 92 percent of the median for General Assistance Medical Care (GAMC) payments.

Several hospital professionals testified that the grouping would result in increased costs for the hospitals and, in return, for the private sector. John Tomlin, of Gillette Children's Hospital, stated that the groupings are generic and the limits are arbitrarily set. The committee is considering the bill.

## Jobs, Energy and Community Development

### Disabled worker bill advances

The Jobs, Energy and Community Development Committee met Thurs., Mar. 24, and reconsidered S.F. 615, a bill making changes in employers' responsibilities regarding injured workers who have a disability. Having discussed the bill in two previous meetings, the Senators approved the bill on a 7-4 vote. The measure, sponsored by Sen. Richard Cohen (DFL-St. Paul), now goes to the Senate floor.

The panel, chaired by Sen. Steven Novak (DFL-New Brighton) also approved S.F. 2393. The bill, sponsored by Sen. Cal Larson (IR-Fergus Falls), is the Dept. of Jobs and Training housekeeping bill. Among the changes in the bill is a provision overriding the expiration of the rehabilitation advisory council. The bill now goes to General Orders.

S.F. 2033, sponsored by Sen. Joe Bertram (DFL-Paynesville), authorizes Benton County to create an economic development authority. The measure also received the committee's approval and was re-referred to the Taxes and Tax Laws Committee.

The committee also approved S.F. 2557, sponsored by Sen. Keith Langseth (DFL-Glyndon), repealing a waiver in current law that allows hobby boilers and show engines to be exempted from some inspection requirements. The bill also sets inspection criteria. The bill now goes to the Consent Calendar.

The committee spent the balance of the meeting hearing testimony on S.F. 2473, a bill that allows telephone companies to get approval for alternative regulation plans. Under the alternative regulation framework provided in the bill prices for most local telephone services would be capped and competitive services such as call waiting and automatic call distribution may be flexibly priced. USWest and the Dept of Public Service went on record in support of the bill, while representatives from the Minneapolis Telecommunication Network and local governments expressed concern that the bill would free telephone companies to enter the video market and endanger public access. The measure, sponsored by Sen. Kevin Chandler (DFL-White Bear Lake), was laid over for further testimony.

### Grand Rapids civic center bonds

A bill authorizing \$1.5 million in capital bonding to fund an addition to the Grand Rapids civic center was heard by the Jobs, Energy and Community Development Committee at a Fri., Mar. 25, evening meeting. After hearing a presentation from Grand Rapids officials on S.F. 2219, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls),

the Senators voted to refer the bill to the committee's funding division without recommendation.

The committee, chaired by Sen. Steven Novak (DFL-New Brighton), again took up S.F. 2473, sponsored by Sen. Kevin Chandler (DFL-White Bear Lake), establishing alternative telecommunications rate regulation programs. Representatives of the League of Minnesota Cities and the Public Utilities Commission raised concerns about the bill, including reservations about whether cities could continue to regulate video services and whether the PUC could effectively regulate rates. After hearing the concerns, the committee approved a motion by Sen. Carl Kroening (DFL-Mpls.) to table the bill.

The committee also considered seven other bills. S.F. 2209, sponsored by Lessard, authorizes \$2.5 million in bonding to the commissioner of trade and economic development for a national shooting sports center to be located within the taconite tax relief area. The bill now goes to the committee's funding division.

S.F. 1609, sponsored by Sen. Dallas Sams (DFL-Staples), directs the Public Utilities Commission to appoint a scientific advisory task force to study the need for research projects regarding the effects of utility distribution systems on dairy cows. The bill, according to Sams, is a needed first step in addressing problems caused by stray voltage. The bill was approved and sent to the funding division.

S.F. 2221 authorizes a \$1 million grant to the city of St. Paul for the first stage of development for the Phalen corridor. The development of the corridor on St. Paul's East side, according to the bill's author, Sen. Randy Kelly (DFL-St. Paul), could create 2,200 jobs. The plan includes creating a roadway that provides access from the proposed industrial corridor to I-35E, reclaiming railroad and industrial property, and cleaning up polluted land in the area. The panel approved an author's amendment appropriating \$750,000 from the general fund to the Dept. of Jobs and Training to be used for a customized job training program for training St. Paul residents for jobs in the Phalen corridor project. The bill now goes to the committee's funding division.

S.F. 2631, sponsored by Sen. Carl Kroening (DFL-Mpls.), is a Dept. of Jobs and Training bill eliminating the current wage subsidy program for youth employment and creating a new Minnesota Youth Program under the auspices of the department. The bill was approved and sent to the funding division.

S.F. 2438 directs the state to reimburse the commissioner of jobs and training for dislocated worker funds that are used to target state employees or former state employees. The bill, sponsored by Sen. Arlene Lesewski (IR-Marshall), was approved and forwarded to the funding division.

S.F. 2024, sponsored by Chandler, was also approved. The bill delays the scheduled expiration of the statutes governing extended area telephone service and the three tiered rate structure. It also makes the incentive regulation statute permanent, makes changes in the way classifying and reclassifying a service may be accomplished, and makes rate increases for emergingly competitive services easier. The panel approved an amendment by Kroening directing the Public Utilities Commission to complete proceedings to investigate issues relating to extended area telephone service (EAS). The amendment also sunsets the current EAS law. The panel approved the amendment, then approved the bill and sent it to the Senate floor.

## Displaced homemaker funding

A bill to provide continued funding for the state's displaced homemaker program cleared the Jobs, Energy and Community Development Committee at the Tues., Mar. 29, meeting. The bill authorizes \$904,000 in funding for F Y 1995, \$250,000 of which may be used for educational assistance to displaced homemakers. The bill's sponsor, Sen. Dennis Frederickson (IR-New Uln), said the funding is critical to helping displaced homemakers enter the job market. Representatives from displaced homemaker programs testified that this year's request does not include adding any counties to the program, but is needed to prevent further erosion of existing services. The committee, chaired by Sen. Steven Novak (DFL-New Brighton), approved the bill and forwarded it to the committee's funding division.

S.F. 1996, a bill that extends the right to review one's personnel records to all employees was also approved by the committee. Under current law, employers with fewer than 20 employees are exempt from the requirement to make records available for review. The bill, sponsored by Sen. William Belanger (IR-Bloomington), was re-referred to the Judiciary Committee.

S.F. 2443 grants authority to the commissioner of jobs and training to establish an economic development enterprise zone designed to stimulate job creation and retention in certain geographical areas. Jim O'Leary, city of St. Paul, testified that the bill is a companion piece to federal empowerment zone legislation and that it enhances St. Paul's application for federal grants. Under the bill, sponsored by Sen. Randy Kelly (DFL-St. Paul) a city that is eligible for the federal program is also eligible to become a state-designated enterprise zone. The enterprise zone program provides a tax credit to employers in the zone for each zone resident who is hired, subject to the wage limitations specified in the bill. The committee adopted an amendment by Sen. James Metzen (DFL-South St. Paul) adding a city of the second class that has been designated as an economically depressed area by the U.S. Dept. of Commerce to the list of eligible cities. The committee then approved the bill and re-referred it to the Taxes and Tax Laws Committee.

S.F. 2342, sponsored by Sen. Jim Vickerman (DFL-Tracy), establishes a pilot technological assistance program for Southwestern Minnesota. The bill authorizes the appointment of a regional technology coordinator to assist new businesses and increase the likelihood that they will survive and grow. The bill was approved and sent to the committee's funding division.

S.F. 2211 establishes a Coordinator of Protocol Affairs to advise and assist governmental units and non-profit institutions in protocol for dealing with foreign visitors. The bill, sponsored by Sen. Ellen Anderson (DFL-St. Paul) was approved and forwarded to the funding division.

S.F. 2539, sponsored by Sen. Arlene Lesewski (IR-Marshall), repeals the requirement that electric utilities must submit 15-year advance forecasts to the Environmental Quality Board each biennium. The measure also exempts utilities that file periodic resource plans with the Public Utilities Commission from submitting annual advance forecasts to the Dept. of Public Service. S.F. 2539 was approved and sent to the Senate floor.

S.F. 2737 creates a liquefied petroleum gas account in the special revenue fund. The measure, sponsored by Sen. Janet Johnson

(DFL-North Branch), transfers the fees paid by sellers of liquefied petroleum to the account and specifies that the funds are to be used by the commissioner of jobs and training for weatherization of homes. The bill was approved and sent to the committee's funding division.

S.F. 1971, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), exempts members of limited liability companies from mandatory workers' compensation coverage. The panel approved a clarifying amendment by the author and approved the bill. S.F. 1971 now goes to the Senate floor.

Last, the panel approved S.F. 2800, an bill making technical and housekeeping changes to statutes governing unemployment compensation. Among the changes made by the bill are changing the name of unemployment insurance to reemployment insurance. The bill, authored by Sen. Linda Runbeck (IR-Circle Pines), now goes to the Senate floor.

## Wage debate begins

Members of the Jobs, Energy and Community Development Committee met Wed., Mar. 30 and began debating a bill to raise the minimum wage. S.F. 1944, carried by Sen. Randy Kelly (DFL-St. Paul), increases the minimum wage in three annual steps beginning in July, 1994. The measure provides for separate wage increases for large employers and small employers as defined in terms of number of employees and annual sales. Large employer is defined as an enterprise with an annual gross volume of sales made or business done at more than \$362,000 per year and covered by the Minnesota Fair Labor Standards Act. For large employers, the minimum wage is set at a rate of \$5 an hour beginning this July, at \$5.75 an hour beginning July 1, 1995 and at \$6.50 an hour beginning July 1, 1996. For small employers, the minimum wage is set at \$4.75 beginning this July, at \$5.50 per hour beginning July 1, 1995 and at \$6.25 an hour beginning July 1, 1996. On July 1, 1997 and each year after that, the bill specifies that the minimum wage paid by both large and small employers must be adjusted by the same percentage as the change in the consumer price index for the preceding calendar year.

Members of the panel, chaired by Sen. Steven Novak (DFL-New Brighton), heard proponents of the measure at the morning hearing. Opponent testimony and action on the measure are schedule for an evening hearing Wed., Mar. 30, after this edition of Briefly goes to press.

In other action, the committee approved two bills. S.F. 2836, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), changes procedures for allocating bonding authority. The measure was advanced to the Committee on Taxes and Tax Laws. S.F. 2699, authored by Sen. Jerry Janezich (DFL-Chisholm), provides for a 26 week extension of unemployment compensation benefits for the 700 workers in the mining industry who are locked out at National Steel. According to Janezich the measure is intended to bridge the gap while employees seek ways to purchase the company. Janezich said the bill provides about \$5.5 million in benefits. The measure was approved and sent to the Senate floor.

## Judiciary

### Adoption bill approved

The Senate Judiciary Committee endorsed various bills, placing several of them on the Consent Calendar, Fri., Mar. 25.

Among the bills okayed, was S.F. 2129,

# Committee update

sponsored by Sen. Pat Piper (DFL-Austin). The bill codifies procedures for adoption. Provisions in the measure allow for payment to be made to the birth mother for reasonable counseling, medical, legal and adoption agency fees, as well as costs for transportation, meals and lodging. Piper said that the bill protects all parties--the birth mother, the adoptive parents, and the child. S.F. 2129 was sent to the Senate.

S.F. 1735, a bill that contains provisions relating to foster care and adoption, was approved by the committee. Authored by Sen. Don Betzold (DFL-Fridley), the measure provides for uniformity in adoption and foster care matters. The bill now advances to the floor.

A measure that relates to procedures of the Board of Dentistry, S.F.2005, was endorsed by the members and sent to the Senate. The bill, authored by Sen. Dallas Sams (DFL-Staples), requires health care providers to report adverse employment action taken with respect to an individual licensed by the board.

Also okayed by the committee was S.F. 1948. Carried by Sen. Charles Berg (DFL-Chokio), the bill amends the Corporate Farming Act by allowing the formation of family farm limited liability companies. The measure proceeds to the floor.

S.F. 2031, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), authorizes collection of debts related to lawful gambling activities. S.F. 2031 was sent to the full Senate.

A bill that amends the definition of "employee," under the Human Rights Act, to include independent contractors was advanced to the floor. Authored by Sen. Ellen Anderson (DFL-St. Paul), the measure protects independent contractors from discriminatory practices in the workplace.

A tort recodification bill, S.F. 2309, authored by the committee's chair, Sen. Ember Reichgott Junge (DFL-New Hope), was sent to the full Senate. Amended into S.F. 2309, was S.F. 2021, a bill that limits liability for injuries arising out of activities related to livestock. Carried by Sen. Gary Laidig (R-Stillwater), S.F. 2021 recognizes "inherent risks" in livestock activities.

The committee also approved S.F. 2642, a bill that establishes a witness privilege for communications made to a licensed social worker. Sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), the measure requires that social workers must not disclose information acquired in a professional capacity without a client's consent.

A bill providing that the venue for repossession actions involving mobile homes be carried out in the county where the home is located, rather than any court within the state, also authored by Finn, was placed on the Consent Calendar. Finn's bill S.F. 2422, which allows for damages and injunctive relief for violation of the laws dealing with interference with burial grounds, was placed on the Consent Calendar as well.

S.F. 2431, authored by Sen. Thomas Neuville (R-Northfield), was placed on the Consent Calendar. The bill modifies administrative subpoena requirements pertaining to welfare fraud cases.

A bill that authorizes title insurance companies to execute certificates of release of mortgages, S.F. 2267, carried by Sen. Don Samuelson (DFL-Brainard), was placed on the Consent Calendar, along with Betzold's measure, S.F. 2731, the traditional revisor's corrections bill.

S.F. 2641, a bill that implements electronic data interchange standards for MinnesotaCare, was re-referred to the Health

Care Committee. Authored by Sen. Linda Berglin (DFL-Mpls.), the measure ensures that patients are notified that use of a social security number as an identifier is optional.

Lastly, members re-referred S.F. 2313, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), to the Finance Committee. Mondale's bill expands the authority of the commissioner of the Pollution Control Agency to issue determinations of liability for release of hazardous substances and petroleum.

## Uniform probate code approved

The Senate Judiciary Committee met Mon., Mar. 28, to review three bills; one was approved and sent to the floor, and the other two were laid over.

S.F. 1558, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), updates the Uniform Probate Code, which deals with intestate succession and wills. The bill is based on revisions proposed by the National Conference of Commissioners on Uniform State Laws.

Robert Stein, dean of the University of Minnesota's Law School, testified in support of the bill. Stein said that S.F. 1558 incorporates the concept of community property. Under current law, the intestate share for the surviving spouse depends on whether or not the intestate spouse had descendants, and if so, whether or not the persons were also descendants of the surviving spouse. In most situations, S.F. 1558 increases the share of the surviving spouse. Implementation of a sliding scale allows for the percentage of the spouse's elective share to vary, depending on the length of the marriage. For a one year marriage the percentage would be 3 percent, gradually increasing to a maximum of 50 percent for a marriage of 15 years or more.

Thus the share is smaller than present law for a shorter marriage, but increases significantly for a longer marriage. Stein said that the bill is supported by various groups, including the National Organization of Women and the American Association of Retired Persons. The committee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), approved S.F. 1558 and sent it to the full Senate.

Sen. Jane Ranum (DFL-Mpls.) presented S.F. 2586, a bill that provides for a custody presumption in favor of grandparents under specific circumstances. Ranum said that 3.2 million children nationwide now live with grandparents, up 35 percent in the last decade; in Minnesota, 21,000 children live in homes headed by grandparents. "It is a phenomenon cutting across all class and ethnic lines," Ranum said. S.F. 2586 was laid over by the members.

Review was begun of S.F. 1133, a bill carried by Sen. Steven Morse (DFL-Dakota). The measure, which establishes a cleanup program for closed landfills, was laid over.

## Omnibus data bill advances

The Joint Judiciary and Crime Prevention Subcommittee on Data Practices, chaired by Sen. Jane Ranum (DFL-Mpls.) and Sen. Harold "Skip" Finn (DFL-Cass Lake), met Mon. evening, Mar. 28, to hear testimony regarding the Open Meeting Law and to review numerous bills related to the Data Practices Act.

S.F. 715, authored by Sen. Phil Riveness (DFL-Bloomington), amends the Data Practices Act by clarifying provisions contrary to a recent opinion of the Minnesota Court of Appeals. The bill allows for penalty payments for violations of the Open Meeting Law. S.F. 715 authorizes the court to award

reasonable costs, disbursement and attorney fees to the plaintiff for intentional violation of the Open Meeting Law.

Testifying in support of the measure were Mark Anfinson, Minnesota Newspaper Association, and Joan Higenbotham of Common Cause. Anfinson said that 20 other states already provide for attorney's fees and in 9 of those states, the provision is mandatory. "S.F. 715 significantly strengthens the Open Meeting Law," Higenbotham said.

Among those opposed to the bill were Jim Collins, mayor of Hibbing, and Tom Deans of the Minnesota School Board Association. Collins said that the law is unclear and that the penalties to persons who inadvertently violate the law are too severe. The other concern, raised by Deans, is that part-time public service will decline under S.F. 715. Deans said that the bill discourages people from serving on school boards and city councils, for fear of being sued. S.F. 715 was approved by the members, and re-referred to the Judiciary Committee.

Finn also presented S.F. 1717, a bill that relates to audio recordings of 911 calls. The measure changes the classification of the 911 recordings from public to private data. Testifying in support of Finn's bill was Bob Heaney. Heaney said that his family was forced to relive a tragic event, when the tape of the call Heaney's brother-in-law made to 911 was broadcast on local news. Heaney testified that the expectation of a caller to 911 is one of help and privacy, not sensationalism by the media. The bill was okayed and rolled into S.F. 2079.

The omnibus data practices bill, S.F. 2079, also sponsored by Finn, was approved and re-referred to the Judiciary Committee. Among the various changes included in the measure is the extension of the sunset clause for health records intended for medical or scientific research. The provision changes the date from June 1, 1994 to June 1, 1996. Another provision in the bill authorizes the commissioner of a health board to inform the physician attending a newborn of the hepatitis B infection status of the biological mother.

Several bills were incorporated into the omnibus data practices bill. Among the measures folded into S.F. 2079 were four bills carried by Ranum. S.F. 2842, classifies data collected for enrollment of individuals in recreational and other social programs as private. A bill that allows a complainant access to his or her statement made to a state agency, S.F.2843, was amended into S.F.2079, along with S.F.2747, a measure that authorizes access by the Dept. of Human Services to specific data kept by the Dept. of Jobs and Training. S.F. 2359, a bill that allows for sharing of information on juveniles between schools and law enforcement, was also incorporated into the omnibus bill.

Sen. Linda Runbeck (R-Circle Pines) presented S.F. 2591, a bill that classifies data prepared by the commissioner of trade and economic development, with respect to financial assistance from the Urban Initiative Board, as nonpublic. Runbeck said that the measure's intent is to protect trade secrets. The bill was approved and rolled into the data omnibus bill.

S.F. 2461, a bill that permits information sharing between family service agencies was presented by Sen. Jane Krentz (DFL-May Township). The subcommittee endorsed the measure and incorporated it into the omnibus data practices bill.

A bill enabling the commissioner of health to conduct fetal, infant, and maternal death studies to assess health and welfare systems,

S.F.1977, was also rolled into the Omnibus Bill. Sen. Pat Piper's (DFL-Austin) measure gives the commissioner access to medical records and classifies the data as private.

Lastly, Sen. Dan Stevens (IR-Mora) presented S.F. 2271, a bill that permits the release of data on a child support obligor who is in arrears. The measure permits publication of the names of individuals who fail to pay child support. The bill was referred to the Judiciary Committee.

## Metropolitan and Local Government

### Annexation compromise adopted

The Metropolitan and Local Government Committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, approved an amended annexation proposal during its Thurs. afternoon, Mar. 24, meeting. Three annexation bills were scheduled to be heard during the meeting, but an amendment to one eliminated the need to hear another, and the third was rescheduled.

S.F. 365 and S.F. 1853, both changed the procedures to be used when a municipality annexes land. The author of both bills, Sen. John Hottinger (DFL-Mankato), said that representatives of municipality and township groups had agreed on a number of provisions in both bills. He offered an amendment to S.F. 365 and said that it reflected that agreement.

The amendment included provisions requiring public hearings on proposed annexations and a 30-day notice to landowners in the proposed annexation area. It provides affected townships with the tax receipts from the annexed property the year the annexation occurs, and requires municipalities to make cash payments equal to two-thirds of the amount of taxes the townships would have received the first year after the annexation. Townships would receive a cash payment equal to one-third of the property taxes in the second year after the annexation.

The amendment also requires that annexed lands be included in land use plans, limits the length of time municipalities have to carry out the annexation procedures, and states that the Office of Strategic and Long-Range Planning shall define "urban or suburban in character".

S.F. 385 was then approved, as amended, and sent to the floor. The third bill that had been placed on the agenda, H.F. 228 sponsored by Sen. Jim Vickerman (DFL-Tracy), was rescheduled for a later meeting.

### MTC bonding proposal

A proposal increasing the amount of bonds available to the Metropolitan Transit Commission (MTC) was approved by the Metropolitan and Local Government Committee, Thurs. evening, Mar. 24. The committee, chaired by Sen. Carol Flynn (DFL-Mpls.) for Sen. Betty Adkins, heard and approved three other bills during the meeting.

S.F. 2816 increases the amount of bonds that the Metropolitan Council may issue on the MTC's behalf from \$62.24 million to \$115.5 million. The bill, authored by Sen. Sandra Pappas (DFL-St. Paul), amends current law which sets the amounts available for MTC to use for fleet replacement, facilities and equipment purchased. The bill was approved and re-referred to the Transportation and Public Transit Committee.

The committee also heard S.F. 2719, authorizing and establishing the Chisholm/Hibbing Airport Authority. Presented to the committee by its author, Sen. Jerry Janezich

(DFL-Chisholm), the bill allows for the creation of a board of directors, establishes an executive director position, and provides the authority to issue bonding to the airport authority. The bill was approved and sent to the Taxes and Tax Law Committee.

Two other bills were approved and re-referred to the Consent Calendar. S.F. 2647, authored by Sen. Carl Kroening (DFL-Mpls.), allows the Mpls. school district and Mpls. Building Commission to have the same authority to negotiate contracts with local trade and craft labor organizations as the city exercises. S.F. 2672, sponsored by Sen. Dick Day (IR-Owatonna) allows county boards to appoint a person who is the deputy coroner to the county position if an individual, who has not met the educational requirements of the position, can be found.

### MWCC position changed

A bill making the chair of the Metropolitan Waste Control Commission (MWCC) board a part-time position was approved by the Metropolitan and Local Government Committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, Mon., Mar. 28.

S.F. 2256 changes the MWCC board chair from a full-time to a part-time position and reduces the salary range of that position to between \$15,000 and \$25,000 a year. Sen. William Luther (DFL-Brooklyn Park), the author, added an amendment prohibiting his bill, S.F. 2256, from taking effect if the Metropolitan reorganization legislation, which abolishes the position and places the MWCC in the Metropolitan Council, is enacted.

Mondale offered an amendment allowing local governments to appeal MWCC's cost allocations to an administrative law judge. He said the amendment gives local governments a recourse if they feel the costs charged to them are incorrect, and gives municipalities a way to hold MWCC accountable for cost determinations. Representatives of both the Metro Council and the MWCC opposed the bill, saying that the commission has adequate measuring systems to determine accurate costs and that the Metro Council can be used as a reviewing body. The Mondale amendment was not adopted.

Sen. Carol Flynn (DFL-Mpls.) offered an amendment that was accepted, allowing the MWCC to have the same bidding limits now being used by other units of government. The committee then approved the bill, as amended, and re-referred it to the Senate floor.

The committee also heard S.F. 2362, which establishes a statewide sustainable economic development and environment plan. The bill's author, Sen. Kevin Chandler (DFL-White Bear Lake), offered an amendment replacing the provisions with language to set up a Sustainable Economic Development and Environmental Protection Task Force. The task force, Chandler said, will recommend policies and goals on land use and sustainable communities, and develop a planning framework to enhance collaboration at all levels. Among the issues to be examined within the framework are sustainable economic development, protection of natural resources, urban-rural linkages, and citizen involvement. A report is to be presented in January 1995.

The committee amended the task force provisions, reducing the number of legislators from six to four and added a provision ending the task force in January 1995. S.F. 2362, as amended, was passed and re-referred to the Governmental Operations and Reform Committee.

The committee also approved S.F. 2119, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake). The bill requires towns to give notice to landowners or occupants of their opportunity to appeal damage awards given when a town alters or vacates an existing road. The bill was re-referred to the Consent Calendar.

## Transportation and Public Transit

### High speed bus project okayed

Members of the Transportation and Public Transit Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met for the second time Fri., Mar. 25, to clear the agenda of bills before the first committee deadline. The panel approved nine bills.

S.F. 2153, authored by Sen. Phil Riveness (DFL-Bloomington), establishes a high speed bus pilot project and provides \$3.25 million from the bond proceeds fund to implement the project. The measure was approved and re-referred to the Committee on Finance.

S.F. 2617, authored by Sen. Carol Flynn (DFL-Mpls.), provides for an advisory council on major transportation projects. The bill was approved and sent to the full Senate. S.F. 2503, sponsored by Sen. Jane Krentz (DFL-May Township), conforms powers held by counties over county highways to those powers held by counties over county state-aid highways. The measure was approved and recommended for the Consent Calendar. S.F. 2471, authored by Sen. Janet Johnson (DFL-North Branch), changes the highway description of a highway near Cambridge. The measure was also approved and recommended for the Consent Calendar.

S.F. 2618, authored by Sen. Ember Reichgott Junge (DFL-New Hope), exempts unmarked police vehicles from registration requirements in the same manner marked police vehicles are exempted. An amendment, offered by Sen. Jim Vickerman (DFL-Tracy), adds unmarked fire department vehicles to the exemptions. The amendment was adopted and the bill was approved and re-referred to the Taxes and Tax Laws Committee. S.F. 2556, carried by Sen. Terry Johnston (IR-Prior Lake), increases the money set aside from the county state-aid highway and municipal state-aid street funds to the disaster accounts and research accounts and changes the composition of the disaster account boards. The measure was approved and sent to the full Senate.

S.F. 2824, authored by Sen. Steven Morse (DFL-Dakota), increases the cap on ethanol development payments to ethanol producers, extends the expiration of payments for ethanol development, increases the minimum oxygen content of gasoline and eliminates the tax credit for agricultural alcohol gasoline. The measure was approved and sent to the Committee on Finance. S.F. 2744, authored by Sen. Roy Terwilliger (IR-Edina), establishes and provides for appointments to an advisory council to study and report on statewide paratransit. The bill was approved and sent to the Finance Committee.

S.F. 348, carried by Sen. Ellen Anderson (DFL-St. Paul), requires the accelerated construction of noise barriers on Highway 280 if the reconstruction of the highway is delayed beyond F Y 1997. The measure was approved and sent to the full Senate. Members also took up a bill that had failed at a previous committee hearing and advanced the measure to the full Senate. S.F. 1679, authored by Johnston, designates a highway in Scott County as a Minnesota Veterans Highway.

# Committee update

A bill, S.F. 2819, authored by Chmielewski, delaying the application and enforcement of the rule against Class II permit holders owning, leasing or controlling more than one terminal, was not acted upon by the panel after conflicting testimony failed to resolve opposition to the measure.

## Seat belt violations revision

The Transportation and Public Transit Committee, at the Tues., Mar. 29, meeting, approved a bill authorizing peace officers to stop drivers and ticket them for seat belt violations without first observing a moving violation. Sen. Linda Berglin (DFL-Mpls.), sponsor of S.F. 1726, urged adoption of the measure, citing figures from the Minnesota Dept. of Health that annual health care costs of traumatic brain injuries associated with nonuse of vehicle restraints are estimated at more than \$30 million. The committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), approved S.F. 1726 and forwarded it to the Senate floor.

S.F. 2472, a bill authorizing the Dept. of Transportation to enter into an agreement with the state of Wisconsin to construct and operate a truck inspection station was also approved. The proposed station is to be built on U.S. Highway 8, east of Taylor's Falls. The bill's sponsor, Sen. Janet Johnson (DFL-North Branch), said an inspection station is needed because several times a year, poorly maintained trucks come down a hill outside Taylor's Falls, lose braking ability, and lose control near downtown Taylor's Falls. The estimated cost to the state is \$385,000. The bill now goes to the Senate floor.

S.F. 430, sponsored by Sen. Jim Vickerman (DFL-Tracy), allows rural mail carriers to apply for permits to use studded tires on mail delivery vehicles. Permits may be issued by the commissioner of transportation to carriers who deliver on a route that is 25 percent or less paved. The bill was approved and sent to the Senate floor.

S.F. 2184 increases the maximum allowable fine for some traffic violations from \$100 to \$200. The bill, sponsored by Sen. Richard Cohen (DFL-St. Paul), also makes numerous technical changes in the statute regarding driving without a license. The committee adopted one further amendment, offered by Chmielewski, increasing from \$200 to \$700 the fine for railroads that block the road in Askov. The committee then approved 2184 and forwarded it to the Crime Prevention Committee. The committee also granted approval to S.F. 862, sponsored by Sen. Leonard Price (DFL-Woodbury). The bill gives county attorneys more authority to prosecute automobile dealers who have violated the terms of their licenses. The panel approved a version of the bill that eliminates previous language requiring licensing of automobile brokers. S.F. 862 now goes to the Consent Calendar.

S.F. 2706, sponsored by Sen. Roger Moe (DFL-Erskine), was also approved. The bill exempts the hauling of potatoes from motor carrier certificate and permit requirements. The bill was approved and sent to the Senate floor.

## Child seat fund bill okayed

A bill creating a special account for fines for violating child passenger restraint laws was advanced by members of the Transportation and Public Transit Finance Division at the Tues., Mar. 29, hearing. Under S.F. 1795, sponsored by Sen. Gary Laidig (IR-Stillwater), money collected in the account would be used to provide child passenger

restraint systems to families who couldn't otherwise afford them and to provide an educational program on the proper use of child restraint seats. According to testimony at the hearing, the number of children and infants killed or injured in car accidents has dropped dramatically with the use of child passenger restraints. The measure was approved and sent to the full committee.

In other action, the panel, chaired by Sen. Keith Langseth (DFL-Glyndon), also approved a bill to increase the amount of bonds the Metro Council may issue for transit purposes. S.F. 2816, authored by Sen. Sandra Pappas (DFL-St. Paul), increases the bonding amount from \$62 million to \$135.4 million for fleet replacement, facilities, capital equipment, transit hubs, park-and-ride lots, community-based transit vehicles and replacement service program vehicles, and intelligent vehicle highway systems projects. The measure was sent to the full committee.

S.F. 2151, authored by Langseth, provides for a study of devices that automatically record mileage and are capable of being read by sensors maintained by the commissioner of transportation. Another bill, S.F. 2439, authored by Pappas, requires a study of road pricing finance options. The latter bill was redrafted and adopted as an amendment to the Langseth bill. According to Pappas "road pricing" includes, but is not limited to, methods of financing such as toll roads and fees based on the time of travel and congestion levels of specific highways. The Langseth bill, as amended, was approved and sent to the full committee.

## Inattentive driving bill advances

A bill that replaces the crime of careless driving with an inattentive driving offense cleared the Transportation and Public Transit Committee Weds., Mar. 30. S.F. 942, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), states that every driver is responsible for using due care in operating a vehicle and makes inattentive driving a petty misdemeanor offense. The bill now goes to the Senate floor.

The committee also approved S.F. 2660, sponsored by Sen. Sandra Pappas (DFL-St. Paul), enables a joint agreement between Ramsey county and the city of St. Paul. The bill provides for funding of road repairs. Pappas said the bill does not affect the state, but rather removes obstacles so that the city and county can update their funding arrangement. Under the bill, the county is required to appropriate \$100,000 annually to municipalities in the county that do not receive municipal state-aid street funds. The funds are to be used to maintain former county roadways that have been transferred to municipal jurisdictions. S.F. 2660 also gives county attorneys more authority to prosecute automobile dealers when they violate the terms of their licensing. The bill now goes to the Consent Calendar.

S.F. 2816, also sponsored by Pappas, increases to \$133 million the amount of bonds that the Metropolitan Council may issue on behalf of the Metropolitan Transit Commission. The funds are to be used for fleet replacement, facilities, transit hubs, park-and-ride lots, and other transit expenditures. The bill was approved and re-referred to the Taxes and Tax Laws Committee.

The committee also granted approval to S.F. 2151, sponsored by Sen. Keith Langseth (DFL-Glyndon). The bill requires a study of technology allowing motor vehicles to be equipped with an automatic mileage recorder that can be read by sensors maintained by the

commissioner of transportation. The bill also requires the commissioner to conduct a study of the feasibility of replacing the present gas tax with a system that charges motorists based on the number of miles driven. The bill was approved and sent to the Senate floor.

Last, the committee approved S.F. 1795, creating the Minnesota child passenger restraint and education account. The bill provides that fines collected for violation of the child passenger restraint law are credited to the account. The bill, authored by Sen. Gary Laidig (IR-Stillwater), specifies that money from the account is to be used to provide child passenger restraint systems to families in financial need, and to provide an educational program on their use. The bill was approved and sent to the Senate floor.

## Veterans and General Legislation

### Women's ice centers bill okayed

A bill providing an appropriation for two women's ice centers was approved at the Thurs., Mar. 24, meeting of the Veterans and General Legislation Committee. S.F. 2626, authored by Sen. William Luther (DFL-Brooklyn Park), specifies that the Minnesota Amateur Sports Commission is to administer a site selection process. In addition, the bill specifies that the proceeds from the sale of the Metropolitan Sports Center are to be deposited in the women's ice center building account. The measure was approved and re-referred to the Finance Committee.

The committee, chaired by Sen. Jim Vickerman (DFL-Tracy), approved two additional bills. S.F. 800, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), spells out the standards of care of dogs and cats by pet dealers, breeders and brokers. The measure details the standards for food, water, exercise, transport and shelter. The bill was approved and sent to the full Senate. S.F. 2607, carried by Sen. William Belanger (IR-Bloomington), clarifies the procedures for the disposition of abandoned animals left with a veterinarian, boarding facility or commercial facility. The measure was approved and recommended for the Consent Calendar.

## Floor action

### Bills advance

Senators met Mon., Mar. 28, for a productive floor session that cleared numerous bills from the Consent Calendar and advanced 13 measures on the General Orders Calendar. In addition, two measures were granted concurrence and respassage.

The two measures receiving concurrence and respassage included S.F. 1691, authored by Sen. Don Betzold (DFL-Fridley), clarifying and making technical corrections to statutory provisions relating to real property and S.F. 2086, sponsored by Sen. Pat Piper (DFL-Austin), extending dispensing authority to physician assistants and advanced practice nurses.

Bills gaining final passage on the Consent Calendar bypass the General Orders Calendar and are generally considered to be noncontroversial. H.F. 2090, carried by Sen. Bob Lessard (DFL-Int'l. Falls), provides that the statutory procedure for tree removal does not apply to trees removed from town roads dedicated by plat. H.F. 2016, authored by Sen. Sam Solon (DFL-Duluth), regulates mortgage payments services and requires a bond or other security. S.F. 1835, carried by

Sen. Joe Bertram, Sr. (DFL-Paynesville) prohibits payment of costs of elective or cosmetic procedures for prison or jail inmates. H.F. 1906, carried by Piper, routes an existing state trail and establishes new trails. S.F. 2149, authored by Sen. Dan Stevens (IR-Mora), makes the field citation pilot project permanent law and authorizes penalties for unauthorized waste disposal. S.F. 2237, sponsored by Sen. Don Samuelson (DFL-Brainerd), changes dates relating to the taking of fish and changes the requirements relating to when fish houses and dark houses may be on the ice.

S.F. 2242, authored by Sen. Jane Ranum (DFL-Mpls.), defines escaping while held in lawful custody to include absconding from electronic monitoring devices. S.F. 1870, sponsored by Sen. Allan Spear (DFL-Mpls.), requires the court at sentencing to inform victims how to implement their right to notice of offender release from correctional facilities. S.F. 2522, authored by Sen. Dallas Sams (DFL-Staples), permits the consolidation of the offices of auditor and treasurer in Wadena County. S.F. 1951, carried by Sen. Terry Johnston (IR-Prior Lake), restricts health insurance termination or reductions of coverage for fibrocystic conditions. S.F. 2425, sponsored by Stevens, requires the state fire marshal to conduct a study on fireworks safety and operator qualifications.

S.F. 2450, carried by Sen. James Metzen

(DFL-South St. Paul), clarifies laws relating to the status of the Minnesota Historical Society. S.F. 1823, sponsored by Ranum, lists provisions codified outside the government data practices act that limit access to data. S.F. 2415, carried by Sen. Paula Hanson (DFL-Ham Lake), increases from \$500 to \$1,000 the threshold level of reportable motor vehicle accidents. S.F. 1968, sponsored by Sen. Sandra Pappas (DFL-St. Paul), extends eligibility for special veterans' license plates to allied veterans. S.F. 1983, authored by Sen. Ellen Anderson (DFL-St. Paul) clarifies applications and criteria for Minnesota companies to participate in the international business partnership program.

A number of measures were granted preliminary approval on General Orders. S.F. 1483, authored by Sen. John Marty (DFL-Roseville) changes requirements and procedures for voter registration and simplifies absentee voting. H.F. 1964, sponsored by Sen. Cal Larson (IR-Fergus Falls), regulates reinsurance, loss reserve certifications and annual audits and annual statements. S.F. 1702, carried by Sen. Ember Reichgott Junge (DFL-New Hope), directs the commissioner of commerce to conduct a study of the Minnesota pawnbroker industry. H.F. 1914, carried by Metzen, removes the geographical limitation contained in the definition of reciprocating states for purposes of reciprocal interstate banking and reciprocating interstate savings and loan acquisitions and branching.

cal interstate savings and loan acquisitions and branching.

H.F. 1934, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), modifies provisions for the organization and operation of business corporations. H.F. 1886, sponsored by Larson, is a departmental bill relating to regulating insurers, investments, rehabilitations and liquidations, policy loans and alternative coverage mechanisms. S.F. 2241, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), clarifies the definition of targeted neighborhood in a community resources program and clarifies the procedures that may be used by the city of Minneapolis in assessing special assessments. S.F. 2262, authored by Sams, removes notice requirements for on-site inspections by town boards. S.F. 1999, authored by Sen. Duane Benson (IR-Lanesboro), changes specific pesticide posting requirements.

S.F. 2303, sponsored by Pappas, requires persons age 55 or over to complete a refresher course in accident prevention in order to remain eligible for a reduction in car insurance rates. S.F. 1774, carried by Hanson, permits the use of amber strobe lights on rural mail carriers. S.F. 1832, authored by Bertram, authorizes immediate towing after 12 hours advance notice of restricted parking in cities under 50,000. S.F. 1662, carried by Piper, adopts the Uniform Interstate Family Support Act.

# Preview

No meetings are scheduled for Mon., April 4. Below is the tentative schedule for April 5-8.

Time	Tuesday	Wednesday	Thursday	Friday
8:00 a.m. - 12:00 noon	Floor Session 9:00 a.m.-noon	Floor Session 9:00 a.m.-noon	Floor Session 9:00 a.m.-noon	Floor Session 9:00 a.m.-noon
12:00 noon - 2:00 p.m.	Crime Prevention Finance Division Environment Finance Division	Crime Prevention Finance Division Environment Finance Division	Crime Prevention Finance Division Environment Finance Division	Finance Committee Taxes and Tax Laws Committee
2:00 p.m. - 4:00 p.m.	Education Divisions Health Care/Family Services Funding Division Jobs, Energy, and Community Development Funding Division	Education Divisions Health Care/Family Services Funding Division Jobs, Energy, and Community Development Funding Division	Education Divisions Health Care/Family Services Funding Division Jobs, Energy, and Community Development Funding Division	Finance Committee Taxes and Tax Laws Committee
4:00 p.m. - 6:00 p.m.	Finance State Government Division Taxes and Tax Laws Committee	Finance State Government Division Taxes and Tax Laws Committee	Finance State Government Division Taxes and Tax Laws Committee	Finance Committee Taxes and Tax Laws Committee
6:00 p.m. - 8:00 p.m.	Crime Prevention Finance Division Environment Finance Division	Crime Prevention Finance Division Environment Finance Division	Crime Prevention Finance Division Environment Finance Division	Finance Committee Taxes and Tax Laws Committee
8:00 p.m. - 10:00 p.m.	Education Divisions Health Care/Family Services Funding Division Jobs, Energy, and Community Development Funding Division	Education Divisions Health Care/Family Services Funding Division Jobs, Energy, and Community Development Funding Division	Education Divisions Health Care/Family Services Funding Division Jobs, Energy, and Community Development Funding Division	Finance Committee Taxes and Tax Laws Committee

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## Senate Members --- 1994 Session

Party	Phone	Name	Room	Dist.	Party	Phone	Name	Room	Dist.
DFL	296-5981	Adkins, Betty A	309	Cap. 19	DFL	8869	Luther, William P.	205	Cap. 47
DFL	5537	Anderson, Ellen R.	G-27	Cap. 66	DFL	5645	Marty, John	G-9	Cap. 54
DFL	5713	Beckman, Tracy L.	301	Cap. 26	IR	2159	McGowan, Patrick D.	129	SOB 33
IR	5975	Belanger, William V., Jr.	113	SOB 41	DFL	4154	Merriam, Gene	122	Cap. 49
IR	3903	Benson, Duane D.	119	SOB 31	DFL	4370	Metzen, James P.	303	Cap. 39
IR	6455	Benson, Joanne E.	153	SOB 16	DFL	2577	Moe, Roger D.	208	Cap. 2
DFL	5094	Berg, Charles A.	328	Cap. 13	DFL	7-8065	Mondale, Ted A.	309	Cap. 44
DFL	4261	Berglin, Linda	G-9	Cap. 61	DFL	5649	Morse, Steven	G-24	Cap. 32
DFL	2084	Bertram, Joe, Sr.	323	Cap. 14	DFL	4264	Murphy, Steve L.	226	Cap. 29
DFL	2556	Betzold, Don	G-24	Cap. 48	IR	1279	Neuville, Thomas M.	123	SOB 25
DFL	9307	Chandler, Kevin M.	111	Cap. 55	DFL	4334	Novak, Steven G.	322	Cap. 52
DFL	4182	Chmielewski, Florian	325	Cap. 8	IR	4837	Oliver, Edward C.	121	SOB 43
DFL	5931	Cohen, Richard J.	317	Cap. 64	IR	1282	Olson, Gen	131	SOB 34
IR	9457	Day, Dick	105	SOB 28	DFL	1802	Pappas, Sandra L.	G-27	Cap. 65
IR	4131	Dille, Steve	103	SOB 20	IR	5252	Pariseau, Pat	109	SOB 37
DFL	6128	Finn, Harold R. "Skip"	306	Cap. 4	DFL	9248	Piper, Pat	G-9	Cap. 27
DFL	4274	Flynn, Carol	G-29	Cap. 62	DFL	7809	Pogemiller, Lawrence J.	235	Cap. 59
IR	8138	Frederickson, Dennis R.	139	SOB 23	DFL	7-8060	Price, Leonard R.	235	Cap. 57
DFL	3219	Hanson, Paula E.	328	Cap. 50	DFL	7-8061	Ranum, Jane B.	325	Cap. 63
DFL	6153	Hottinger, John C.	G-29	Cap. 24	DFL	2889	Reichgott Junge, Ember D.	306	Cap. 46
DFL	8017	Janezich, Jerry R.	328	Cap. 5	DFL	7-8062	Riveness, Phil J.	317	Cap. 40
IR	3826	Johnson, Dean E.	147	SOB 15	IR	4314	Robertson, Martha R.	125	SOB 45
DFL	8881	Johnson, Douglas J.	205	Cap. 6	IR	1253	Runbeck, Linda	107	SOB 53
DFL	5419	Johnson, Janet B.	322	Cap. 18	DFL	7-8063	Sams, Dallas C.	G-9	Cap. 11
IR	4123	Johnston, Terry D.	117	SOB 35	DFL	4875	Samuelson, Don	124	Cap. 12
DFL	5285	Kelly, Randy C.	122	Cap. 67	DFL	4188	Solon, Sam G.	303	Cap. 7
IR	4848	Kiscaden, Sheila M.	143	SOB 30	DFL	4191	Spear, Allan H.	G-27	Cap. 60
IR	4120	Knutson, David L.	133	SOB 36	IR	8075	Stevens, Dan	127	SOB 17
DFL	7061	Krentz, Jane	235	Cap. 51	DFL	8660	Stumpf, LeRoy A.	G-24	Cap. 1
DFL	4302	Kroening, Carl W.	124	Cap. 58	IR	6238	Terwilliger, Roy W.	115	SOB 42
IR	4351	Laidig, Gary W.	141	SOB 56	DFL	5650	Vickerman, Jim	226	Cap. 22
DFL	3205	Langseth, Keith	G-24	Cap. 9	DFL	7-8073	Wiener, Deanna	303	Cap. 38
IR	5655	Larson, Cal	145	SOB 10	Capitol or State Office Building, St. Paul, MN 55155 TDD number 296-0250 Senate Information 296-0504				
IR	4125	Lesewski, Arlene J.	135	SOB 21					
DFL	4136	Lessard, Bob	111	Cap. 3					

# Briefly

The Minnesota Senate Week in Review

April 8, 1994

## Target Center bill advances

A bill authorizing the Metropolitan Sports Facilities Commission (MSFC) to acquire the Target Center cleared its first hurdle on Thurs., Mar. 31, when the Metropolitan and Local Government Committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, approved the proposal on a voice vote. The bill now goes to the Taxes and Tax Laws Committee.

S.F. 2725, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), sets the terms for the Target Center to become a publicly-owned facility under the MSFC. Under the proposal, the sports facilities commission can request the Metropolitan Council to sell revenue bonds for the purchase, but before the bonds can be sold, a number of provisions must be in place. The MSFC is to have a 30 year tenant lease agreement with both the professional basketball team and the league. The commission is required to obtain the rights to the titles of the arena and the its land. Other mechanisms that will generate operating revenue and meet the debt service payments on the arena are to be established.

The proposal calls for the MSFC to impose a 10-percent tax on admission to the arena, as it now does on Metrodome tickets, and a minimum \$1 surcharge per ticket. The city of Minneapolis is to set up a liquor, lodging, and restaurant tax as a potential revenue source, that will "blink on" if the arena's revenue is insufficient to cover expenses.

The MSFC is also permitted to sell the condominium interests, allowing the arena's health club to be operated independently from the Target Center. The facilities commission is also required to try to secure a professional hockey team as a tenant in the arena.

The Minnesota Amateur Sports Commission (MASC) is to receive about \$700,000 from a health club tax. The MASC may lease the Target Center for its events with net proceeds from those events going toward the arena's debt service.

The committee's action came at the end of nearly five hours of discussion and public testimony over two days. Pogemiller said, during the committee's Thurs., Mar. 30, evening meeting, that the bill was the result of negotiations between the current Target Center owners and state and local officials.

The committee heard from both supporters and opponents of the bill. Representatives of the MSFC, the city of Minneapolis, the Dept. of Trade and Economic Development, and hotel and

restaurant employees groups supported the measure. They said that the bill will preserve the jobs that have been created and the economic vitality of the downtown area. Opponents, individual residents and representatives of citizen's groups, argued that the proposal was an inappropriate use of public resources, that the business community should be expected to participate, and that the current arena owners were looking for a way out of the debt they have incurred.

## Prairie Island bill passes

The bill authorizing Northern States Power Company to use up to 17 casks to store spent nuclear fuel was approved at the Wed., Mar. 30, evening floor session. S.F. 1706, authored by Sen. Steven Novak (DFL-New Brighton), was passed on a 42-24 roll call vote. The measure, which had been tabled at a previous floor session, was taken from the table and brought before the body on a 34-31 vote.

In addition to authorizing the dry cask storage at the Prairie Island plant, the measure specifies that while NSP may use 17 casks to store nuclear waste until 2002, additional casks are prohibited unless all nuclear power plants in the state are decommissioned or there is a permanent storage site located outside the state. The measure also prohibits "re-racking" waste in the plant's temporary storage pools in order to increase the pool capacity and specifies that if a disposal site outside becomes available the storage casks must be shipped first and then decommissioned. The bill also requires NSP to direct additional resources to wind power generation with a goal of 300 megawatts by 2005 and to provide 50 megawatts of electricity from biomass from crops. The bill provides for a 50 percent rate discount for low income NSP customers and requires NSP to invest 2 percent of gross operating revenues for energy conservation.

Debate on the issue centered on concerns about the safety of storing nuclear waste at Prairie Island and about the process that brought the bill to the Senate floor. Sen. Jane Ranum (DFL-Mpls.) said that the process of bringing the bill to the floor jeopardized the credibility of the Senate. Sen. Kevin Chandler (DFL-White Bear Lake) argued that "there are many options" other than dry cask storage.

Novak countered that the bill "provides a rational transition away from nuclear power" and that the measure contains a commitment and funding for alternative energy development that is unprecedented.

## Budget bills to the floor

The transportation funding and higher education supplemental budget bills were approved and sent to the Senate floor by the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), during the Thurs., Apr. 7, meeting.

S.F. 2097, the omnibus transportation funding bill, was sponsored by Sen. Keith Langseth (DFL-Glyndon). He offered an amendment to the bill that detailed the bill's specific appropriations. The proposal provides more than \$214 million from several state transportation funds to supplement the funds that were appropriated in 1993. The bill includes \$101 million from the trunk highway fund for state road construction projects and the Dept. of Transportation (MnDOT) is required to spend \$50 million of that amount during the 1994 construction year. Another \$32.6 million is added to state aid for county roads and \$9.5 million is earmarked for local roads.

Additional appropriations to be used to match federal transportation funds were also provided. The bill contains \$7.6 million to match federal funding in order to complete construction of the Bloomington Ferry Bridge, \$15 million to match the federal share of a local bridge replacement and rehabilitation program, and another \$3.9 million for the state's share of a federal demonstration and interstate substitution projects in St. Louis, Lake, and Nicollet Counties.

The Regional Transit Board is appropriated \$15 million with \$5.3 million designated for the Metropolitan Transit Commission, \$2.5 million for Metro Mobility, and \$5 million for the vision for transit projects.

Included in S.F. 2097 are provisions that index the gasoline tax using the annual inflation increases in the Consumer Price Index, and placing a one cent cap on the annual amount that the gas tax could be increased each year starting in FY 95. In addition, the bill contains a provision altering the percentage transferred from the motor vehicle excise tax to be used for transit funding.

The committee amended the Langseth amendment, eliminating a requirement that MnDOT spend \$1 million to complete an environmental impact statement of the Wakota Bridge project and removed a proposal authorizing capital bonds for a Duluth port development project. The amendment was adopted and the bill was sent to the floor with a recommendation for passage.

# Committee update

## Crime Prevention

### Additions to omnibus bill

The governor's crime bill, sponsored by Sen. Patrick McGowan (IR-Maple Grove) was considered by the Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.). At the meeting Wed., Mar. 30, sections of the bill were discussed individually, for incorporation into the omnibus crime bill, S.F. 2378, sponsored by Spear. Discussion continued on the community-based grant programs. Sen. Randy Kelly (DFL-St. Paul) and others expressed concern that the efforts to target and apprehend violent habitual criminals is not under the jurisdiction or scope of the Chemical Abuse Resource Council. Kelly stated that specific procedures were preferable for the council. The sections were approved and incorporated into S.F. 2378.

A section regarding penalties for the use of tear gas was amended. Kelly presented an amendment to make the prohibited use of tear gas, a tear gas compound, or an authorized tear gas compound on a peace officer a felony. In addition, intensive transition pilot programs were approved for S.F. 2378. Jim Bruton, of the Dept. of Corrections, explained that the programs target recidivism and the risk offenders pose to public safety.

Discussion also centered on the assumption of consecutive sentences if not specified by the court and about the limit on length of sentences. Kelly and Spear inquired about the number of beds needed, which was uncertain. Due to the uncertainty, the sections were deleted. Another section regarding a youth summer camp pilot project was deleted because of its similarities to another bill.

Kelly presented S.F. 1884, a bill proposing an amendment to the Minnesota Constitution allowing courts to deny pretrial release on bail to criminal defendants when the safety of an individual or the public is at risk. The bill outlines standards to aid in determining pretrial release. Dennis Flaherty, of the Minnesota Police and Peace Officers Association, supported the bill, stating that the process currently fails to provide the necessary insurance for victims. Opponents expressed concern that the pretrial risk evaluation would lead to abuse of the provision and discrimination against minorities and low income defendants. Mark Wernick, an attorney, said that the provision may interfere with the right to the presumption of innocence. Because of persisting concerns, Kelly withdrew the bill.

The committee also approved S.F. 1871, a bill sponsored by Spear that proposes an amendment to the Minnesota Constitution allowing statistical evidence based on deoxyribonucleic acid (DNA) testing to be admissible in court. The question is to be submitted at the 1994 general election. The bill was approved and advances to the Rules and Administration Committee.

### DWI bill advances

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Thurs., Mar. 31, to approve several bills before the committee deadline. Sen. Gene Merriam (DFL-Coon Rapids) authored S.F. 1961, a bill relating to DWI repeat offender penalties and procedures. The bill clarifies the violations and criminal penalties for multiple crimes. Merriam explained that the

provisions target repeat offenders who consistently disobey restrictions. Sen. Thomas Neuville (IR-Northfield) presented an amendment, that was approved, requiring a mandatory sentence of 48 consecutive hours of imprisonment for habitual offenders. Spear also presented an amendment giving the prosecuting duty to the county attorney in cities under 600 people, if approved by city officials. The amendment was adopted. Also, Sen. Patrick McGowan (IR-Maple Grove) suggested an amendment to attach S.F. 2573, a bill concerning snowmobile and motorboat DWI penalties, to Merriam's bill. The amendment was approved, and the bill advances to the Rules and Administration Committee.

Sen. Don Betzold (DFL-Fridley) carried S.F. 2549, relating to crimes involving drugs and firearms in transit zones. An amendment, proposed by Sen. John Marty (DFL-Roseville), to reinstate the inclusion of taxis was approved. Also, concern was raised by several members that the felony penalty was excessive and an amendment introduced by Neuville clarified a provision to allow a one-time warning of an offender by a driver. The amended bill was incorporated into S.F. 2378.

Sen. Lawrence Pogemiller (DFL-Mpls.) sponsored S.F. 2799, a bill prohibiting physical interference with religious observance. The bill was incorporated into the omnibus bill. Another addition to the omnibus bill, S.F. 2184, sponsored by Sen. Richard Cohen (DFL-St. Paul), clarifies traffic crimes and penalties.

Sen. Jane Ranum (DFL-Mpls.) introduced several amendments that were approved into the omnibus bill. One amendment appropriates \$50,000 for a study by the Spanish Speaking Affairs Council on disproportionate chicano and latino drop-out rates. Another amendment coordinates care for juvenile female offenders. Ranum presented an amendment requiring HIV testing if requested by a victim in certain violent crimes. Ranum also presented a statute of limitations amendment on a pretrial diversion program. The final amendment proposed makes a name change for a prevention council. An amendment was proposed by Sen. Ellen Anderson (DFL-Mpls.) that provides violence prevention planning and oversight, and establishes a task force.

Kelly sponsored H.F. 1966, a bill that authorizes non-Minnesota peace officers to assist Minnesota officers on request. The bill advances to the Consent Calendar.

### Supplemental budget considered

The Crime Prevention Finance Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn) met Tues., Apr. 5 to review the supplemental budget and funding for the omnibus anti-crime bill. The total impact for FY 94-95 is \$26.9 million. Items in the supplemental budget include the completion of the state takeover of public defense services, funding for child abduction notification systems, and the appropriations for the omnibus anti-crime package. The omnibus bill will require \$3.1 million.

The committee discussed the appropriation of \$4.5 million to the Dept. of Corrections, to be used for additional security staff in correctional facilities. Jim Bruton, assistant commissioner of corrections, stated that the number of security positions would be reduced by 118 without the funding. Sen.

Jane Ranum (DFL-Mpls.) expressed concern that funding continues to be targeted at corrections, instead of the community. Ranum said that the focus should be on the security of the community and the citizens, concentrating on prevention, probation, and parole officers. In response to the increased staffing costs, Sen. Gary Laidig (IR-Stillwater) suggested a reduction of sentences if adequate staffing can't be provided. Supplemental budget discussion will continue.

### Omnibus bill gains

Members of the Crime Prevention Finance Division completed work on the omnibus crime bill at an evening hearing Tues., Apr. 5. The division, chaired by Sen. Tracy Beckman (DFL-Bricelyn), forwarded the measure to the full committee. S.F. 2378, authored by Sen. Allan Spear (DFL-Mpls.), provides supplemental appropriations to various agencies to implement the provisions of the anti-crime package.

Discussion centered primarily on funding requests for programs engaged in crime prevention and early intervention. Members adopted an amendment providing \$100,000 for a grant to the joint community corrections program of Dodge, Fillmore and Olmsted Counties to provide alternative programming for offenders. Members also approved a funding request of \$150,000 for the Institute of Child and Adolescent Sexual Health to continue projects aimed at early identification of sex offenders. Several funding requests contained in an amendment, offered by Sen. Patrick McGowan (IR-Maple Grove), were also incorporated into the bill. McGowan proposed an additional \$800,000 for intensive transitional programming for offenders who have just been released from prison on supervised release; an additional \$100,000 for the crime victims ombudsman; an additional \$250,000 for summer youth employment; and an additional \$50,000 for a juvenile match, to be used to maximize federal funds available for juvenile justice programs which target at-risk youth. Finally, McGowan also authored an amendment providing that school districts may levy for the D.A.R.E. program and peace officer liaisons.

### Omnibus bill advanced

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met briefly Wed., Apr. 6, to adopt the Crime Prevention Finance Division's report on the omnibus crime bill. The bill's approved appropriations total \$26.9 million.

Sen. Jane Ranum (DFL-Mpls.) offered an amendment to delay until Aug. 1995 the effective date for penalties for criminal sexual contact by adults with children under 13 years old. Ranum explained that the delay reflects concerns about the cost and bed impact of the bill. The amendment was approved. The bill advances to the Finance Committee.

## Education

### Reorganization discussed

A proposal allowing the state's regional education organizations to continue was presented and additional funding proposals were discussed by the Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), during the Thurs., Mar. 31, meeting.

The division was presented a bill draft containing the recommendations of the Education Service Delivery Review Panel, which was established by the 1993 Legislature. Currently, all regional education organizations will cease to operate on July 1, 1995. The proposal repeals that sunset and changes how those groups are funded. School districts that are members of regional organizations will be allowed to contract for the services those organizations provide.

Representatives of the regional groups expressed support for the continued existence of those organizations but had concerns over how they would be funded. Additional discussion is expected.

In other action, the division added S.F. 2867 to the projects up for consideration as part of their bonding package. The bill, authored by Sen. Roger D. Moe (DFL-Erskine), provides a \$1.3 million grant to the Mahanomen School District for the construction of a community center in Nay-Tah-Waush. Moe said that the center, to be built on land leased to the district by the White Earth Band of Chippewa Indians, will provide facilities for educational and community-based programs.

Three other bills were presented during the meeting. S.F. 2834, sponsored by Sen. Bob Lessard (DFL-Int'l Falls) requires binding arbitration of unresolved teacher contract issues under certain conditions. The bill, he said, is a response to the continued difficulties a district in his area has had in reaching a contract settlement. The division set the bill aside for further consideration.

S.F. 2695 eliminates an aid reduction that occurs when school districts do not levy the maximum amount under the referendum equalization, training and experience or general education revenue formulas. Sen. Richard Cohen (DFL-St. Paul), the bill's author, said that aid is reduced by the ratio of actual levy amounts to the amount that is permitted. Because of the bill's fiscal impact, the division voted to not include the proposal in the Education Finance Omnibus bill.

The members also considered a proposal to increase the number of higher education representatives on the Board of Teaching, S.F. 1955, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), would have increased the membership on the board from 11 to 13 members. After a lengthy discussion, and several amendments to adjust the number of K-12 and higher education teachers on the board, the division voted to not include the bill in the omnibus package.

## Budget bill approved

The Higher Education Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), approved a \$49.5 million supplemental budget bill, Tues., Apr. 5. The bill was referred to the full Education Committee.

The bill, which Stumpf is sponsoring, appropriates \$25.3 million to the Technical College System, \$15.66 million to the University of Minnesota, nearly \$8 million to the Higher Education Board (HEB), and \$560,000 to the State University System.

Of the \$25.3 million appropriated to the technical college system, \$24.3 million is designated to shift all of the technical college's operating costs into the same fiscal year before the system is merged with the state university and community college systems.

From the \$15.66 million appropriation to the University of Minnesota, \$6.59 million is

earmarked for student services and \$7.4 million is to be used to buy educational equipment. Another \$1.375 million is designated for library resources.

As part of the HEB's appropriation, \$6.4 million is for development of an accounting system in preparation for the merger. Of the State University System's appropriation, \$318,000 will be used for interactive television and library resources and \$242,000 is given to the Urban Teacher Preparation Program.

The division also adopted a number of provisions, incorporating them into the budget package. The members approved recommendations from two task forces that had reported to the division earlier. They incorporated the recommendations of the Financial Aid Task Force to adjust State Grant Program appropriations to target low-income students, and then adopted the proposed changes to the post-secondary funding mechanisms offered by the Future Funding Task Force.

Also approved were modifications to the faculty exchange program to allow private higher education institutions to participate in the program, and simplifications to the higher education child care grant program.

The members granted college status to the Fond du Lac Community College Center in Cloquet, effective this year, and to both the Cambridge and Duluth centers as of July 1, 1995.

Provisions allowing the Higher Education Board to set tuition rates for FY 1996, adding K-12 education representatives to the Telecommunications Council, and that delays a number of reports to the Legislature were also approved.

## Higher ed bill advances

The \$49.5 million higher education supplemental budget bill was approved by the Education Committee, co-chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) and Sen. LeRoy Stumpf (DFL-Thief River Falls), on Tues. evening, Apr. 5. The measure was re-referred to the Finance Committee.

Stumpf presented the bill, which appropriates \$25.3 million to the Technical College System, \$15.66 million to the University of Minnesota, \$7.975 million to the Higher Education Board (HEB), and \$560,000 to the State University System.

He explained that much of the funding for the technical colleges, \$24.225 million, will correct a funding shift and give the system all of its funding for FY 1995 in that fiscal year. Currently, the technical colleges receive 85 percent of their total funding in one fiscal year, and the remaining 15 percent is appropriated in the next. Stumpf said the appropriation will place all of the system's funds into the same fiscal year and will prevent a \$24 million shortfall when the technical colleges are combined with the state universities and the community colleges.

Stumpf said that \$15.66 million allocated to the University of Minnesota includes \$7.4 million for educational equipment and \$6.6 million to be used for student services. Included in HEB's total appropriation are \$6.4 million to set up an accounting system in preparation for the higher education merger, he said. Two initiatives are supported in the state university's appropriation, with \$318,000 for interactive television and library resources at Metropolitan State and \$242,000 in support of the Urban Teacher Preparation Program.

Stumpf highlighted other provisions in the

bill, including changes to the post-secondary funding formula from the current per-pupil basis to a calculation of instructional and non-instructional costs. The bill also modifies the State Grant Program to target low-income students, streamlines the higher education child care grant program, and changes the Fond du Lac Community College Center at Cloquet to a full college this year while allowing the Duluth and Cambridge centers to gain college status in 1995.

After approving some technical changes to the bill, the committee considered an amendment, offered by Sen. Jane Krentz (DFL-May Township) requiring the University of Minnesota to report on its progress in complying with federal discrimination and equal pay laws relating to the coaches in the men's and women's athletics departments. The amendment was adopted and the committee approved the bill.

## Omnibus bill assembly begins

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), began assembling the pieces of S.F. 2206, the Education Finance Omnibus Bill, at their Tues., Apr. 5, meeting by adopting school bus safety and community education program provisions into the bill.

The members reviewed the new school bus safety operating and equipment standards that had been adopted earlier. Two amendments were offered by Sen. Martha Robertson (IR-Minnetonka), to designate one day of school bus week as school bus driver day and clarifying that used buses must also conform to state equipment standards, except as law specifically provides. The division approved both amendments and the bus safety package as an article of the omnibus bill.

The division also reviewed the changes to several community education programs they had previously considered and voted to incorporate them into the omnibus as a separate article. Included in the article are several changes to the Youth Works Task Force program, adopted in 1993, aligning the program with national community service legislation. The article also contains provisions allowing districts or non-profit organizations to apply for adult education aid and that permit school districts with parental involvement plans to use parents, as volunteers, in before- and after-school child care programs.

Other articles, containing many provisions already considered as well as some additional components, were also presented. During its review of the article containing the Special Education Task Force's recommendations, which were adopted earlier, Robertson offered two amendments. The first amendment adds a requirement that interagency early intervention committees develop a policy, consistent with state and federal law, allowing a committee member to have access to non-public data. The second one clarifies that the Commissioner of Education's resolution of interagency disputes is binding, but subject to the right of appeal. Both amendments were adopted.

Parts of a bill, authored by Sen. Ember Reichgott Junge (DFL-New Hope), changing some outcome-based school requirements, were also considered. S.F. 2529 increases the number of outcome-based schools that can be authorized, allows public higher education institutions to sponsor the schools, and permits the State Board of Education to assign a school's sponsorship to another

# Committee update

school district, higher education institution or to consider another option.

Two amendments to the bill, expanding which groups may sponsor outcome-based schools, were presented. Sen. Cal Larson (IR-Fergus Falls) proposed that private post-secondary institutions be permitted to sponsor a school and Sen. Sandra Pappas (DFL-St. Paul) extended the sponsorship to a consortium of education organizations. Both amendments were approved before the bill was set aside for later consideration.

## Omnibus work continues

Proposals concerning outcome-based schools, facilities, and libraries were approved and amended into the Education Finance Omnibus Bill by the Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), during its Tues. evening, Apr. 5, meeting.

S.F. 2529, presented by Sen. Ember Reichgott Junge (DFL-New Hope), allows higher education institutions to sponsor outcome-based schools and raises the number of outcome-based schools that can be authorized from 20 to 50. Having earlier adopted the provision allowing higher education institutions to be school sponsors, the division approved additional pieces of S.F. 2743, increasing the number of schools and requiring higher education institutions to notify the district where the school will be located of their plan. The provisions were amended into the omnibus bill.

The panel approved another outcome-based school proposal and added it to the omnibus bill. S.F. 2743, authored by Sen. Gen Olson (IR-Minnetrista), modifies the state aid payment schedule for outcome-based schools and allows the schools to limit admission to the children of those parents involved with organizing the school, as long as those students represent 20 percent of the total enrollment.

The proposed article to the omnibus bill, with the outcome-based school language and additional provisions, was adopted. Among those provisions, the Board of Teaching is given authority to suspend or revoke a coaching license if an individual's teaching license has been also suspended or revoked, and permits a transfer of state land to the Faribault School District, which the district will use as the site for an elementary school.

The division reviewed and voted to include an article with school facilities and capital expenditures in the omnibus bill. Provisions in the article allow districts to use up to one-third of their facilities revenue to buy equipment if they do not use other revenue sources to meet their facility needs. It also requires that any shortfall in the maximum effort school loan program will be made up by a transfer from the general fund and not from a statewide tax.

Proposals establishing a Librarians of Color grant program, and allowing public libraries, located in a school building, to reduce their hours when school is not in session were also approved.

The division also incorporated an article with provisions allowing the Minnesota Academic Excellence Foundation to offer benefits to its employees, and giving the responsibility to provide information and services to teachers, professional groups, school districts, and the Dept. of Education to the Minnesota Center for Arts Education.

Other proposals, concerning transportation and special education, were discussed but no additional action was taken.

## Revenue increase approved

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), took up staff development, educational performance improvement, and transportation proposals as the panel continued assembling the Education Finance omnibus bill at their Wed., Apr. 6, meeting.

Sen. LeRoy Stumpf (DFL-Thief River Falls) offered an amendment raising the portion of general education revenue set aside for staff development from two to three percent for FY 1995. After considerable discussion, the amendment was adopted on a 9-3 roll call vote.

Pogemiller presented an amendment to establish the Educational Performance Improvement Grant Pilot Program. Under the program, he said, the State Board of Education and a school district could enter into a one-year contract establishing measurable standards of student achievement. A grant would be given to districts that exceed those standards. The amendment was discussed and adopted.

The division approved a proposed article containing a number of education improvement initiatives the Senators had considered earlier. The provisions modify the elements districts use in preparing their staff development plans, require the state to pay the test fees Advanced Placement and International Baccalaureate students, and establishes a year-round school pilot project in the Cloquet School District.

A provision allowing districts to levy the costs of operating late activity school bused, contained in S.F. 2542 and presented by Sen. Jane Ranum (DFL-Mpls.), was approved and incorporated into the omnibus bill's transportation article. The members also approved an amendment offered by Sen. David Knutson (IR-Burnsville), appropriating \$89,000 in transportation aid to the Metro Deaf School.

Special education and secondary vocational education provisions contained in a proposed article were approved and included in the omnibus bill by the division, but not until an amendment, offered by Sen. Martha Robertson (IR-Minnetonka), eliminating reimbursement for the salaries of special education administrator, was added. The amendment removed a proposal that had been approved earlier reinstating that reimbursement which was repealed by the 1993 Legislature. The approved article also contains a new secondary vocation aid formula, giving aid to districts on a uniform pupil or program cost basis.

## Action on amendments

Members of the Education Division, met Wed. evening, Apr. 6 and defeated two attempts to reinstate certain levies into the omnibus education funding bill. The panel, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) approved interdistrict desegregation proposals for incorporation into the omnibus funding measure.

Sen. Roy Terwilliger (IR-Edina) presented an amendment repealing the 1993 Legislature's decision to place a July 1, 1997 sunset on excess referendum levies. School district officials argued for the proposal, saying that the levy sunset reduces local control and will cause a \$300 million gap in education funding statewide in 1997. Business representatives opposed the amendment, saying the sunset creates an

incentive to change how schools are funded and since the sunset does not take effect for three years, the Legislature can wait TO review the issue again in 1995. The amendment was defeated.

Terwilliger also offered an amendment to repeal the 1995 sunset on the existence and levy authority of the three Intermediate School Districts. The 1993 Legislature had placed the sunset on the intermediate districts' levy authority and the organizations' expiration date was approved in 1990. That amendment also failed.

Having reviewed interdistrict desegregation proposals earlier, the division was presented an amended version of those proposals and voted to incorporate the amendment into the omnibus bill. The amendment, offered by Sen. David Knutson (IR-Burnsville), requires the State Board of Education to propose desegregation rules to the legislature, sets up an Office of Integration/Desegregation in the Dept. of Education, and removes the current cap on the amount of revenue districts may receive based on their number of AFDC students. The requirements of other education programs are also amended to include desegregation components.

The division approved an amendment from Sen. LeRoy Stumpf (DFL-Thief River Falls) to the Knutson proposal, allowing the state board to make rules. Stumpf's amendment was adopted after a proposal from Sen. Martha Robertson (IR-Minnetonka), requiring the state board to report on the rule-making process, was defeated.

The division also approved a second Stumpf amendment, to begin increasing the amount of AFDC student revenue by adjusting the formula factors through the next four years, and then adopted Knutson's amendment into the omnibus bill.

In related action, the members approved S.F. 2587, authored by Sen. Gene Merriam (DFL-Coon Rapids), establishing a magnet school facilities grant program that will be available to districts involved in an interdistrict desegregation effort. The bill will be considered with other capital bonding proposals.

One other amendment was approved, eliminating some language in the proposed general education funding article. The amendment, offered by Terwilliger, deleted provisions that would have established income-based referendums.

## Environment and Natural Resources

### Preliminary capital budget

A preliminary capital budget proposal was discussed at the Wed., Mar. 30, meeting of the Environment and Natural Resources Finance Division. The division, chaired by Sen. Steven Morse (DFL-Dakota), also heard a request for funding by the University of Minnesota.

Sen. Bob Lessard (DFL-Int'l. Falls) presented S.F. 2212, a bill appropriating \$500,000 to the National Resources Research Institute. According to Lessard, the institute is an arm of the University of Minnesota and is seeking the funds in order to obtain a matching federal grant of \$600,000. Lessard said the money will be used to purchase the property the Coleraine Research Laboratory facility is currently renting from a private company. The total cost of the property is \$1.1 million. No

action was taken on the bill.

The division reviewed a preliminary capital budget proposal. According to Morse, the division's funding recommendation totals \$136.35 million. The governor's recommendation is \$176.77 million. The division recommendation for the Dept. of Natural Resources is \$49.52 million. Under the proposal, the Pollution Control Agency receives \$45.276 million, the Trade and Economic Development Dept. receives \$14.74 million, the Board of Water and Soil Resources receives \$12.625 million, and the Minnesota Zoological Garden receives \$461,000. Morse said that there are some components in the proposal that are not included in the governor's request. Among those differences is \$631,000 for a farmland wildlife research facility, \$1.5 million for a water access acquisition and betterment program, and \$250,000 for a road and path betterment project. According to Morse, discussion on specific programs and suggestions for changes in funding will be taken up at the next division meeting.

### Capital budget reviewed

The Environment and Natural Resources Finance Division, chaired by Sen. Steven Morse (DFL-Dakota), met Thur., Mar. 31, to discuss the division's draft capital budget proposal.

Morse highlighted changes since the last review by the division. According to Morse, increases in the solid waste capital assistance program that provides funding to the city of Red Wing for the beginning of a sewer project and the Lake Superior safe harbors project were offset by decreases in the prairie bank development and habitat improvement project as well as reduced state matching funds to the state revolving fund.

Sen. Janet Johnson (DFL-North Branch) stated that she would like to see some funds dedicated to pre-design work that the Science Museum of Minnesota is requesting. Johnson stated that she will bring a proposal to the next division meeting that will establish such funding. The division has a target goal of \$136.35 million in its proposal. Currently, the capital budget bill allocates the full amount. The division is scheduled to complete work on the package by the end of the week.

### Waste bill approved

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met briefly Thur., Mar. 31, to hear three bills.

Sen. Janet Johnson (DFL-North Branch) presented S.F. 2050, a bill requiring a person arranging for the management of solid waste in an environmentally inferior landfill to indemnify generators of the waste. The bill, according to Johnson, also requires environmentally inferior landfills to set aside funds for future cleanup. Johnson said that environmentally inferior landfills are determined based on Minnesota Pollution Control Agency standards. The bill was approved and sent to the Finance Committee.

A bill restricting the killing of dogs that wound or kill big game was approved and sent to the Senate floor. The bill's author, Sen. Jane Ranum (DFL-Mpls.), amended the bill, restricting the focus of the proposal to the killing of dogs observed pursuing, wounding, or killing big game.

Sen. Steven Morse presented S.F. 2824. The proposal limits subsidies for state

producers of ethanol to those that start production by June, 2000. The bill also sunsets subsidies for producers who began production after June, 1990. The cap on the subsidies changes from \$10 million to \$20 million. A provision in the bill phases out gasoline tax credit subsidies for ethanol producers. According to Morse, the bill also increases the requirements for oxygen in gasoline by nearly 15 percent. The bill was re-referred to the Finance Committee.

### Capital budget approved

The Environment and Natural Resources Finance Division met Tues., Mar. 5, to complete work on a capital budget proposal. The division, chaired by Sen. Steven Morse (DFL-Dakota), approved the bill and recommended it for passage with referral to the Finance Committee.

The division increased funding to the forestry air tankers facilities project, the Minnesota Zoological Gardens capital improvements projects, the Metropolitan Council regional parks projects, and the St. Louis River land acquisition program. Those increases were offset with decreases to the office facilities consolidation program, the state park rehabilitation project, the campus redevelopment project, the wildlife and fisheries land acquisition project, the state park acquisition program, and the Lake Superior safe harbors project.

The proposal was amended several times. One amendment, by Sen. Leonard Price (DFL-Woodbury), encourages the adherence to energy conservation standards in all new developments. Sen. Pat Pariseau (IR-Farmington) successfully amended the bill to allow the Stewartville dam to be removed instead of replaced. The Pariseau amendment exempts the need for a local matching grant for the removal project. The division's capital budget proposal totals \$136.35 million.

### Supplemental bill discussed

The Environment and Natural Resources Finance Division met Tues., Mar. 5, to begin work on the governor's supplemental budget proposal. Work on the bill is scheduled to be continued at the next division meeting.

Sen. Steven Morse (DFL-Dakota), the division chair, outlined portions of the proposal. Reported funding amounts represent fiscal year 1995 appropriations. Funds amounting to \$1.45 million are requested for a feedlot assistance and compliance program. Morse said the program is needed to ensure ground water and surface quality around feedlots. The state revolving fund non-point source implementation program receives \$236,000 for loan assistance in management and conservation planning. Treaty payments are funded entirely out of the general fund under the provision. According to Morse, this represents a change from the 80 percent currently funded from the general fund and the 20 percent from the game and fish fund. The governor's proposal allocates \$100,000 toward sustainable development. Under the program, development and environment are studied in order to evaluate methods of production.

Local implementation of the state revolving fund receives \$730,000, primarily for hiring staff to provide technical assistance to land-owners on the installation of conservation practices. The enhanced feedlot and manure management project is appropriated \$650,000 for non-point source

pollution problems. Finally, the agriculture and best management practices loan program, is allocated \$150,000 to fund a program recognizing and communicating unique solutions to non-point source pollution problems.

### Supplemental bill discussed

The Environment and Natural Resources Finance Division, chaired by Sen. Steven Morse (DFL-Dakota) met Wed., Mar. 6, to continue work on the governor's supplemental budget proposal. Morse outline the components of the bill. The division will complete work on the bill at its next meeting.

In current form, the supplemental proposal allocates \$7.8 million to various projects. Of the total appropriation, the supplemental proposal represents \$4.524 million and other legislation represents \$3.276 million. Reported funding amounts represent fiscal year 1995 appropriations.

Of proposals included in the supplemental bill, the Minnesota Pollution Control Agency is appropriated \$2.6 million for a feedlot assistance and compliance program, a citizens lake monitoring project, an external cost electricity study, and a state revolving fund for non-point source pollution. The Dept. of Natural Resources is allocated \$1.683 million for treaty payments, a payment in lieu of taxes for an accrued lands program, enforcement of workers compensation, payments to Marshall County for road work, and sustainable development. The Board of Water and Soil Resources receives \$730,000 for local implementation of the state revolving fund program. The Dept. of Agriculture's budget is reduced \$150,000. Under the proposal, \$1 million is deducted from the ethanol surplus program due to a projected fund surplus. Areas being appropriated funds are a farm safety program, enhanced feedlot and manure management, and the best management practices program. The Voyageurs Park Citizens Commission receives \$55,000.

In proposals outside the supplemental bill, already passed by the division, the Lewis and Clark water system (S.F. 1956) is appropriated \$55,000. The on-site septic program (S.F. 1909) receives \$120,000. The bonding bill accounts for \$276,000 of general fund appropriations. In proposals outside the supplemental bill not yet passed by the division, a change decrease the environmental fund (S.F. 1909) by \$120,000. Groundwater monitoring (S.F. 2220) receives \$460,000. The altering and oversight of the fish and game fund in relation to stamps and surcharges (S.F. 2445) is appropriated \$2.405 million. A food salvage program (S.F. 2072) is allocated \$35,000. Finally, a comprehensive land use plan and task force receive \$50,000.

### Supplemental bill finalized

The Environment and Natural Resources Finance Division granted final approval to the supplemental environmental budget bill at a Wed., Mar. 6, meeting. The funding in the bill totals \$8.8 million, including a recent \$1 million increase. Of that amount, \$5.531 million is from the governor's supplemental recommendation and \$3.269 million from other legislation previously reviewed by the division.

The supplemental environmental budget bill was referred to the full Environment and Natural Resources Committee.

Sen. Steven Morse (DFL-Dakota), the

# Committee update

division's chair, outlined changes to the bill since the last division meeting. The supplemental proposal was attached to S.F. 2824, a bill authored by Morse relating to ethanol production. According to Morse, a provision in the ethanol section of the bill clarifies that ethanol credit can be used for all agricultural products, rather than the previous selected products. Morse said the section also authorizes an incentive program for producers making ethanol in excess of 37.5 million gallons a year. Current law makes those type of producers ineligible for any incentive payment. The incentive payment amounts to 10 cents per gallon produced, not to exceed \$3.75 million per year.

Also new to the bill is the elimination of "free Tuesday" at the Minnesota Zoological Garden and the authorization for the zoo's board to establish a program for admitting at reduced or lowered admission rates persons that have historically been underrepresented in attendance. According to Morse, one provision increases the amount of money the zoo receives from admission charges. Another provision authorizes the commissioner of natural resources to pay up to \$3,000 for the erection of a barrier between landowners requesting the barrier for the purpose of deterring livestock from crossing over property lines and cause damage. According to Morse, a tax credit for distributors of denatured ethanol commercially blended with gasoline until Oct. of 1997 is authorized in the bill. A final provision disallows the use of state funds for legal expenses incurred by counties engaged in a lawsuit against the state over aid payments to state lands.

Several amendments were attached to the supplemental bill. Among those adopted is a proposal taken from S.F. 2430, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), authorizing the state to pay fair market value to a livestock owner who has livestock damaged or killed by an animal protected under the federal endangered species act of 1973. S.F. 1964, sponsored by Sen. Janet Johnson (DFL-North Branch), allowing the Dept. of Trade and Economic Development to transfer funds to the Minnesota Pollution Control Agency for a payment to the city of Eagle Lake, was attached to the bill. According to Johnson, the funds will eventually be paid to the city of Mankato for a sewer interceptor connector it constructed for Eagle Lake. The funds are needed by the city of Eagle Lake because it became ineligible for federal funding that was expected to cover a portion of the cost of the interceptor.

## Family Services Committee

### Shelter eligibility revised

The Family Services Committee, chaired by Sen. Pat Piper (DFL-Austin), approved S.F. 1724, Thurs., Mar. 31. The bill expands language in current law pertaining to battered women and shelter facilities. Presently, shelters provide relief to a woman who is assaulted by a spouse, another male relative, or the man with whom she lives. S.F. 1724, sponsored by Sen. Ellen Anderson (DFL-St. Paul), broadens the language to include all battered women, regardless of the assailant's gender.

Testifying in support of the measure was Beverly Dusso, executive director of the Harriet Tubman Center. She cited a recent

example of a woman who was not permitted to remain at the facility because the law states that the victim's assailant must be a man. Dusso said that in this particular case, the woman was being assaulted by her mother.

The committee endorsed S.F. 1724 and referred the bill to the Health Care and Family Services Finance Divisions.

## Finance

### Bills sent to Finance Committee

The Finance State Government Division heard numerous bills requesting appropriations and bonding authority, Tues. evening, Apr. 5. The division, chaired by Sen. Richard Cohen (DFL-St. Paul), referred two of the bills to the full Finance Committee.

Sen. Gene Merriam (DFL-Coon Rapids) presented two measures. The first, S.F. 2292, relates to military affairs. Merriam said that the bill, which was sparked by last year's Metro Mobility crisis, streamlines the process for paying forces converted to active duty. The provision authorizes the adjutant general to pay both officers and enlisted men upon receiving approval from the commissioner of finance. Both the Senate Finance Committee and the Ways and Means Committee of the other body must be provided with an estimate of the proposed payment.

Also sponsored by Merriam, S.F. 2707 changes the procedures of the Attorney General's Office for charging fees. The bill stems from a recommendation of the task force charged with studying funding approaches.

The division heard several requests for bonding authority, but no action was taken on the proposals. S.F. 2376, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), provides for the sale of \$2 million in bonds to construct a museum and center for American Indian history at Bemidji State University. Finn said that this type of facility is non-existent in the U.S., and that the Smithsonian Institution has agreed to participate in developing the project.

S.F. 1962, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), authorizes the sale of bonds for the construction of an arts center in Hopkins. Besides housing the Child's Play Theater Company and the Minnetonka Dance Center, the facility includes gallery space, meeting and craft rooms. Mondale said that while providing the community and it's youth with an art center, the project will contribute economically by redeveloping a blighted area of Hopkins and by helping reverse the loss of jobs and tax base. The amount requested for the bond is \$750,000.

Sen. Douglas Johnson (DFL-Cook) requested bonding authority for an addition to the St. Louis County Heritage and Arts Center. The bill, S.F. 2380, provides for \$3 million in bonds for the restoration of the Duluth train depot.

S.F. 2223, authored by Sen. Sandra Pappas (DFL-St. Paul), asks for \$1.25 million for the Minnesota Children's Museum. Ann Bitter, executive director of the museum, said that the building will be a visible addition to the cultural capital, helping shape St. Paul's image as a safe and inviting place for children and families. Bitter said that the museum expects 350,000 to 500,000 visitors annually.

A request for \$10 million for bonding authority for the Science Museum of

Minnesota was made by Jim Peterson, president of the museum. S.F. 2140, carried by Cohen, provides funds for site acquisition and preparation, for expansion design work, and for the first construction phase of the museum's capital campaign.

The division also heard bills that request appropriations from the general fund, but took no action on the measures. S.F. 2626, carried by Sen. William Luther (DFL-Brooklyn Park), establishes two women's ice centers. A bill carried by Sen. Pat Pariseau (IR-Farmington), S.F. 2185, provides for the disposition of specific receipts from permit surcharges. S.F. 1883, authored by Sen. Bob Lessard (DFL-Int'l Falls), requires reimbursement of legal costs incurred as a result of offers made by an agent of the attorney general to remove hazardous waste in an illegal manner. S.F. 2132, sponsored by Sen. Tracy Beckman (DFL-Bricelyn) eliminates the authority of county recorders and registrars to collect a surcharge on specific fees that are credited to the general fund.

## Omnibus bill advances

A number of bills requesting appropriations were heard by the Finance State Government Division, Weds. evening, Apr. 6. Chaired by Sen. Richard Cohen (DFL-St. Paul), the division approved several measures and referred them to the full Finance Committee.

The division's omnibus court appropriation bill was endorsed by the members and referred to the Senate Finance Committee. The bill deals with changes affecting both the Supreme Court and District Courts. Besides adding eight new judges to various Districts Courts, S.F. 3339 allocates funds for hiring additional staff, including law clerks and electronic court recorders. The measure also increases jury per diem, establishes a program for certified court interpreters, and appropriates funds to conduct a study of state civil commitment laws. The appropriation for the measure totals \$4.5 million.

The division assembled an omnibus state department supplemental bill and referred it to the Finance Committee. Included in the measure is the governor's bill that implements the statewide systems project. The plan reviews indirect costs of state wide agencies. Also included in the omnibus bill is an appropriation for a grant to KSMQ television for an engineering study regarding placement of a remote transmitter in Southeastern Minnesota. Two other appropriations, the first for a grant to the Chippewa tribe to offset costs related to the 1995 Indigenous Games, and the second for a grant to the National Guard Youth Camp, were also included in the omnibus bill.

Several other bills were heard by the division. All were referred to the Finance Committee, but the measures' appropriations were retained in the omnibus bill. S.F. 1842, authored by Sen. Pat Piper (DFL-Austin), provides for a study of vulnerable adults. A measure that establishes a study of a single payor health care plan, S.F. 1867, is sponsored by Sen. Linda Berglin (DFL-Mpls.). S.F. 2720, carried by Cohen, allocates funding for the Human Development Center. A measure that establishes a veteran's cemetery near Little Falls, S.F. 1695, is authored by Sen. Don Samuelson (DFL-Brainard). Sen. Phil Riveness (DFL-Bloomington) presented S.F. 2194, a bill that requests monies for best practices review. S.F. 2669, carried by Sen. Lawrence Pogemiller (DFL-Mpls.) requests an appro-

priation to study an insurance purchasing cooperative for public employees. Sen. Don Hottinger (DFL-Mankato) sponsored S.F. 1969, a bill that creates a legislative commission to review administrative rules.

## Budget bills to the floor

In addition to sending the transportation funding bill to the full Senate, members of the Finance Committee also acted on the higher education supplemental budget bill at the Thurs., Apr. 7, meeting.

The panel, chaired by Sen. Gene Merriam (DFL-Coon Rapids), also approved S.F. 2900, the higher education supplement budget bill. Sen. LeRoy Stumpf (DFL-Thief River Falls), the bill's author, said the measure contains \$25.3 million for the Technical College System, \$15.7 million for the University of Minnesota, nearly \$8 million to the Higher Education Board (HEB), and \$560,000 to the State University System.

In addition, the bill recaptures unused financial aid and interstate reciprocity program funds of \$9 million and applies those funds to the state grant program.

Stumpf offered two amendments to the bill. The first amendment proposed shifting \$6.425 million, for the development of an accounting system, from the HEB to the Dept. of Finance. Sen. Randy Kelly (DFL-St. Paul) moved to take \$425,000 from the appropriation and give it to the State University System to support Metropolitan State University's expansion. Kelly's amendment was adopted, and the Stumpf amendment was then approved.

The committee also approved Stumpf's amendment requiring the Dept. of Finance to track higher education funding, its use and the remaining fund balances.

A provision in the bill, allowing the Higher Education Coordinating Board to use emergency rulemaking authority in order to implement the streamlined child care fund program, was amended. Sen. Steven Morse (DFL-Dakota) proposed directing the board to make the necessary rule changes rather than allow them to have the emergency authority, and his amendment was approved.

The committee then approved S.F. 2900, as amended, and sent the bill to the full Senate.

## Governmental Operations and Reform

### Civil reform approved

The Governmental Operations and Reform Committee, chaired by Sen. James Metzger (DFL-South St. Paul), met Wed., Mar. 30, to hear nine bills.

S.F. 2772, authored by Metzger, expands the civil service reform project to include the Minnesota Dept. of Transportation and the Dept. of Employee Relations. According to Metzger, the proposal permits the departments to waive rules and procedures that normally slow the administrative process in order to increase efficiency. Metzger said the program has been tested by other state agencies and has been found to be a huge success. The bill was approved and sent to the Consent Calendar.

A bill requiring buildings built before 1974 and that are more than 75 feet tall to install automatic sprinkler systems, was laid over in order to hear more public testimony. According to the author, Sen. Carl Kroening (DFL-Mpls.), the bill provides for a 15 year phase in of the systems as well as an appeal

process for hardship cases. Kroening said that the sprinkler systems save lives, aid firefighters, and eventually pay for themselves in reduced losses and insurance rates. Sen. Phil Riveness (DFL-Bloomington) continued his presentation on S.F. 1641, a bill mandating additional investment performance disclosure. According to Riveness, the bill is designed to compare groups with pension funds, such as volunteer firefighter organizations, with the State Board of Investment. The board produces a good yield, said Riveness, and the comparison provides the state with an accurate idea of exactly how retirement funds are performing. The bill was amended by Riveness several times in order to assist smaller funds with reporting requirements. S.F. 1641 was approved and sent to the Senate floor.

According to Sen. LeRoy Stumpf (DFL-Thief River Falls), S.F. 2028 clears up an error in the election of an employee's retirement selection. The bill was approved and sent to the Consent Calendar. Riveness presented S.F. 2624, a bill instructing the commissioner of administration to implement a system allowing electronic access to state agencies through lottery terminals. The bill was approved and sent to the Consent Calendar. A bill, authored by Metzger, was recommended to pass and sent to the Senate floor. According to Metzger, the bill instructs the governor to report to the Legislature by Mar. 1, 1995, on a plan to reorganize the executive branch under a secretarial system. Metzger said the bill mandates a reduction in the number of directors reporting to the governor from 26 to eight.

S.F. 2630 ensures that children and adults are protected in all child placement proceedings conducted by public and private agencies or organizations. The bill's author, Sen. Pat Piper (DFL-Austin), stated that the restructuring is relating to the ombudsman for families. The bill was approved and referred to the Finance Committee. S.F. 1760 creates a nine member advisory committee to conduct a year long study on emergency health services. Sen. Don Betzold (DFL-Fridley) authored the bill and said the advisory committee is to conduct the pilot study in a three county area. The bill was approved and sent to the Consent Calendar. Sen. Janet Johnson (DFL-North Branch) presented S.F. 1339, a bill providing for the licensing of dietitians and nutritionists. According to Johnson, the bill creates a seven member board to provide for the licensing. The bill was approved and sent to the Finance Committee.

### Sprinkler bill advances

Despite opposition by senior citizens, the Governmental Operations and Reform Committee, chaired by Sen. James Metzger (DFL-South St. Paul), approved a bill requiring the installation of automatic sprinkler systems in buildings built before 1974 and standing over 75 feet high.

The bill's author, Sen. Carl Kroening (DFL-Mpls.), said that buildings that have sprinkler systems contain fires so that loss of life and property are minimized. Warren Thompson, representing the Wilder Park Condominium Association, testified against the bill, saying the cost will be a heavy burden that many owners in condominium buildings will not be able to bear. Wilder said that many owners are seniors on fixed incomes.

Sen. Deanna Wiener (DFL-Eagan) offered an amendment exempting residential

housing from the requirement. The amendment did not pass. Sen. Roy Terwilliger (IR-Edina) sought to amend the bill so that buildings that are primarily owner occupied are exempt. Terwilliger's amendment also failed. Kroening amended the bill to allow for the commissioner of public safety to modify the terms of the requirement in cases of hardship. The amendment also added the Minnesota Condominium Association to a work group designed to advise the commissioner of public safety. S.F. 374 was approved and sent to the Senate floor.

## Health Care

### Long term care bill laid over

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Wed., Mar. 30, to discuss several bills. Sen. Sheila Kiscaden (IR-Rochester) sponsored S.F. 2825, the Dept. of Human Services' long term care bill. The measure requires modification of the reimbursement rule for intermediate care facilities for persons with mental retardation or related conditions (ICFs/MR) and outlines reimbursement standards. Kiscaden presented two amendments. One amendment specifies the calculation of replacement rate costs for nursing facilities. The other amendment is technical and provides that a county contract is not required if under a \$250 per month. Both amendments were adopted.

Charles Osell, of the Dept. of Human Services explained the facility incentives consisted of collapsing the operating cost categories into one general operating cost. Berglin expressed concern that the provision would be a strong disincentive to raise wages. The bill was laid over.

Sen. Pat Piper (DFL-Austin) presented S.F. 2628, a bill removing the licensure exemption for social workers employed in hospitals or nursing homes but providing for a period in which the workers may become licensed. Piper explained that the bill requires social workers to be licensed in facilities. Piper also proposed an amendment allowing presently unlicensed social workers to retain their title. Sen. Harold "Skip" Finn (DFL-Cass Lake) and others expressed concern about the appropriate nature of the grandfather clause, and Piper withdrew the amendment. Berglin also expressed concern about the sanctions and regulations that can be placed on unlicensed social workers. The bill failed to gain approval.

Sen. Gene Merriam (DFL-Coon Rapids) presented H.F. 423, expanding the prohibition against smoking in public places to include a ban on smoking in the common areas of apartment buildings. Merriam included an amendment to specify that the bill applies to rental buildings. The bill advances to the floor.

### Care bill fails

The long term care bill, restricting the admission of high-functioning persons into nursing homes, failed to gain the approval of the Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.). S.F. 2612, sponsored by Sen. Sheila Kiscaden (IR-Rochester), was discussed at the meeting Thurs., Mar. 31. The bill establishes several alternative care payment options for elderly clients and their families. The bill also establishes two task forces to study nursing home care and government regulation of the care. Helen Yates, of the Dept. of Human

# Committee update

Services explained that the bill maintains independent living as long as possible and builds the infrastructure for long term care.

Kiscaden stated that the bill promotes choice, independence, and autonomy for clients, allowing flexibility in mental services as well as providing skilled care for those who require special services. Mark Thomas, of the Ebenezer Society, supported the policy of the bill, that allows clients to remain in a home setting. Thomas also said that the bill provides the opportunity to review and improve regulations in the long-term care system.

Berglin expressed concern that the bill restricts service access for minimum care persons, and fails to provide people with adequate care and resources. In addition, Berglin questioned the effect of closing several nursing homes. Leah Welch, of Independent Crossroads, testified that relying on independent resources such as family and friends is inadequate, even for persons requiring minimum care. Welch also said the proposed system has no mechanism for ensuring client safety and the quality of care. Kiscaden proposed sending the bill to the Health Care and Family Services Funding Division without recommendation, but the bill failed to gain approval.

Kiscaden also authored S.F. 2825, the Dept. of Human Services' long term care bill, that includes a requirement for the modification of the reimbursement rule for intermediate care facilities for persons with mental retardation or related conditions (ICFs/MR) and outlines reimbursement standards. Berglin proposed an amendment, that was approved, to reduce the criteria for the facility incentive system. Another amendment was offered by Berglin and approved, that deletes the authorization to reduce efficiency incentives. The bill advances to the Finance Committee.

## Capital budget approved

The Health Care and Family Services Funding Division, chaired by Sen. Don Samuelson (DFL-Brainerd), convened Tues., Apr. 5, to review capital improvements appropriations. S.F. 3282, sponsored by Samuelson, authorizes \$10.6 million for the Veteran's Homes Board. The appropriation to the Dept. of Human Services totals \$48 million. Of this amount, \$37 million is allocated for consolidation and restructuring of the Anoka metro regional treatment center.

Sen. Don Betzold (DFL-Fridley) proposed an amendment to reduce the facilities' beds from 150 to 100. Betzold stated that it was important to emphasize community services, and that funding should be in community programs to reduce recidivism and reduce the long-term costs. Opponents of the amendment stated that the estimate of 150 beds was the minimum to continue adequate service. Samuelson expressed concern about the operating cost of the amendment. The amendment failed to gain approval. The bill was approved and advances to the Finance Committee.

## Supplemental budget considered

The Health Care and Family Services Funding Division, chaired by Sen. Don Samuelson (DFL-Brainerd), reviewed the supplemental budget at the evening meeting Tues., Apr. 5. The total amount under consideration is \$28 million. The budget

includes Medical Assistance (MA) grants, work readiness and general assistance grants, and regional treatment center (RTC) appropriations.

Several amendments were included in the appropriations bill. Sen. Dallas Sams (DFL-Staples) proposed an amendment, that was adopted, requiring insurance reimbursement coverage for medications that have been prescribed by nurse practitioners. Samuelson also offered an amendment to transfer the Faribault RTC from the jurisdiction of the Dept. of Human Services to the Dept. of Corrections by June 30, 1998. The amendment was approved. Another amendment was adopted that allows the carry forward of funds for deaf interpreter services. The division also endorsed several technical amendments. Deliberations will continue.

## Omnibus bill assembled

Construction of S.F. 2708, the omnibus supplemental funding bill, continued at the Health Care and Family Services Funding Division meeting on Wed., Apr. 6.

The committee, chaired by Sen. Don Samuelson (DFL-Brainerd), incorporated several bills into the omnibus package. The bills are: S.F. 1369, sponsored by Sen. Dallas Sams (DFL-Staples), relating to acupuncture certification; S.F. 1763, authored by Sen. Linda Berglin (DFL-Mpls.), regarding nursing home efficiency incentives; S.F. 1828, carried by Sen. David Knutson (IR-Burnsville), concerning child support federal mandates; S.F. 1843, authored by Sen. Don Betzold (DFL-Fridley), extending the ombudsman committee sunset; S.F. 1892, presented by Sams, relating to day training and habilitation programs; S.F. 2077, authored by Samuelson, permitting nursing home moratoriums; S.F. 2082, carried by Sen. Roger D. Moe (DFL-Erskine), allowing a waiver for a dental pilot project; S.F. 2273, sponsored by Sen. Jane Krentz (DFL-May Township), relating to teen pregnancy reduction; S.F. 2312, presented by Sen. Linda Berglin (DFL-Mpls.), enhancing Medical Assistance (MA) for state-operated clinics; S.F. 2396, also sponsored by Berglin, relating to wage enhancements; S.F. 2374, carried by Sen. Janet Johnson (DFL-North Branch), concerning the Cambridge regional treatment center planning committee; and S.F. 2652, sponsored by Sams, concerning prescription drugs.

Also in the omnibus bill are the funding portions for S.F. 2036, carried by Sen. John Hottinger (DFL-Mankato), modifying MA prior authorization appeals; S.F. 2640, authored by Sen. Duane Benson (IR-Lanesboro), modifying requirements for MA/General Assistance Medical Care; and S.F. 2585, presented by Sen. Sheila Kiscaden (IR-Rochester) concerning long term and alternative care.

Berglin introduced an amendment to the omnibus bill requiring HMOs to provide coverage for psychological assessments if a client is receiving Social Security benefits. The measure was adopted. Discussion will continue.

## Approval of omnibus bill

The Health Care and Family Services Funding Division, chaired by Sen. Don Samuelson (DFL-Brainerd), reconvened Wed. evening, Apr. 6, to continue the assembly of S.F. 2708, the health care and family services omnibus bill. Several

amendments were added to the bill. Samuelson presented an amendment allowing for the construction of housing for chronically chemical dependent American Indians in Hennepin County. Samuelson also introduced an amendment permitting wage enhancements for certain day training and habilitation service personnel. The amendments were incorporated into the bill.

Another amendment was approved, that was presented by Sen. Pat Piper (DFL-Austin), allowing the temporary transfer of family slots between counties in the non-STRIDE aid to families with dependent children (AFDC) child care program. Sen. Sheila Kiscaden (IR-Rochester) authored an approved amendment requiring approval by the interagency long-term care and planning committee for relocation projects concerning hospital and nursing home facilities. Kiscaden noted that the projects still must pass the moratorium process. The amendment was adopted. The omnibus bill was referred to the Health Care Committee.

Three bills containing the policy portions only were re-referred to the Health Care Committee. S.F. 2460, carried by Sen. Duane Benson (IR-Lanesboro), relates to Medical Assistance (MA) and General Assistance Medical Care (GAMC) requirements, services, and programs. S.F. 2825, sponsored by Kiscaden, establishes and clarifies components of the long-term and alternative care system. Authored by Sen. John Hottinger (DFL-Mankato), S.F. 2036 was also approved and re-referred to the Health Care Committee. The bill modifies MA prior authorization appeals.

## Jobs, Energy and Community Development

### Mpls. economic development bill

Members of the Jobs, Energy and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), held a short evening meeting Wed., Mar. 30. The panel advanced five bills before the scheduled floor session.

S.F. 2440, authored by Sen. Carl Kroening (DFL-Mpls.), authorizes the city of Minneapolis to establish a jobs park and establishes a tax increment financing district. The measure was approved and re-referred to the Committee on Taxes and Tax Laws. A second Kroening bill, S.F. 2360, decreasing some itemized deductions for state income taxes, based on income and itemized homestead interest of over \$10,000 and transferring the revenues to the housing development fund, was also approved. The measure was sent to the Taxes and Tax Laws Committee.

Members also approved S.F. 2322, authored by Sen. Kevin Chandler (DFL-White Bear Lake) and recommended the bill be placed on the Consent Calendar. The bill modifies the experience requirements of the boiler inspection division chief in the Dept. of Labor and Industry. S.F. 2849, authored by Novak, is a resolution memorializing the president and Congress to maintain funding for the low-income home energy assistance program and to continue the program's operation in Minnesota. The measure was advanced to the full Senate. S.F. 1707, sponsored by Sen. Ellen Anderson (DFL-St. Paul), appropriates money for a grant to the Minnesota Humanities Commission to rehabilitate and retrofit the west wing of the former Gillette Children's

Hospital. The measure was sent to the funding division.

## Minimum wage bill amended

The Jobs, Energy and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met Thurs., Mar. 31, to process bills before the second committee deadline.

Topping the agenda was S.F. 1944, sponsored by Sen. Randy Kelly (DFL-St. Paul). The measure increases the minimum wage in three annual steps. Under the bill, the minimum wage paid by both large and small employers increases 75 cents annually in 1994, 1995, and 1996. After the initial three-year period, the minimum wage would increase by the same percentage as the Consumer Price Index for the Minneapolis-St. Paul area.

The Senators approved an amendment to the bill offered by Sen. Douglas Johnson (DFL-Cook), changing the amount of the increase to 50 cents per year over the three-year period. The amendment also increases the threshold for an employer to be considered a large employer. Under the bill, to be considered a large employer, a business must have \$500,000 or more in gross annual sales volume. The current threshold is \$362,500 in sales. The committee approved the amendment. Another amendment, offered by Sen. Linda Runbeck (IR-Circle Pines), restores the tip credit, which allows an employer to keep track of employees' tips and pay a lower minimum wage for tipped employees. The amendment failed on a 6-7 vote. S.F. 1944 was approved and sent to the Senate floor.

The committee granted approval to 17 other bills.

S.F. 2821 creates a pilot project in the Metropolitan Area to provide shelter for homeless persons when the temperature or wind chill is at or below zero and available shelters are filled. The measure, sponsored by Sen. John Marty (DFL-Roseville), now goes to the Jobs, Energy and Community Development Funding Division.

S.F. 2592, sponsored by Novak, appropriates \$2 million from the general fund for the remainder of the biennium for the Head Start program. S.F. 2868, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), modifies the emergency jobs program (MEED). Both bills now go to the committee's funding division.

S.F. 2636, sponsored by Sen. Ellen Anderson (DFL-St. Paul), directs the commissioner of administration to study the regulation, oversight, and enforcement of state laws regarding manufactured housing. The commissioner is also to recommend to the legislature a plan for consolidating administrative responsibilities and enforcement of regulations for manufactured housing and manufactured home parks. The bill goes next to the Health Care and Family Services Finance Division.

S.F. 1984, sponsored by Sen. Jane Krentz (DFL-May Township), clarifies language governing application fees for in-park sales of manufactured homes. The measure now goes to the Senate floor. S.F. 1698 prohibits mobile home park operators from denying persons over 62 the right to keep a pet dog, cat or bird. The measure, sponsored by Sen. Paula Hanson (DFL-Ham Lake), now goes to the Senate floor. S.F. 2778, sponsored by Novak, requires mobile home park operators to provide residents with a severe weather evacuation or shelter plan. The bill was advanced to the full Senate.

H.F. 1859, sponsored by Anderson, establishes penalties for landlords who fail to provide written leases. The bill now goes to the Senate floor.

S.F. 2285, sponsored by Sen. Jane Krentz (DFL-May Township), clarifies the state's whistleblower law by stating that employees covered under the law include appointed employees serving "at the pleasure" of the employer. The law protects employees who report violations of federal or state laws or who refuse to violate a law. H.F. 1957, authored by Sen. Duane Benson (IR-Lanesboro), combines the Rochester and Olmstead county housing and redevelopment authorities. Both bills were advanced to the full Senate.

S.F. 2569, authored by Kelly, authorizes the sale of bonds for the continuation of the neighborhood land trust program. The bond amount is presently undetermined. The committee approved an amendment offered by Sen. Carl Kroening (DFL-Mpls.), regarding replacement housing for low income housing that is displaced. Under the amendment, when the displacement occurs in a first class city, the replacement housing may be provided in any municipality in the Metropolitan Area. The bill now goes to the committee's funding division.

S.F. 1991 requires the Metropolitan Council to develop a plan to meet the need for affordable housing in the Metropolitan Area. The bill, sponsored by Novak, directs the council to adopt rules and objectives governing opportunities for comprehensive choice housing. It also establishes compliance standards for communities and sets sanctions for communities not complying with the requirement to offer a range of affordable housing. Under the measure, communities not in compliance lose homestead and agricultural credit allocations. The allocations are redistributed to communities that are in compliance. S.F. 1991 now goes to the Senate floor.

S.F. 1808, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), provides for workers' compensation coverage for members of the civil air patrol when on duty at the request of the state, county, or a municipality. The bill was sent to the Senate floor.

S.F. 2466 expands the dislocated worker program by providing that dislocated worker agencies may make grants for targeted training assistance to workers at risk of dislocation. The committee adopted an amendment by the bill's author, Sen. Linda Runbeck (IR-Circle Pines), that limits such grants to five percent of the available funds. The bill now goes to the committee's funding division.

S.F. 2885, authored by Sen. Arlene Lesewski (IR-Marshall), creates the governor's workforce development council to replace the governor's job training council. The bill now goes to the Senate floor.

S.F. 2540, also sponsored by Lesewski, classifies information provided as part of the application process for energy loans as non-public data until the loan is finalized. H.F. 1859 establishes penalties for landlords who fail to provide a written lease. Both bills go next to the Senate floor.

The panel voted to table one bill, S.F. 1875. The measure, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), creates the metropolitan reinvestment fund account within the housing development fund.

## Appropriations weighed

The Jobs, Energy and Community Development Funding Division met Tues.,

Apr. 5, to consider the funding requests in ten bills. Sen. Carl Kroening (DFL-Mpls.), division chair, said the purpose of the meeting was to review the bills so that committee members could familiarize themselves with the requests and begin to set priorities. The Senators heard bills containing a total of \$10 to \$12 million in requests and reviewed \$1.09 million in recommendations by the governor. The division will allocate a budget of approximately \$1.5 million at a future meeting.

## Jobs funding bill advances

The Jobs, Energy and Community Development Funding Division held hearings Weds., Apr. 6, and Thurs., Apr. 7, to continue considering supplemental budget requests for inclusion in S.F. 3206, the Jobs, Energy and Community Development omnibus funding bill.

The panel, chaired by Sen. Carl Kroening (DFL-Mpls.), revised and approved several of the governor's supplemental budget recommendations. The panel approved \$111,000 for funding of debt payments by the World Trade Center; \$400,000 for the Job Skills Partnership; \$200,000 for the Minnesota Technology, Inc. defense conversion grants program; and \$50,000 for the Occupational Safety and Health Act match.

The committee also approved allocations of \$450,000 for S.F. 2221, sponsored by Sen. Randy Kelly (DFL-St. Paul), initiating first phase development of the Phalen corridor in St. Paul, a park for light industrial businesses; \$235,000 for S.F. 2631, sponsored by Kroening, funding the Minnesota Youth Program; \$235,000 for development of a Labor Interpretive Center, \$100,000 for S.F. 2802, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), providing a cost of living increase for vendors who place disabled workers; \$50,000 for S.F. 2248, authored by Sen. Dennis Frederickson (IR-New Ulm), increasing funding for the displaced homemaker program; \$50,000 for S.F. 2592, sponsored by Sen. Steven Novak (DFL-New Brighton), increasing funding for the Head Start program; \$20,000 to the Minnesota Film Board; and \$10,000 for S.F. 1701, authored by Sen. Ellen Anderson (DFL-St. Paul), funding a study of women-owned businesses.

Bills not receiving funding under the committee's budget are S.F. 2211, sponsored by Anderson, establishing a Coordinator of International Affairs; S.F. 2352, sponsored by Sen. Jim Vickerman (DFL-Tracy), establishing a Minnesota Technology, Inc. pilot project for assisting beginning businesses in southwest Minnesota; and S.F. 2868, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), modifying the MEED program.

The committee also reviewed S.F. 2438, sponsored by Sen. Arlene Lesewski (IR-Marshall), providing for reimbursement to the dislocated worker fund by the state. The bill has no immediate fiscal impact, but would require funding in the next biennium.

The omnibus funding bill now goes to the full Jobs, Energy and Community Development Committee.

The panel also devoted a portion of the meeting to reviewing capital bonding requests. Members heard brief explanations of S.F. 2107, sponsored by Sen. Jane Ranum (DFL-Mpls.), allocating \$14.8 million for phase I of the proposed expansion of the Minneapolis Convention Center; S.F. 2219, authored by Sen. Bob Lessard (DFL-Int'l. Falls), providing \$1.5 million for expanding

# Committee update

the Grand Rapids Civic Center; S.F. 2310, sponsored by Kelly, funding cleanup of contaminated land; S.F. 1707, authored by Anderson, providing \$1.3 million for rehabilitation of the Gillette Children's Hospital in St. Paul for use by the Minnesota Humanities Commission; and S.F. 2569, sponsored by Sen. Randy Kelly, providing \$2 million for the neighborhood land trust.

The committee will further consider the bonding requests at a future meeting.

## Judiciary Committee

### Omnibus family law bill

The Senate Judiciary Committee named S.F. 2090, authored by Sen. Don Betzold (DFL-Fridley), as the vehicle for its omnibus family law bill, Weds. afternoon, Mar. 30. The committee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), laid the measure over during afternoon recess.

Before recessing, the committee incorporated three measures into the omnibus family law bill. Sen. Sheila Kiscaden's (IR-Rochester) bill, S.F. 1895, which expands the list of "child's best interests," was rolled into S.F. 2090.

Also amended into S.F. 2090 was S.F. 2271, authored by Sen. Dan Stevens (IR-Mora). Stevens' bill permits publication of the names of individuals who are delinquent in child support payments.

Lastly, the committee incorporated S.F. 2014 into the omnibus bill. S.F. 2014, sponsored by Sen. Richard Cohen (DFL-St. Paul), clarifies child support issues.

### Omnibus family law bill approved

The omnibus family law bill, S.F. 2090, was approved by the Senate Judiciary Committee Weds. evening, Mar. 30. The bill, sponsored by Sen. Don Betzold (DFL-Fridley), modifies provisions related to the administration and enforcement of child support. The committee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), okayed the measure and advanced it to the Senate.

Approved and rolled into the omnibus family law bill was S.F. 2586, carried by Sen. Jane Ranum (DFL-Mpls.). The measure allows grandparents, under specific circumstances, to obtain an ex parte temporary custody order.

The committee endorsed S.F. 1938, a bill that amends the statute dealing with the employee's right to review personnel records. Authored by Sen. Kevin Chandler (DFL-White Bear Lake), the measure permits the Dept. of Labor and Industry to assess penalties of up to \$5,000 for violators of the statute. The bill proceeds to the Senate floor.

S.F. 2247, carried by Sen. Dallas Sams (DFL-Staples), was also approved by the members and sent to the Senate. By expanding the scope to include all agricultural operations, not just family farms, the bill changes the law on nuisance liability. Furthermore, the definition of "expanded or significantly altered" is specified as "an expansion by at least 25 percent" of a crop grown or the animals kept by a farm.

The omnibus data practices bill, S.F. 2079, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), was re-referred to the Finance Committee. Finn's bill covers privacy aspects of the collection and dissemination of data. The measure clarifies that privately paid for

data submitted to the rural finance authority by businesses seeking financial assistance, is nonpublic. Additionally, S.F. 2079 prohibits a videotape seller from disclosing personal information he or she requests of customers.

The last measure reviewed by the committee was S.F. 1133, authored by Sen. Steven Morse (DFL-Dakota). Known as the landfill clean up bill, S.F. 1133 establishes a program for closed landfills and provides a voluntary buy-out option for insurance companies. The bill was re-referred to the Rules Committee.

## Metropolitan and Local Government

### County provisions approved

The Metropolitan and Local Government Committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, approved a bill that modifies Hennepin County personnel policies during the committee's Thurs., Mar. 30, meeting.

S.F. 2858, sponsored by Sen. Carol Flynn (DFL-Mpls.), allows the county to expand its list of eligible candidates for a position from seven to 20, provides for seasonal appointments of up to nine months in any 12-month period, removes some court positions from unclassified county service, and limits the use of administrative and grievance processes. The bill was approved and re-referred to the Consent Calendar.

The committee had also planned to hear H.F. 228, an annexation bill sponsored by Sen. Jim Vickerman (DFL-Tracy). An amendment to the bill was to be offered, reflecting an agreement on some provisions that representatives of municipalities and townships had reached. While the components of the amendment were presented, copies of the language were unavailable. Final consideration of the amendment was set aside until the committee's next meeting.

### Target Center bill heard

The proposal allowing the Metropolitan Sports Facility Commission (MSFC) to buy the Target Center was presented to the Metropolitan and Local Government Committee, Wed. evening, Mar. 30. The committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, also approved an amendment to an annexation bill clarifying the procedures municipalities are to use when they consider land annexation.

Calling it a fair and equitable way to preserve a state resource, Sen. Lawrence Pogemiller (DFL-Mpls.) presented S.F. 2725, which lays out the process for the MSFC to buy the sports arena. That process, Pogemiller said, is the result of ongoing negotiations between the owners of the arena and public officials.

Under the bill, the MSFC can request that the Metropolitan Council issue revenue bonds to allow the commission to buy the Target Center. Before the bond sale can occur, a number of conditions must be met, including requirements that commission and both the professional basketball team and the league reach a 30-year lease agreement, that the MSFC either acquire or have the rights to the arena's title and title to the land it sits on, and that the mechanisms are in place to ensure that revenue will be generated to pay the debt service and operate the arena.

To contribute to that revenue flow, the

bill requires that the sports facilities commission impose a 10-percent tax on admission to the arena, as currently exists on tickets to Metrodome events, and a minimum \$1 surcharge per ticket.

The bill also provides that the MSFC is permitted to sell the condominium interests, separating the arena's health club to be separated from the arena and operated as an independent organization. The city of Minneapolis involvement in the revenue provisions includes an agreement to forego its property tax receipts on the health club, and to impose a liquor, lodging, and restaurant tax that will take effect only when it is determined that revenues are insufficient to make the debt service payments.

The Minnesota Amateur Sports Commission (MASC) would receive about \$700,000 from a health club tax each year. In return, the MASC may enter into a lease agreement with the sports facilities commission for use of both the Metrodome and the Target Center for its events. The net proceeds from those events are applied to the debt service of whichever facility is being used.

Other provisions require the MSFC to attempt to secure a professional hockey team as a tenant in the arena, and prevent the city from imposing additional entertainment taxes on Target Center tickets.

Pogemiller said the bill is structured so that the revenue used to buy and operate the arena will come from fees paid by those who use the arena. He added that property taxes would not be used to support the purchase of the arena or its operation.

After reviewing the bill, testimony from both sides of the issue was presented. Supporters of the proposal, representing the negotiating team, the city, and employees of downtown restaurants and hotels, all urged approval of the bill.

Calling the proposal both prudent and responsible, Minneapolis Mayor Sharon Sayles Belton encouraged the committee to support the bill in order to preserve the nearly new 700 jobs that have been created in the district near the Target Center since the arena opened. She added that the arena has also contributed to increased property values in the Warehouse District, and that it has helped generate an additional \$4.7 million in income and sales tax revenue each year.

Arguing that the issue was not one of economic development but of the city and state responding to special interests, several Minneapolis residents expressed their opposition to the bill.

Richard Breitman, organizer of the "Don't Target Us" campaign, said that public funding should not be used to support the arena and that private businesses, which have a vested interest in both the basketball team and the arena, should be expected to take over the team and facility. He also expressed a belief that the arena's current owners are looking for a way out from under the debt they have incurred. Others argued that public funds could be better used on neighborhood and youth programs, and that the sports facilities commission should not be allowed to buy the arena until it determines what will be done with the Met Center in Bloomington.

The committee took no action on S.F. 2725.

The panel did approve an amendment to H.F. 228, sponsored by Sen. Jim Vickerman (DFL-Tracy), clarifying a number of annexation provisions. The amendment to

the bill, offered by Sen. John Hottinger (DFL-Mankato), includes provisions limiting 60-acre annexations to areas not presently served by public sewer facilities, providing a five-year phase-in of taxes on property that municipalities annex, and requiring annexation orders to be issued within one year from the date the first hearing was held. The committee had discussed the amendment earlier, but was delayed in taking action. The bill, as amended, was approved and sent to the Senate floor.

## Taxes and Tax Laws

### Fuel tax indexing

The Taxes and Tax Laws Committee met Wed., Mar. 30, to review a transportation funding bill, the MinnesotaCare bill, and two other bills. The committee is chaired by Sen. Douglas Johnson (DFL-Cook).

Sen. Keith Langseth (DFL-Glyndon) presented a transportation funding bill. S.F. 2097 indexes the tax on gasoline and other special fuels to rise with inflation. According to Langseth, the bill sets a maximum of 1 cent per gallon per year. Other provisions in the bill appropriate funds to various projects and transit systems throughout the state. Langseth said that additional funds are needed in order to upgrade and maintain highways and roads and maintain transit funding. The bill was approved and sent to the Finance Committee.

S.F. 2192, MinnesotaCare, is sponsored by Sen. Linda Berglin (DFL-Mpls.). Berglin said that the tax portion of the bill exempts the health care provider from tax payments received by resident health care providers and pharmacies for medical supplies, appliances, equipment, and legend drugs delivered outside Minnesota. Kurt Johnson, representing the governor, testified that an amendment proposed by Berglin is a compromise on an issue of funding. According to Johnson, the amendment allows continued enrollment at a decelerated rate so that a provision in the bill halting enrollment when funding deficits reach a certain level does not kick in. Johnson asked what the governor believes will be the necessary source of revenue for MinnesotaCare. K. Johnson replied that the governor recognizes a need for expanded funding, but does not feel the source can adequately be determined in this session. The bill was laid over for future discussions on funding.

Sen. Deanna Wiener (DFL-Eagan) presented S.F. 1899, a bill establishing a special tax service district in Eagan. According to Wiener, the district is located in the Cederville area and the special service district status is needed for development and enhancement. The bill was approved and sent to the Consent Calendar. S.F. 2476, authored by Sen. Bob Lessard (DFL-Duluth), creates a Nashwauk ambulance district in order to impose a property tax totalling no more than \$25,000 a year to discharge operating costs of the current emergency health transportation system. The bill was approved and sent to the Consent Calendar.

Sen. Dallas Sams (DFL-Staples) outlined S.F. 1857, a bill extending agricultural homestead treatment to property occupied by the father or mother of the property owner, as well as to sons or daughters of the owner's spouse. The bill was approved and sent to the Senate floor. S.F. 1821, authored by Sen. Sandra Pappas (DFL-St. Paul), authorizes the Metropolitan Council to establish a housing bond credit enhancement

program. The bill was approved and sent to the Consent Calendar. A bill authored by Sen. Ted Mondale (DFL-St. Louis Park) authorizes the city of Hopkins to establish a housing improvement area where housing improvements are made and paid for from the proceeds of fees imposed within the area. The bill was approved and sent to the Senate floor. Sams presented S.F. 1976, a bill making clear that property of a trustee, beneficiary or grantor of a trust may be classified as a homestead if it meets the requirements for homestead treatment. The bill was approved and sent to the Senate floor. S.F. 2106 provides that a levy made by the city of Minneapolis for a contribution to the Minneapolis teacher's retirement fund is treated as a special taxing district levy. The bill, authored by Sen. Carol Flynn (DFL-Mpls.), was approved and passed to the Consent Calendar.

A bill allowing municipalities to issue bonds for airport improvements without an election if the issuance is approved by a vote of 60 percent of the members of a joint operating board and governing board, was approved and sent to the Senate floor. The bill is authored by Sen. John Hottinger (DFL-Mankato). Johnson presented S.F. 2205, a bill authorizing the Duluth City Council to issue general obligation bonds of up to \$4 million to pay for improvements to the Duluth Entertainment Convention Center. The bill was approved and sent to the Senate floor. S.F. 2329 provides for a tax exemption for attached machinery and other personal property that is part of a cogeneration system meeting certain requirements. The proposal, authored by Sen. Leonard Price (DFL-Woodbury), was approved and sent to the Senate floor.

### Waiver of rules

The Taxes and Tax Laws Committee met Thur., Mar. 31, to discuss several bills left over from an earlier meeting. The committee is chaired by Sen. Douglas Johnson (DFL-Cook).

S.F. 2142, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), makes housekeeping changes in the laws governing the Board of Government Innovation and Cooperation. According to Reichgott Junge, the board was established last year to grant waivers of rules or temporary exemptions of state procedural laws to agencies of local government. The bill was approved and sent to the Senate floor.

Sen. Charles Berg (DFL-Chokio) presented S.F. 2154. According to Berg, the proposal allows the commissioner of natural resources to enter into cooperative farming agreements for the purpose of wildlife and plant management. Berg said that these agreements would not be treated as leases for tax purposes. The bill was approved and sent to the Consent Calendar.

A bill appropriating money to the city of St. Paul to reimburse the city for unpaid assessments against real property owned by the state was laid over. According to the author, Sen. Sandra Pappas (DFL-St. Paul), the reimbursements are paid only for property that includes a structure that has a value of at least 75 percent of the value of the entire parcel.

S.F. 2613 changes procedural requirements relating to petitions objecting to property tax increases. The author, Sen. Harold "Skip" Finn (DFL-Cabs Lake), said that under the bill, petitions must be filed in the district court by Mar. 15 of the payable year. Currently, petitions are due by May 15. The

bill was approved and sent to the Senate floor. Finn presented S.F. 2705, a bill providing that landing and public access areas of some airports be classified as 2b property. According to Finn, the result is a reduced tax class rate that would normally be calculated as commercial land for tax purposes. The bill affects private airports open to the public. S.F. 2705 was approved and recommended to be included in the omnibus tax bill.

### MinnesotaCare approved

The MinnesotaCare implementation bill and three other bills were granted approval by the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook) at a Tues., Mar. 5, meeting.

Sen. Linda Berglin (DFL-Mpls.) continued presentation of S.F. 2192. According to Berglin, the bill implements universal health care provisions for the citizens of Minnesota. Several amendments to the proposal were adopted. Johnson proposed an amendment to the bill adding a provision requiring a proposed study on the cost of health care to look into funding MinnesotaCare with income or payroll taxes. Johnson said that the bill requires a revenue source that is fair and equitable. The amendment was adopted. Berglin proposed an amendment making individuals with monthly income of at least \$767 or households with no children with monthly income of more than \$1025 ineligible. The amendment was adopted. Sen. Phil Riveness (DFL-Bloomington) offered an amendment to bill allowing a two percent rebate on the tax of the amount of expenses pharmacies are unable to collect from a third party purchaser. The amendment was adopted. Sen. Harold "Skip" Finn (DFL-Cass Lake) proposed an amendment reversing a tax on a tax paid by providers. Finn said that currently, providers assess a two percent collection tax and then are taxed again based on gross receipts. The amendment failed. The bill was approved as amended and re-referred to the Health Care Committee.

Sen. Joe Bertram, Sr. (DFL-Paynesville) outlined S.F. 2067, a bill authorizing video lottery machines at establishments serving intoxicating liquor, 3.2 percent malt liquor, or licensed bingo halls. Bertram offered an amendment stripping away most of the bill except for a 17 member advisory council on video lottery. According to Bertram, the council must study the economic and social effects of video lottery in other states and reports its findings to the Legislature. Bertram said that with the amendment, Minnesota is not opening the door to increased gambling opportunities without knowing the positive and negative effects. The amendment was not adopted. Sen. Thomas Neville (IR-Northfield) proposed an amendment calling for the submission to voters a constitutional amendment prohibiting any type of gambling in the state. Neville stated that the citizens should have the opportunity to decide if the state should open up gambling or shut it down entirely. The amendment also failed. George Anderson, director of the Minnesota State Lottery, testified that other states using the video lottery system, such as North Dakota, have found it to be economically profitable with few negative social ramifications. After a long discussion on the future of gambling in Minnesota in relation to the possible impacts of the bill, Bertram requested the bill be tabled.

Sen. Charles Berg (DFL-Chokio) pre-

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sented S.F. 2558, a bill authorizing the use of pull tab dispensing machines. According to Berg, the bill allows the Gambling Control Board to select a machine for the purpose of automatic distribution of pull tabs and establishes a gambling advisory committee to review the current and future gambling operations in Minnesota. The committee discussed a section in the bill that adjusts the computation of the pull tab and tip board tax. Berg said that currently the operators of such games are unjustly taxed and the section corrects that error. The provision results in a \$5.9 million reduction in state revenue in the current biennium. Sen. Ember Reichgott Junge (DFL-New Hope) amended the bill to change the effective date of the section to July, 1995 rather than July, 1994. According to Reichgott Junge, the tax revenue is not attached to any specific area in the state budget, thus it is improper to have the correction take effect prior to compensating for the loss. Sen. Lawrence Pogemiller (DFL-Mpls.) proposed the deletion of the section, saying that reducing such a large amount of revenue in fiscally tight times is improper. The Pogemiller amendment failed. King Wilson, a representative of Allied Charities of Minnesota, testified that the machines proposed are safe, reliable machines that allow charities who can not afford to pay a person to sell tabs, to raise funds. The bill was approved and re-referred to the Finance Committee. Reichgott Junge moved to reconsider the bill to expand the role of the gambling advisory board created in the bill to include video lottery in order to collect the information requested by Bertram in S.F. 2067. The bill was reconsidered and the amendment by Reichgott Junge adopted.

S.F. 2006, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), provides for a revised permit system for alternate fuel vehicles. According to Chmielewski, the proposal establishes permit fees based on vehicle weight. The permit system is designed to compensate for lost gasoline tax revenue. The fee, said Chmielewski, ranges from \$141 to \$420 per year. The bill was approved and re-referred to the Finance Committee.

Sen. Tracy Beckman (DFL-Bricelyn) presented S.F. 2590. Beckman said the bill provides for the reduction in aid paid by the state to the 57 counties encompassing five judicial districts. According to Beckman, the state takes over payment for the public defenders services for juvenile and misdemeanor cases. S.F. 2590 was approved and re-referred to the Finance Committee.

## Omnibus tax bill

The Taxes and Tax Laws Subcommittee on Property Taxes, met Wed., Mar. 6, to discuss and approve the property tax articles for the omnibus tax bill. The subcommittee is chaired by Sen. Carol Flynn (DFL-Mpls.).

In the general property tax section, a homestead provision clarifies that property of a beneficiary, grantor of a trust, or trustee is eligible for receiving homestead credits if all conditions relating to the credit are met. Agricultural homestead provisions are also extended to the father or mother of a relative. Petitions objecting to property taxes may be dismissed in cases where the petitioner does not submit required information. A provision clarifies the "this old house" valuation exclusions by calculating the age of a house based on the number of years it has been at the current site.

The property tax refund provision calls for property tax statements to include the appropriate parcel identification number. Also required is a mailed, separate second half statement, including a target tax amount due for the second half. The homeowner property tax refund schedule is altered to increase the maximum refund available starting in 1995. Property tax refund returns must be filed by May 15, instead of August 15. The provision assesses a \$10 fee for late filing. Refunds of property taxes are deducted from second half taxes due, rather than returned separately. The provision also deletes a spouse from eligibility for the relative homestead provision.

The local government trust fund (LGTF) is eliminated on July 1, 1995, under the local government aid (LGA) section of the bill. The formula for calculating LGA is altered to include a needs increase percentage. Under the formula, cities that transferred funds to sewer and water funds in excess of taxes levied for the projects, receive an increase in aid. The provision also creates a family preservation aid fund for counties. The aid is directed based on one half of each county's portion payable of statewide averages of out of home placement children in 1991 and 1992 and one half based on the county's portion of statewide aid to families with dependent children (AFDC) caseload. In fiscal year 1996, community social service aid (CSSA) will be multiplied by the greater of one or one plus the percentage increase in the implicit price deflator for local and state government purchases.

The tax increment financing (TIF) section of the bill includes a change in the duration limits for TIF. Currently, an eight year maximum is established for economic development. The bill calls for a 25 year maximum. Current authorization for TIF districts in cities with a population of less than 5,000 to assist commercial or retail development is eliminated. The city of Minneapolis is allowed to create a TIF district for the purpose of economic development and renewal in the Seward South urban renewal area. The Metropolitan Council is authorized to create a housing bond credit enhancement program. The council may guarantee up to \$20 million in bonds for the purpose of housing development for low income families and elderly.

The Cross Lake area's request for a sewer and water district is granted under a provision in the bill. A board to administer the district is also authorized and given the power to levy special assessments. A provision in the bill eliminates the Chisholm/Hibbing Airport Commission and replaces it with a Chisholm/Hibbing Airport Authority. The authority is able to request that the surrounding cities issue city backed general obligation bonds.

## Transportation and Public Transit

### Light rail bill tabled

A bill authorizing \$10 million in bond proceeds for final design of light rail transit in the central corridor between Mpls. and St. Paul was tabled at the Thurs., Mar. 31, meeting of the Transportation and Public Transit Finance Division. S.F. 2734, authored by Sen. Jane Ranum (DFL-Mpls.), specifies that the appropriation is only available as matching funds for federal dollars. Division members raised questions

about the measure and, on a voice vote, laid the bill on the table.

In other action, the panel, chaired by Sen. Keith Langseth (DFL-Glyndon), advanced two additional bills. S.F. 1866, authored by Sen. James Metzen (DFL-South St. Paul), appropriates bond proceeds for the environmental impact statement for the Wakota Bridge on I-494. The measure was re-referred to the Finance Committee. S.F. 2859, authored by Langseth, increases funding for emergency management staffing and state patrol radio communication consolidation. The measure also requires quarterly reports on the mix of state road construction appropriations. The bill was sent to the full committee.

## Public safety funding bill

The Transportation and Public Transit Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met Tues., Apr. 5, to approve S.F. 2859, the Dept. of Public Safety supplemental appropriation bill. The bill, sponsored by Sen. Keith Langseth (DFL-Glyndon) includes appropriations from the General Fund of \$3.9 million for the state's share of the costs under the Presidential Disaster Declaration for the 1993 summer floods and \$74,000 for three regional office support positions for the State Patrol. The bill also includes two State Patrol items from the Trunk Highway Fund. The first is a savings of \$408,000 by the State Patrol's radio communication consolidation in FY 1994; the second is an increase of \$525,000 in FY 1995 for maintaining full staffing at the ten State Patrol communication centers. The Senators approved two amendments. The first, offered by Sen. Jim Vickerman (DFL-Tracy) requires the Dept. of Public Safety to report to the legislature on the usage of the Minnesota state patrol for traffic escort services when a special permit is required for over-sized loads. The second, offered by Langseth, requires Class C drivers' licenses to have a space for the applicant's Social Security number, which may be printed on the license at the request of the applicant. The committee then approved the bill as amended and forwarded it to the Finance Committee.

## Tuesday, April 5

### Gaming ad ban debated

A bill banning all gambling advertising sparked considerable debate at the Tues., Apr. 5, floor session. S.F. 935, carried by Sen. Thomas Neuville (IR-Northfield), prohibits the state lottery and the various casinos from advertising in newspapers, or on radio and T.V. Current law prohibits charitable gaming advertising. Neuville said that the advertising ban is aimed at "putting everyone on a level playing field," and at lessening the rate at which people succumb to compulsive gambling.

Debate centered primarily on the constitutional argument that banning the advertisements impinges on free speech and on the argument that the way to reduce compulsive gambling is to ban gaming rather than the advertisements. Neuville countered the constitutional argument with the example of the current ban on tobacco advertising and said that because gaming is an activity that could be banned, the courts have held that the advertising of the activity may be banned. He said that gaming ads are in the

category of "commercial" speech and are subject to regulation. Sen. Kevin Chandler (DFL-White Bear Lake) argued that by trying to "put everyone on a level playing field," the constitutional argument becomes valid because the bill is aimed at only part of the gaming industry.

Neuville also argued that reducing the exposure of individuals to gaming, through advertising, the number of individuals who become compulsive gamblers may be reduced. "The main reason is to get a grip on gambling," he said.

Sen. Gene Merriam (DFL-Coon Rapids) offered an amendment deleting several sections of the bill but leaving the ban on advertising by the state lottery. After debating the amendment, members of the Senate voted 36-29 to adopt the provision. As a result, Neuville progressed the bill, delaying any further action on the measure.

## Wednesday, April 6

### Flag bill gains

A resolution urging the U.S. Congress to propose an amendment to the U.S. Constitution specifying that Congress and the states have the power to prohibit the physical desecration of the flag sparked considerable debate at the Wed., Apr. 6, floor session. H.F. 1880, sponsored by Sen. Jim Vickerman, was granted preliminary passage on the General Orders Calendar on 51-14 roll call vote.

Vickerman said that the resolution has already been approved in 38 states. Sen. Bob Lessard (DFL-Int'l. Falls) argued in support of the measure saying that the majority of citizens find flag burning objectionable. Sen. Allan Spear (DFL-Mpls.) countered that "the issue is not

whether you are for or against flag burning...no one is for flag burning but it is a form of political speech protected by the constitution." Spear also said that "a vote for the measure is an invitation to tinker with the Bill of Rights." He added "It is not a few square feet of cloth that people fight and die for but the ideas represented by the symbol." Sen. Don Betzold (DFL-Fridley) also opposed the resolution and said "America is strong because we do allow protest." However, Sen. Dean Johnson (R-Willmar), responded that the measure should be approved because of the importance of symbols in our society and that voting for the resolution was "the right thing to do."

# Floor action

## Bills granted final passage on the Senate Calendar--March 31.

- S.F. 1483-Marty: Changes requirements and procedures for voter registration and absentee voting. 54-0
- H.F. 1964-Larson: Insurance solvency. Regulates reinsurance, loss reserve certifications, annual audits and annual statements. Regulates guaranty association coverages and modifies the incorporation requirements of domestic mutuals. 53-0
- H.F. 1914-Metzen: Removes the geographical limitation contained in the definition of reciprocating state for purposes of reciprocal interstate banking and reciprocal interstate savings and loan acquisitions and branching. 55-0
- H.F. 1934-Finn: Modifies provisions for organization and operation of business corporations. 56-0
- H.F. 1886-Larson: Regulates insurers, investments, rehabilitations and liquidations, policy loans and alternative coverage mechanisms. 57-0
- S.F. 2262-Sams: Removes notice requirements for on-site inspections by town boards. 57-0
- S.F. 1832-Bertram: Authorizes towing after 12 hours advance notice of restricted parking in cities with a population under 50,000. 48-10
- S.F. 1662-Piper: Adopts the Uniform Interstate Family Support Act. 59-0
- S.F. 1702-Reichgott Junge: Directs the commissioner of commerce to conduct a study of the Minnesota pawnbroker industry. 58-2
- S.F. 1774-Hanson: Permits amber strobe lights on rural mail carrier vehicles. 60-0

## Bills granted final passage on the Consent Calendar--March 31.

- H.F. 2487-Benson, D.D.: Authorizes towns in Olmsted County to adopt and enforce the state building code. 61-0
- S.F. 1918-Belanger: Makes it murder in the first degree to cause the death of a local correctional guard. 61-0
- S.F. 1616-Chandler: Establishes a private cause of action for abandonment of hazardous waste. 60-0
- S.F. 2345-Vickerman: Modifies provisions relating to foreign medical school graduates. 59-0
- S.F. 2135-Sams: Modifies provisions regarding county community social service plans. 58-1
- S.H.F. 2210-Knutson: Regulates the classification and release of Dept. of Commerce data relating to complaints and classifies Social Security numbers as private. 61-0
- S.F. 2255-Luther: Requires the commissioner of commerce to conduct a study of pollution coverage in farm liability policies. 62-1
- S.F. 1930-Betzold: Dept. of Human Services technical bill. 62-0
- H.F. 2435-Belanger: Changes procedures concerning abandoned animals. 62-0
- H.F. 2679-Langseth: Modifies provisions relating to hobby boilers and show engines. 63-0
- S.F. 1764-Betzold: Allows probation and parole agencies and child support enforcement agencies access to vehicle registration and identification information. 61-0
- S.F. 2671-Lessard: Permits the Itasca County Board to submit a question to nonbinding referendum. 62-1
- S.F. 2011-Solon: Provides for simulated elections for minors. 60-2
- S.F. 2464-Pogemiller: Authorizes the purchase of prior service credit in the Public Employees Retirement Association by an employee of the city of Minneapolis. 58-5
- S.F. 2572-Krentz: Clarifies the effect of a record of conviction of specific crimes on disqualification in connection with some human services licenses; strengthens provisions concerning residential treatment programs and modifies child abuse reporting requirements. 63-0
- S.F. 2468-Finn: Allows local road authorities to remove beaver dams and lodges near public roads. 60-0
- H.F. 2178-Johnson, D.E.: Authorizes the private sale of tax-forfeited land that borders public water in Meeker County. 60-3
- S.F. 2672-Day: Provides for an exemption from educational requirements for county coroners. 60-2
- S.F. 1959-Stumpf: Authorizes the public sale of tax-forfeited land that borders public water in Roseau County. 64-0
- S.F. 2491-Bertram: Authorizes the public sale of tax-forfeited land that borders public water in Stearns County. 62-0
- S.F. 2246-Murphy: Authorizes the exchange of state lands in Wabasha and Fillmore Counties. 57-0
- S.F. 2071-Pappas: Provides for the coordination of sales tax schedules for the state and the city of St. Paul. 57-0
- S.F. 2579-Chandler: Provides a civil remedy for injury to business reputation or dilution of quality of a mark and provides grounds for injunctive relief. 64-0
- S.F. 2582-Reichgott Junge: Extends the protections contained in the mortgage clause of the standard fire insurance policy to contract for deed vendors. 62-0
- S.F. 1862-Riveness: Increases the membership of the Job Skills Partnership Board. 64-0
- S.F. 2503-Krentz: Conforms powers held by counties over county highways to those held by counties over county state-aid highways. 63-0
- H.F. 2187-Stevens: Authorizes the sale of lands in Mille Lacs County to resolve a trespass situation. 61-0
- H.F. 2675-Lessard: Authorizes the public sale of tax-forfeited land that borders public waters in Aitkin County. 62-0
- S.F. 2431-Neuville: Modifies administrative subpoena requirements for county attorneys. 61-0
- S.F. 2422-Finn: Modifies provisions for enforcement of civil actions relating to burial grounds. 62-0
- S.F. 2462-Terwilliger: Dept. of Employee Relations housekeeping bill. 61-0

# Floor action

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- H.F. 2035-Oliver: Clarifies the legislative intent to require maintenance of bonds until license renewal for residential building contractors and remodelers and requires recovery fund fee proration. 60-0  
S.F. 2710-Solon: Modifies provisions relating to lead abatement. 60-0  
S.F. 2455-Berglin: Requires payment rates paid to community health clinics by a prepaid health plan to equal the Medical Assistance rates that would be paid directly to the clinics by the commissioner of human services. 60-1  
S.F. 2598-Pogemiller: Authorizes the Minneapolis Park and Recreation Board to transfer conveyed land to the Minnesota Dept. of Transportation. 61-0

## Bills granted concurrence and repassage--April 5.

- S.F. 2073-Pappas: Dept. of Revenue technical bill. 59-0.

## Bills granted final passage on the Senate Calendar--April 5.

- S.F. 2241-Pogemiller: Clarifies the definition of targeted neighborhood in a community resources program and clarifies the procedures that may be used by the city of Mpls. in assessing special assessments. 66-0  
H.F. 2248-Benson, D.D.: Changes pesticide posting requirements. 65-1  
S.F. 2303-Pappas: Requires persons age 55 or over to complete a refresher course in accident prevention in order to remain eligible for a reduction in car insurance rates. 60-5

## Bills granted final passage on the Consent Calendar--April 5.

- H.F. 2665-Johnson, J.B.: Adds lands to specific state parks, converts some recreation areas to state parks, deletes land from a recreation area, combines a trail and some waysides into a recreation area and abolishes a state park. 64-0  
H.F. 2622-Lessard: Authorizes the Dept. of Natural Resources to sell state land in Itasca and St. Louis Counties. 64-0  
H.F. 2692-Samuelson: Authorizes the sale of state land in Crow Wing County to resolve an encroachment situation. 66-0  
H.F. 2309-Johnson, J.B.: Changes the highway description for the Cambridge bypass. 65-0  
S.F. 2267-Samuelson: Authorizes title insurance companies governed by Chap. 68A, or their appointed agents to execute certificates of release of mortgages. 64-0  
S.F. 1825-Finn: Restricts the venue for manufactured home repossession actions to the county in which the home is located. 65-0  
S.F. 1793-Samuelson: Provides for the registration by title in cases of termination of a time-share interest. 64-0  
H.F. 2634-Chmielewski: Requires notice of requirements for appealing town road damage awards to be in understandable language. 65-0  
H.F. 1913-Kelly: Authorizes the St. Paul Police consolidation account to pay refunds to the estates of specific deceased police officers. 64-1  
H.F. 1881-Murphy: Authorizes specific officers Red Wing to elect retirement coverage by the public employees police and fire fund. 64-0  
S.F. 2588-Lessard: Changes notice requirements for sales of tax-forfeited lands and modifies a provision on leasing tax-forfeited lands. 65-0  
H.F. 2314-Terwilliger: Amends various statutes to be consistent with recent law relating to the distribution of reports and materials. 64-0  
H.F. 1186-Wiener: Adds cross references for existing civil penalties for littering. 66-0  
H.F. 2330-Betzold: Authorizes Anoka County to sell tax-forfeited land by sealed bid. 66-0  
H.F. 2086-Lesewski: Abandons judicial ditch number 37 in Redwood and Lyon Counties. 64-0  
S.F. 1899-Wiener: Provides for the establishment of a special service district in the city of Eagan. 62-0  
S.F. 2476-Lessard: Authorizes the establishment of the Nashwauk Area Ambulance District. 65-0  
S.F. 2277-Merriam: Authorizes the MWCC to enter into agreements to implement total watershed management. 65-0

## Bills granted preliminary passage on General Orders--April 5

- H.F. 2373-Stumpf: Modifies provisions relating to wheat and barley promotion orders and the payment and refund of checkoff fees.  
H.F. 2646-Moe, R.D.: Expands the restricted seed potato growing area.  
S.F. 1896-Pappas: Includes transportation matters relating to the Metro Area in the state transportation plan and development guide.  
S.F. 1848-Solon: Regulates real estate trust accounts, clarifies a definition for purposes of licensing real estate appraisers and regulates dual agency disclosure.  
S.F. 2297-Pogemiller: Eliminates combined precincts but authorizes a combined polling place under the same conditions, provides that a precinct with fewer than 10 voters may combine with another precinct, adds three years to the time precinct boundaries may be changed and limits precinct boundary changes close to an election.  
H.F. 1890-Stumpf: Allows Lake of the Woods County to forgive the amount owed on a contract for deed.  
S.F. 1903-Bertram: Increases the extent of authorized state participation in the rural finance authority loan restructuring program and repeals the authorization for the commissioner of finance to issue bonds to assist agricultural-industrial facilities in Detroit Lakes.  
H.F. 2362-Reichgott Junge: Changes the definition of a potentially dangerous dog to include private property other than the dog's owner's property and changes the identification tag requirements for a dangerous dog.

## Bills given preliminary passage on General Orders--April 6.

- S.F. 1593-Ranum: Eliminates the defense of mistake of age or consent for persons who are prosecuted for a prostitution offense.  
S.F. 1741-Merriam: Allows nonresidents to take rough fish by harpooning.  
S.F. 1740-Knutson: Requires the Metro Council to study housing redevelopment and rehabilitation costs and benefits and requires local governments in the seven-county Metro Area to cooperate with the Metro Council for purposes of the study.  
S.F. 2551-Solon: Establishes the powers and duties of the board of directors of trusts of Miller-Dwan Hospital in the establishment, administration, management, maintenance, improvement and financing of the hospital.  
H.F. 1936-Johnson, D.J.: Requires return to the water of fish snagged in Lake Superior and tributaries.  
H.F. 1880-Vickerman: A resolution memorializing the Congress of the United States to propose an amendment to the United States Constitution, for ratification by the states, specifying that Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States.  
S.F. 1759-Betzold: Requires a study of the need for training of correctional staff regarding mental health needs of inmates and requires a study of the need for training of correctional staff regarding HIV/AIDS issues.  
H.F. 1928-Stumpf: Authorizes special license plates for vehicles owned by volunteer ambulance drivers.  
S.F. 1816-Krentz: Reinstates the regulations related to personal transportation service providers.  
S.F. 2099-Larson: Requires the Dept. of Transportation to accept competitive design-build bids for nonvehicular bridges on pedestrian and bicycle paths.  
S.F. 1694-Betzold: Modifies procedures relating to administering intrusive mental health treatment to persons committed as mentally ill and dangerous under the Civil Commitment Act.  
S.F. 2465-Lesewski: Modifies provisions relating to some Dept. of Jobs and Training contracts.  
S.F. 584-Krentz: Protects citizens and organizations from civil lawsuits for exercising their rights of public participation in government.

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## Bills granted final passage on the Consent Calendar--April 6

- H.F. 2306-Flynn: Provides that a levy for a contribution to the Minneapolis Teachers Retirement Fund Association is a special taxing district levy for property tax truth in taxation purposes. 64-0
- H.F. 2562-Chandler: Modifies experience requirements for the labor and industry boiler inspection division chief. 61-1
- S.F. 2066-Hanson: Authorizes the sale of tax-forfeited lands that border public water or natural wetlands in Anoka County. 63-0
- S.F. 2154-Berg: Clarifies requirements relating to fish manure from aquatic farms, expands the scope of cooperative farming agreements on hunting, game refuge, or wildlife management lands and exempts agreements from treatment as leases for tax purposes. 65-0
- S.F. 2348-Spear: Clarifies the appropriate committees to which reports are to be directed. 65-0
- H.F. 2772-Metzen: Establishes a pilot project in the Dept. of Human Services and the Dept. of Transportation to permit the waiver of rules governing the colassified and unclassified service of the state by joint committees. 64-0
- S.F. 2690-Chmielewski: Township mutual fire insurance companies to issue policies in combination with the policies of other insurers. 65-0

## Bills granted final passage on the Senate Calendar--April 6.

- H.F. 2373-Stumpf: Modifies provisions relating to wheat and barley promotion orders and the payment and refund of checkoff fees. 64-1
- H.F. 2646-Moe, R.D.: Expands the restricted seed potato growing area. 65-0
- S.F. 1896-Pappas: Includes specific transportation matters relating to the Metropolitan Area in the state transportation plan and development guide. 56-9
- S.F. 2297-Pogemiller: Eliminates combined precincts but authorizes a combined polling place under the same conditions, provides that a precinct with fewer than 10 voters may combine with another precinct, adds three years to the time precinct boundaries may be changed and limits precinct boundary changes close to an election. 64-0
- H.F. 1890-Stumpf: Allows Lake of the Woods County to forgive the amount owed on a contract for deed. 65-0
- S.F. 1903-Bertram: Increases the extent of authorized state participation in the rural finance authority loan restructuring program and repeals the authorization for the commissioner of finance to issue bonds to assist agricultural-industrial facilities in Detroit Lakes. 66-0
- H.F. 2362-Reichgott Junge: Changes the definition of a potentially dangerous dog to include private property other than the dog's owner's property and changes the identification tag requirements for a dangerous dog. 65-0

## Bills granted concurrence and repassage--April 6.

- S.F. 1826-Mondale: Extends reporting and effective dates for radio systems planning by the Metropolitan Council and extends the moratorium on applications for 800 megahertz channels. 62-1
- S.F. 1692-Betzold: Creates the Public Contractors' Performance and Payment Bond Act. 65-0

## Bills granted concurrence and repassage--April 7

- S.F. 1911-Finn: Changes filing procedures for corporations and organizations, provides for service of process on limited partnerships and changes requirements for filings governed by the UCC. 66-0
- S.F. 1951-Johnston: Restricts insurance termination or reductions of coverage for fibrocystic conditions. 66-0

## Bills granted final passage on the Consent Calendar--April 7

- H.F. 3091-Betzold: Corrects erroneous, ambiguous and omitted text and obsolete references; eliminates redundant, conflicting and superseded provisions and make miscellaneous corrections to statutes. 66-0
- H.F. 2856-Piper: Authorizes the sale of tax-forfeited lands that border public water in Mower County. 64-0
- H.F. 2710-Riveness: Requires the commissioner of administration to report on the best way to increase electronic services to citizens. 64-0
- H.F. 2936-Pappas: Provides for funding the maintenance of turnback roads in Ramsey County. 65-0
- S.F. 2321-Langseth: Authorizes the sale of tax-forfeited land that borders public water in Clary and Wilkin Counties. 64-0
- H.F. 985-McGowan: Modifies the public employees police and fire fund disability benefit limitation for reemployed disabilitants. 65-0
- H.F. 1927-Stumpf: Authorizes a Medicare coverage referendum for a city of Karlstad hospital employee. 65-0
- H.F. 2269-Stumpf: Authorizes an annuity adjustment for a specific annuitant from the Teachers Retirement Association. 60-4
- H.F. 2657-Anderson: Allows handicapped persons to receive a special state parks permit. 65-0
- S.F. 862-Price: Provides for service of process for alleged motor vehicle registration violations and provides a civil penalty. 62-0
- H.F. 1966-Kelly: Authorizes peace officers of states adjoining Minnesota to render assistance to Minnesota peace officers on request. 63-0

## Bills granted final passage on the Senate Calendar--April 7

- S.F. 1593-Ranum: Eliminates the defense of mistake of age or consent for persons who are prosecuted for a prostitution offense. 64-0
- S.F. 1741-Merriam: Allows nonresidents to take rough fish by harpooning. 63-1
- S.F. 1740-Knutson: Requires the Metro Council to study housing redevelopment and rehabilitation costs and benefits and requires local governments in the seven-county Metro Area to cooperate with the Metro Council for purposes of the study. 65-0
- S.F. 2551-Solon: Establishes the powers and duties of the board of directors of trusts of Miller-Dwan Hospital in the establishment, administration, management, maintenance, improvement and financing of the hospital. 63-2
- H.F. 1936-Johnson, D.J.: Requires return to the water of fish snagged in Lake Superior and tributaries. 57-3
- H.F. 1880-Vickerman: A resolution memorializing the Congress of the United States to propose an amendment to the United States Constitution, for ratification by the states, specifying that Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States. 51-14
- S.F. 1759-Betzold: Requires a study of the need for training of correctional staff regarding mental health needs of inmates and requires a study of the need for training of correctional staff regarding HIV/AIDS issues. 62-0
- H.F. 1928-Stumpf: Authorizes special license plates for vehicles owned by volunteer ambulance drivers. 61-1
- S.F. 1816-Krentz: Reinstates the regulations related to personal transportation service providers. 57-5
- S.F. 2099-Larson: Requires the Dept. of Transportation to accept competitive design-build bids for nonvehicular bridges on pedestrian and bicycle paths. 65-0
- S.F. 1694-Betzold: Modifies procedures relating to administering intrusive mental health treatment to persons committed as mentally ill and dangerous under the Civil Commitment Act. 65-0
- S.F. 2465-Lesewski: Modifies provisions relating to some Dept. of Jobs and Training contracts. 65-0
- S.F. 584-Krentz: Protects citizens and organizations from civil lawsuits for exercising rights of public participation in government. 64-0

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### Monday, April 11

#### Education Committee

*Chairs: Sen. Lawrence Pogemiller  
and Sen. LeRoy Stumpf*

8 a.m. Room 112 Capitol

**Agenda:** S.F. 2206-Pogemiller: Omnibus education funding bill.

**The Senate will meet at 9 a.m.**

#### Finance Committee

*Chair: Sen. Gene Merriam*

One hour after Session adjourns

Room 123 Capitol

**Agenda:** To be announced.

#### Taxes and Tax Laws Committee

*Chair: Sen. Douglas Johnson*

4 p.m. Room 15 Capitol

**Agenda:** S.F. 2494-Janezich: Health care. S.F. 2558-Berglin: Abolish provider tax. S.F. 2874-Johnson, D.J.:

MinnesotaCare - income tax (for

discussion only). S.F. 2892-Berglin:

Changing income tax rates, repeal

provider tax.

### Tuesday, April 12

#### Rules and Administration Committee

*Chair: Sen. Roger D. Moe*

7:30 a.m. Room 107 Capitol

**Agenda:** Report of the Bill Referral

Subcommittee, Rule 2.03 late bills,

personnel issues, other.

**The Senate will meet at 8 a.m.**

#### Agriculture and Rural Development Committee

*Chair: Sen. Joe Bertram, Sr.*

3 p.m. Room 318 Capitol

**Agenda:** Confirmation of appointments to the Board of Animal Health: John Howe, Joni Scheftel, Theodore Huisinga. Confirmation of appointments to the Minnesota Rural Finance Authority: Marlene Malstrom, Armin Tesch.

#### Finance Capital Budget Subcommittee

*Chair: Sen. Gene Merriam*

3 p.m. Room 123 Capitol

**Agenda:** Review capital budget recommendations from finance divisions.

#### Taxes and Tax Laws Committee

*Chair: Sen. Douglas Johnson*

3 p.m. Room 15 Capitol

**Agenda:** H.F. 1901/S.F. 1779-Dille: Hutchinson bonds. S.F. 2033-Bertram: Benton County EDA. S.F. 2162-Pappas: St. Paul special assessment. S.F. 2206-Pogemiller: Ed. aids. S.F. 2704-Spear: Expanding open space valuation. S.F. 2816-Pappas: MTC bonding (tentative). S.F. 2884-Pogemiller: Housing agency tax exemption.

#### Taxes and Tax Laws Subcommittee on Income and Sales Tax

*Chair: Sen. Ember Reichgott Junge*

6 p.m. Room 15 Capitol

**Agenda:** S.F. 2725-Pogemiller: Target Center bill.

### Wednesday, April 13

**The Senate will meet at 8 a.m.**

#### Governmental Operations and Reform Committee

*Chair: Sen. James Metzen*

3:30 p.m. Room 107 Capitol

**Agenda:** Confirmations: Debra Rae Anderson, commissioner, Dept. of Administration. Kevin E. Johnson, chief administrative law judge, State Office of Administrative Hearings.

### Thursday, April 14

**The Senate will meet at 8 a.m.**

### Friday, April 15

**The Senate will meet at 8 a.m.**

Additional committee hearings may be held. Conference committees on various spending and policy bills will be scheduled throughout the week. Please call the Senate Information Office at 296-0504 or the Senate Hotline at 296-8088 for the latest information.

# Briefly

The Minnesota Senate Week in Review

ST. PAUL, MN 55155

April 15, 1994

## Floor action intensifies

With the passage of the third deadline Fri., Apr. 8, activity shifted to daily floor sessions and meetings of the Finance and Taxes and Tax Laws Committees.

Lengthy floor sessions over the course of the week saw final passage of several controversial measures. The omnibus supplemental budget bill, the K-12 funding bill, the higher ed funding bill and the tax bill were all granted final passage. The Senate also took action on an omnibus transportation funding bill but delayed final action until the other body completed work on the companion bill. The omnibus crime prevention bill, however, was tabled after the bill was amended to include a provision requiring a constitutional amendment guaranteeing the right to bear arms be placed on the ballot at the next election.

The welfare reform bill, S.F. 1758, generated considerable debate during the Wed. Apr. 13, floor session. A floor fight had erupted when chief author Sen. Don Samuelson (DFL-Brainerd) made a motion that the Senate accept the amendments made by the House and repass the bill. A substitute motion, by Sen. Don Betzold (DFL-Fridley), to send the bill to a conference committee failed and the bill was tabled on the motion of Majority Leader Roger Moe (DFL-Erskine).

Action during the Thurs., Apr. 14, floor session mirrored the actions of the previous evening. Samuelson moved that the bill be taken from the table, that the Senate concur with the amendments made by the other body and repass the bill. The amendments include controversial provisions requiring a doctor to give information to a woman seeking an abortion 24 hours before the procedure, requiring the Dept. of Health to design materials that show fetal development at intervals from conception to full term, and allowing for civil suits by parents of minors or the father against a doctor for failure to get the informed consent of the woman. Betzold made a substitute motion to send the bill to a conference committee. The Betzold motion failed on a vote of 33-34 and Samuelson's motion was approved 34-33. However, Sen. Linda Runbeck (IR-Circle Pines), notified the Senate of her intention to move for reconsideration of the vote whereby the omnibus welfare reform bill was granted concurrence and repassage.

## Ontario fishing bill okayed

A highlight of the Fri., Apr. 8, floor session was the debate over H.F. 1835, the bill authorizing negotiations with Ontario about

boundary waters fishing. The bill, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), restricts possession of fish imported into the state from Ontario to no more than the amount of the most restrictive Ontario possession limit placed on Minnesota-based anglers fishing in Ontario border waters, unless Ontario is equally restrict on Ontario based anglers on the same border waters. Stumpf said that the bill was designed to aid in negotiations with the province because Ontario has put more and more restrictions on Minnesota residents.

Merriam offered an amendment to delete the language in the bill and repeal existing law (which prohibits the transport of filleted fish). Stumpf argued that the amendment defeated the purpose of the bill and weakened the negotiating stance with Ontario. The amendment failed on a 28-28 roll call vote.

Sen. Douglas Johnson (DFL-Cook) successfully offered an amendment to limit the restrictions in the bill to Rainy Lake and Lake of the Woods because the Ontario government has placed the restrictions on those two lakes. The amendment was adopted 48-2. Merriam offered another amendment to allow an exception for the transport into Minnesota of one trophy fish. The amendment was adopted on a voice vote. A third amendment, offered by Merriam, allows the governor to waive the application of the restrictions if the negotiations are successful. The amendment was adopted and the bill was granted final passage on a 35-16 roll call vote.

## Crime bill tabled

The omnibus crime bill, sponsored by Sen. Allan Spear (DFL-Mpls.), sparked considerable debate on the floor on Tues., Apr. 12. In addition to changes in criminal law and the creation of prevention programs, the bill includes gun dealer licensing provisions. Adoption of an amendment proposing a right to bear arms constitutional amendment resulted in Spear tabling the bill until further notice.

Spear stated that the bill "recognizes that we're becoming an increasingly dangerous and violent society and that guns are an important part of why this is happening." Spear continued, "the proliferation of guns in our society must be checked" and said that the bill consisted of a balanced package of stricter penalties, funding for corrections, and prevention.

The provisions of the bill include the regulation of firearms dealers in the Metro

Area, monitoring of mandatory minimum sentencing guidelines, and a 10 year felony penalty for furnishing a gun to a minor. The bill strengthens penalties for sexual assault and domestic violence. In addition, the omnibus bill improves the correctional system's infrastructure. The author also stated that "the long term solution to problems lie in prevention" and noted the prevention and early intervention programs included in the bill.

In response to continuous opposition to the ban on semi-automatic weapons in the Metro Area, Spear presented an amendment to delete the ban. The deletion was approved.

Sen. Patrick McGowan (IR-Maple Grove) introduced an amendment referred to as the "three strikes and you're out" provision, requiring a 15-year mandatory minimum sentence for third-time violent offenders. McGowan stated that the amendment is a "responsible approach" that incapacitates the offenders who haven't changed their behavior and are dangerous to the community. McGowan said that 90 percent of violent crime is committed by people 40 years old and under, and that the minimum sentence would prevent offenders from repeating violent crimes. Spear strongly opposed the measure, because it has failed to be effective in other states. Spear said that the "three strikes and you're out" concept is not an effective way to utilize resources and maintain a safe society.

Sen. Linda Berglin (DFL-Mpls.) expressed concern about the cost of the provision, totaling \$233 million over the next 15 years and requiring 730 beds. Berglin presented an amendment to the amendment that provides a tax increase to fund the measure. Sen. Roger D. Moe (DFL-Erskine) favored Berglin's amendment, stating that it was "truth in sentencing." McGowan withdrew the amendment.

Sen. Bob Lessard (DFL-Int'l Falls) presented an amendment that includes a Constitutional amendment regarding the right to bear arms. The amendment extends licensing provisions to Greater Minnesota, not only to the Metro Area, and identifies assault weapons. Sen. Ellen Anderson (DFL-St. Paul) questioned the necessity of the provision, citing that legitimate gun owners are already protected by the U.S. Constitution. McGowan supported the amendment, arguing the need for crime control, not gun control. The amendment was incorporated into the bill on a vote of 41-23. Upon adoption, Spear tabled the bill.

# Committee update

## Crime Prevention

### Corrections bonding approved

Capital budget recommendations for corrections were reviewed by the Crime Prevention Finance Division on Tues., Apr. 12. The committee, chaired by Sen. Tracy Beckman (DFL-Bricelyn) heard suggestions from Commissioner of Corrections Frank Wood on how to reduce Dept. of Corrections appropriations by \$1.9 million. The revised amount totals \$69.9 million.

Projects include the conversion of the Moose Lake correctional facility, expansion of the Faribault regional treatment center, and funding for regional juvenile centers. Funding consists of grants for juvenile centers and for the construction of two work and learn sites. The committee reduced funding for several projects, but none were eliminated.

Sen. Randy Kelly (DFL-St. Paul) presented an amendment relating to bonding for juvenile facilities, specifying the composition and duties of the siting group. The amendment was adopted. The bonding bill, sponsored by Beckman, advances to the Finance Capital Budget Subcommittee.

## Education

### Grant programs funded

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), continued assembling the education finance omnibus bill during their Thurs., Apr. 7, meeting when they approved the funding for several program and grant proposals.

With many funding requests before them, the division began its appropriations by approving \$167,000 to establish a free breakfast grant program. Under the program, proposed in S.F. 2044 by Sen. Jane Ranum (DFL-Mpls.), four schools will provide breakfasts to all students and receive reimbursement grants. The program will be evaluated to determine the effect that a school breakfast program may have on student performance.

The division also approved \$87,000 in transportation aid for Camp Buckskin, the Metro Deaf School, for FYs 1994 and 1995, and granted a special request for \$78,000 in tax relief aid to the Pequot Lake School District.

A \$25,000 request from the Nett Lake School District was approved. The district, in cooperation with local social services and law enforcement agencies, will use the funds to set up evening and

weekend educational and cultural programs. The Coalition for Education Reform and Accountability, established by the 1993 Legislature, was given a \$50,000 appropriation.

The division discussed other transportation and program funding requests, but took no additional action.

### Bonding, budget work done

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), neared the completion of its work on the education funding omnibus bill and wrapped up its capital budget proposal on Thurs. evening, Apr. 7.

The division approved \$17.7 million in funding for a number of special programs that were amended into S.F. 2206, the K-12 supplemental budget package. The appropriations include \$3 million for school bus safety programs, \$2 million for instructional technology grants, another \$2 million for various special education provisions, and \$1 million for a performance grant program.

The members also adopted an amendment providing more than \$9.8 million in aid to school districts whose budgets have been reduced by property tax abatements. The amendment, offered by Sen. Martha Robertson (IR-Minnetonka), allows districts to levy over a three-year period for revenue lost from the abatements and requires county auditors to report the abatement amounts through the first six months of the calendar year so that districts may use the levy sooner. The abatement aid is provided by shifting unused funds from other programs.

Along with the operating budget proposals, the division also prepared and approved its priority list of capital budget requests, and referred the proposal to the full Education Committee. Working toward a \$15.2 million target, the members adopted a proposal making the \$2.97 million Maximum Effort Loan request from the Nett Lake School District its top priority, followed by proposals from the Center for Arts Education for \$712,000 to renovate a building as a boys' dormitory and \$789,000 to remodel space for a recreation center.

A \$1.09 million building demolition project and another \$1.6 million renovation proposal from the Faribault Academies were added to the bonding priority list. The members also incorporated a cooperative secondary facilities grant proposal to the Atwater, Cosgrove, and Grove City school districts. As part of

their proposal, the division added a recommendation that the Finance Committee make a desegregation bonding proposal of \$20 million the highest priority.

An assortment of funding and program amendments were offered to the supplemental budget bill during the meeting. Sen. LeRoy Stumpf (DFL-Thief River Falls) offered three amendments to the proposed general education funding article of the omnibus bill. The first two amendments redefined the definitions used to determine the amount of sparsity aid that large, sparsely populated districts can receive. The third amendment increases the weighting factor used to calculate the amount of revenue districts receive for kindergartners and sets the statewide general education tax rate to raise \$1.075 billion in FY 96, a three percent increase over the FY 95 rate. All three amendments were approved.

Three other amendments were adopted and added to the general education funding article. Sen. Jerry Janezich (DFL-Chisholm) offered language that adjusts supplemental revenue reduction provisions. Sen. Jane Ranum (DFL-Mpls.) presented an amendment providing aid to the Richfield School District over a two-year period for the number of pupils it may lose when the Metropolitan Airports Commission buys homes near the Mpls./St. Paul Int'l Airport. Sen. Cal Larson (IR-Fergus Falls) presented a provision exempting the Hayfield School District from a revenue reduction caused by a late contract settlement.

Proposals to amend the special programs article were offered. Sen. Sandra Pappas (DFL-St. Paul) presented an amendment, which was adopted, requiring the Dept. of Education to recommend any changes to the Fair Dismissal Act by March 15, 1995. Sen. Roy Terwilliger (IR-Edina) proposed an alternative to current law, which requires districts with native American children to have a parent advisory committee. His amendment would add two parents of native American children to the district's overall parent advisory committee. Terwilliger's amendment was defeated, but the division accepted Larson's proposal requiring native American parents be in the majority on the advisory group.

Robertson offered an amendment modifying the outcomes to be achieved in a district's staff development plan. The amendment was adopted, as were several others presented during the meeting. The members approved a grant program,

presented by Pappas, providing funds to school buildings with high numbers of children from low-income families, and accepted Larson's proposal allowing the Lake Superior School District to set up an operating debt account.

Sen. Jane Krentz (DFL-May Township) presented an amendment establishing a Cultural Exchange Program, to provide students and staff with opportunities for educational and social exchange. The proposal includes grants to support staff exchanges as well as modifications to transportation aid provisions in support of the exchange program. The amendment was adopted.

### Higher ed projects approved

A \$229.7 million bonding package for the four post-secondary education systems was approved by the Higher Education Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), Thurs., Apr. 7, and re-referred to the Committee on Finance.

The proposal contains \$47.8 million for construction and remodeling projects in the Technical College System, \$34 million for community college projects, \$54.6 million to the State University System, and \$93.3 million for the University of Minnesota.

The technical colleges' appropriation includes \$22 million to build a joint technical and community college campus in Brainerd, \$12.5 million to build another joint facility in Duluth, and \$10 million from the Capital Asset Preservation and Renewal Account (CAPRA) for systemwide repair and replacement projects. Another \$1 million is appropriated to complete an addition at East Grand Forks, \$1.5 million to plan a new campus in Hibbing, \$600,000 to complete the Dakota County campus decision driving course, and \$225,000 for a remodeling at St. Cloud.

The Community College System received \$10 million for a building addition and remodeling project to the Normandale campus, \$7 million to build a campus in Cambridge, and \$5 million for a recreational facility at Northland Community College in Thief River Falls. A systemwide CAPRA request for \$10 million is included, along with project planning funds for North Hennepin (\$455,000), Anoka Ramsey (\$400,000), Minneapolis (\$375,000), Inver Hills (\$350,000), Arrowhead Regional campuses in Mesabi and Vermillion (\$300,000), and at the Northland campus (\$100,000).

The division's appropriation to the state

universities included \$19 million for a new library at Winona State along with \$10 million for CAPRA projects. The system's appropriation includes \$7 million to remodel and expand the Bemidji State library, \$7 million for a remodeling project at Metropolitan State, and \$1.5 million to Moorhead State and St. Cloud State for land acquisition. Two other projects for St. Cloud State are included - \$4 million to build a central chiller facility and to design a new library, and another \$2.1 million for a new boiler.

The University of Minnesota's bonding appropriations include \$20 million for the construction of a new Carlson School of Management building and \$40 million for capital asset preservation. A \$13.5 million proposal to remodel and expand the architecture building and \$13 million for renovation of the mechanical engineering building were also included, as was a \$4.1 million addition to the Duluth Medical School and \$2.7 million to develop plans for an Archival Research Facility.

Along with the appropriations, the division approved proposals establishing a higher education CAPRA program and allowing the Rochester Technical College to use the proceeds from the possible sale of its campus to the local school district to plan and design an addition to the higher education cooperative campus.

An additional provision adopted by the members permits the St. Paul School District to use \$334,000 of its funds to plan a remodeling project at the technical college and to use \$350,000 to reduce the district's capital debt. The post-secondary systems will also be required to submit a pre-design package on their projects to the Dept. of Administration for review and to notify the Legislature when work on some projects will begin.

Several amendments were presented for the division's consideration. Sen. Roger D. Moe (DFL-Erskine) offered an amendment to set up a 20-member library and information services task force. The task force is to include representatives of higher education, K-12 education, state agencies, and public libraries and will be responsible for review of library project proposals. Moe also proposed reducing the size of the task force from 20 to 18 by eliminating the legislative members to be appointed to the group. Sen. Deanna Wiener (DFL-Eagan) also proposed changing a deadline in the amendment, requiring the task force to review projects that are begun after July 1, 1994. Wiener's amendment was adopted, and the Moe amendment was approved.

During discussion of the project appropriations, Sen. Leonard Price (DFL-Woodbury) proposed shifting \$26 million from projects to the University of Minnesota and redirecting it to projects in the other systems. He argued that the appropriations were being used for projects that were not as high on the university's project list, and that high priority projects among the other systems were not funded. His amendment failed.

Price also offered an amendment, which the division adopted, requiring that existing energy conservation standards are met as part of the higher education capital improvement projects.

### K-12 Omnibus approved

The Education Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), amended and approved the K-12 supplemental budget bill on Fri., Apr. 8. The bill was referred to the full Education Committee.

The bill, S.F. 2206, authored by Pogemiller, provides funds to buy down the percentage of property tax revenue school districts are given in one fiscal year but do not receive until the next, adjusts general education aid appropriations by increasing the unit factor used to determine the amount districts receive for each kindergartner, and appropriates \$10 million for districts that have had their budgets reduced by property tax abatements. The bill also includes about \$18 million for a number of one-time projects.

After discussion and review of the bill, Sen. Martha Robertson (IR-Minnetonka) offered an amendment to complete some provisions the division had approved earlier. The amendment includes a \$68 million appropriation in aid for FY 94 and FY 95 to lower the property tax shift, \$10 million in abatement aid for FY 95 and \$4.2 million for district cooperation revenue during the next fiscal year. The amendment, which also made technical corrections to the bill, was adopted.

The bill establishes the Office of Desegregation/Integration in the Dept. Of Education. Sen. David Knutson (IR-Burnsville) proposed amending the duties of that office, requiring the office, in consultation with the Metropolitan Council, to examine the educational, economic, housing and infrastructure needs of the Metro area. The Knutson proposal was adopted.

A third amendment allows a non-profit, two-year vocational technical school to receive higher education child care funds. The amendment, offered by Sen. Sandra Pappas (DFL-St. Paul), was approved.

# Committee update

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## Bonding proposals advance

The Education Committee, co-chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) and Sen. LeRoy Stumpf (DFL-Thief River Falls), approved proposals containing \$229.7 million in bonding for higher education and \$15.7 million for K-12 projects, Fri., Apr. 8. Both proposals were referred to the Finance Committee.

Stumpf presented the higher education capital improvement proposal, containing \$229 million for construction and remodeling projects requested by the four public post-secondary systems. The proposal includes \$47.8 million for the Technical College System, \$34 million to the Community College System, another \$54.6 million for State University System projects, and a total of \$93.3 million for the University of Minnesota.

About one-third of the higher education package, \$74 million, will be used for repair and replacement projects in each of the four systems. Specific projects include \$22 million for a joint technical college and community college campus in Brainerd, \$12.5 million for another joint facility in Duluth, a \$10 million addition to Normandale Community College in Bloomington, and \$10 million to construct a campus in Cambridge.

Another \$19 million is included to build a new library at Winona State University, as well as \$7 million for a library renovation project at Bemidji State. A new facility proposed for the University of Minnesota's Carlson School of Management received a \$20 million appropriation, to be matched with private funds. Proposals to remodel the Architecture and Mechanical Engineering building, at \$13 million each, were also included.

Other provisions included in the proposal establishes a higher education capital asset preservation and renewal account in state law and sets up a library and information services planning task force.

Before the committee acted on the package, two amendments were adopted. The first, presented by Stumpf, made technical changes to the proposal. The second, offered by Sen. Thomas Neuville (IR-Northfield) clarified a provision to state that the projects identified in the proposal reflect their priority.

Pogemiller presented the bonding proposal for K-12 education, which places the 10 requests heard in the Education Division into a priority list to fit within a \$15.2 million target. That list identifies a \$2.97 million maximum effort school loan

for the Nett Lake School District as the top priority, followed by \$1.4 million for two renovation projects at the Center for Arts Education, \$1.1 million to demolish one building and \$1.6 million to remodel another at the Faribault Academies, and a \$6 million cooperative secondary facilities grant to the Atwater, Cosgrove, and Grove City School Districts. The proposal also included a recommendation that a \$20 million proposal for facilities that support desegregation/integration be given a top priority in the bonding bill.

One amendment was offered by Sen. Leonard Price (DFL-Woodbury), requiring that energy conservation standards are met as part of the education project proposals. The amendment was adopted.

## K-12 budget bill advances

The K-12 supplemental budget omnibus bill was amended and approved by the Education Committee, co-chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) and Sen. LeRoy Stumpf (DFL-Thief River Falls), Mon. Apr. 11. The measure was re-referred to the Finance Committee.

Pogemiller, the author of S.F. 2206, presented the K-12 omnibus bill to the committee. The measure provides \$68 million to buy down the percentage of school districts' property tax revenue shifted from one fiscal year to the next, appropriates \$10 million in property tax abatement aid to districts, and includes another \$18 million for a variety of other projects.

He also offered two amendments to the bill. The first, clarifying a provision allowing the state to transfer land to the Faribault School District, requires the land to become state property if it is not used by the district. The amendment was approved. Pogemiller's second amendment made some technical corrections and proposed dedicating \$180 million of the state's \$500 million budget reserve for K-12 education. The amendment also prevents a reduction in cooperation aid that occurs when school districts do not use their full cooperation levy, and permits a \$3-per-pupil levy to pay for police liaison services or drug abuse prevention program costs. The amendment was also adopted.

A section allowing post-secondary institutions to charge school districts for the costs of providing remedial courses to the graduates of those districts drew two amendments. The first, offered by Sen. Thomas Neuville (IR-Northfield) reduced the amount of reimbursement the higher education institutions receive each year.

and was adopted. Sen. Roger D. Moe (DFL-Erskine) went one step further, following with a motion to delete the entire provision. That motion was also approved.

Neuville offered five other amendments to the omnibus bill. The first allows school officials to use a reasonable force argument if they are the defendants in a civil action. The committee approved the amendment. Also adopted were his amendments striking a requirement that students stay in school until age 18 beginning in the 2000-2001 school year, requiring school districts to send on a student's records when the student transfers to another district, and an amendment that clarifies the definition of expulsion. The committee did not approve his motion to allow districts to reject enrollment options applicants due to previous disciplinary proceedings.

Sen. Ember Reichgott Junge (DFL-New Hope) offered an amendment allowing districts to use funds in a Cultural Exchange Program, established in the bill, for the costs of providing transportation between buildings within a school district. The amendment was adopted.

A few other amendments were offered but not approved. Sen. Leonard Price (DFL-Woodbury) presented three amendments, to delay implementation of the state's graduation rule, to reduce the percent of general education revenue for staff development, and to eliminate the language allowing formation of up to 50 outcome-based schools and permitting post-secondary institutions to sponsor a schools. All three amendments were all defeated. An amendment offered by Sen. Cal Larson (IR-Fergus Falls), setting procedures for teacher contract negotiations, mediation and arbitration that occur before September 1 in each odd-numbered year, was also rejected.

## Environment and Natural Resources

### Supplemental bill approved

At a Thur., Apr. 7, meeting of the Environment and Natural Resources Committee, the supplemental environment bill was approved and an appointment to the Minnesota Pollution Control Agency Citizens Board was recommended for confirmation.

Russel B. Kirby was appointed by the governor in 1991 to serve on the citizens board. After a discussion of a letter concerning current recycling theories Kirby wrote that was published by *The*

Wall Street Journal Sept. 7, 1993, the appointment was sent to the Senate floor.

Amendments to the supplemental bill were proposed. Among those adopted was an amendment by Sen. Kevin Chandler (DFL-White Bear Lake) creating a 17 member task force to study agricultural and environmental sustainability in Minnesota. According to Chandler the task force is charged with researching and recommending policies on sustainable communities, proposing an effective planning processes, and establishing a framework for sustainability.

The approved supplemental bill is an \$8.8 million environmental package. Of the total, \$5.531 million is appropriated between the Minnesota Pollution Control Agency, the Dept. of Natural Resources, the Board of Water and Soil Resources, the Dept. of Agriculture, the Minnesota Zoological Garden, and the Voyageurs Park Citizens Commission. Other legislation recommended by the Environment and Natural Resources Finance Division accounts for \$3.269 million. The bill was re-referred to the Finance Committee.

## Finance

### Omnibus bonding bill reviewed

The Finance State Government Finance Division discussed its omnibus bonding bill, S.F. 3357, Thurs., Apr. 7. Members listened while Sen. Richard Cohen (DFL-St. Paul), the division chair, reviewed the measure. The omnibus bill appropriates funding for various projects presented to the division over the course of the session.

S.F. 3357 includes appropriations and bonding authority for the Departments of Administration, Military Affairs, and Finance. Additionally, the Amateur Sports Commission, the Capital Area Architectural Planning Board, and the Historical Society are allocated monies. The total amount of the Senate recommendation provided for in the bill is \$61.1 million.

The Dept. of Administration's request includes monies for the capital asset preservation and replacement plan (CAPRA), the statewide building access project (ADA), and the Lake Superior center. Additionally, funding is allocated for various arts endeavors including the Hopkins Performing Arts Center, the St. Louis County Heritage and Arts Center, the Minnesota Children's Museum, and the Science Museum of Minnesota. The Senate recommendation totals \$50.1 million.

The measure provides \$119,000 to the

Amateur Sports Commission. The funds are for additional parking at the National Sports Center in Blaine.

Also included in the omnibus bill is \$5.5 million for the Capital Area Architectural Board. The allocation is for the restoration of the Capitol Building exterior, including reroofing, repair of the balustrade, and restoration of the Quadriga.

The Dept. of Military Affairs request for \$366,000 is authorized by the division in the omnibus bill. The appropriation covers renovation of kitchen facilities in National Guard training and community centers.

A \$4 million request from the Dept. of Finance for the nullification of bonds issued by the city of Minneapolis for the construction of Great River Road, and by the city of St. Paul for the renovation of Como Park Conservatory, is included in the bill. An amendment to the section, offered by Sen. Carl Kroening (DFL-Mpls.), which adjusts the dollar amounts to reflect a distribution of \$2 million to the city of Minneapolis and \$2 million to the city of St. Paul, was approved by the panel.

Bonding for the Minnesota Historical Society is also granted in S.F. 3357. A total of \$700,000 is recommended by the division for construction of a museum and center for American Indian history.

The division approved a motion offered by Sen. Steven Morse (DFL-Dakota), to delete the section that appropriates funds for the KSMQ remote transmitter. Morse said that this project was already funded in the appropriations bill. No further action was taken on S.F. 3357.

In other activity, the division reconsidered S.F. 1969. The measure, sponsored by Sen. John Hottinger (DFL-Mankato), revises procedures used for the adoption and review of administrative rules. An amendment to S.F. 1969, offered by Sen. Randy Kelly (DFL-St. Paul), inserts an appropriations for the Legislative Commission to Review Administrative Rules to carry out provisions of the bill. Members approved S.F. 1969, as amended, and referred it to the Finance Committee.

### Flood relief bill advances

Farm flood relief and ethanol production support provisions a part of the Omnibus Flood Relief bill approved by the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), Thurs. evening, Apr. 7. The measure was re-referred to the Taxes and Tax Laws Committee.

S.F. 2168, sponsored by Sen. Joe

Bertram, Sr. (DFL-Paynesville), provides \$3.9 million in state funds to match federal emergency management assistance funds received in flood-damaged counties last year. The bill also provides \$315,000 to the Minnesota Extension Service and \$285,000 to the Technical College System to support farm and small business management programs for farmers affected by last year's flooding. Another \$1.2 million is appropriated to the Small Business Disaster Revolving Loan fund and \$1.4 million is provided to the Agricultural Utilization Research Institute (AURI) for programs targeted at areas that suffered weather-related losses.

The bill adds \$2 million to the Ethanol Development Fund, appropriates \$592,000 to the University of Minnesota for wheat scab research, provides \$200,000 for legal assistance to farmers, \$100,000 for the Farmer Advocates Program and \$59,000 to provide legal assistance to financially distressed dairy farmers.

Additional provisions in the bill exempt the receipts from the sale of used farm machinery from the state excise tax and limited the sales of both new farm equipment and aquaculture production equipment to a two-percent rate.

An amendment offered by Sen. Steven Morse (DFL-Dakota) adjusted several appropriations in the bill to reconcile them with the state budget. The amendment adjusted the appropriations for the small business disaster loan fund to \$900,000, lowered the amount given to the ethanol development fund to \$1.5 million and reduced the AURI appropriation by \$100,000 to \$1.3 million. A \$1 million proposal to supplement a federal emergency job creation program was replaced with a \$200,000 appropriation for grain inspection activities. The Morse amendment was adopted.

Sen. LeRoy Stumpf (DFL-Thief River Falls) offered an amendment to provide the Beltrami, Clearwater, Marshall, Pennington, Polk and Red Lake Counties joint powers board with a \$50,000 grant to control property damage caused by beavers. He said that flood damage levels in those counties were increased when beavers would dam drainage ditches and that the Dept. of Natural Resources has no program to assist those counties. Stumpf proposed reducing the funding to AURI by \$50,000 for the grant. The committee approved the amendment and the appropriation.

Sen. Dean Johnson (IR-Willmar) offered a proposal to allow the Rural Finance Authority (RFA) would use \$2.5

# Committee update

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million in bonds for \$125,000 loans to farmers seeking to expand their livestock operations. The proposal was withdrawn and will be included with other bonding proposals. Johnson then moved to reduce the AURI funding by \$200,000 to cover the debt service payments for the program, and that amendment was adopted.

## Budget bills approved

Bills containing health care and family services, environment and natural resources, and public safety budget proposals were approved and incorporated into a supplemental budget bill by the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), Fri., Apr. 8.

S.F. 2908, sponsored by Sen. Don Samuelson (DFL-Brainerd), provides \$5.2 million from the general fund for health care and family services programs. The bill appropriates \$4.8 million to DHS, \$393,000 to the Dept. of Health, another \$28,000 to the Ombudsman for Mental Health and Mental Retardation, and \$15,000 to the Board of Nursing.

The bill includes provisions establishing a \$5 Medical Assistance (MA) payment for administration of vaccinations through a federal program, expands the use of genetic testing to establish paternity, and prevents employers from using a court-ordered child support income withholding as a condition of employment. The measure also requires health plans to cover the costs of prescriptions written by an advanced practice nurse or physician assistant and sets up a certification process for acupuncturists.

Samuelson offered four amendments to the bill and the committee approved three of them. The first was technical in nature and deleted unnecessary language from the bill. The second amendment requires that the fees generated by the acupuncture certification program are placed into a special account, and the third specified that DHS use a \$371,000 appropriation to develop a social services information system.

The fourth amendment, to delete a provision that grants an exception to the hospital moratorium adopted in 1993, sparked considerable discussion. The exception was included to allow replacement of a hospital in Chisago County and allow Fairview Hospitals to build a facility near I-35, Sen. Janet Johnston (DFL-North Branch) said. Opponents to the provision, including Sen. Jane Krentz (DFL-May Township) and representatives of the Forest Lake hospital, said that the

new facility would be in direct competition to theirs and that their attempts to try to determine if a compromise could be reached had been unsuccessful. Samuelson, offering to help the sides try to reach that compromise, withdrew his amendment.

The members then turned their attention to S.F. 2824, the environment and natural resources omnibus bill authored by Sen. Steven Morse (DFL-Dakota). He said the bill provides \$6.7 million for programs to reduce non-point pollution sources, to enhance ethanol production incentives, and to encourage involvement in the Youth Conservation Corps.

The bill includes \$1.9 million to the Pollution Control Agency for feedlot compliance and local assistance programs, a study of electricity generation, and a grant to pay for an interceptor connector to the city of Eagle Lake's wastewater treatment plant. Another \$730,000 is appropriated for grants to Soil and Water Conservation Districts, allowing them to hire additional staff to assist landowners in implementing conservation practices.

The Dept. of Agriculture is appropriated \$850,000 for additional feedlot management programs, to provide for administration of a water quality improvement loan program, and for farm safety programs.

The Dept. of Natural Resources (DNR) is given \$2.9 in FY 94 and \$227,000 in FY 95. Included in the appropriation are funds for construction, repair, or renovation of state park buildings, for development of a new small craft harbor on Lake Superior in Silver Bay, and to support the Environmental Quality Board's sustainable development and environmental protection task force. Another \$55,000 is also provided to support the Citizen's Council on Voyageurs National Park.

As an incentive, the bill also provides payments of 20 cents per gallon until June 30, 1995 to ethanol producers, and 25 cents a gallon after that date. In addition, producers whose annual production exceeds 37.5 million gallons each year will receive a payment of 10 cents per gallon, and the total payment may not exceed \$3.75 million in any fiscal year.

To encourage participation in the Youth Corps, the bill contains provisions allowing the DNR to provide some group health insurance coverage, and to offer incentive awards of \$500 or education vouchers, not less than \$1,000 in amount, for use at a higher education institution.

The bill also removes the requirement

that the Minnesota Zoo be free to the public at least two days a month and allows for establishment of a program that allows persons, who are historically under-represented in attendance at the zoo, to receive free or reduced admission.

The committee approved the only amendment offered to the bill, which Morse presented. The amendment deletes a provision including interest earned on the funds from the grain inspection fees as part of the annual appropriations the Dept. of Agriculture uses for the inspection program.

Funds to maintain the State Patrol's communications centers are appropriated in S.F. 2859, presented to the panel by the author, Sen. Keith Langseth (DFL-Glyndon). The bill reduces the State Patrol's FY 94 appropriation for radio communication consolidation by \$408,000 and adds \$525,000 for FY 95 to maintain full staffing at the patrol's 10 communication centers. An additional \$74,000 is given to the Dept. of Public Safety for the costs of support positions at three emergency management regional offices.

The bill also gives applicants for a regular driver's licenses the option of including their social security number on the license; and requires a report from the Dept. of Public Safety on special escort services provided by the State Patrol and from the Dept. of Transportation on the estimated mix of state and federal funds used for state road construction.

## Bonding bill approved

The Finance State Government Division approved S.F. 3357, the omnibus bonding bill, Fri. evening, Apr. 8. The division, chaired by Sen. Richard Cohen (DFL-St. Paul), incorporated changes into the measure before re-referring it to the Finance Committee.

An amendment, offered by Sen. Randy Kelly (DFL-St. Paul), makes adjustments to allocations. An addition of \$250,000 to the capital asset preservation and replacement plan was approved by the panel. Kelly said that the changes cover the repairs necessary for the elevators in the capitol building. Another increase of \$1.5 million was approved for the deferral of bonds held by the Metropolitan Parks Commission.

Sen. Steve Morse (DFL-Dakota) proposed an amendment that changes the amount authorized for construction of a noncommercial television tower in Southwestern Minnesota. The total appropriation is \$1.2 million. The

division approved the motion. Also offered by Morse, and added to S.F. 3357, was an amendment that increases the number of women's restrooms in public buildings.

Another amendment okayed by the division was offered by Sen. Terry Johnston (IR-Prior Lake). The amendment authorizes the commissioner of finance to develop budget guidelines for facilities used for educational or cultural purposes, with particular attention given to projects overseen by nonprofit organizations.

The division also endorsed and referred S.F. 2626 to the Finance Committee. Sponsored by Sen. William Luther (DFL-Brooklyn Park), the bill provides for construction of additional ice skating rinks for women. Additionally, the division endorsed an amendment to S.F. 2626, offered by Sen. Pat Piper (DFL-Austin). Piper's amendment requires the Minnesota Amateur Sports Commission to provide sensitivity training to the members concerning equal treatment of men and women athletes.

### **Omnibus funding bill to floor**

The Finance committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Mon., Apr. 11, to complete work on the omnibus appropriations bill. The committee voted to include two more bills in the omnibus bill and advanced the bill to the Senate floor.

The first, the state government supplemental appropriations bill appropriates just under \$14 million, \$12.4 million of which is allocated to the commissioner of finance for the statewide systems project. The bill, sponsored by Sen. Richard Cohen (DFL-St. Paul), also authorizes the commissioner to use the savings realized from the program, estimated at \$3 million. The bill shifts oversight responsibilities for several financial functions from the commissioner of finance to the statewide accounting system and revises several requirements of the commissioner. The measure also shifts duties related to managing state contracts from the commissioner of finance to the commissioner of administration. In addition, it authorizes the use of electronic rather than written documents on state contracts.

The committee approved an amendment offered by Sen. Carol Flynn (DFL-Mpls.), directing the secretary of state to provide a toll-free voter information telephone line beginning two weeks before the state primary and ending three days after the state general election. The

information line is to provide information about voter registration, absentee voting, election results, and other election-related information.

The second bill added to the omnibus supplemental budget bill is S.F. 2909, the Jobs, Energy and Community Development Supplemental Appropriations Bill, sponsored by Sen. Carl Kroening (DFL-St. Paul). Among the \$1.641 in appropriations from the General Fund made in the bill for the remainder of the biennium are \$450,000 for phase I funding of the Phalen corridor office park and roadway in St. Paul; \$400,000 for increased funding of the Jobs Skills Partnership program; and \$235,000 for the Minnesota Youth Program. The bill also includes \$235,000 for the proposed Labor Interpretive Center; \$200,000 for a state match for federal dollars offered under a defense industry conversion program; \$111,000 for funding of debt payments of the World Trade Center Corporation; and \$100,000 for extended employment for disabled workers.

In addition, the measure appropriates \$50,000 for a funding increase for the displaced homemaker program; \$50,000 for a funding increase for the Head Start Program; \$20,000 for increased funding of the Minnesota Film Board; and \$10,000 for a study of women-owned businesses.

The bill appropriates \$50,000 from the Special Workers Compensation Fund for matching funds that are available under the Occupational Safety and Health Act.

The bill also enables the Dept. of Commerce's to convert real estate licenses from an annual to a biennial renewal cycle.

In addition, S.F. 2909 creates a pilot program allowing the Dept. of Jobs and Training to use up to five percent of funds available under the dislocated worker program for serving people who are at risk of dislocation, but who are not yet unemployed. The bill also modifies the replacement housing law requiring one-for-one replacement of certain low-income housing in a first-class city when housing is displaced. Under the bill, governmental units are exempt from the replacement requirements and replacement units may be located anywhere in the Metropolitan Area. Additionally, the bill modifies the funding mechanism for the streamlined liquefied petroleum account and the handling of workers' compensation rehabilitation consultant fees.

A provision requiring an environmental impact statement for certain metal processing facilities located in or adjacent

to the Mississippi River critical area sparked discussion. Kroening said the requirement is needed to assess the potential impact of American Iron and Supply's plan to install a very large metal shredder on the shore of the Mississippi River in Minneapolis. Win Borden, representing American Iron and Supply, testified that the measure is unnecessary and unfairly singles out the company. Merriam protested that the provision is not germane to the bill and moved to remove it. The committee defeated the Merriam motion on a 10-10 vote.

### **Budget bills approved**

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), amended and approved the omnibus anti-crime and the K-12 supplemental budget bills, Mon. evening, Apr. 11. The anti-crime package was re-referred to the Senate floor, and the K-12 budget bill was sent to the Taxes and Tax Laws Committee.

S.F. 2378, the anti-crime bill authored by Sen. Allan Spear (DFL-Mpls.), was presented to the committee by the chair of the Crime Prevention Division, Sen. Tracy Beckman (DFL-Bricelyn). The bill provides \$30 million, including \$21.4 million to the Dept. of Corrections for expansion of correctional facilities and associated costs, \$3.5 million in support of anti-crime programs, and \$1.6 million in additional funding to the Board of Public Defense.

Beckman offered two amendments to eliminate sections that exist in other bills and to remove unnecessary provisions. Both amendments were adopted. He presented a third amendment, giving \$50,000 to the Dept. of Human Services for use in developing a way to measure the success of juvenile out-of-home placement, which was also approved.

To accompany the appropriations to the Board of Public Defense, Beckman presented his fourth amendment, identifying the aid reduction amounts to be withheld from counties when the state assumes the costs of public defense services on January 1, 1995. The committee adopted the amendment.

Sen. Richard Cohen (DFL-St. Paul) presented a proposal appropriating an additional \$3.5 million to the Supreme Court and district courts. The proposal, which had moved through the Finance State Government Division, includes \$2.6 million to add eight new District Court judgeships on Feb. 1, 1995, and \$1.7 million for jury service enhancements. Sen. Pat Piper (DFL-Austin) offered to

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amend the Cohen proposal, requiring the District Courts to train judicial district coordinating councils on the handling of sexual assault cases and establishing district sexual assault coordinating councils. Piper's amendment was approved.

Sen. Gary Laidig (IR-Stillwater) attempted to amend the Cohen language, allowing the new judges to be appointed on Sept. 1, 1994, but his amendment was defeated. Sen. Patrick McGowan (IR-Maple Grove) then proposed that four judges be appointed in September and four more be named in February, and that amendment also failed. The Cohen proposal was then approved by the committee and incorporated into S.F. 2378.

Other amendments the committee added to the bill include a proposal from Sen. Randy Kelly (DFL-St. Paul), requiring the Dept. of Education to set up a program aimed at reducing teenage pregnancies modeled after a California program, and a provision offered by McGowan to provide a \$50,000 grant to the Minnesota Student Safety Program for a statewide safety initiative.

S.F. 2206, the K-12 supplemental budget bill, was presented to the committee by its author, Sen. Lawrence Pogemiller (DFL-Mpls.). The bill provides \$68 million to lower the percentage of revenue that has been shifted from one fiscal year to the next, spends \$10 million for property tax abatement aid to districts, and contains another \$18 million for other projects.

The bill requires that \$180 million of the state's \$500 million budget reserve be designated for K-12 education. Sen. Dennis Frederickson (IR-New Ulm) attempted to remove that requirement from the bill, but his amendment was defeated.

The members did approve another Frederickson amendment, to delete language that would have allowed unused FY 94 funds for two grant programs, a math/science initiative and a Teachers of Color Program, to be available in FY 95.

Sen. Cal Larson (IR-Fergus Falls) offered an amendment to reinstate a provision, allowing higher education institutions to charge school districts for the costs of remedial courses the institution may provide to high school graduates enrolled at the higher education institution. The proposal had been deleted earlier, but the committee approved its incorporation into the bill.

The committee also approved an

amendment, offered by Sen. LeRoy Stumpf (DFL-Thief River Falls), extending the deadline for the Appleton School District to join a joint school district.

The panel defeated an amendment offered by Sen. Terry Johnston (IR-Prior Lake) to remove the limits of compensatory revenue and provide additional aid in FY 96 and FY 98 to districts with high numbers of AFDC-recipients. Two other amendments, offered by Cohen, allowing districts to transfer a technical college's surplus debt service funds to the districts general fund on June 30, 1995, and reducing the percentage of the general education revenue set aside for staff development for FY 95, were both defeated.

## Health Care

### MinnesotaCare amended

Assembly of the MinnesotaCare bill, S.F. 2192, sponsored by Sen. Linda Berglin (DFL-Mpls.), continued at the Health Care and Family Services Funding Division meeting Thurs., Apr. 7. Implementation of the integrated service networks (ISN)s and the regulated all-payer option (RAPO) will take place Jan. 1996 under the bill. Numerous amendments were introduced by the author.

The appropriations amendment, presented by Berglin, allocates \$154 million for FY 95. Sen. Phil Riveness (DFL-Bloomington) expressed an interest in providing coverage for more uninsured residents, and proposed an amendment to delete the health care access fund allocation to the Dept. of Health. The funds could be used for insuring more uninsured, Riveness said. Concern was also raised about the administrative costs of the bill, totaling \$19.5 million. Berglin said that the funding is essential to the department for additional staffing, surveying, and the Health Care Commission. The amendment to the amendment failed to gain approval. Sen. Sam Solon (DFL-Duluth) proposed an amendment to increase the Dept. of Health's allocation by \$100,000 for medical school grants for rural family physicians. The amendment, as amended, was adopted.

Other amendments presented by the author, and adopted by the committee, include the deletion of the 2 percent tax on pharmacies' gross revenues. Another amendment changes the requirements of health plan companies to go outside the managed plans. Portability of coverage is limited in another amendment, decreasing the risk of potential additional cost in

the insurance market. The author also introduced an amendment to classify information on individuals as private. Berglin proposed an amendment to include counties in the planning process, to specify community goals and accountability. The MinnesotaCare bill advances to the Health Care Committee.

S.F. 2371, a bill sponsored by Sen. Ellen Anderson (DFL-Mpls.) relating to female genital mutilation, was moved to the Health Care Committee without recommendation.

### MinnesotaCare advances

Amendments continued to be adopted to the MinnesotaCare bill at the Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), on Thurs. evening, Apr. 7. Berglin, authoring the bill, presented several amendments, including the requirement for health plan companies to pay transitional fees. Another approved amendment requires consultation with counties and consumer groups on the implementation plan for the integration of MinnesotaCare and General Assistance Medical Care (GAMC).

Sen. John Hottinger (DFL-Mankato) proposed an amendment to track and summarize the complaints received by each integrated service network, and to develop an internal grievance procedure. The amendment was adopted. Hottinger also presented an amendment to place a moratorium on mergers or acquisitions by health carriers. Sen. Harold "Skip" Finn (DFL-Cass Lake) introduced an amendment, that was adopted, requiring clear notification of patient rights regarding record disclosure. The bill, as amended, was sent to the Finance Committee.

S.F. 2640, sponsored by Sen. Duane Benson (IR-Lanesboro), relates to changes in Medical Assistance (MA) and General Assistance Medical Care policy, modifying requirements for children's mental health collaboratives and for asset transfer and asset recovery policies. The revised bill allows collaboratives to participate in the MA program, but does not establish the peer grouping system. The bill advances to the floor.

Sen. Ellen Anderson (DFL-St. Paul) authored S.F. 2371, providing for education and outreach relating to female genital mutilation. The revised bill deletes program funding and criminal penalties for administering the procedure. The bill goes to the floor.

Sen. Sheila Kiscaden (IR-Rochester) sponsored S.F. 2825, a bill concerning

long-term and alternative care. Hottinger also carried S.F. 2036, modifying the MA appeals and prior authorization process by permitting providers of therapy services to request a state agency hearing. Both bills were approved and advance to the floor.

The committee also recommended the confirmation of Mary Jo O'Brien as Commissioner of the Dept. of Health.

## Jobs, Energy and Community Development

### Bonding bill okayed

The Jobs, Energy and Community Development Funding Division, chaired by Sen. Carl Kroening (DFL-Mpls.), approved the community development bonding bill at the Mon., Apr. 11, meeting. The division advanced the bill to the full committee.

The measure authorizes \$27.485 million in bonding. The bill allocates \$13 million in bond proceeds to the Dept. of Trade and Economic Development, \$10 million to be used for contamination cleanup grants and \$3 million for expansion of the Minneapolis convention center. The bill allocates \$4.9 million to the Minnesota Historical Society for historic site repair or replacement, county and local preservation projects, federal Intermodal Surface Transportation Efficiency Act matches; the development of the North West Company Fur Post Interpretive Center, and restoration of the St. Anthony Heritage Zone. The bill also includes \$4 million to the commissioner of finance for the energy conservation loan program; \$2.25 million for a labor interpretive center; and \$2 million to the Housing Finance Agency for transitional housing loans to local government units. It also authorizes spending \$1.3 million to renovate the west wing of the Gillette Children's Hospital for use by the Minnesota Humanities Commission. The bill also appropriates \$1.075 million from the general fund for construction or rehabilitation of Head Start facilities.

The division approved one amendment to the bill, offered by Sen. Florian Chmielewski (DFL-Sturgeon Lake). The amendment changes the use of funds previously authorized for dredging the upper Duluth harbor area. Under the amendment, the funds may be used for development of a down-river bulk cargo handling alternative to replace the upper river deepening project for bulk cargo.

### Capital bonding bill okayed

The Jobs, Energy and Community Development Committee, chaired by Sen.

Steven Novak (DFL-New Brighton), met briefly Mon. evening, Apr. 11, to approve the community development capital bonding bill. The bill, sponsored by Sen. Carl Kroening (DFL-Mpls.), authorizes \$27.485 in bonding for community development projects. The measure was re-referred to the Finance Committee.

## Taxes and Tax Laws

### Omnibus bill approved

The Taxes and Tax Laws Subcommittee on Income and Sales Tax met Thurs., Apr. 7, to discuss and approve the income and sales tax articles of the omnibus tax bill. The subcommittee is chaired by Sen. Ember Reichgott Junge (DFL-New Hope).

In the income tax section, a provision allows insurance companies a credit against their premium tax and corporate tax liability for amounts paid as assessments for insolvencies occurring after April of 1994 for insurance guaranty association and Minnesota Life and Health Insurance Guaranty Association Act assessments. Amounts of salary expenses disallowed as a subtraction for federal income tax purposes can be subtracted from income in the calculation of Minnesota individual and corporate taxes. Under the section, a credit is provided against income taxes equal to 25 percent of the credit a taxpayer is eligible for under the current federal mortgage credit certificate program.

Under the sales and use tax section of the bill, the gasoline excise tax exemption is expanded to include transit providers who receive financial assistance under the Medical Assistance program. Sales tax on the replacement of capital equipment is affected by a provision in the bill. The tax on sales of replacement equipment is scaled down to 2.5 percent for sales made after June, 1997. Sen. William Belanger (IR-Bloomington) proposed an amendment to the bill changing the name of the motor vehicle excise tax. According to Belanger, the tax shall be called the tax on motor vehicles. The amendment was adopted. A sales tax of four percent on special tooling is removed with an exemption for general sales tax beginning in June, 1995. Firefighter's personal protection equipment is exempt from sales tax, under the section. Sen. Randy Kelly (DFL-St. Paul) proposed to amend the bill to provide for special enterprize zones for cities in Minnesota wishing to be considered for a federal program aiding in development of the zones. According to Kelly, selected cities are granted funds by the federal government to assist the cities. According to the Dept. of Revenue, the

cost of the program to the state is approximately \$11 million. Kelly said the return from the federal government will substantiate the cost to the state. The amendment was approved.

The mineral taxation section of the bill creates a taconite development fund designed to grant funds to a successor of an operator of an idle taconite facility. The section also provides for the exemption of construction material from the mineral tax in cases in which the requirements are met through the construction of capital projects and new mineral processing plants. Up to \$10 million may be loaned to value added iron products plants producing iron upgraded to a minimum of 75 percent iron content. The lending authority expires in Dec., 1995.

The final section of the bill involves the Board of Government Innovation and Cooperation. Under the section, the board is granted additional authority to grant waivers of rules and procedures to state agencies. The section appropriates \$2.7 million to the board.

### Omnibus bill okayed

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), approved the omnibus tax bill as well as the flood relief package, at a Fri., Apr. 8, meeting.

Sen. Joe Bertram, Sr. (DFL-Paynesville) outlined S.F. 2168, the flood relief package. According to Bertram, the bill addresses problems created by the flood of 1993 that affected many farmers and agribusinesses. The package provides for approximately \$12 million dollars of relief. Bertram told the committee that one provision in the bill exempts the purchase of farm machinery from sales tax. The proposal was approved and sent to the Senate floor.

S.F. 1775, the omnibus tax bill, contains articles related to income and business taxes, sales and excise taxes, mineral taxes, the Board of Government Innovation and Cooperation, property taxes, local government aid, the Cross Lake Area Water and Sewer Board, and the Chisholm/Hibbing airport. According to Johnson, the bill works towards budget stability, property tax relief, the reduction of sales tax on the replacement of capital equipment, and federal tax conformity.

Among amendments adopted was one by Sen. William Belanger (IR-Bloomington). Belanger proposed a pilot property tax project for the counties of Blue Earth and Hennepin. According to

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Belanger, property taxes are calculated based on square footage, rather than estimated value. Sen. Carol Flynn (DFL-Mpls.) offered an amendment imposing a tax on liquor imported into the state. Flynn said that the tax does not affect liquor products that are returned to the manufacturer for credit or products that are distilled or refined within the state. The amendment was adopted. Laptop computers required by higher education institutions are treated as textbooks for the purposes of sales tax under an amendment by Sen. Lawrence Pogemiller (DFL-Mpls.). The amendment was adopted. An amendment by Sen. Duane Benson (IR-Lanesboro) provides that the gross receipts on the sale of horses are exempt from sales tax. Benson said that race-horses are excluded. The amendment was adopted. Sen. Ember Reichgott Junge (DFL-New Hope) offered an amendment authorizing the exemption from sales taxes for the purchase of construction material for the purpose of building a corrugated waste plant. The amendment was not adopted.

A major provision in the omnibus bill eliminates the local government trust fund. Other provisions alter the format and timing for property tax statements. The gasoline excise tax exemption is expanded to include transit providers who receive financial assistance under the medical assistance program, under the bill. Also the tax on the replacement of capital equipment is affected by a provision in the bill. The tax on sales of replacement equipment is scaled down to 2.5 percent for sales made after June, 1997. The bill was sent to the Senate floor.

## Health finance proposed

The Taxes and Tax Laws Committee met Mon., Apr. 11, to review and approved two bills relating to the financing of universal health care in Minnesota. The committee is chaired by Sen. Douglas Johnson (DFL-Cook).

S.F. 2494, sponsored by Johnson, establishes a source of funding for MinnesotaCare until 1995. According to Johnson, in 1995 the Legislature and governor can explore and evaluate a permanent source. The bill eliminates the MinnesotaCare medical provider tax of two percent for services performed and goods sold after December, 1994. The proposal replaces the provider tax with an income tax surcharge on individuals. Johnson proposed an amendment transferring \$75 million from the general fund

to the health care access reserve account. Johnson said the purpose is to ensure that citizens continue to be enrolled, rather than the slowing of enrollment due to a deficit in the funding account. The transfer takes place July 1, 1994. The amendment was adopted. The bill was sent to the Finance Committee.

S.F. 2558, presented by Sen. Linda Berglin (DFL-Mpls.), abolishes the provider tax of two percent for all providers except hospitals and surgical centers. Berglin said that the hospital and surgery centers are able to efficiently collect the tax due to accounting systems used for the collection, but that smaller providers can not. The bill replaces the two percent tax with income tax bracket adjustments and a new rate for the top individual income tax rate. Taxable net income of less than \$22,880 is taxed at six percent, taxable net income greater than \$22,880 and less than \$75,000 is taxed at eight percent, and taxable net income of over \$75,000 is taxed at 9.7 percent, according to Berglin. An amendment by Sen. Leonard Price (DFL-Woodbury) designed to eliminate the provider tax entirely and fund universal health care through individual income taxes, failed. On a 9 to 9 roll call vote, an amendment by Sen. Duane Benson (IR-Lanesboro) to increase taxes on tobacco products by 20 percent for 1994 and an additional 20 percent in 1995, failed. According to Benson, the amendment places some responsibility for the payment of health care on a significant cause of health problems. Johnson also stated that in recent years, cigarette prices have dropped, causing a reduction in the price of the product and increased youth consumption. The bill was sent to the Finance Committee.

## Future ed bill funding removed

The omnibus education bill, along with several other bills, was approved by the Taxes and Tax Laws Committee, at a Tues., Apr. 12, meeting. The committee is chaired by Sen. Douglas Johnson (DFL-Cook).

The omnibus education bill, H.F. 1901, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), was amended by the committee. Among the amendments is a proposal by Sen. Duane Benson (IR-Lanesboro) to sunset the educational funding portion of the bill in 1997. According to Benson, the amendment puts pressure on the Legislature to address the funding problems in education that are widely recognized. Sen. Phil Riveness

(DFL-Bloomington) agreed that reform is necessary but objected to abolishing funding without having an alternate plan prepared. The amendment was adopted.

Pogemiller proposed an amendment relating to the crime education levy provided for in the bill. The bill authorizes a crime education levy of \$3 per capita within a school district. Sen. Ember Reichgott Junge (DFL-New Hope) proposed an amendment to the Pogemiller amendment cutting the levy to \$2 per capita. Reichgott's amendment was adopted, as well as the amendment by Pogemiller. Pogemiller offered another amendment disallowing the capital equipment levy in 1995. According to Pogemiller, the disallowance will save the state \$900,000. The amendment was adopted. Sen. Steven Novak (DFL-New Brighton) proposed an amendment to repeal the sunset on referendum levies, set forth in current law. The amendment was adopted. Sen. Joanne Benson (IR-St. Cloud) offered an amendment restricting a provision in the bill allowing the use of a district's revenue for staff development and parental involvement. The amendment freezes the amount a school district may use for those purposes from a proposed 3 percent to the current 1 percent. The amendment was not adopted. The omnibus education bill was sent to the Senate floor.

A bill authorizing the city of Hutchinson to issue general obligation bonds in an amount not to exceed \$1.5 million for its share in the construction of a tri-agency maintenance facility, was approved by the committee. The bill, H.F. 1901, is sponsored by Sen. Steve Dille (IR-Dassel). According to Dille, the bill waives the requirement for a referendum on the issuance of the bonds. The bill was sent to the Senate floor.

S.F. 2033, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), authorizes the Benton County Board of Commissioners to create an economic development authority. The bill allows the economic development authority to create development districts anywhere within the county. The bill was approved and sent to the Senate floor.

A bill providing that property used for lawn bowling or a croquet green be subject to the open space property tax law was also discussed. According to the author, Sen. Allan Spear (DFL-Mpls.), the open space property tax currently applies to golf courses, ski areas, and archery or firearm ranges. The bill was approved and sent to the Senate floor.

Pogemiller presented S.F. 2884, a bill relating to public financing. Among the provisions in the bill, real property that is acquired by a city, county, town, or school district, under a lease purchase agreement or an installment purchase agreement is exempted from property taxes if the property is owned by the entity levying the tax and the property is devoted to public use. The bill also authorizes the use of special assessments to meet the cost of on-site water containment improvement systems. County housing redevelopment authorities are allowed to increase its board membership beyond five, the current limit. According to Pogemiller, the board can be greater than five or equal to the number of members on the respective county board. A city, economic development authority, housing redevelopment authority, or port may make or secure loans to business or other organizations for the purpose of economic development, job creation, redevelopment, or community revitalization. Pogemiller said this authority is already implied, however, the proposal clarifies the authority. The bill also provides that cities may sell interests in economic development loan repayments. A limitation on the ability for an independent school district to issue bonds is stricken under a section of the bill. Existing law requires an authorizing vote by two-thirds of the governing body of the city. The bill was laid over and will be taken up again at a future hearing.

## Friday, April 8

### Higher ed, gas tax bills passed

The Fri., Apr. 8, floor session was devoted primarily to consideration of the omnibus higher education supplemental funding bill, the omnibus transportation supplemental funding bill and the bill authorizing agreements with Ontario regarding boundary waters fishing.

Members began by reviewing S.F. 2900, the omnibus higher education supplemental funding bill. According to chief author, Sen. LeRoy Stumpf (DFL-Thief River Falls), "The bill is one of the jewels of this session." Stumpf said that the measure provides more financial aid to lower income students, provides a new funding formula for 1995 to replace average cost funding and revises the approach for providing child care service for lower income students. In addition, the bill sets 67 percent as the goal the state will pay for student instruction, rather than the current 50 percent for the state university system, Stumpf said. The measure also

provides for full campus status for community college centers at Cloquet, Cambridge and Duluth. The bill's total general fund appropriation is \$49.5 million, Stumpf said.

The bill was given final passage on a 48-17 roll call vote.

The omnibus transportation supplemental funding bill, S.F. 2097, was considered on the General Orders Calendar by the Senate acting as one large Committee of the Whole and was granted preliminary approval.

A bill providing more funding for transit and an increase in the gas tax to be used for highway construction was second major bill to be considered during the Fri., Apr. 8, floor session. The omnibus transportation supplemental funding bill, S.F. 2097, was considered on the General Orders Calendar by the Senate acting as one large Committee of the Whole. The measure, which includes a gasoline tax increase provision, must originate and pass in the other body before it can be given final passage in the Senate. Therefore, the Senate could only grant the bill preliminary approval during the Fri., Apr. 8, floor session.

The bill, authored by Sen. Keith Langseth (DFL-Glyndon), establishes an annual gasoline excise tax rate adjustment by indexing the gasoline tax to the Consumer Price Index. Under the bill, the gasoline tax is increased by 4.4 cents per gallon but is capped in future years to an annual 1 cent per gallon increase. The measure also provides for the distribution of money from the motor vehicle excise tax (MVET) for transit funding. Under the bill, funding goes from \$36 million to \$55 million and provides for a growth factor in the transfer from MVET in the future, Langseth said. He added that the bill provides for 23 percent of the state share of the MVET for transit and ties the gas tax to transit funding. The measure also includes bonding for a number of highway projects totalling about \$12 million. Included in the bonding provisions are \$730,000 for a high speed rail study between the Twin Cities and Chicago; \$7.6 million for completion of the Bloomington Ferry Bridge; and \$200,000 for an electric vehicle technology pilot project. The measure also includes bonding for local bridges and for federal aid projects local match.

Much of the discussion on the bill centered on an amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), that alters the county state-aid distribution formula. Merriam said that "the current distribution formula is unfair

because it is skewed toward rural counties." Langseth argued against the amendment saying that altering the formula pits Metro Area Senators against rural Senators and weakens the bill. "I have tried for three years to bring metro and rural together for transportation funding because we have to all work together for it to be successful," Langseth said. The amendment failed on a 30-33 roll call vote. The measure was then granted preliminary approval on a 55-10 roll call vote.

## Tuesday, April 12

### Flood relief bill passes

The Senate granted final passage to S.F. 2168, the flood relief bill, Tues., Apr. 12. Authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), the measure appropriates \$10 million in aid for victims of the 1993 floods.

Bertram said that besides providing financial assistance to farmers and businesses hurt by last summer's flooding, the bill provides long term direction and job creation. Provisions to encourage ethanol production facilities and expand agricultural opportunities for the Hmong and other Southeast Asian farmers are included in the bill.

Questions were raised about the role of the Farmers Legal Action Group (FLAP). Bertram explained that many victims don't know how to access the available disaster relief. FLAP provides legal assistance to those individuals, while farm advocates provide technical expertise, he said.

The bill also provides funding for grain inspection and research of grain diseases through-out the state. The study is designed to minimize the adverse effects of future wheat scab infestations in the short term, and seeks to fully eliminate the problem in the long run.

The Senate voted 65-0 to approve the measure.

Also passed was the omnibus supplemental budget bill, S.F. 2913. Carried by Sen. Gene Merriam (DFL-Coon Rapids), the measure appropriates funds for public safety, the environment and natural resources, state government, community development and human services.

An amendment offered by Sen. Dan Stevens (IR-Mora) permits publication of the names of persons delinquent in child support payments. Stevens said that a vote for the amendment is a vote for the children who suffer, and against their "deadbeat fathers."

The amendment sparked considerable

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floor debate. Speaking in favor of the amendment was Sen. Jane Ranum (DFL-Mpls.). Ranum said that publication of names is an effective tool for collecting support payments, which in turn, lowers the public obligation. Sen. Linda Berglin (DFL-Mpls.) agreed, saying that the present system of collecting payments is ineffective, and that publication is a low cost method of increasing the amounts collected. Sen. Carl Kroening (DFL-Mpls.) added that the amendment will motivate the delinquent obligor to correct his or her behavior.

Opposition to the amendment was voiced by Sen. Allen Spear (DFL-Mpls.). Spear said that although he supports laws that enforce strict measures to collect child support payments, the publication of names harms the children of the negligent parent. Sen. Harold "Skip" Finn added that in small, rural communities the hardship endured by children and the obligee is particularly marked. Not only does this inform the community of a family's private matters, it also puts them at risk, Finn continued. Concern about increased domestic violence resulting from publication of the obligor's name was expressed by Sen. Ember Reichgott Junge (DFL-New Hope). Reichgott Junge said that publication jeopardizes the safety of the family. The amendment passed on a roll call vote of 55-6.

To take advantage of federal funds, Sen. Janet Johnson (DFL-North Branch) proposed an amendment that encourages combined ethanol and electricity cogeneration plants. Under the amendment, a subsidy of 1.5 cents per kilowatt hour for closed-loop biomass electricity production is matched by federal monies. Johnson said that the federal funds are only available until 2000, and that her amendment encourages "good energy policy." Sen. Steven Morse (DFL-Dakota) added that the amendment provides an incentive for facilities to develop the necessary technology for cogeneration. The amendment, which was adopted, caps the subsidy at \$750,000.

Sen. Steve Dille (IR-Dassel) offered an amendment that broadens language relating to crops damaged by wild animals. Dille said that farm crops have been damaged by Canadian geese, and his amendment allows for payments to be made to farmers who have suffered losses to agricultural crops. Currently, this provision applies only to specialty crops. The amendment was adopted, and the bill passed.

## Wednesday, April 13

### K-12 budget bill passed

A host of amendments, including proposals allowing prayer in schools and prohibiting school programs supporting homosexuality as a positive lifestyle alternative, generated nearly six hours of debate when the Senate took up the K-12 supplemental budget bill on Wed., Apr. 13.

The Senate moved to amend the provisions of H.F. 2189, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), which includes \$68 million for a reduction in the percentage of property tax revenue shifted from one fiscal year to the next, a \$10 million appropriation for property tax abatement aid to districts, and another \$18 million for a one-time education project and programs.

Sen. Florian Chmielewski (DFL-Sturgeon Lake) offered the amendment prohibiting programs or activities that encourage or support a homosexuality as a positive lifestyle alternative. Chmielewski argued that homosexuality is being "outright" promoted by the gay community in the schools.

Sen. Allan Spear (DFL-Mpls.) countered by saying the notion that schools are promoting homosexuality "is based on totally erroneous notions." He said that there are no school programs designed to promote any particular lifestyle. Spear then offered an amendment to the Chmielewski proposal, prohibiting schools from carrying out any program or activity that encourages sexual activity by minors. The Spear amendment was approved on a 55-9 vote. Chmielewski attempted to amend the new language with the original provision, but his motion was ruled out of order and Chmielewski withdrew the amendment.

Chmielewski also offered an amendment allowing voluntary prayer in school. He argued that the proposal did not violate the constitutional separation of church and state. "We are being hypocritical about this," he said. "We start our sessions with a prayer, and we don't allow prayer in the schools." Chmielewski added that the amendment is permissive and does not promote an one religion over another.

Sen. Pat Piper (DFL-Austin) argued against the amendment. She said allowing even voluntary prayer would tend to impose the beliefs of one religion over another on children.

Adding his concern over the

Chmielewski proposal, Sen. Duane Benson (IR-Lanesboro) said sharing religious values is a responsibility of parents, not public institutions. He then offered an amendment, replacing the Chmielewski proposal, making it lawful for any individual to voluntarily participate in prayer at home or in any building used primarily for religious purposes. Benson's motion to amend was adopted, 41-23, and the Chmielewski amendment, containing the new provision, was approved on a voice vote.

The amendment was one of three that the Senate did approve and incorporate into the K-12 bill. The other two were both offered by Sen. Sheila Kiscaden (IR-Rochester). Her amendments, requiring desegregation enhancement activities as part of the alternative teacher licensure program, and requiring two control sites be used to evaluate a school breakfast grant program, were both approved on a voice vote.

Another 12 amendments were offered, debated, but not adopted. Kiscaden had one of those, proposing to repeal state law prohibiting school from starting before Labor Day. Her amendment passed, 32-16, but Sen. Douglas Johnson (DFL-Cook) moved for reconsideration. He opposed the amendment, arguing that starting school after Labor Day has not hurt the schools and is good for the state's economy. Kiscaden encouraged the members to support the amendment, saying that current law puts economic interests ahead of what is in the best interests of children. The amendment failed on a 25-37 roll call vote.

Sen. Dennis Frederickson (IR-New Ulm) proposed setting up a \$180 million school aid reserve in addition to the \$500 million state budget reserve. His proposal failed, 19-39. Most of the other amendments that were offered had been proposed and also rejected earlier as the bill moved through three committees on its way to the floor.

H.F. 2189 was passed by the Senate on a 63-1 roll call vote.

### Tax bill granted final approval

The Senate next considered S.F. 1775, the omnibus tax bill, sponsored by Sen. Douglas Johnson (DFL-Cook). On a 46-18 vote, the Senators granted final approval to the bill after adopting several amendments.

The bill provides numerous provisions for conformity with federal laws and provides an income or corporate franchise

tax credit to businesses located in an enterprise zone.

The measure includes several sales tax provisions, including a phase-down of the sales tax on replacement capital equipment to 2.5 percent. It exempts from sales tax purchases of construction materials for capital projects at taconite facilities on capital projects of more than \$40 million, extends the taconite production tax freeze and reduces the taconite production tax on direct reduced ore.

The bill also provides sales tax exemptions for personal computers sold by schools to students if the computer is required. A sales tax exemption is also provided for horses other than race horses. The measure includes a sales tax exemption for capital equipment and construction materials purchased for use in construction of an agriculture processing facility with a capital investment of more than \$100 million.

The property tax provisions in the bill include a requirement that the second-half property tax statements for property owners be mailed by August 31. Under the bill, property tax statements will not include an itemization of metropolitan agencies' levies but will include a parcel identification number. It also requires the deduction of the property tax refund, including targeting, from the amount due on the second-half property tax statement. Another provision requires the Dept. of Revenue to conduct a study on the feasibility of basing property taxation on the square footage of land and buildings.

The bill also eliminates the local government trust fund in July 1995 and transfers any balance to the general fund. The measure extends the duration limits of economic development districts to 25 years and authorizes creation of several economic development and special service districts. It also authorizes the city of Duluth to issue up to \$4 million in bonds to finance improvements to the Duluth entertainment convention center.

The Senate approved an amendment, offered by Johnson clarifying language in the provisions governing the liquor excise tax. The amendment also appropriates \$500,000 for grants to counties to aid in compliance with the property tax notice requirements in the bill and corrects the floor on the local government aid formula to be 2.5 rather than 3 percent. The Senators adopted the amendment on a voice vote.

Another amendment, offered by Sen. Duane Benson (IR-Lanesboro), also gained approval. The amendment permits

the state to invoke sanctions on violators of certain exemption provisions in cases where the federal government could impose sanctions.

An amendment by Sen. James Metzen (DFL-South St. Paul), expands the definition of a city eligible for designation as an enterprise zone. Under the amendment, a second class city that is designated as an economically depressed area by the U.S. Dept. of Commerce is eligible. The amendment effectively includes South St. Paul in the guidelines. The amendment was approved on a voice vote.

An amendment offered by Sen. Sandra Pappas (DFL-St. Paul), permits a mutual property and casualty insurance company that meets certain requirements to continue to pay tax at a 1/2 percent rate.

An amendment offered by Sen. Allan Spear (DFL-Mpls.), extending a property tax abatement to lawn bowling and croquet greens, was also approved. An amendment offered by Sen. William Belanger, Jr. (IR-Bloomington), eliminates the bill's tax increase on Social Security. Under the amendment, the maximum taxable portion of benefits remains at 50 percent instead of rising to the 75 percent called for in the bill. Belanger said the bill concentrates the increase in taxes on three percent of taxpayers. Sen. Carol Flynn (DFL-Mpls.) countered by saying that the bill's increase applies only to Social Security recipients whose incomes fall in the top 15 percent increasing their tax bill by an average of \$136 per year. The amendment was defeated on a 22-38 roll call vote.

Another Belanger amendment, phasing out the excise tax on replacement capital equipment and eliminating the property tax refund and the sunset on local government aids, also failed to gain approval.

The Senators also voted down an amendment, offered by Sen. John Marty (DFL-Roseville), removing the bill's phase down of the sales tax exemption on replacement capital equipment and applying the revenues from that tax, estimated at \$128 million, to the education funding formula. Sen. Ember Reichgott Junge (DFL-New Hope), successfully moved to divide the amendment, and the Senators voted to amend it to direct the revenues to the general fund. Subsequently, however, the Senators defeated the amended amendment on a 13-51 vote.

An amendment offered by Sen. Kevin Chandler (DFL-White Bear Lake), to change the conditions under which an

insurance company may claim tax credits for amounts paid as assessments for insolvencies, also failed.

An amendment offered by Sen. Thomas Neuville (IR-Northfield), increasing the personal dependency exemption from income tax by \$100, also did not gain approval. Also defeated was an amendment offered by Sen. Don Betzold (DFL-Fridley), providing a \$1,000 income tax exemption for members of the armed forces who are stationed outside the state. The amendment failed on a 32-32 vote.

Last, the Senators heard an amendment offered by Sen. Gen Olson (IR-Minnetrista), that eliminates the state's property tax system. Olson said that eliminating the current system is the best way to ensure that policymakers can have a real dialogue on how to fund local governments. The Senators defeated the amendment on a 28-36 roll call vote.

After completing work on the omnibus tax bill, an attempt to appoint a conference committee on S.F. 1758, the welfare reform bill, resulted in a lengthy standoff during a roll call vote. Sen. Don Samuelson (DFL-Brainerd), the bill's sponsor, and Sen. Florian Chmielewski (DFL-Sturgeon Lake), urged concurrence with the House amendments to the Senate bill. The House amendments include a 24-hour waiting period for abortions. The House measure provides that a doctor must inform a woman seeking an abortion be of the medical risks of abortion, the gestational age of the fetus, and who is performing the procedure 24 hours before the procedure.

A substitute motion by Sen. Don Betzold (DFL-Fridley), to send the bill to conference committee failed on a vote of 31-34. The Senate then approved a motion by Majority Leader Roger Moe (DFL-Erskine), to table the bill.

### 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.

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# Floor action

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## **Bills granted concurrence and repassage--April 8.**

S.F. 819-Johnson, J.B.: Prohibits collection of charges for information services as if they were charges for telephone services. 56-0

## **Bills granted final passage on the Senate Calendar--April 8.**

H.F. 2139-Solon: Regulates real estate trust accounts, clarifies a definition for purposes of licensing real estate appraisers and regulates dual agency disclosure. 58-1

## **Bills granted final passage on the Consent Calendar--April 8.**

H.F. 2967-Kroening: Gives the Minneapolis school district and the municipal building commission the authority as the city of Minneapolis to negotiate temporary trade and craft contracts. 62-0

## **Bills granted final passage as Special Orders--April 8.**

S.F. 2900-Stumpf: Higher education funding bill. 48-17

H.F. 1835-Stumpf: Provides for agreements on taking and possession of fish taken from Ontario boundary waters. 35-16

## **Bills granted preliminary passage on General Orders--April 8.**

S.F. 2097-Langseth: Omnibus transportation funding bill increasing the gasoline tax and providing funding for transit. 55-10

## **Bills granted final passage as Special Orders--April 11.**

S.F. 1788-Johnson, J.B.: Waste management amendments. 54-12

H.F. 2212-Dille: Authorizes the Dept. of Agriculture to exempt federally monitored releases of genetically-engineered organisms, authorizes the Environmental Quality Board to adopt rules and provides for exemptions. 67-0

## **Bills granted preliminary passage on General Orders--April 11.**

S.F. 2550-Flynn: Provides for the appointment of Metropolitan Area soil and water conservation supervisors by metropolitan counties.

S.F. 2709-Berg: Amends provisions regarding the pricing of dairy products, specifies the minimum price of milk during the month of June, 1994 and thereafter.

S.F. 1888-Reichgott Junge: Prohibits public accommodations from discrimination on the basis of marital status.

S.F. 2393-Larson: Makes changes of a technical and housekeeping nature in statutes relating to the Dept. of Jobs and Training.

S.F. 2171-Moe, R.D.: Includes Indian tribal governments in the definition of municipality for fire state aid purposes.

S.F. 2068-Berglin: Modifies criteria by which the interagency committee on long term care reviews exceptions to the nursing home moratorium.

S.F. 2104-Runbeck: Establishes an abused child program under the commissioner of corrections, creates an advisory committee and specifies the powers and duties of the commissioner and the advisory committee.

H.F. 2553-Piper: Permits the purchase of Public Employees Retirement Association service credit by soil and water conservation district employees.

S.F. 1872-Hanson: Regulates persons who may do mechanical work on elevators.

H.F. 1844-Johnston: Designates trunk highway 212 as the Minnesota Veterans Memorial Highway.

S.F. 348-Anderson: Requires accelerated construction of noise barriers on highway 280 if the reconstruction of the highway is delayed beyond FY 1996.

S.F. 2556-Johnston: Increases money set aside from the county state-aid highway and municipal state-aid street funds to the disaster accounts and research accounts, changes the composition of the disaster account boards and provides that the money remaining from the research accounts lapse to the appropriate funds after two years.

S.F. 2004-Johnson, D.J.: Permits a portion of the Two Harbors lodging tax for restoration of the ship the Edna G.

S.F. 2642-Finn: Establishes a privilege for communications made by witnesses to licensed social workers.

## **Bills granted final passage on the Senate Calendar--April 12.**

S.F. 2550-Flynn: Provides for the appointment of Metropolitan Area soil and water conservation supervisors by metropolitan counties. 52-14

S.F. 2709-Berg: Amends provisions regarding the pricing of dairy products, specifies the minimum price of milk during the month of June 1994 and thereafter. 41-23

S.F. 1888-Reichgott Junge: Prohibits public accommodations from discrimination on the basis of marital status. 63-0

S.F. 2393-Larson: Makes changes of a technical and housekeeping nature in statutes relating to the Dept. of Jobs and Training. 64-0

S.F. 2171-Moe, R.D.: Includes Indian tribal governments in the definition of municipality for fire state aid purposes. 62-2

S.F. 2068-Berglin: Modifies criteria by which the interagency committee on long term care reviews exceptions to the nursing home moratorium. 60-0

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- S.F. 2104-Runbeck: Establishes an abused child program under the commissioner of corrections, creates an advisory committee and specifies the powers and duties of the commissioner and the advisory committee. 65-0
- H.F. 2553-Piper: Permits the purchase of Public Employees Retirement Association service credit by soil and water conservation district employees. 64-0
- S.F. 1872-Hanson: Regulates persons who may do mechanical work on elevators. 65-0
- H.F. 1844-Johnston: Designates trunk highway 212 as the Minnesota Veterans Memorial Highway. 62-3
- S.F. 348-Anderson: Requires accelerated construction of noise barriers on highway 280 if the reconstruction of the highway is delayed beyond F Y 1996. 47-18
- S.F. 2556-Johnston: Increases money set aside from the county state-aid highway and municipal state-aid street funds to the disaster accounts and research accounts, changes the composition of the disaster account boards and provides that the money remaining from the research accounts lapse to the appropriate funds after two years. 65-0
- S.F. 2642-Finn: Establishes a privilege for communications made by witnesses to licensed social workers. 63-1

#### **Bills granted final passage as Special Orders--April 12.**

- S.F. 2168-Bertram: Agricultural flood relief. 65-0
- S.F. 2913-Merriam: Supplemental budget bill. 64-2
- S.F. 2378-Spear: Omnibus crime prevention bill. Laid on the table.

#### **Bills granted final passage on the Senate Calendar--April 13.**

- S.F. 2004-Johnson, D.J.: Permits an additional lodging tax for the city of Two Harbors. 61-0

#### **Bills granted final passage on Special Orders--April 13.**

- H.F. 2189-Pogemiller: Omnibus K-12 education funding bill. 63-1
- H.F. 3209-Johnson: Omnibus tax bill 46-18

#### **Bills granted concurrence and repassage--April 14.**

- S.F. 1806-Finn: Allows advanced practice nurses to prescribe psychotropic drugs under a physicians direction. 53-0
- S.F. 2551-Solon: Establishes the powers and duties of the board of directors of the Miller-Dwan Hospital in the establishment, administration, management, maintenance, improvement and financing of the hospital. 57-0
- S.F. 1758-Samuelson: Omnibus welfare reform provisions. 34-33 Notice given of intent to reconsider.

#### **Bills granted final passage on Special Orders--April 14.**

- S.F. 2031-Bertram: Authorizes enforcement of commitments for debts related to lawful gambling activities. 47-17
- S.F. 2232-Pappas: Provides for the filling by appointment of offices in counties that were previously elective. 35-31
- H.F. 2626-Samuelson: Authorizes an individual to purchase prior service credit from the Teachers Retirement Assoc. 39-14
- H.F. 2411-Lessard: Authorizes the the employees of the lessee of the Itasca Medical Centers Facilities to maintain coverage by the Public Employees Retirement Association. 44-8
- S.F. 2617-Flynn: Establishes and provides for appointments to an advisory council on major transportation projects. 46-0.
- H.F. 2426-Finn: Allows any city to establish citizen enforcement programs to enforce vehicle parking laws relating to the physically disabled. 47-0
- H.F. 2617-Solon: Omnibus liquor bill; makes numerous changes in laws relating to the regulation of alcoholic beverage manufacturing, licensing, distribution and sales; prohibits the sale of "Crazy Horse" malt liquor. 45-3
- S.F. 2210-Kelly: Authorizes Ramsey Health Care, Inc., to incorporate as a nonprofit corporation and to terminate its status as a public corporation, and provides for the care of the indigent of Ramsey County. 45-0
- H.F. 2670-Pogemiller: Adds Hennepin County paramedics and emergency medical technicians to membership in the Public Employees Police and Fire Fund. 45-0
- H.F. 2512-Pogemiller: Provides for level benefits for the Minneapolis Police Relief Associations and changes the definition of surviving spouses eligible for benefits. 47-0
- H.F. 1659-Finn: Updates Article 2 on intestacy, wills and donative transfers in the Uniform Probate Code and recodifies the Minnesota Multiparty Accounts Act. 57-0
- S.F. 1735-Betzold: Modifies provisions concerning foster care and adoption, provides for uniformity among counties and provides for obtaining federal reimbursement. 51-0
- H.F. 2311-Belanger: Abolishes some local government levy limitations. 60-0
- S.F. 2500-Kelly: Requires proportional representation for various membership groups on the St. Paul Teachers Retirement Association Board of Trustees. 62-0
- H.F. 2666-Hottinger: Prohibits the adoption of specific zoning ordinances by municipalities, counties and towns. 63-0
- S.F. 2577-Anderson: Expands and clarifies the scope of business discrimination protections. 60-0
- H.F. 1496-Betzold: Clarifies the scope of confidentiality of records of review organizations and includes preferred provider organizations in the definition of review organizations. 62-0
- H.F. 2420-Kroening: Provides for terms on which surviving spouse benefits are granted to members of the Minneapolis Fire Department Relief Association. 63-0
- H.F. 2299-Solon: Clarifies language relating to calculation of pension benefits contained in the bylaws of the Duluth Firefighters Relief Association. 65-0
- H.F. 2882-Moe, R.D.: Provides an exemption to carriers for the transportation of potatoes and reinstates regulations relating to personal transportation providers. 56-10

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# Preview

*The Minnesota Senate Week at a Glance*

**Monday, April 18**

**The Senate will meet at 10 a.m.**

### Conference Committee

4 p.m. Room 229 Capitol

**Agenda:** S.F. 2246-Murphy: Authorizing exchange of certain state lands in Wabasha and Fillmore counties under certain conditions.

### Joint House-Senate Education Committee

*Chairs: Sen. Lawrence Pogemiller and Sen. LeRoy Stumpf*

7 p.m. Room 200 SOB

**Agenda:** Regent selection - University of Minnesota.

**Tuesday, April 19**

**The Senate will meet at 8 a.m.**

**Wednesday, April 20**

**The Senate will meet at 8 a.m.**

**Thursday, April 21**

**The Senate will meet at 8 a.m.**

**Friday, April 22**

**The Senate will meet at 8 a.m.**

Conference committees on various spending and policy bills will be scheduled in the afternoons throughout the week. Please call the Senate Information Office at 296-0504 or the Senate Hotline at 296-8088 for the latest information.

# Briefly

The Minnesota Senate Week in Review

April 22, 1994

## Constitutional amendments okayed

Members of the Rules and Administration Committee, chaired by Sen. Roger Moe (DFL-Erskine), met Wed., Apr. 20, and advanced three bills to the full Senate. Two of the measures propose constitutional amendments to be placed on the ballot in the upcoming November election. S.F. 1871, authored by Sen. Allan Spear (DFL-Mpls.), is a constitutional amendment to allow statistical frequency information relating to DNA testing to be used as evidence in criminal trials. According to Spear, Minnesota is currently the only state in which the statistical frequency information may not be used as evidence. The measure was approved on a voice vote and forwarded to the full Senate.

S.F. 180, authored by Sen. Carl Kroening (DFL-Mpls.), places a constitutional amendment on the ballot to allow off-track pari-mutuel betting. In 1991, the Legislature passed a law to allow off-track betting at four sites around the state but the courts struck the law as unconstitutional, Kroening said. Members of the committee approved the measure and sent it to the floor.

The final bill gaining favorable committee action, S.F. 1991, authored by Sen. Steven Novak (DFL-New Brighton), is the metropolitan housing bill. The measure was before the panel because of a Senate rule requiring bills that miss the deadline to be directed to the Rules and Administration Committee.

## Target Center bill moves on

With discussion centering on alternate funding mechanisms for the Target Center, the Taxes and Tax Laws Committee approved S.F. 2827 at a Fri., Apr. 15, meeting. The committee, chaired by Sen. Douglas Johnson (DFL-Cook), reviewed amendments to the bill.

The basic provisions in the bill, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.) allow for the acquisition of the Target Center in downtown Minneapolis by the Metropolitan Sports Facility Commission (MSFC). The Metropolitan Council may issue bonds at the request of the MSFC in order to finance the purchase. Prior to the signing of an agreement to purchase the Target Center, conditions must be met by the National Basketball Association (NBA), the Timberwolves, and the current owners. Both the professional basketball team and the NBA must sign an agreement providing for a 30 year lease of the arena and mechanisms must be in place to ensure that the funding for the servicing on the debt as well as adequate revenue, is generated. According to Pogemiller, funding for the purchase comes from a 10 percent admission tax, a \$1 surcharge on tickets, and a \$750,000 contribution by the state of Minnesota. In addition, a "blink on tax"

backs up the revenue, if revenues fall below expected and needed levels. The "blink on tax" levies a tax on food and drink establishments in the downtown area. The city of Minneapolis also agrees to forego the 3 percent tax normally assessed on entertainment.

Sen. Sandra Pappas (DFL-St. Paul) proposed an amendment disallowing the Target Center from attracting organizations that currently use the St. Paul Civic Center. Pappas called the amendment a "no competition clause." The amendment was adopted. Pogemiller offered an amendment that provides for the sharing of any excess revenue between the city of Minneapolis and the state. According to Pogemiller, the return, if any, is distributed proportionally. The amendment was adopted.

An amendment, offered by Sen. Phil Riveness (DFL-Bloomington), cuts the state out of the acquisition. According to Riveness, adding an additional 3 percent tax on the admission price makes up the \$750,000 state contribution. Pogemiller stated that the alternative was explored and found to create an unattractive atmosphere both for perspective groups using the Target Center as well as those attending events. The amendment was not adopted.

Sen. Ember Reichgott (DFL-New Hope) proposed financing the state portion similarly to what is done with the Mall of America. According to Reichgott Junge, the fiscal disparities property pool is used to finance the \$750,000 state contribution, which in turn is paid off by the city of Minneapolis in the long term. The result, said Reichgott Junge, is an increase in property taxes of about \$2 per year for Minneapolis residents and a few cents for all of those in Hennepin County. Reichgott Junge stated that she does not favor the financing by the state because it is a significant tax policy change. The amendment was not adopted.

The bill was approved and sent to the Finance Committee.

## Residency requirement passed

New employees of the city of St. Paul are required to live in the city, under a bill passed by the Senate at a Thurs., Apr. 21, floor session. The author of S.F. 309, Sen. Randy Kelly (DFL-St. Paul), presented a letter from Mayor Norm Coleman, of St. Paul. In the letter, Coleman called the residency mandate for new city employees both economically essential and responsible.

The premise of the bill was challenged by Sen. Sheila Kiscaden (IR-Rochester) as limiting the "autonomy and choice" of families. Kiscaden said that a "residency requirement really reduces the pool" from which cities can select candidates for positions, as well as complicates decisions for families in which one person works for the city of St. Paul and the other works for

the city of Minneapolis. The city of Minneapolis currently has a residency requirement for employees of the city. Kiscaden went on to say that it is wrong for a city to require an employee to live in its boundaries just as it is also wrong for the state to tell the city to have a residency requirement.

"We are a collection of communities," said Sen. Steven Novak (DFL-New Brighton), emphasizing the economic dependence that metropolitan cities have on each other. Novak pointed to recent trends in reverse commuting and the type of protectionism residency requirements create. Sen. Joanne Benson (IR-St. Cloud) said that residency clauses can be a contributing factor in the erosion of the cities, pointing to the problems such a requirement can create for the St. Cloud area. Sen. Patrick McGowan (IR-Maple Grove) said that the policy causes conflict. A case where Minneapolis adopted a residency requirement for city employees, but the Minneapolis School Board did not, was explained by McGowan.

Sen. Florian Chmielewski (DFL-Sturgeon Lake) rose to support the bill, calling on "rural legislators to rally" and support the proposal as a means for restoring the economic integrity of urban cities. Kelly said the requirement is necessary because employees have a stake in the community in which they serve and provided the example that presently more than one half of the city's firefighters do not reside in the city.

Sen. Ellen Anderson (DFL-St. Paul) urged the member of the Senate to recognize that in some cases individual choices "must yield to the common good." Also supporting the bill was Sen. Douglas Johnson (DFL-Cook). Johnson, D.J. said that the requirement is a good tool for assisting the weak inner cities, which in turn has a positive affect on cities in rural Minnesota.

The bill was passed on a roll call vote of 39-25.

## U of M regent elected

Members of the Senate met in joint convention with the House of Representatives Thurs., Apr. 21, for the purpose of electing an individual to fill a vacancy on the the University of Minnesota Board of Regents. The vacancy for the 4th district seat on the Board of Regents came about with the resignation of Ann Wynia. Wynia resigned earlier this year to pursue her campaign for the U.S. Senate and to care for her husband.

Hyon T. Kim, president of Juno Medical and Trade Inc., gained 169 votes during the joint convention to be elected the newest member of the Board of Regents. Kim, a resident of St. Anthony, graduated from the U of M with a degree in business and East Asian studies.

# Committee update

## Finance

### MinnesotaCare approved

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), convened Thurs., Apr. 14, to review the MinnesotaCare bill, S.F. 2192, sponsored by Sen. Linda Berglin (DFL-Mpls.). Berglin presented an appropriations amendment, which was adopted, that reduces appropriations to the Health Care Access Fund in 1995 by \$17.9 million. Sen. William Luther (DFL-Brooklyn Park) presented an amendment relating to the welfare reimbursement system, allocating \$200,000 to the Attorney General to raise Minnesota's Medicare reimbursement rate. Luther stated that the legal effort, which is in cooperation with the commissioner of health, would achieve fairness in reimbursements. The amendment was adopted.

Berglin presented another amendment deleting tax language providing rebates to pharmacies. Berglin said that the change adds \$6.9 million to the access fund. The amendment was adopted, and the bill advances to the floor.

Berglin presented S.F. 1867, a bill requiring the legislative auditor to study the administrative costs of providing health care services assuming both a public and private single payer system. The bill was approved and advances to the floor.

The committee also reviewed S.F. 2220, a bill sponsored by Sen. Leonard Price (DFL-Woodbury), that outlines the duties of the Legislative Water Commission and establishes a Sustainable Agriculture Advisory Committee. Sen. Steven Morse (DFL-Dakota) presented the appropriations amendment, which was adopted, providing \$160,000 to the Board of Water and Soil Resources to work on groundwater education efforts. The amendment appropriates \$150,000 to the Environmental Quality Board for monitoring, assessing, and reporting water needs and groundwater quality. In addition, \$100,000 is allocated to the Dept. of Agriculture for demonstration grants on sustainable agriculture and integrated pest management projects. The bill also sets aside \$50,000 for outreach activities relating to the projects. The bill, as amended, advances to the floor.

The committee also amended and approved S.F. 2358, ratifying the labor contracts and compensation plans reached with the state employee bargaining units. The bill was sent to the Senate floor.

The proposal, sponsored by Sen. Carol Flynn (DFL-Mpls.), ratifies the contracts, which calls for no increase in salary for state employees in the first year and a 3.25 percent increase in the second year. Flynn said that total contract costs are increased by 2.35 percent for the biennium. The bill also includes provisions allowing the Legislative Commission on Employee Relations to approve labor contracts reached during the legislative interim and adopts a temporary uniform settlement form to be used by the Bureau of Mediation Services until a form is approved through administrative rulemaking.

Two amendments were adopted. The first, offered by Sen. William Luther (DFL-Brooklyn Park), requires that the Compensation Council recommend the salaries for state and metropolitan agency heads to the 1995 Legislature. Sen. Randy Kelly (DFL-

St. Paul) presented the second amendment, requiring that the Legislative Commission on Employee Relations study the use of arbitration between public employers and employees and the arbitration process. The commission is to submit its report in January, 1995.

S.F. 2079, the omnibus data practices bill, was also amended and approved by the committee. The bill, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), includes an appropriation to the Dept. of Administration for development of an information policy training plan. Sen. Jane Ranum (DFL-Mpls.), offered an amendment that shifts \$50,000 from the Public Employees Insurance Reserve to the Dept. of Administration for the plan's development. Her amendment was adopted, and the bill was approved. S.F. 2079 was re-referred to the floor.

### Bonding proposals presented

The Finance Capital Budget Subcommittee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), began reviewing more than \$680 million in capital bonding requests, at the Thurs. evening, Apr. 14, meeting. The requests, referred to the subcommittee by the finance divisions, will be considered as the members assemble a \$490 million bonding package.

Among the requests before the subcommittee, the Senators heard presentations of the bonding packages assembled by the Finance State Government Division and the Transportation and Public Transit Finance Division. Two other proposals, establishing Battle Point Cultural and Art Center and creating a superfund cleanup program, were also presented.

The state government proposal, presented by the division's chair, Sen. Richard Cohen (DFL-St. Paul), contains bond appropriations of \$46.9 million, including \$35.3 million to the Dept. of Administration, \$119,000 to the Amateur Sports Commission, \$5.15 million to the Capitol Area Architectural Planning Board, \$366,000 to the Dept. of Military Affairs, \$5.5 million for the Dept. of Finance, and \$500,000 to the Minnesota Historical Society. Among the bonding projects included in the proposal is \$6 million for construction of the Lake Superior Center, \$4.7 million for exterior restoration and repair of the State Capitol roof, \$5.5 million to refinance the debt on Mpls. and St. Paul parks projects, and nearly \$23 million for repair and renovation projects at public buildings statewide, under the Capital Asset Preservation and Restoration Account (CAPRA), and to improve access to public buildings.

Sen. Keith Langseth (DFL-Glyndon) presented S.F. 2097, the transportation and public transit bonding proposal, which contains a total appropriation of \$214 million. Of the project funding provided in the bill, \$26.6 million is attributed to bonds, along with funds drawn from the trunk highway fund, the county and municipal state aid highway funds, the transit assistance fund and the state's general fund.

The bill includes \$15 million for a statewide bridge repair and replacement grant project, \$7.6 million for continued work on the Bloomington Ferry Bridge project, \$3.9 million for the state's share of a demonstration and interstate substitution project on Highway 11 in St. Louis and

Lake Counties, and Highway 41 in Nicollet County, and a \$150,000 project to remodel a train depot in Floodwood for use as a safety information center.

S.F. 2333 appropriates \$500,000 to establish a Battle Point Cultural and Art Center on Leech Lake. The proposal, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), calls for development and construction of the center to commemorate the last battle between the Indians and U.S. Calvary in the U.S. S.F. 1133, sponsored by Sen. Steven Morse (DFL-Dakota), authorizes \$180 million in bonding over the next 10 years to support of a program to clean up landfills. The funding, Morse said, represents 43 percent of the costs to clean up 67 permitted landfills.

### Funding proposals advance

A proposal modifying the liability provisions for child abuse investigations and a bill that sets rates for solid waste taken to environmentally-inferior landfills were amended and approved by the Finance Committee at the Fri., Apr. 15, meeting. The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids) also began discussion of a proposal to establish a cleanup program for closed landfills.

S.F. 2177, authored by Sen. Allan Spear (DFL-Mpls.), modifies the liability provisions for child abuse investigations. Spear said the bill is based on the need for stricter guidelines to protect those who may be falsely accused in child abuse investigations and a provision in the bill calls for the Dept. of Human Services (DHS) to set up rules establishing a specific protocol for child protection and social workers to follow in assessing abuse allegations. The rules, he said, would prevent situations where social workers have gone to extremes to investigate some allegations.

The bill requires DHS to consult a multi-disciplinary task force in developing the rules. Spear offered an amendment to eliminate that requirement, which was adopted. A second amendment, also offered by the author, appropriates \$65,000 to support the DHS rulemaking process. That amendment was also adopted, and the bill was approved. S.F. 2177 was re-referred to the Senate floor.

H.F. 2010, sponsored by Sen. Janet Johnson (DFL-North Branch), sets up a fund for landfill cleanup and requires individuals who take solid waste to environmentally inferior waste facilities to pay a fee for doing so. Each county is required to designate environmentally superior waste disposal facilities in their solid waste management plan. Johnson said the bill assesses fees on those who take waste to facilities other than a county's chosen facility. The fees will be placed in a trust fund to cover the costs of cleaning up contamination at those sites and other legal costs that may be associated.

The bill sets a fee of \$6.45 per cubic yard or \$21.25 per ton on waste delivered to an inferior facility, and rates of \$1.38 per cubic yard or \$4.60 per ton for waste taken to a facility now considered superior under new federal requirements.

Two amendments were approved. The first, which Johnson offered, simplified the provisions that containing the fee amounts. The second, presented by Sen. Gary Laidig (IR-Stillwater), specifies that individuals,

who arrange for management of inferior facilities and who have provided proof of financial capability, make payments into a trust fund on a monthly basis. The bill, as amended, was approved and re-referred to the Taxes and Tax Laws Committee.

The committee also began its review and discussion of S.F. 1133, which creates an alternative program for landfill cleanup. The bill, presented by its author, Sen. Steven Morse (DFL-Dakota), sets up the state program to clean up municipal solid waste facilities that were closed on Apr. 9, 1994, and removes liability of those who do not own or operate authorized landfills for the cleanup of those sites. The bill contains a \$16.9 million appropriation from the landfill cleanup account for the program, and authorization of an additional \$180 million in general obligation bonds, to be issued over the next 10 years.

Morse offered one amendment to the bill, requiring owners or operators of the closed facilities to enter into a binding agreement with the Pollution Control Agency (PCA) to transfer necessary property and remaining financial assurance funds to the PCA. The bill called for the agreements to be reached by Mar. 1, 1995, but the amendment delayed the date one year. Additional provisions of the amendment allow acquisition of the transferred property at a fair market rate, and limits indemnity of parties whose liability had been released. The committee approved the amendment and set the bill aside for consideration at a later meeting.

### Workers' comp sent to floor

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved a workers' compensation bill and a proposal increasing the minimum wage, Fri. evening, Apr. 15. The committee also approved six other bills during the meeting.

S.F. 2475, authored by Sen. Steven Novak (DFL-New Brighton), regulates workers' compensation insurance programs. Provisions in the bill increase the amounts of impairment compensation, based on percentage of disability, includes independent contractors performing commercial or residential construction under the program, and provides insurance regulation by the Workers' Compensation Insurers Rating Association of Minnesota. The bill also requires an advisory council on workers' compensation to study system inefficiencies. Appropriations under the bill in \$350,000 to the Dept. of Commerce for use by the rating association. The bill was approved and re-referred to the Senate floor.

S.F. 1944 increases the minimum wage in each of the next three years. The bill, sponsored by Sen. Randy Kelly (DFL-St. Paul), requires the employers raise minimum wage levels. The wage increases are determined by the annual gross sales volume of a business. Firms with annual sales of more than \$500,000 are to raise the hourly wage to \$4.75 on July 1, 1994, \$5.25 on July 1, 1995, and \$5.75 on July 1, 1996. Businesses whose sales volume is \$500,000 and less would raise the wage to \$4.50 in 1994, \$5.00 in 1995, and \$5.50 in 1996. Kelly also offered an amendment to appropriate \$714,000 from the public employees insurance reserve holding account to the Dept. of Human Services to cover the costs of increased medical assistance grants required by the bill. The amendment was adopted and the bill was approved. S.F.

1944 was re-referred to the Senate floor.

The committee approved several other bills and sent them to the floor. S.F. 1956 authorizes a \$50,000 planning and design grant for work on the proposed Lewis and Clark Rural Water System. Sen. Jim Vickerman (DFL-Tracy), the bill's author, said the funds will be used by the Southwest Regional Development Commission to plan a water distribution system using the Missouri River.

S.F. 1909, authored by Sen. Leonard Price (DFL-Woodbury), requires individuals who install and inspect individual sewage treatment systems to be licensed by the Pollution Control Agency, and requires that property sellers disclose the condition of the individual systems. The bill appropriates \$120,000 from the general fund for the costs of the program. Sen. Steven Morse (DFL-Dakota) offered an amendment to have the appropriation taken from the environmental fund. His amendment was adopted and the bill was passed.

Morse presented S.F. 1921, increasing the employee contribution rates and benefit computation formulas for the Teachers Retirement Fund. The bill, he said, increases contribution rates by two percent and those increases would be covered by the participating teachers. The bill was approved.

A proposal clarifying the uses of game and fish revenues was also approved. S.F. 2445, sponsored by Merriam, clarifies that 90 percent of revenue generated by the various wildlife stamp programs will be used for habitat improvement programs, incorporates the existing surcharge on fishing licenses into the costs, and shifts some appropriations made in 1993 from the game and fish fund to the general fund. Morse offered an amendment requiring the Dept. of Natural Resources (DNR) to pay counties with public hunting and game refuges out of their general funds rather than the game and fish fund. Sen. Janet Johnson (DFL-North Branch) also presented an amendment requiring the DNR to negotiate with bargaining units when dept. restructuring causes involuntary layoffs. Both amendments were approved and the bill was passed.

Sen. Richard Cohen (DFL-St. Paul) presented S.F. 2720, appropriating \$100,000 for preliminary planning for a Human Development Center in or near the state capitol complex. The bill was approved and re-referred to the Senate floor.

### Landfill cleanup bill okayed

The Senate Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), held an all day hearing Sat., Apr. 16, in order to address a number of bills with financial implications.

Three measures in particular generated considerable discussion. S.F. 1133, authored by Sen. Steven Morse (DFL-Dakota), authorizing a "superfund" approach to cleaning up closed landfills, was the focus of debate for the latter part of the hearing. Debate centered on an amendment, offered by Sen. Carl Kroening (DFL-Mpls.), to require a particular company, American Iron and Steel, to obtain an environmental impact statement (EIS) before proceeding in the construction of a large metal materials processing plant adjacent to the Mississippi River. Company representatives testified that they had been willing to proceed with an environmental assessment worksheet

(EAW) but had been told by city officials that the EAW was not necessary. However, neighborhood residents testified that an EIS was the only hope in stopping the project. Sen. Gary Laidig (IR-Stillwater) offered an amendment to the amendment requiring the state Pollution Control Agency to prepare an EAW to determine if the EIS is necessary. Kroening argued that the conflict was a "David and Goliath" situation and that the neighborhood was fighting both the city and the company to maintain their quality of life. The Laidig amendment failed to gain approval and members subsequently adopted the Kroening amendment. The bill was approved and sent to the Senate floor.

In other action, the omnibus gaming bill was also endorsed and sent to the full Senate. S.F. 2685, authored by Sen. Charles Berg (DFL-Chokio), contains many of the provisions in last year's omnibus bill. Under the bill, the base of the tax on pull-tabs and tipboards is adjusted, and an advisory council on gambling is created. The measure also authorizes the use of machines to dispense pull tabs and, as a result, requires an appropriation to fund additional positions to inspect the machines. The measure also provides additional funds for compulsive gaming programs. An amendment, offered by Sen. Tracy Beckman (DFL-Bricelyn), requires that 25 percent of all advertising dollars be set aside for compulsive gambling programs. The amendment, which is expected to generate about \$2 million per year, was adopted and the bill was approved.

The third bill to spark discussion was S.F. 1969, authored by Sen. John Hottinger (DFL-Mankato). The bill provides for changes in the administrative rulemaking process. Hottinger said that the goal of the bill was not to reduce the costs associated with rulemaking but rather, to build more accountability into the process. The measure was approved and sent to the floor.

S.F. 2392, authored by Sen. Ember Reichgott (DFL-New Hope) and presented by Sen. Roy Terwilliger (IR-Edina), grew out of the Grant Hussey case. The measure, the Missing Children Response Act, requires law enforcement agencies to adopt policies for investigating cases involving children who are missing and endangered. The measure also requires pretrial evaluations in felony cases involving violence against persons and requires the development of a plan for a criminal alert network using fax machines and the Internet. The bill was approved and sent to the full Senate.

A bill providing for the regulation of the salvage food industry was also approved and sent to the floor. S.F. 2072, authored by Sen. Ted Mondale (DFL-St. Louis Park), also adds labeling requirements and requires distributors to obtain licenses and permits. S.F. 2194, authored by Sen. Phil Riveness (DFL-Bloomington), allows the legislative auditor to conduct "best practices review" in addition to conducting performing financial audits, investigations and program evaluations. The measure was also approved and sent to the full Senate. Finally, members endorsed S.F. 2669, carried by Sen. Lawrence Pogemiller (DFL-Mpls.). The measure establishes a public employees insurance cooperative task force to study the feasibility of establishing a cooperative of all public employees, excluding state employees, to purchase hospital, dental, and medical insurance coverage. The bill was advanced to the full Senate.

# Committee update

## Higher ed merger bill okayed

Bills concerning the higher education merger and child support collections were approved by the Finance Committee and sent to the Senate floor on Mon., Apr. 18. The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), also approved three other bills during the meeting.

S.F. 2367 contains provisions allowing the Higher Education Board (HEB) to assume governing authority over the State University, Community College and Technical College Systems when they are merged into one system on July 1, 1995. The bill, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), clarifies the HEB's authority in bargaining with the employees of those systems and provides for the transition of the systems under one board.

As part of the bill, the Dept. of Employee Relations, which will negotiate contracts with the various bargaining units, receives about \$200,000 for handling the additional collective bargaining costs. Stumpf offered an amendment requiring the HEB to reimburse the Dept. of Employee Relations for the costs, either by a fund payment or by providing in-kind services. The amendment was adopted.

The committee also adopted two other amendments, both presented by the author. The first amendment requires all technical college property be transferred to the HEB on July 1, 1995, and that the HEB will assume debt service payments remaining on bonds issued by local school districts before 1979. The second amendment requires the HEB to submit the compensation plan for unclassified employees to the commissioner of Employee Relations for review and comment. S.F. 2367 was approved, as amended, and sent to the Senate floor.

S.F. 2090, authored by Sen. Don Betzold (DFL-Fridley), modifies provisions dealing with child support determinations and enforcement. Under the bill, the Attorney General's Office is required to plan a public service campaign on the need to make child support payments, requires the Dept. of Human Services (DHS) to publish the names and last-known addresses of individuals who are significantly delinquent in making their support payments, and that DHS conduct a Child Support Assurance Feasibility Study. An appropriation of \$356,000 was tied to the components of the bill.

The committee reconciled the costs of the bill with an amendment, offered by Sen. Pat Piper (DFL-Austin), removing the newspaper publication provisions, which were added to another bill, and requiring that existing funds be used to cover the costs of the public service campaign. Piper also presented an amendment to appropriate \$150,000 to DHS for the feasibility study. The amendments were approved.

Two other amendments were adopted. Sen. Cal Larson (IR-Fergus Falls) offered an amendment requiring the attorney general's office to consult with DHS as the public service campaign is developed and Piper proposed a change in language to make the public service campaign an option. Both amendments were adopted, and S.F. 2090 was passed on to the floor.

A bill changing the procedures the attorney general's office uses for charging fees was also approved and re-referred to the floor. Under S.F. 2707, authored by

Merriam, the attorney general's office will receive a direct appropriation for its continuing services while larger clients will include an expected legal costs as part of their biennial budget proposal. He said the bill will eliminate the charge-back system now used and will provide more accountability in the funding system.

The committee also amended and approved S.F. 2313, sponsored by Sen. Ted Mondale (DFL-St. Louis Park). The bill contains provisions setting up a superfund account for landfill cleanup and limits the liability on current property owners for the release of hazardous materials that occurred prior to their ownership. The members moved to eliminate the superfund provisions and re-referred the bill to the floor.

S.F. 1858 gives the Dept. of Administration the authority to sell land in the Gordy Yaeger wildlife management area to the Rochester School District. The bill, authored by Sen. Duane Benson (IR-Lanesboro), was approved and sent to the floor.

## Buildings, buses discussed

The Finance Capital Budget Subcommittee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), took up four bonding proposals during the Mon., Apr. 18, evening meeting, reviewing the appropriations from the Jobs, Energy and Community Development Division and the Education Division. Presentations were also made on bills creating a livestock expansion loan program and setting up a high speed bus service pilot project.

Sen. Carl Kroening (DFL-Mpls.), presented a \$23.4 million bonding package assembled in the Jobs, Energy and Community Development Division. Included are the Minnesota Humanities Commission's \$1.3 million proposal to restore the west wing of the old Gillette Hospital building in St. Paul, \$4.9 million to the Minnesota Historical Society for various preservation projects, \$2.25 million towards construction of a Labor Interpretive Center, and \$4 million for energy investment loans to the Dept. of Public Service. An additional \$10 million is appropriated to the Dept. of Trade and Economic Development for grants to clean up contaminated properties, \$3 million for expansion of the Mpls. Convention Center, \$2 million for loans to local governments to build transitional housing, and \$1 million for grants to build or repair Head Start facilities.

The K-12 education bonding proposal was reviewed for the subcommittee by Sen. Lawrence Pogemiller (DFL-Mpls.). He said the proposal contains \$15.2 million for six projects, and prioritized the remaining requests. The package calls for \$2.6 million for a maximum effort school loan to the Nett Lake School District, \$1.5 million for two renovation projects at the Center for Arts Education, two requests from the Faribault State Academies totalling \$2.7 million, and a \$6 million cooperative secondary facility grant to the Atwater, Cosmo, and Grove City School Districts. Pogemiller presented the other requests considered by the Education Division, including a \$9 million maximum effort loan to the Big Lake School District and \$20 million for grants to allow districts involved with voluntary desegregation to build magnet schools.

S.F. 2150, providing the Rural Finance Authority with bonding authority for a livestock feedlot operation expansion loan program. The author, Sen. Steve Dille (IR-Dassel), said loans would be available for farmers that want to expand their operations and payments on those loans would be used to support the program.

S.F. 2153, presented by the author, Sen. Phil Riveness (DFL-Bloomington), proposes \$2.6 million in bonds for creation of a high speed bus service pilot project. He said the communities along the Interstate 35W and 494 corridors developed the plan for the project, which will link the southern suburbs with the Mpls. and St. Paul downtown areas.

## Funding bills advance

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved 16 bills, including proposals to set up a non-point pollution control program, providing for a stray voltage study, and offering early retirement for higher education system employees at the Tues., Apr. 19, meeting. All of the bills were recommended to pass and re-referred to the Senate floor.

S.F. 1945 sets up a program to assist in cleaning up non-point water pollution sources. The bill, sponsored by Sen. Steven Morse (DFL-Dakota), establishes an Agriculture Best Management Practices Loan Program supported by an appropriation from the water pollution control revolving account. The bill also increases the Public Facility Authority's (PFA) bonding authority to \$350 million to support the loans that will be available under program. Morse offered an amendment specifying that the Dept. of Agriculture will receive up to \$20 million from the revolving account, permitting counties to work with local lenders in establishing their own revolving fund programs, sets loan repayment terms, and appropriates up to \$10 million to PFA from the revolving account for additional for loans and grants. The amendment was adopted and the bill was approved.

S.F. 1609, sponsored by Sen. Dallas Sams (DFL-Staples), mandates the Public Utilities Commission (PUC) to study of the effects of stray voltage and that the PUC set up a scientific advisory task force to conduct the study. The commission can assess up to \$1.16 million against the public utilities for the costs of the study and the bill designates \$750,000 for both the research project and a survey of electric distribution facilities, another \$300,000 to create a stray voltage assessment team, provides \$85,000 for grants to dairy producers assisting in preparation and analysis of data, and \$25,000 for grants to allow the producers to participate in the proceedings.

Sen. Pat Piper (DFL-Austin) offered an amendment changing the group from a task force to a team of science advisors, deleting the stray voltage assessment team appropriation, and allowing the PUC to use \$2,500 to administer the assessment. The amendment was adopted. Morse then proposed an amendment, reducing the assessment to \$603,000, lowering the funding for the study to \$500,000 and decreasing the producer participation grants to \$15,000. His amendment was also adopted and the bill was approved.

Sen. LeRoy Stumpf (DFL-Thief River Falls) presented S.F. 2498, providing early

retirement incentives to higher education system employees and extending coverage options for employees of the Higher Education Board once the merger of the State University, Community College, and Technical College Systems occurs in 1995. Stumpf offered two amendments to the bill. The first provides the terms that will apply when an employee, taking early retirement, chooses to buy additional service credit, and the second amendment allows some employees of the Higher Education Coordinating Board to receive the incentives if the agency is restructured. Both amendments were adopted.

Stumpf also presented S.F. 2795, allowing alternative wetland regulation under county plans and expanding the types of wetlands that may be used in the state wetland bank. He offered two amendments, deleting the appropriations from the bill and containing a provision continuing a cooperative effort with North Dakota and the Army Corps of Engineers to evaluate Red River flood control measures. The amendments were adopted and the bill was passed.

All of the other bills on the committee's agenda were also approved and re-referred to the floor. H.F. 2064, sponsored by Sen. Steven Novak (DFL-New Brighton), permits the HFA to make purchase and rehabilitation loans and make equity take-out loans under the community rehabilitation program. It also brings other housing provisions into conformity with federal regulations.

S.F. 2910 appropriates \$111,000 to pay claims made against the state. The bill, authored by Sen. Randy Kelly (DFL-St. Paul) was prepared by the Joint Subcommittee on Claims and provides funds to pay for a number of injury and accident claims, and adjusted compensation claims veterans claims. The committee adopted Kelly's amendment providing an additional \$1,363 for a medical treatment claim. Sen. Janet Johnston (DFL-North Branch) proposed two amendments, the first requiring a \$71,000 appropriation to the Attorney General's Office for a reimbursement to a business alleged to have illegally disposed of hazardous waste. The second amendment requires a \$5 claim filing fee, which is reimbursed if the claim is awarded. Both amendments were approved.

S.F. 2354, authored by Sen. Jim Vickerman (DFL-Tracy), authorizes the state's participation in a federal hazardous materials transportation safety pilot program and establishes fees on shippers and carriers of hazardous waste. The bill appropriates \$72,000, which will be offset by the fees paid by carriers of hazardous material.

The committee also approved S.F. 2520, authored by Sen. Leonard Price (DFL-Woodbury), appropriating \$494,000 from the Waste Tire Program to the Pollution Control Agency for a statewide study of motor vehicle salvage yards.

The various medical licensing boards may establish a program to assist licensed medical practitioners with their medical problems under a bill presented by Piper. H.F. 2120 provides \$198,000 to allow the program to begin and all but \$18,000 will be reimbursed to the state's special revenue account from fees paid by the various boards. The bill was approved.

Piper also presented S.F. 2630, restructuring the offices of four ombudspersons allowing them to be in a single location. She offered an amendment eliminating the

appropriation section, and both the amendment and the bill were approved.

Merriam presented four bills for consideration. H.F. 3120 gives the National Guard adjutant general the authority to pay the expenses of forces ordered to active duty when budgeted funds are insufficient. S.F. 2523 reestablishes the Office of Waste Management as the Office of Environmental Assistance. S.F. 2795 requires that state fees cover the costs of services and that agencies that establish fees at levels higher than cost need statutory approval to do so. S.F. 2866, a proposal reforming the state's financial management process, requires the governor and Legislature to set biennial budget and long-term financial goals, and contains provisions requiring a forecast of state and local revenues. All four bills were approved.

The committee approved two other bills. H.F. 1985, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), provides for limited liability business partnerships and an appropriation of \$19,000 was approved for costs associated with the registration processes. S.F. 2234 adjusts appropriations made by the 1993 Legislature based on the project recommendations of the Legislative Commission on Minnesota Resources. The bill, authored by Morse, reduces the funding appropriated for study of groundwater levels near White Bear Lake from \$220,000 to \$175,000 and provides \$300,000 for a watershed improvement project.

## 11 funding bills approved

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), worked through an 11-bill agenda on Wed., Apr. 20, including proposals to set up a livestock feedlot expansion loan program and to require alternative fuel users to have a permit. All of the bills were recommended to pass and re-referred to the Senate floor.

S.F. 2150, authored by Sen. Steve Dille (IR-Dassel), gives \$20 million in bond authority to the Rural Finance Authority to use for loans to dairy farmers that want to expand their livestock operation. The bill also requires that expansion proposals must be approved by the Minnesota Extension Service before the loans are awarded, and that the Dept. of Agriculture and the Pollution Control Agency establish a feedlot and manure management advisory committee. An amendment to the bill was offered by Sen. Dennis Frederickson (IR-New Ulm) to appropriate \$250,000 for a grant to the dairy leaders roundtable. Sen. Carl Kroening (DFL-Mpls.) proposed amending the amendment to reduce the appropriation to \$50,000 and requiring the funds to be matched from non-state sources. Kroening's motion was approved and the Frederickson amendment was adopted. The bill, as amended, was re-referred to the floor.

S.F. 2006 reinstates an alternative fuel permit system, which was repealed in 1993. The bill, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), sets a fee schedule for vehicles that use alternative fuels instead of gasoline. The fees would be used to support the costs of the permitting system. Frederickson moved to amend the bill by setting the annual fees between \$175 and \$420, depending on the weight of the vehicles. The amendment was adopted and the bill approved.

Sen. James Metzen (DFL-South St. Paul) presented S.F. 2316, allowing the State Board of Investment to invest in unrated corporation bonds and in non-rated bonds,

and to restructure their earning deductions. Metzen said the unrated and non-rated bonds, known as junk bonds, make up about 40 percent of the bonds available, and the Board of Investment is prevented from investing in those bonds by law. Sen. Janet Johnson (DFL-North Branch) offered an amendment placing standards to be used by pension plans that invest in securities and government obligation bonds into the investment board's statutes. The amendment was approved.

S.F. 2757 clarifies that the Dept. of Natural Resources (DNR) may accept and use federal grants for conservation purposes, and allows the DNR to make subgrants to local units of government. The author, Sen. Leonard Price (DFL-Woodbury) explained that there was no specific authority allowing the DNR to make subgrants to other governmental units. Sen. Pat Piper (DFL-Austin) moved to delete the state treasurer from the requirement that both the Dept. of Revenue and state treasurer ensure the DNR complies with the provision. The amendment was adopted.

The members also approved S.F. 2169, allowing excess contributions in the public employees' insurance trust fund to be shifted into the ambulance service personnel longevity award and incentive trust. Sen. Dallas Sams (DFL-Staples), the author, said the bill also provides for a stress detection, prevention, reduction and accommodation program feasibility study. The committee adopted an amendment offered by Sen. LeRoy Stumpf (DFL-Thief River Falls), authorizing the transfer of \$1 million from the excess contributions to the ambulance service personnel fund, and another \$50,000 for the study.

The panel acted on S.F. 1842, sponsored by Piper, requiring the Dept. of Human Services to prepare a report recommending changes to laws or rules governing the protection of vulnerable adults. The members approved the report from the Finance State Government Division, which deletes the appropriation provisions in the bill, and the proposal was passed.

Sen. Roy Terwilliger (IR-Edina) presented H.F. 2567, permitting state employees to donate vacation leave for the benefit of a Pollution Control Agency employee. Terwilliger said a PCA employee has a child in need of a bone marrow transplant and that the bill would allow state employees to donate time that will be credited toward the employee's sick leave account. The bill was approved.

S.F. 1795, sponsored by Sen. Gary Laidig (IR-Stillwater), establishes the Minnesota Child Passenger Restraint and Education Account in the state treasury. Fines issued for violation of child restraint laws would go into the account. The funds would be used to provide child restraint systems to families in financial need and to support educational programs on the proper use of child passenger restraint systems. He offered an amendment to the bill specifying that \$37,000 from the account be used to supply the restraint systems. Laidig's amendment was adopted and the bill was approved.

The annuity reduction that occurs when retired state university and community college employees return to work part time is waived under S.F. 2357, sponsored by Sen. Steven Morse (DFL-Dakota). Under the bill, retired full-time employees may work up to two-thirds time without a penalty.

# Committee update

H.F. 2226 was presented by Sen. Ellen Anderson (DFL-St. Paul). The bill allows employees of Minnesota Project Innovation, Inc., to receive the same health coverage benefits as full state employees. Anderson said that the board of Project Innovation, a group within Minnesota Technology, Inc., currently provides benefits to its 17 employees, but the board wishes to offer the health insurance package available to state employees.

The Senators also approved S.F. 2289, allowing persons who wish to build or expand air emission facilities to reimburse the Pollution Control Agency for certain permit-related costs. Merriam, the bill's author, said the proposal was developed in response to a situation where an industry wanted to install air emission controls and reimburse the PCA for costs to expedite the permit review.

## Jobs, Energy and Community Development

### Appointees confirmed

The Jobs, Energy and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met Weds., Apr. 20, to consider the confirmations of five gubernatorial appointees. Recommended to be confirmed as members of the Minnesota Housing Finance Agency were Jo Van Hovel, Bruce Bakken and Michael Finch. Duncan Baird, appointed to the Minnesota Public Facilities Authority, was also recommended for confirmation. R. Marshall Johnson was recommended for confirmation as a member of the Public Utilities Commission.

## Judiciary

### Debt Collections Act fails

The Senate Judiciary Committee voted to lay over S.F. 2076, the Minnesota Debt Collection Act, Tues. evening, Apr. 19. The bill, sponsored by Sen. Richard Cohen, (DFL-St. Paul) creates a centralized state entity to collect \$1.09 billion owed to various state agencies. Cohen said that with the exception of the Dept. of Human Services and the Dept. of Revenue, both of which have some limited tools to collect child support and back taxes, other state agencies have no means to collect the monies owed them.

Testifying in support of the measure was Assistant Attorney General Tammy Pust, a member of the Accounts Receivable Re-engineering Project. Pust said that the bill contains nothing that does not already exist in law. Certain controversial issues, such as the change of venue and the state lien provision, are matters of public policy and must be resolved by the committee.

Jerry Lane, from Legal Aid, strongly objected to Pust's position. He said that the measure gives the state powers that are not available to commercial collection agencies, and that it affects the poor and uneducated. "It is lop-sided and dangerous," Lane said.

Several committee members agreed. Sen. Don Betzold (DFL-Fridley) said, "the bill gives the state authority which the private sector doesn't have, for example, the change of venue."

Sen. Harold "Skip" Finn (DFL-Cass Lake) raised concerns about state liens. Finn said

that an individual who purchases an item at an auction will not know if the property he or she has just bought, will remain in his or her possession. "The bill gives the state priority over a good faith buyer," Finn said.

The committee's chair, Sen. Ember Reichgott Junge (DFL-New Hope) asked, "Why not hire one private agency to collect the state's receivables?" Jerry McClure, from the Dept. of Revenue said that private collection agencies have a profit motive figured into their operations, a cost that a state entity would forgo.

Other objections were raised about administrative fees and a continuous levy provision. Sen. Allan Spear, (DFL-Mpls.) said that he was uncomfortable with the bill in its present form. "It consolidates and augments the power of the state against the individual," he said. Spear then moved to lay the measure over, and members unanimously approved the motion.

## Metropolitan and Local Government

### Housing plan proposed

A proposal requiring the Metropolitan Council to develop a plan to meet affordable housing needs throughout the Metro Area was amended and approved by the Metropolitan and Local Government Committee, chaired by Sen. Ted Mondale (DFL-St. Louis Park) for Sen. Betty Adkins, during the Thurs., Apr. 14, meeting. The bill was re-referred to the Senate floor.

S.F. 1991, sponsored by Sen. Steven Novak (DFL-New Brighton), requires that the Metro Council develop a plan suggesting how municipalities can eliminate barriers to housing choices and provides sanctions on municipalities for non-compliance with the plan. Those communities found to be out of compliance with the Metro Council plan would lose their homestead and agricultural credit allocations, and that aid would be redistributed among communities in compliance with the plan. The bill had been sent to the Senate floor earlier this session, but was re-referred to the committee on a motion by Sen. Edward Oliver (IR-Deephaven).

Novak said the bill is intended to provide a full range of housing options in each community, so that residents can find affordable housing near areas where they work or where job opportunities exist. He added that some communities have ordinances in place that discourage development of diverse ranges of housing.

Yusef Mgeni, executive director of the Urban Coalition, said low-income families do not have many housing alternatives in communities that have seen increases in the number of jobs. He added that while some communities may be penalized for not complying with the plan, other communities continue to be penalized by concentrations of poverty due to the lack of affordable housing in areas where jobs exist.

The Senators raised some concerns over the proposal. Sen. Martha Robertson (IR-Minnetonka) expressed her frustration with the proposal, saying that there was a clear difference of opinion on what the problems are and how they are to be corrected. Sen. Deanna Wiener (DFL-Eagan) said that she would rather see work on compliance before penalties are put into place, and Oliver said

the keystone to the issue was not housing, but jobs.

Mondale offered an amendment to the bill, deleting the provisions that penalized communities for non-compliance while leaving the Metro Council study in place. His amendment was adopted, and the bill was approved.

## Taxes and Tax Laws

### MTC bonding approved

A bill from the Metropolitan Transit Commission (MTC) was approved and sent to the Senate floor by the Taxes and Tax Laws Committee. The committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Thurs., Apr. 14.

The MTC bonding bill, sponsored by Sen. Sandra Pappas (DFL-St. Paul), authorizes the Metropolitan Council to issue bonds of up to \$133.5 million through fiscal year 1997. The total amount includes a \$6.25 million amendment, offered by Pappas for high speed bus research. According to MTC director, Tom Sather, the bonding request is larger than usual because the MTC wishes to replace one half of its fleet. The current average bus age is 6.6 years and Sather said that the average bus life is 12 years. Other provisions in the bill provide for the construction of a new garage to replace the Snelling Avenue garage that is no longer the type of facility needed by the MTC. Other expenditures include computerization of busing systems and public facilities. Lisa Lee, a citizen of St. Paul, rose in opposition of the bill. Lee stated that although she advocates public transportation, she questions MTC expenditures and believes that the amount of this request deviates from the usual \$30 million requested per year. Another amendment, offered by Pappas, requires the Regional Transit Board to adopt the international bus symbol for signs at bus stops. According to Pappas, the "T" currently used is confusing because those not familiar with it do not know it represents a bus stop. Pappas also said that the MTC is preparing to spend a \$25,000 federal grant to study the issue of which sign to use, a study that is not necessary if the committee approves the international symbol. The amendment was adopted. The bill was sent to the Senate floor.

Sen. Lawrence Pogemiller (DFL-Mpls.) presented S.F. 2836. The bill is the annual Minnesota Housing Finance Division and Dept. of Finance bond allocation proposal. The bill contains, according to Pogemiller, definitions on the small issue pool and qualified bonds. Pogemiller said the bill also establishes provisions for entitlement reservations and housing pool allocations. The proposal was approved and sent to the Senate floor. Sen. Sandra Pappas (DFL-St. Paul) outlined S.F. 2162, a bill appropriating funds to the city of St. Paul to reimburse the city for unpaid current and delinquent assessments against real property owned by the state, the State Agricultural Society, and other public entities. The reimbursements are only for real property that has a structure on it valued at 75 percent of the entire parcel of land. The bill was approved and sent to the Finance Committee.

Sen. Randy Kelly (DFL-St. Paul) presented H.F. 2175. According to Kelly, the bill authorizes the city of St. Paul to establish a program providing for the

replacement of lead pipes located on private property, if the owner requests it. The program allows the owner to pay back the money over a 30 year period on the owner's water utility statement or as assessments over the same time period. Kelly said the bill allows the city to issue general or special obligation bonds to pay for the program, which will act as a revolving fund. The bill was approved and sent to the Senate floor.

### Target Center bill heard

The Taxes and Tax Laws Subcommittee on Sales and Income Tax, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), met Thurs. evening, Apr. 14, to hear a presentation and take testimony on the Target Center acquisition bill. The bill, S.F. 2725, is sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.).

Pogemiller outlined the history that has led to the current situation for the Target Center. According to Pogemiller, the Target Center was built two years ago in order to attract a professional basketball team to Minnesota. Pogemiller said losses on the facility for the past two years due to the amount of funds needed to service the debt have driven the owners to desire to sell the arena. The Target Center is being sold for nearly 40 cents on the dollar, said Pogemiller. The legislation authorizes the sale of the arena to the Metropolitan Sports Facility Commission (MSFC). Under the bill, a tax of 10 percent is levied on the admission price of tickets, as well as a surcharge of \$1, to finance the debt service on bonds sold by the Metropolitan Council to purchase the arena. According to Pogemiller, the Target Center will then be managed in the same way as the Metrodome.

Other provisions in the bill call for a 30 year lease, signed by a professional team, the forgoing of a 3 percent entertainment tax levied by the city of Minneapolis, and a \$750,000 per year contribution by the state. The health club housed in the arena is treated as a condominium and owned by a private organization. The bill also provides for a "blink on tax" on the downtown area of Minneapolis, should the normal financing provisions of the bill not generate enough money to cover the bonds. Pogemiller said the "blink on tax" levies a tax on downtown eating and drinking establishments in an amount sufficient to cover the deficit.

The mayor of Minneapolis, Sharon Sayles Belton, appeared before the committee in support of the legislation. The bill "is prudent and responsible," testified Sayles Belton, and will "protect 700 full time jobs." Sayles Belton said the downtown area has seen nearly \$10 million in construction since the Target Center was built, and the risk of losing additional investment is strong, if the Target Center is closed.

Peter Gillette, the commissioner of trade and economic development, testified that the jobs maintained by the Target Center's presence and activity is significant. Gillette said there is a great possibility of "what might be called a zero sum gain" should the state take an interest in the arena.

John Moyer, finance director for the city of Minneapolis, estimated the tax implications for the committee. According to Moyer, the surcharge on tickets raises \$1.5 million and the additional 10 percent tax raises \$2.4 million.

Richard Breitman, organizer for a group that opposes the public acquisition called

Don't Target U\$, testified that the long term cost to the residents of Minneapolis is \$113.9 million, but the cost for the professional basketball team to leave is \$44.7 million. According to Breitman, the residents of the city do not want to incur the expense of public ownership associated with the Target Center acquisition. Thomas Paulik, a resident of Minneapolis testified that the cost in taxes to the city and state does not justify the purchase.

Sen. Thomas Neville (IR-Northfield) offered an amendment to the bill requiring the professional basketball team leasing the Target Center to provide a 15 percent security interest in the team to the state. According to Neville, the security interest currently amounts to approximately \$15 million, which is payable to the state if the team breaks a 30 year leasing contract at the Target Center. MSFC chairman, Henry Savelkoul, testified that the provision, if attached to the bill, makes it very hard to attract a new team should the Timberwolves leave. No action was taken on the amendment.

Reichgott proposed an amendment replacing the state contribution with the use of the fiscal disparities pool. According to Reichgott, the same type of financing that is being used by the Mall of America is available to the city of Minneapolis. Under the plan, said Reichgott, the fiscal disparities pool provides the \$700,000 a year, and is be paid back over the long term by the city of Minneapolis. No action was taken on the amendment.

The bill is scheduled to be heard by the full Taxes and Tax Laws Committee. The subcommittee took no action on the bill.

### Bond allocation bill advances

S.F. 2884, the annual public finance bill, was the sole agenda item at a Mon., Apr. 18, meeting of the Taxes and Tax Laws Subcommittee on Income and Sales Tax. The panel, chaired by Sen. Ember Reichgott (DFL-New Hope), adopted several amendments deleting portions of the original bill. The measure, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides conditions and requirements for the issuance of debt, authorizes the use of revenue recapture by low-income housing agencies, clarifies a property tax exemption, authorizes the use of special assessments for on-site water contamination improvements, authorizes an increase in the membership of county housing and redevelopment authorities and makes changes in the manner of issuance of municipal industrial development bonds.

### Waste bill goes to floor

Sen. Janet Johnson (DFL-North Branch) presented H.F. 2010, a bill relating to solid waste management, before the Taxes and Tax Law Committee, on Tues., Apr. 19. The committee, chaired by Sen. Douglas Johnson (DFL-Cook), also heard a bill relating to firefighter relief associations and continued work on a housing agency tax exemption proposal.

Johnson said that H.F. 2010 provides that haulers taking waste to environmentally inferior facilities, indemnify the disposer of the waste, as well as contribute to a private trust fund designed to provide for future cleanup. Johnson said that each waste facility is classified under Waste Management Act and Minnesota Pollution Control Agency standards. The classifications are either environmentally inferior, environ-

mentally superior, or reuse and recycling. A provision in the bill sets a fee structure as well as an additional fee for the administration of the trust fund by the Minnesota Pollution Control Agency. An amendment was proposed by Sen. Steven Novak (DFL-New Brighton), to include the Western Lake Sanitary District under the purview of the bill.

The bill was approved and sent to the Senate floor.

Sen. Lawrence Pogemiller (DFL-Mpls.) continued the presentation of S.F. 2884, a bill relating to the housing agency tax exemption. After two amendments by Pogemiller clarifying language in the bill, S.F. 2884 was approved and referred to the Finance Committee.

A bill increasing the funding for firefighters state aid was heard briefly by the committee. The proposal, authored by Sen. Joseph Bertram (DFL-Paynesville), provides that two percent of fire, lighting, sprinkler leakage, and extended coverage premiums paid to insurance companies be directed to fire relief associations. According to Johnson insurance companies that recently were allowed by law to contribute less than two percent, should submit the full amount. The bill alters the formula for calculation. Johnson appointed a four member task force to study the issue over the interim. Serving on the task force is Bertram (chair), Sen. John Hottinger (DFL-Mankato), Sen. Dick Day (IR-Owatonna), and Sen. Carol Flynn (DFL-Mpls.).

## Thursday, April 14

### Personal transportation bill okayed

The Senate granted final passage to a bill that exempts potato growers from the law that requires a certificate or permit to operate as a motor carrier, Thurs., Apr. 14. Carried by Sen. Roger Moe (DFL-Erskin), S.F. 2706 allows a producer to transport potatoes from the fields, or a storage site, to the first place of processing without the certificate.

An amendment, which was added to the bill, sparked debate on the floor. Offered by Sen. Jane Krentz (DFL-May Township), the amendment reinstates the regulations related to the operating authority of personal transportation service (PTS) providers, as well as increasing the insurance requirements and the fees charged for permits. Krentz told members that the amendment was the language of S.F. 1816, a bill she introduced earlier, and that they'd granted passage to the measure, 57-5.

The operating authority of PTS's, vehicles that operate without meters and by reservation only, is scheduled to expire in Aug. of 1994. Krentz said that statewide, more than 100 businesses currently exist under the authority and that failure to reinstate the regulations eliminates the jobs of more than 1,000 Minnesotans.

Sen. Sheila Kiscaden (IR-Rochester) said that many communities in outstate Minnesota do not have enough business to warrant taxi operations and that PTSs supply some limited service to the towns. Sen. William Belanger (IR-Bloomington) agreed, saying that for the elderly, PTSs are a reliable and safe method of transportation.

Sen. Jane Ranum (DFL-Mpls.) raised questions about background checks on drivers. Ranum said that it was necessary that individuals employed by a PTS be subject to a thorough background review

# Committee update

before being hired. Additionally, Sen. Carol Flynn (DFL-Mpls.) voiced concerns about regulating the service. Flynn said that under the measure, the only control in place is the reservation provision, however, the amendment was adopted.

Also passed by the Senate was S.F. 2232, sponsored by Sen. Sandra Pappas (DFL-St. Paul). The bill changes the method of filling the offices of county auditor, coroner, recorder and treasurer. Under current law, the positions can be filled only by election, whereas under the Pappas measure, a county has the option of filling the positions by appointment. Pappas emphasized that the provision does not apply to the offices of sheriff or county attorney, nor does it affect current office holders.

Opposition to the bill was raised by several members. Sen. Steve Dille (IR-Dassel) said that the bill reflects a "mega-trend to elect fewer and fewer officials." Sen. John Hottinger (DFL-Mankato) also objected, saying, "We kid ourselves when we (the Legislature) make decisions for local government. We should let local counties determine for themselves what they want."

Kiscaden spoke in support of S.F. 2232, saying that the appointments are for administrative positions. Kiscaden added that policy setting is determined by the county boards, not by the individuals in the administrative positions.

The bill was passed on a 35-31 roll call vote.

## Friday, April 15

### Welfare reform bill tabled

After lengthy floor debate, the Senate voted Fri., Apr. 15, to table S.F. 1758. The motion followed heated discussion, prompted by Sen. Linda Runbeck's (IR-Circle Pines) earlier motion to reconsider the welfare reform bill and send it to conference committee.

Carried by Sen. Don Samuelson (DFL-Brainard), the welfare reform bill contains a controversial provision relating to abortion. Under the measure, a woman must be given government-approved abortion information by a physician 24 hours before the procedure takes place. Known as the "woman's right to know" provision, the bill had been returned to the Senate by the other body with the language incorporated, and had passed by just one vote, the day prior.

Runbeck's motion generated strong commentary from both sides of the aisle. Sen. Joanne Benson (IR-St. Cloud) said that to vote hastily on such major legislation placed all the members in an untenable position. A conference committee allows members the time needed to debate and digest what warrants further consideration, Benson said.

Sen. Sheila Kiscaden (IR-Rochester) called for an end to the abortion wars. Kiscaden said, "the only way to end the abortion wars is to find a common ground, the middle ground."

Sen. Florian Chmielewski (DFL-Sturgeon Lake) said, "A maneuver like this is outrageous." He called on the members to support Samuelson and oppose the move to reconsider.

Sen. Linda Berglin (DFL-Mpls.) spoke against the bill, saying that it imposes yet another barrier for women who seek abortions. Berglin asked, "How can anyone

vote to reconsider, and think they're voting to help women get off welfare?"

The Runbeck motion to reconsider passed on a roll call vote, 41-26. Samuelson then moved to lay the bill on the table.

In other action during the floor session, the Senate gave final passage S.F. 1948, a bill sponsored by Sen. Charles Berg (DFL-Chokio), authorizing the formation of family farm limited liability companies and authorized farm limited liability companies. The bill requires that at least two-thirds of the shareholders with control reside on the farm or engage in farming. Berg said that the bill provides more protection for farmers and helps out small farms. The bill passed by a vote of 50-11.

## Monday, April 18

### MinnesotaCare bill passed

The highlight of the Mon., Apr. 18, floor session was the passage of S.F. 2192, the MinnesotaCare bill. The bill, authored by Sen. Linda Berglin (DFL-Mpls.), provides for the implementation of universal health care. According to Berglin, the bill is an important step in providing affordable health care to all Minnesotans. In addition, Berglin said, "This is an important step for rural Minnesota because it provides for investment in health care in rural Minnesota. The bill provides opportunities for small health care providers in that it gives them the opportunity to form their own networks without a big insurance company."

Berglin also emphasized that the bill "provides a time line for universal coverage for all Minnesotans by 1997." Under the bill, coverage is phased in over three years and insurance reforms are phased in beginning in 1995. The measure establishes community integrated service networks--smaller networks than the Integrated Service Networks that formed the backbone of previous legislation--designed to provide a full range of medical care. In addition, the bill requires standardized billing and claim forms to reduce administrative cost.

Speaking in support of the bill, Sen. Duane Benson (IR-Lanesboro) said, "Wrestling with health care is not easy, but don't think we have the luxury of doing nothing, because everyone in Minnesota is covered now, either in insurance coverage or through state assistance. We are paying for it now. But we are paying for health care at its most expensive, late in the process instead of paying for prevention early on." Benson added, "By redefining the rules of the marketplace, the money in the system will be made by what is saved, not what is earned."

However, Sen. Douglas Johnson (DFL-Cook) argued against the measure. "I believe this legislation undoes what was done in 1992 by delaying universal coverage because of a lack of resources." Sen. Gene Merriam (DFL-Coon Rapids) also spoke against the bill because "the bill doesn't do anything to bring expenditures and revenue into synch." "Sometime, we are going to have to explain to people how we are going to pay for it," Merriam said.

Berglin countered that the bill in its present form is the result of compromises necessary to insure passage and not bring about a gubernatorial veto. Berglin said that the bill represents "good progress" along the way to universal coverage.

The measure was granted final passage as a Special Order on a vote of 41-23.

### Pet bill tabled

In other action Mon., Apr. 18, the Senate tabled H.F. 2135, a measure prohibiting manufactured home parks from denying senior citizens the right to have pet dogs, cats, and birds. The measure, carried by Sen. Paula Hanson (DFL-Ham Lake), began as a simple two sentence bill, but grew into an eight page document as the result of an amendment offered by Sen. Ted Mondale (DFL-St. Louis Park). The Mondale amendment, which codifies state and federal procedures relating to the care of dogs and cats, touched off floor discussion.

Sen. Steve Dille (IR-Dassel) said that although he commends Mondale for the idea behind the bill and for the work put into it, he objects to the "heavy-handed" penalties the measure contains. Dille said that what's needed is a best management practices review of pet breeders. "Let's criminalize only the most serious offenses," he said.

Mondale said that there is no direct opposition to the amendment. He said that it is supported by vets, breeders, and dog clubs alike. Mondale added that the measure was heard in the Veteran's and General Legislation Committee this year and was passed out unanimously.

Objections were raised about a provision stipulating that animals must be fed at least once every 12 hours. Sen. Charles Berg (DFL-Chokio) said that this does not provide any flexibility in feeding schedules. An oral amendment changed the feeding requirement to "twice every 24 hours."

Sen. Pat Pariseau (IR-Farmington) questioned the applicability of the amendment to livestock. Mondale said that the amendment is not related to farm animals. "This measure puts into statute a clear set of standards for pet care," Mondale said. Furthermore, it affects only those breeders who sell more than 24 puppies or kittens a year, he added.

The amendment was adopted, 28-26, but questions about the original bill prompted Hanson to lay the bill on the table.

## Tuesday, April 19

### Omnibus fish and gaming bill passes

The Senate granted final passage, 58-3, to the omnibus fish and gaming bill Tues., Apr. 19. Carried by Sen. Bob Lessard (DFL-Int'l. Falls), S.F. 2429 contains provisions related to the management of natural resources including regulation of hunting, issuance of licenses, and assessments of fees and penalties. Several amendments were offered, generating heated discussion on the floor.

In an effort to decrease the fox population and thereby increase the bird population, Sen. Charles Berg (DFL-Chokio) offered an amendment that removes the red fox from the protected small game list. Berg said that because of the fox, the number of pheasants and ducks has dwindled to near nothing. "Unless we do something, we're not going to have anything to hunt," Berg said.

Lessard spoke in favor of the amendment saying that the Department of Natural Resources recognizes that there is a predatory problem. But Sen. Doug Johnson (DFL-Cook) added that the problem is not

restricted to the activity of the red fox. Ravens, hawks and owls, some of which are protected under federal law, also contribute to the thinning ranks of pheasants and ducks, Johnson said. Sen. Pat Pariseau (IR-Farmington) said that the biggest predator is the skunk.

Opposition to the amendment was voiced by Sen. Phil Riveness (DFL-Bloomington). Riveness said that the matter should be handled by the DNR. "We pay the wildlife management people lots of money to handle these matters; they're the experts and we should let them do their job," Riveness said.

Sen. Harold "Skip" Finn (DFL-Cass Lake) agreed, calling the amendment an attempt to micro-manage natural resources. "We all think we're experts," Finn said, "but man is the biggest predator, that's our problem."

On a roll call vote, the amendment was adopted, 34-28.

Sen. Steven Morse (DFL-Dakota) presented an amendment that authorizes the commissioner of the DNR to select an alternative color for hunting apparel.

Morse said that the provision applies only in cases where current law, which requires a person to wear blaze orange, violates the Religious Freedom Restoration Act. The situation occurs primarily in the southeastern region of the state where the Amish reside, Morse said. Their religious beliefs prohibit them from wearing blaze orange, he said. Furthermore, in light of the act, the attorney general's office has indicated that if the law were to be challenged, the state "would not have a leg to stand on," Morse said.

Arguing against the measure was Sen. Duane Benson (IR-Lanesboro). Benson said that the act of balancing religious beliefs and public safety is critical in his district, where the majority of the Amish live. "I think it is better to err on the side of safety," Benson said. Sen. Jim Vickerman (DFL-Tracy) agreed, as did Sen. Gene Merriam (DFL-Coon Rapids), adding that to enforce this provision is practically impossible.

Morse said, "We are not taking away blaze orange, but giving another option--up until last year, you could wear red." The members endorsed the amendment.

The Senators also granted final passage to several other measures.

S.F. 609 provides for purchase of allowable service credit for public school employment outside the state of Minnesota. The measure is sponsored by Sen. Carl Kroening (DFL-Mpls.).

H.F. 664, sponsored by Sen. Jane Krentz, provides pension program modifications to encourage experienced teachers to participate in job sharing.

S.F. 1863, authored by Sen. Sheila Kiscaden (IR-Rochester), imposes felony penalties for refusing to return a child to a parent or lawful custodian, residing with a minor, or contributing to a minor being a runaway. The measure also establishes a gross misdemeanor penalty for contributing to a minor being a habitual truant.

S.F. 1961, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), imposes increased penalties for operating a snowmobile or motorboat while intoxicated after a previous DWI offense. The bill also extends the maximum length for multiple gross misdemeanor sentences and authorizes certain cities to transfer responsibility for petty misdemeanor and misdemeanor offenses to the county attorney.

## Wednesday, April 20

### Crime bill modified

Several key changes were made to the omnibus crime bill during floor debate on Wed., Apr. 20. Sen. Allan Spear (DFL-Mpls.), the author of the bill, deleted all firearms provisions of the bill, including state licensing of gun dealers. The constitutional amendment guaranteeing the right to bear arms was also deleted from the revised version. Spear said that despite changes, the bill continues to have a meaningful impact, and approaches crime issues in a "balanced and proportional way."

Sen. Patrick McGowan (IR-Maple Grove) re-introduced the three-time loser amendment, requiring a mandatory minimum sentence of ten years for three-time violent offenders. McGowan said that the system currently "does not hold criminals accountable," and that the law must place the rights of victims above the rights of criminals. Sen. Randy Kelly (DFL-St. Paul) argued that the amendment takes away the judges' and the victims' discretion. In an attempt to compromise, Spear proposed an amendment to McGowan's amendment, requiring a mandatory minimum sentence determined by an offender's criminal history score under the sentencing guidelines. The proposal was adopted by a vote of 36-27.

Sen. Gene Merriam (DFL-Coon Rapids) raised the issue of the cost of the future commitment and the impact on the prison system, noting that no suggestions on financing have been proposed. The amendment would require \$180.6 million over the next 10 years, McGowan said. Sen. Charles Berg (DFL-Chokio) supported the amendment, stating that the current cost is the loss of quality of life. "What cost do you put on fear?" Berg asked. The McGowan amendment, as amended, was adopted.

Removal of the lifetime gun ownership ban on persons convicted of assault with a firearm on family members was proposed by Sen. Thomas Neuville (IR-Northfield). The amendment permits, but does not require, an ownership ban for life. Sen. Don Betzold (DFL-Fridley) said he was stunned by the amendment, stating that a person who uses a gun against family members has seriously abused the right to own a weapon. Betzold said that an individual who has acted in this way is no longer entitled to the right to possess a firearm. However, the amendment was approved on a 28-26 vote.

In another amendment, Sen. Bob Lessard (DFL-Int'l. Falls), suggested a deletion of \$10 background check fees and a provision requiring that background information not be destroyed. Spear explained that the measures had been requested by law enforcement officials. The amendment was divided, and the portion deleting the fees failed to gain approval. The provision regarding background-check records was adopted by a vote of 50-14.

In response to discussion in earlier meetings, Sen. Gary Laidig (IR-Stillwater) introduced an amendment providing for a Sentencing Guidelines Commission study. The commission would recommend modifications of sentencing guidelines to ensure facility space for violent offenders. Laidig said that small reductions in sentences of property offenders may be the solution to "bring sanity to correctional resources and sentencing". The amendment was adopted.

### Motor vehicle bill gains repassage

The Senate amended and approved H.F. 2508, sponsored by Sen. Jim Vickerman (DFL-Tracy) on Wed., Apr. 20, on a 62-0 roll call vote. The bill modifies a number of motor vehicle registration and licensing requirements and other vehicle dealer regulations. Vickerman said that the House version of the bill contained an additional provision allowing private companies and individuals to have two above-ground diesel fuel tanks.

Sen. Gene Merriam (DFL-Coon Rapids) made a motion to delete a provision in the bill requiring that just cause must be shown before a deputy county registrar may be dismissed. Merriam argued that because administrative procedures were not used to select the deputy registrars, there should not be an administrative process used for their dismissal. His motion was approved.

Sen. Joe Bertram, Sr. (DFL-Paynesville) offered an amendment allowing vehicles parked in temporary restricted parking areas to be towed if the parking restriction has been in place for at least 12 hours in home rule charter communities with populations of under 50,000. The requirement that temporary restricted parking be in place for 24 hours in all other communities remains. His amendment was adopted, and H.F. 2508 was passed.

S.F. 2036, authored by Sen. John Hottinger (DFL-Mankato), modifies the conduct of state agency hearings; and modifies certain requirements for prior authorization of services under medical assistance. S.F. 2371, authored by Sen. Ellen Anderson (DFL-St. Paul), requires the commissioner of health to carry out education, prevention and outreach activities in communities that traditionally engage in female genital mutilation. H.F. 2623, sponsored by Sen. Bob Lessard (DFL-Int'l Falls), authorizes the sale of certain tax-forfeited land that borders public water in Itasca county. The Senators voted to adopt an amendment by Sen. Harold "Skip" Finn (DFL-Cass Lake), authorizing the transfer of a parcel of tax-forfeited land to the Bois Forte reservation tribal council. A second amendment, offered by Sen. Douglas Johnson (DFL-Cook), authorizing transfer of a parcel of land in St. Louis County to a citizen, was also approved. S.F. 2033, authored by Sen. Joe Bertram (DFL-Paynesville), authorizes the board of county commissioners of Benton county to establish an economic development authority.

H.F. 1901, sponsored by Sen. Steve Dille (IR-Dassel), permits the city of Hutchinson to incur debt for certain improvements and authorizes a reverse referendum on the issuance of city bonds. H.F. 2175, authored by Sen. Randy Kelly (DFL-St. Paul), authorizes a program for replacing lead pipes and authorizes bonding to pay for the program.

### 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. A public access TDD pay telephone is located near the Information Desk on the first floor of the Capitol Building.

# Floor action

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## Bills granted concurrence and repassage--April 15

- S.F. 2081-Wiener: Provides that the open appointments act applies to appointments made by the governor and by legislators. 60-0  
S.F. 1694-Betzold: Modifies procedures relating to administering intrusive mental health treatment to persons committed as mentally ill and dangerous under the Civil Commitment Act. 64-0

## Conference Committee reports adopted and repassed--April 15

- H.F. 2248-Benson, D.D.: Changes some pesticide posting regulations. 63-0  
H.F. 936-Frederickson: Changes the name of the Dept. of Jobs and Training to the Dept. of Economic Security. 64-0  
H.F. 1914-Metzen: Provides for reciprocal interstate banking and reciprocal savings and loan branching and acquisitions. 62-0  
H.F. 1094-Luther: Insurance omnibus bill, provides for technical changes in laws governing the insurance industry. 64-0  
S.F. 2260-Johnston: Makes technical and housekeeping changes in laws relating to the Dept. of Public Safety. 65-0

## Bills given final passage on Special Orders--April 15

- H.F. 524-Vickerman: Authorizes rural postal carriers to operate rural mail delivery vehicles equipped with studded tires 52-9  
H.F. 2360-Johnson, J.B.: Authorizes the commissioner of transportation to contract with the state of Wisconsin to build and operate truck inspection station in Wisconsin. 61-0  
H.F. 2124-Riveness: Makes changes to the state university and state community college individual retirement account plans and provides for membership for technical college teachers and others. 58-0  
S.F. 1948-Berg: Provides for family farm limited liability companies and authorized farm limited liability companies and removes the limitation on the number of shareholders or partners for authorized farm corporations and partnerships. 50-11  
H.F. 3053-Runbeck: Changing the name of unemployment compensation and modifies provisions relating to reporting requirements, eligibility conditions and liability of benefits. 57-3  
S.F. 1736-Belanger: Provides for financial assistance and capital expenditures of the Regional Transit Board for opt-out transit. 61-0  
S.F. 1757-Stumpf: Postpones the prohibition on disposing of unprocessed mixed municipal solid waste at the Roseau landfill. 57-1  
H.F. 2433-Johnson, D.J.: Authorizes the issuance of \$4 million in general obligation bonds to finance improvements to the Duluth entertainment convention center. 57-4  
S.F. 1963-Mondale: Permits the establishment of a special service district in the Westbrook section of the city of Hopkins and provides taxing and other authority for the city. 60-0  
S.F. 2329-Price: Provides an exemption for power facilities containing cogeneration systems. 61-0  
S.F. 1921-Pappas: Provides for a housing bond credit enhancement program administered by the Metro Council and authorizes the Metro Council to provide additional security for bonds issued for qualifying housing projects. 62-0  
H.F. 1416-Piper: Modifies health insurance benefit coverage for the spouses of specific retired firefighters of the Ustin Fire Department Relief Association and provides for survivor benefit coverage for the spouses of some retired firefighters. 60-0  
H.F. 1909-Piper: Requires the continuation of surviving spouse benefits upon remarriage of local police and salaried firefighters relief associations and consolidation accounts. 61-0  
S.F. 1938-Chandler: Provides for enforcement of an employees' right to review personnel records. 59-0  
S.F. 2467-Berg: Changes the boundary of the West Central Goose Zone and modifies the size limit for walleye to one fish over 24 inches and for northern pike to one fish over 36 inches. 58-1

## Bills granted final passage on Special Orders--April 18.

- H.F. 2007-Krentz: Makes clear that the definition of employee includes "at pleasure" employees under the whistleblower law. 62-0  
H.F. 1957-Benson, D.D.: Provides for the membership in the Olmsted County Housing and Redevelopment Authority and for dissolution of the Rochester Housing and Redevelopment Authority and allows cities in Olmsted County the option to form their own authorities. 64-0  
H.F. 2159-Reichgott Junge: Provides for the application of unemployment compensation laws to limited liability companies. 62-0  
S.F. 2540-Lesewski: Classifies and requires information on applications for the municipal energy conservation investment loan program. 64-0  
S.F. 1808-Stumpf: Provides workers compensation coverage for civil air patrol volunteers. 62-0  
H.F. 1859-Anderson: Establishes a petty misdemeanor penalty for failure to provide a written lease. 61-0  
H.F. 2405-Stumpf: Makes various administrative and minor changes in the laws governing the Minnesota State Retirement System, the Public Employees Retirement Association, the Teachers Retirement Association and Police and Firefighter Relief Associations. 61-0  
H.F. 228-Vickerman: Provides for annexation elections and changes the conditions for permitting annexations by ordinance. 63-0  
H.F. 2148-Betzold: Provides monitoring and evaluation of emergency mental health services on a pilot project basis. 62-0  
S.F. 2192-Berglin: MinnesotaCare bill 41-23

## Bills granted concurrence and repassage--April 19.

- S.F. 1732-Finn: Expands Conciliation Court jurisdiction over matters involving rental property and allows nonattorneys to represent condominium and cooperative associations. 60-0

## Conference committee reports adopted and repassed--April 19.

- S.F. 760-Price: Grants power to the commissioner of natural resources to give nominal gifts, acknowledge contributions, and sell advertising. 63-0  
S.F. 1912-Vickerman: Permits short term accident and health insurance coverage. 61-0  
S.F. 1744-Vickerman: Allows the city of Lakefield to expand its public utilities commission to five members. 59-0

## Bills granted final passage on Special Orders--April 19.

- H.F. 2893-Janezich: Extends unemployment compensation benefits and provides for a shared work plan. 63-0  
S.F. 2858-Flynn: Changes the Hennepin County personnel system to a human resources system and makes other changes. 54-5

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- H.F. 423-Merriam: Extends the Clean Indoor Air Act to include prohibiting smoking in the common areas of apartments. 60-0  
S.F. 2429-Lessard: Omnibus fish and wildlife provisions. 58-3  
S.F. 609-Kroening: Provides for the purchase of allowable service credit for public school employment outside the state. 55-2  
H.F. 664-Krentz: Modifies teacher retirement programs to encourage experienced teachers to participate in job sharing. 50-12  
S.F. 1863-Kiscaden: Imposes felony penalties for refusing to return a child to a parent or contributing to a minor being a runaway and imposes a gross misdemeanor penalty for contributing to a minor being a habitual truant. 55-0  
S.F. 1961-Merriam: Omnibus DWI provisions that increases penalties for persons who operate a snowmobile or motorboat while intoxicated and who have previously been convicted on DWI. 58-0  
S.F. 2036-Hottinger: Modifies the conduct of state agency hearings and modifies requirements for prior authorization of services under Medical Assistance. 59-0  
S.F. 2371-Anderson: Requires the commissioner of health to carry out appropriate education, prevention, and outreach activities in communities that traditionally engage in female genital mutilation. 59-0  
H.F. 2623-Lessard: Authorizes the sale of tax-forfeited land that borders public water in Itasca County. 55-6  
S.F. 2033-Bertram: Authorizes the Benton County Board of Commissioners to establish an economic development authority. 48-3  
H.F. 1901-Dille: Permits the city of Hutchinson to incur debt for specific improvements and authorizes a reverse referendum. 51-7  
H.F. 2175-Kelly: Authorizes a program for the replacement of lead pipes, the charging or assessment of costs for the program and the issuance of general or special obligations to pay the costs of the program. 62-0

#### **Bills granted final passage on Special Orders--April 20.**

- H.F. 2275-Flynn: Dept. of Revenue noncontroversial tax policy bill. 60-0  
S.F. 2367-Stumpf: Defines Higher Education Board authority for bargaining with employees, designates Higher Education Board employees as unclassified and clarifies transfer provisions for the merger of community colleges, state universities, and the technical colleges. 58-5  
S.F. 2498-Stumpf: Clarifies pension provisions for the employees of the higher education systems affected by the merger of the community colleges, state universities and the technical colleges. 60-0  
H.F. 2410-Lessard: Provides for the sale of native tree seed and tree planting stock and sets terms and conditions governing the leasing of state timber lands. 65-0  
H.F. 2508-Vickerman: Makes technical changes to laws relating to motor vehicles. 62-0

#### **Bills granted final passage under suspension of the rules--April 20.**

- H.F. 2351-Spear: Omnibus crime prevention bill. 65-0

#### **Bills granted concurrence and repassage--April 20.**

- S.F. 2118-Chmielewski: Clarifies that the Moose Lake Fire Protection District is a governmental unit. 65-0  
S.F. 2095-Cohen: Modifies provisions relating to the public employee vacation donation program. 37-26

#### **Conference committee reports adopted and repassed--April 21.**

- H.F. 2882-Moe, R.D.: Provides an exemption for motor carriers transporting potatoes. 55-0

#### **Bills granted final passage on Special Orders--April 21.**

- S.F. 1867-Berglin: Requests that the legislative auditor study the administrative costs of providing health care services. 49-6  
S.F. 2042-Berg: Authorizes class D licensees (county fairs) to transmit and receive telecasts of standard bred horse races. 38-20  
H.F. 3136-Merriam: Prohibits fees for public bond counsel from being based primarily on the amount of bonds sold. 55-0  
H.F. 2013-Morse: Corrects unintended omissions from previous early retirement legislation and ratifies prior payments. 59-0  
H.F. 2143-Chandler: Makes technical changes in the regulation of competitive telephone services and incentive plans. 60-0  
S.F. 1996-Belanger: Modifies the definition of employer for personnel records review purposes. 59-0  
S.F. 309-Kelly: Authorizes the city of St. Paul to require employees to reside in the city. 39-25  
S.F. 1986-Hanson: Changes provisions relating to compensation required when a wetland replacement plan is not approved. 61-0  
H.F. 2680-Pappas: Changes definitions and modifies registration requirements for employee charitable fund drives. 56-0  
S.F. 2129-Piper: Regulates advertising and payments in connection with adoptions, regulates agencies, provides for direct adoptive placement and provides for the enforceability of postadoption contact agreements. 56-3  
H.F. 1919-Krentz: Clarifies language governing manufactured homes application fees with in park sales. 56-0  
S.F. 2640-Benson, D.D.: Makes changes to laws relating to childrens mental health, provides for development of an integration plan, provides for conformance to federal law. 58-0  
H.F. 2624-Flynn: Ratifies labor agreements, makes some positions unclassified, and changes the duties of the Legislative Commission on Employee Relations. 60-0  
H.F. 1921-Morse: Increases employee contribution rates and benefit computation formulas for the teachers retirement fund. 48-14  
S.F. 2669-Pogemiller: Establishes a public employees insurance cooperative task force. 54-6  
S.F. 2707-Merriam: Changes attorney general procedures for charging fees. 59-0  
H.F. 3120-Merriam: Expedites payment to National Guard forces ordered to active duty. 56-0  
H.F. 2519-Reichgott Junge: Creates a civil cause of action for persons who are coerced into prostitution. 58-0  
S.F. 2013-Luther: Provides for the disposition of unrefunded gasoline tax attributable to off-highway motorcycle use. 51-6  
H.F. 2839-Metzen: Clarifies probationary employment for purposes of relief association service credit for South St. Paul Police Relief Association members. 60-1  
H.F. 2551-Metzen: Enables a retired member of the Public Employees Retirement Association to rescind a selection of a joint and survivor annuity and to receive a normal retirement annuity. 47-10  
H.F. 2478-Solon: Makes several changes in laws relating to pensions for first class city teachers including defining salary and authorizing the purchase of service credit for parental or maternity leave. 58-0  
H.F. 3122-Pogemiller: Changes procedures for allocating bonding authority. 59-0  
S.F. 2685-Berg: Omnibus lawful gambling bill; regulates the conduct of lawful gambling, adjusts the base of the tax on pull-tabs and tipboards and creates an advisory council on gambling. 62-1

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# Preview

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## The Minnesota Senate Week at a Glance

### Sunday, April 24

#### Finance Capital Budget Subcommittee

Chair: Sen. Gene Merriam

6 p.m. Room 123 Capitol

Agenda: S.F. 2903-Samuels: Health care. S.F. 2907-Morse: Environment. S.F. 2912-Stumpf: Higher education. S.F. xxx-Beckman: Crime prevention. Sibley House. Strategic plan.

### Monday, April 25

The Senate will meet at 10 a.m.

#### Education Committee

Chairs: Sen. Lawrence Pogemiller and Sen. LeRoy Stumpf

8 a.m. Room 107 Capitol

Agenda: Confirmations: Hope Annexstad, Audrey Eickhof, Gale Mitchell, Board of the Minnesota Center for Arts Education; Linda Powell, Commissioner, Department of Education; Robert Brown, Erling Johnson, State Board of Education; Ruth Ranum, Minnesota Higher Education Coordinating Board; Kevin Knight, State University Board; Archie Chelseth, David T. Erickson, Christine Fritsche, John C. Mulder, Higher Education Board; Joan Olson, James C. Bernstein, Sara Carlson, Muriel Abram, Roy Wallace, Terance Smith, Anil Jain, Carol DeRaad, Technical College System; John

Lundsten, Andrew Larson, Community College System; Tom Forsythe, Roger Knauss, State University System. Reconnect with Government, a project for high school students in Northwest Minnesota.

### Tuesday, April 26

The Senate will meet at 8 a.m.

### Wednesday, April 27

The Senate will meet at 8 a.m.

### Thursday, April 28

The Senate will meet at 8 a.m.

### Friday, April 29

The Senate will meet at 8 a.m.

Conference committees on various spending and policy bills will be scheduled in the afternoons and evenings throughout the week. Please call the Senate Information Office at 296-0504 or the Senate Hotline at 296-8088 for the latest information.

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The Minnesota Senate Week in Review

April 29, 1994

## Code of conduct adopted

The Rules and Administration Committee, chaired by Sen. Roger Moe (DFL-Erskine), met Wed., Apr. 27, and adopted a code of conduct and ethics for members and staff of the Minnesota Senate. The draft proposal details a number of principles to guide Senators and staff in conducting the business of the Senate. The proposal emphasizes the need to be respectful and courteous to one another and to members of the public testifying before various legislative committees. In addition, the proposal requires Senators and staff to avoid activities that might improperly influence a state agency, court, or government body and to decide all matters based on their merits, free from improper influences. The code of conduct and ethics was derived from recommendations by the Josephson Institute of Ethics, a company that held seminars earlier in the year for public officials.

## Bonding bill amended

A bill that provides financing for expansion of the state's prison system, construction and renovation of higher education facilities, and for natural resources preservation and maintenance projects was amended and tabled by the Senate on Wed. afternoon, Apr. 26.

S.F. 2928, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), provides \$545 million in capital bond appropriations for construction and renovation of state-owned facilities. Included in the bonding package is \$69.8 million to convert existing regional treatment centers into medium security facilities and add other juvenile correctional facilities, more than \$150 million for building and remodeling projects on the campuses of the four public post-secondary systems, and \$157 million for state park maintenance and natural resource protection projects.

An additional \$59 million is included for projects at the regional treatment centers, other human services facilities and \$37.3 million for K-12 education facilities programs, and about \$70 million for a variety of other state projects.

While the Senators were able to discuss and amend the bill, a provision in the State Constitution prohibiting revenue-raising bills from originating in the Senate, led to the motion to table the bill. Further consideration of the bill is expected after the companion bill is received from the other body.

## Emergency aid approved

In the wake of the fire at a Burnsville High School earlier in the week, a bill providing an emergency appropriation to the Burnsville School District was approved by the Finance Committee at the Wed., Apr. 26, evening meeting and sent to the Senate floor. The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), also began their deliberations of a proposal to allow public acquisition of the Target Center.

S.F. 2929, authored by Sen. David Knutson (IR-Burnsville), provides emergency funding to the Burnsville district. The bill also requires the commissioner of education to waive any rules and regulations that may prohibit the district from considering all of their options as they respond to the catastrophe.

A \$1.2 million appropriation was requested in the bill. The committee amended the appropriation to \$500,000, which is the same amount of emergency funding the Legislature provided to the St. Paul School District when extensive vandalism forced Sibley High School to close in 1992.

The committee also debated and began amending the bill to allow the Metropolitan Sports Facilities Commission to buy the Target Center. S.F. 2725, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides the state and local funding mechanisms needed to generate \$42 million for the purchase to take place.

Sen. Carl Kroening (DFL-Mpls.) presented an amendment specifying that if an entertainment sales tax is used to make debt service payments on the facility, any excess revenue will be used to fund Mpls. youth programs. The amendment was adopted. Further consideration of the bill is expected at the Thurs., Apr. 28, hearing.

## Workers' comp bill passed

The workers' compensation bill was acted upon by the Senate after emotional debate and pleas on both sides of the issue for legislation balancing the interest of workers and labor. The bill was tabled Mon., Apr. 25, at the request of the chief author, Sen. Steven Novak (DFL-New Brighton) after an amendment, offered by Sen. John Hottinger (DFL-Mankato) was adopted. Novak's name, as author, has been removed from the legislation and Hottinger has assumed authorship of the bill. The measure was granted final

passage on a roll call vote of 39-27, at the Thur., Apr. 28, floor session. Major provisions in the bill re-regulate insurance rates and alter current benefits amounts payable to injured workers.

Hottinger offered an amendment designed to bring the reform in line with the current system of workers compensation in place in the state of Wisconsin. According to Hottinger, the amendment reinstates language discussed at a previous session of the Senate and provides a more constructive approach to reform. Sen. Kevin Chandler (DFL-White Bear Lake), who had had an amendment adopted previously that provides for more strict regulation of insurance rates, objected to the Hottinger amendment. Chandler defended the language in the bill that is changed by the Hottinger amendment and said that if the state is going to mandate workers compensation insurance, it is proper for it to also set the insurance rates. Sen. Ellen Anderson (DFL-St. Paul) spoke in favor of the amendment saying it represents more balance between the competing interests. The amendment was adopted. Sen. Jane Krentz (DFL-May Township) moved to reconsider the vote by which the amendment was adopted, because, according to Krentz, it fails to include independent contractors doing commercial or residential improvements in the reform package. Krentz's motion passed. Small business owner, Sen. Jerry Janezich (DFL-Chisholm) said that the body is not looking out for the best interest of small business. The Hottinger amendment was not adopted.

Sen. Harold "Skip" Finn (DFL-Cass Lake) told the body that the Legislature either needs to "create a new system or go back to common law." Finn offered an amendment sunsetting current workers compensation laws on Oct. 1, 1995. Sen. Gene Merriam (DFL-Coon Rapids) appealed to the body by calling the idea of eliminating current law with nothing to replace it irresponsible. The amendment failed.

As the Senate prepared to vote on the S.F. 2475, Sen. Steven Murphy (DFL-Red Wing) said that the bill does harm to employees by reducing workers compensation benefits by \$120 million. Hottinger defended the bill and said that it provides incentives for workers to return to work after an injury, reduces workers compensation costs, balances the system, and establishes needed reform without reducing workers' benefits. The vote on the bill was 39-27.

# Committee update

## Education

### Confirmations recommended

The Education Committee, co-chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) and Sen. LeRoy Stumpf (DFL-Thief River Falls), recommended confirmation of the governor's appointees to several education boards at the Mon., Apr. 25, meeting.

After interviewing the candidates, the committee recommended the Senate confirm Linda Powell as the commissioner of education, Hope Annexstad, Audrey Eickhof and Gale Mitchell to the board of the Minnesota Center for Arts Education, along with Robert Brown and Erling Brown to the State Board of Education.

Also recommended for confirmation were Ruth Ranum to the Higher Education Coordinating Board and Higher Education Board appointees Archie Chelseth, David Erickson, Christine Fritsche and John Mulder.

Receiving the committee's recommendation were Tom Forsythe, Roger Knauss, and Elizabeth Pegues to the State University Board, Community College board appointees John Lundsten and Andrew Larson, and the Technical College System board appointees, Joan Olson, James Bernstein, Sara Carlson, Muriel Abram, Roy Wallace, Terance Smith, Anil Jain and Carol DeRaad.

The committee also heard presentations from northwestern Minnesota students involved in the Reconnect with Government project.

## Finance

### Bonding recommendations heard

The Finance Capital Budget Subcommittee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), continued its review of bonding proposals, Sun. evening, Apr. 24, hearing presentations of the appropriation requests for health care and family services, criminal justice and higher education.

S.F. 2903, containing the health care and family services bonding appropriations, was presented to the subcommittee by Sen. Don Samuelson (DFL-Brainerd). The bill contains \$58.8 million in health care and family service projects including \$10.6 million for renovation and restoration of several facilities at the Minneapolis Veterans' Home. The members heard from representatives of veterans' groups, who expressed their support for the proposal.

Sen. Tracy Beckman (DFL-Bricelyn) presented the crime prevention bonding package to the subcommittee. The \$69.8

million proposal provides funding for renovation and expansion of several of the state's correctional facilities. The package includes \$20.1 million to convert the Moose Lake regional treatment center into a medium security prison, \$23.9 million to expand the correctional facilities in Lino Lakes and Faribault, and \$6.2 million for renovation projects at the Stillwater prison. Another \$15 million is appropriated for a regional juvenile center grant program.

The subcommittee also began to review the higher education bonding requests contained in S.F. 2912. Sen. LeRoy Stumpf (DFL-Thief River Falls), author of the bill, presented the package, which contains \$229 million in appropriations for construction and renovation projects among the four public post-secondary education systems.

The proposal includes \$47.8 million in project appropriations to the Technical College System, \$34 million for the Community College System, another \$54.6 million for State University System projects, and \$93.3 million to the University of Minnesota.

About one-third of the higher education package, \$74 million, is designated for repair and replacement projects in each of the four systems. Specific projects included in the proposal call for \$22 million to build a joint technical and community college campus in Brainerd, \$12.5 million for similar facility in Duluth, a \$10 million addition to Normandale Community College in Bloomington, and \$10 million to build a community college campus in Cambridge.

Winona State University will receive \$19 million to construct a new library and \$7 million for renovation at the Bemidji State library is also included. The bill includes another \$20 million toward a new facility for the University of Minnesota's Carlson School of Management, to be matched with an equal amount of private funds. Plans to remodel the University of Minnesota's architectural and mechanical engineering buildings, at a cost of \$13 million each, are also included in the proposal.

### Bonding bill assembled

A \$545 million bonding budget proposal was approved by the Finance Capital Budget Subcommittee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), on Mon. evening, Apr. 25. The package, which provides appropriations for state building construction and renovation projects, was referred to the full Finance Committee.

The package includes \$150.9 million for post-secondary education projects, \$157.6 million for environment and natural resources proposals, and \$69.8 million for criminal justice projects. In addition, the proposal contains \$58.8 million for health and human services facilities, \$61.3 million for various state government projects, \$35.2 million for K-12 education projects, and \$15.7 million in community development projects.

The subcommittee approved \$32 million for projects proposed by the Community College System, \$54.7 million for State University System proposals, \$47.8 million to the Technical College System, and \$69.3 million for projects at the University of Minnesota. Except for the University of Minnesota projects, one-third of the total costs for the higher education projects will be financed by the users.

In addition to the post-secondary education appropriations, the members approved \$1.5 million for projects at the Minnesota Center for Arts Education, \$2.7 million to the Residential Academies at Faribault, and an additional \$31 million for other educational facilities requests.

The environment and natural resource bonding appropriations of \$157 million, which includes user-financed projects, contains \$64 million to the Dept. of Natural Resources for state park projects, land acquisition, and environmental education center grants.

An additional \$45.4 million is designated for the Pollution Control Agency projects, along with \$13.4 million in funding for Dept. of Trade and Economic Development (DTED) projects, another \$12.6 million to the Board of Water and Soil Resources, and \$21.9 million to the Minnesota Zoological Garden.

The \$69.8 million criminal justice bonding package supports requests from the Dept. of Corrections to expand or renovate several state prisons. Included in the \$58.8 million in health and human services bonding is \$48.2 million to the Dept. of Human Services for regional treatment centers (RTC) and purchase of state-operated homes to serve current RTC residents. The Veterans Home Board is given \$10.6 million to renovate and remodel buildings at the Mpls. Veterans' Home.

The \$61.3 million for state government projects includes \$48.6 million to the Dept. of Administration for statewide building repair and renovation, \$5.1 million to the Capitol Area Architectural Planning Board, \$5.5 to the Dept. of

Finance for Mpls. and St. Paul debt refinancing, and \$800,000 for a planning grant to the Minnesota Historical Society. The \$15.7 million in community development projects adds \$4.8 million to the historical society for preservation projects, \$4 million to the Dept. of Public Service for energy investment loans, and \$2.6 million to DTED for several development projects. Also included is \$1.25 million to renovate space at the old Gillette hospital in St. Paul for Minnesota Humanities Commission's teacher training center, \$1 million to the Dept. of Jobs and Training for early childhood facility grants, and \$1 million for planning of a labor interpretive center.

Having finished their review of the capital budget proposals earlier in the meeting, Merriam presented a list of the projects that were given the highest priority by the divisions. Proposals above each division's budget target were also included in the proposal.

A number of amendments to add some appropriations to the priority list were offered and approved. Sen. LeRoy Stumpf (DFL-Thief River Falls) presented an amendment adding a \$13.5 million appropriation to the University of Minnesota for renovation of the architecture building. Sen. Randy Kelly (DFL-St. Paul) offered amendments adding a \$20 million magnet school grant program for districts involved with interdistrict voluntary desegregation, and to also include the Humanities Commission and early childhood facility grant proposals.

Sen. Janet Johnson (DFL-North Branch) proposed to add \$500,000 to plan the Sibley House restoration and \$310,000 for the Northwest Company Fur Post Interpretive Center projects. Sen. Jane Ranum (DFL-Mpls.) moved to designate \$1.5 million for a polluted land cleanup program and \$450,000 to begin planning an expansion of the Mpls. convention center. Sen. Don Samuelson (DFL-Brainerd) presented amendments adding \$500,000 to the package for work on the Battle Point Historic Site. Sen. Dennis Frederickson (IR-New Ulm) offered an amendment to provide \$500,000 for county and local historical preservation projects.

Other adjustments were proposed by the members and adopted. Sen. Steven Morse (DFL-Dakota) proposed a funding increase, from \$1.1 million to \$2.2 million, for the Lake Superior Safe Harbor project at Silver Bay. Stumpf offered a motion adding \$380,000 to plan an addition at Hutchinson Technical College and another \$900,000 to a library project at Winona State University. Sen.

Dean Johnson (IR-Willmar) proposed including \$250,000 toward Southwest State's recreation center project. Samuelson also offered a motion to give \$600,000 for a Duluth port authority project.

### Bonding bill advances

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved a bill authorizing more than \$540 million in bonding appropriations for state building construction and renovation, Tues. evening, Apr. 26. The capital budget package was re-referred to the Senate floor.

The capital budget package approved by the committee provides more than \$150 million for construction and renovation projects on many campuses of the four public post-secondary education systems, an additional \$35 million to support K-12 education facility requests, and an additional \$157 million for state park projects and natural resource protection programs.

Also included is \$69.8 million to support expansion or renovation projects in the state correctional system, \$58.8 million towards regional treatment centers projects and other health and human services proposals, \$61.3 million for renovation and repair of statewide public buildings and facilities projects, and another \$15.7 million towards historical preservation and facility grant proposals.

Along with the appropriation, the bill includes provisions allowing the Dept. of Natural Resources to provide grants to environmental learning centers and for preservation of natural and scenic areas. The proposal also creates a magnet school grant program for school districts involved in interdistrict desegregation, establishes a library planning task force to review and oversee library project proposals, and sets up a hydropower production incentive program.

Several amendments were offered and adopted. Sen. Tracy Beckman (DFL-Bricelyn) proposed awarding a grant of just more than \$2.07 million to the Worthington School District for construction of residential facilities for the Lakeview School. Beckman said the Lakeview School, which is run by the Worthington district and serves developmentally disabled students, needs new residential facilities to replace a building that had been damaged by fire.

Sen. Terry Johnston (IR-Prior Lake) proposed to amend the Beckman motion by reducing the amount to \$750,000 and setting aside the remaining \$1.3 million

for transportation bonding projects. While the transportation project proposals are moving as a separate bill, Johnston argued that the bonding bill should include funding for transportation. The Johnston amendment failed, and the committee adopted the Beckman amendment.

Sen. Steven Morse (DFL-Dakota) offered three amendments to the environment and natural resource provisions. His first amendment allows \$40,000 from a \$4.1 million appropriation for dam improvements to be used for a Lac Qui Parle River project, designates \$35,000 of state park building development funds to design a rock, gem and mineral interpretive center, and allows the city of Eagle Lake to use \$154,000 from the Public Facilities Authority appropriation for an interceptor connector to the city's wastewater treatment plant.

The second amendment combined two separate conservation land acquisition appropriations into one totalling \$11 million, and designates \$300,000 towards wetlands establishment and restoration in the state wetland bank program.

Another amendment allows the Dept. of Natural Resources to use up to \$50,000 to improve facility accessibility at the Carlos Avery wildlife management area. All three of the Morse amendments were adopted.

The committee also adopted three amendments presented by Sen. LeRoy Stumpf (DFL-Thief River Falls). The amendments will allow funds from the allocation to build a joint technical and community college in Brainerd to be used to relocate athletic fields, lays out a process for the Rochester School District to buy the technical college campus, and requires the inflation rate be used to determine property values of surplus community college lands.

Four other amendments were added to the bill. Sen. Randy Kelly (DFL-St. Paul) offered two of the four, increasing the funding for the Labor Interpretive Center project from \$1 million to \$1.25 million, and defining the types of programs eligible to receive early childhood education facility grants. Sen. Janet Johnson (DFL-North Branch) proposed an amendment using \$150,000 of a Dept. of Natural Resources appropriation to plan a St. Croix Valley Heritage Center. Sen. Dean Johnson (IR-Willmar) presented a provision allowing the Dept. of Administration to use up to \$250,000 to take advantage of any Capitol complex land purchase opportunities that may present themselves when the Legislature is not in session.

# Committee update

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## Emergency funds approved

The Finance Committee approved an appropriation in response to an emergency situation caused by a fire at a Burnsville school and began its deliberations of a proposal providing for the public acquisition of the Target Center, during the Wed., Apr. 27, evening meeting.

The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), also approved bills designating a portion of the state's budget reserve to fund MinnesotaCare and providing for licensure of dietitians and nutritionists.

S.F. 2929, authored by Sen. David Knutson (IR-Burnsville) provides \$1.2 million for emergency assistance to the Burnsville School District, necessitated by a fire that damaged the Burnsville Senior High School earlier in the week. The bill also requires the commissioner of education to waive any rules and regulations that may prevent the district from using all options as it explores how to respond to the catastrophe.

Knutson said the fire caused about \$5 million in damage to the school, and while insurance will cover the replacement costs, the district is facing transportation, staffing, and spacing problems that must be resolved for classes to resume.

Noting that it was difficult to identify the specific amount of emergency assistance the district needs, Sen. William Luther (DFL-Brooklyn Park) moved to provide \$500,000 in funding. He said the amount was the same as the Legislature had provided to the St. Paul School District when vandalism caused Sibley High School to close. The motion was adopted and the bill was passed to the Senate floor.

The members began consideration of a proposal that identifies the mechanisms necessary to generate \$42 million for the Metropolitan Sports Facilities Commission (MSFC) to use to buy the Target Center.

S.F. 2725, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), permits the MSFC to request that the Metropolitan Council issue revenue bonds that will be used to buy the sports arena. The bill also lays out a number of conditions that must be met before the bond sale can proceed.

The commission is to impose a 10 percent admission tax and a \$1 surcharge on tickets to Target Center events and that they have the rights to acquire the title to the arena and the land that it sits on. Also, the MSFC is to have long-term lease agreements set up with a professional basketball team and the league.

The bill also requires that the city of Minneapolis set up a liquor, lodging, and restaurant tax as a revenue source of last resort if the arena revenue amounts are inadequate to cover the debt service payment amounts. The Minnesota Amateur Sports Commission may enter into a lease with the MSFC to hold events at the Target Center, with the net profits being applied to the debt service to whichever facility is used.

An annual \$750,000 appropriation to the amateur sports commission is included in bill that the commission is to use to make the lease payments. The appropriation, Pogemiller said, is the key feature for the committee's consideration.

In presenting the bill, Pogemiller said the purchase agreement negotiations were based on the assumptions that event attendance would remain the same, that there would be no change in ticket prices, and there would be some additional revenue available through the bond sales to provide short-term flexibility. He added that the bill is structured so that the revenue used to buy and operate the arena will come from fees paid by those who use the arena.

He added that the agreement would set the stage for the basketball team to remain as the principle tenant in the arena. Pogemiller said the Target Center will continue to operate with or without the basketball franchise. He added that 70 percent of current operating revenue is generated by the team and losing that revenue would make it difficult to maintain the facility for a long time.

The committee heard from both supporters and opponents of the proposal. Harry Savikoul of the sports facilities commission encouraged the committee's support for the proposal. He said that the state appropriation is a key component to the entire agreement. Without it, he added, the best offer that could be put together would amount to \$33 million and it would be likely that the current owners would reject the proposal.

Opponents to the bill argued that, while the prestige of having a professional basketball team is a benefit, buying the arena because of other perceived benefits - the amounts of income and sales that are generated and jobs created - do not justify the use of public funds. Bill Melton, speaking in opposition to the bill, said the committee should consider whether there is a link between the proposal's perceived benefits to the state budget and the general burdens it places on the budget.

The members considered several

amendments to the bill. Sen. Carl Kroening (DFL-Mpls.) offered a proposal to use any excess revenue generated by the liquor, lodging, and restaurant tax for the city's youth programs. Pogemiller opposed the amendment, arguing that the tax is intended as a back-up revenue source and that it is inappropriate for this type of revenue to be used to operate programs. On an 11-9 roll call vote, the Kroening amendment was adopted.

Sen. Richard Cohen (DFL-St. Paul) presented an amendment allowing liquidated damages to be sought if the sports facilities commission failed to honor any agreement with the amateur sports group. He said the amendment would also allow any resident of the state to sue to MSFC for damages of up to \$750,000 if any agreements were not honored. The amendment failed on a 9-11 roll call vote.

Cohen offered a second amendment, requiring the agreement be reviewed by the Legislative Commission on Planning and Fiscal Policy before it could take effect. The amendment was also defeated.

The committee did adopt an amendment from Sen. Dennis Frederickson (IR-New Ulm), requiring the MSFC to allow the amateur sports commission to lease the facilities on at least 12 weekend days during the year. The amendment also requires the amateur sports commission to sponsor equal numbers of events for both genders. Discussion and consideration of the bill will continue.

The committee also approved H.F. 1316, establishing a Board of Nutrition and Dietetics. The bill, sponsored by Sen. Janet Johnson (DFL-North Branch), appropriates \$185,000 to create a licensing system for dietitians and nutritionists. The bill was passed to the Senate floor.

H.F. 2951, authored by Sen. Douglas Johnson (DFL-Cook), was also approved and re-referred to the floor. The bill designates \$75 million of the state's \$500 million budget reserve to finance MinnesotaCare in 1996. Sen. Jerry Jenezich (DFL-Chisholm), who presented the bill on Johnson's behalf, argued that the bill has the effect of forcing the Legislature to address the funding for MinnesotaCare in the 1995 session.

## Governmental Operations and Reform

### Appointees recommended

Two appointees by the governor were recommended for confirmation by the Governmental Operations and Reform Committee. The committee, chaired by

Sen. James Metzen (DFL-South St. Paul), met briefly on Wed., Apr. 27.

The recommendations for confirmation of Debra Rae Anderson, appointed as commissioner of the Dept. of Administration, and Kevin E. Johnson, appointed as chief administrative law judge of the state Office of Administrative Hearings, were sent to the Senate floor.

## Thursday, April 21

### Nursing home bill passed

A bill relating to nursing homes was passed by the Senate at a Thurs., Apr. 21, floor session. The author of S.F. 2640, Sen. Duane Benson (IR-Lanesboro), proposed a technical amendment clarifying definitions and language in the bill. The amendment was adopted.

Sen. Steven Dille (IR-Dassel) sought to amend the bill by adding a provision authorizing a study into the ways the two parent family can be "nurtured and protected." According to Dille, the reasons for the decline in the number of two parent families requires research and exploration in order to revive the integrity of the family unit. The amendment was adopted. An amendment by Sen. Sheila Kiscaden (IR-Rochester) failed. The amendment allows a request for a federal waiver of rules relating to medical assistance for nursing homes.

An amendment offered by Sen. Dallas Sams (DFL-Staples), providing for the capital repair of nursing homes was adopted. Sams then proposed an amendment to the bill, authorizing the inspection of retailers selling tobacco products. Sams said that the bill allows local police departments to preform annual checks to ensure retailers are adhering to federal law on the sale of tobacco products. The state stands to lose \$1.6 million in federal funding if the state does not set up such a program, said Sams. The amendment was adopted and the bill passed on a 58-0 roll call vote.

The Senate also took action on S.F. 2129, a bill establishing new rules and regulations for independent adoptions. The bill's author, Sen. Pat Piper (DFL-Austin), said that the bill is a response to situations in which independent adoption agencies have not acted in the best interest of the adopted children. Piper also said that the bill eliminates the bidding wars that occur in the process of independent adoptions. Kiscaden said the bill provides for a mandatory investigation of the medical history of parents and a study of the home being considered for the placement of the child.

The bill was passed by the Senate on a vote of 56-3.

### Coercion bill passed

The Senate passed proposals allowing persons coerced into prostitution to bring a civil action and regulating lawful gambling on Thurs. afternoon, Apr. 21.

H.F. 2519, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), creates a civil cause of action for individuals coerced into prostitution. She said the bill defines coercion, outlines the damage awards that can be given and other provisions. The bill also sets a six-year statute of limitations for persons to bring a civil action.

Reichgott Junge explained the bill was a response to incidents involving women who had been coerced into prostitution and subsequently victimized by their pimps.

Two amendments were offered to the bill. Sen. Sheila Kiscaden (IR-Rochester) proposed an amendment allowing family members to bring a civil action and receive damages in the event of a wrongful death. Her amendment was adopted.

Sen. Allan Spear (DFL-Mpls.) presented an amendment refining the definition of coercion and defining the cause of action to be used by juveniles in the civil action. Spear said the bill did not make a distinction between the coercion of juveniles and adults and that adults should be held to a higher standard. He said his amendment requires that adults show that they were not only coerced but subjected to control and domination. He added that the amendment expands the standards used in determining if coercion of a minor has occurred. His amendment was also approved.

Reichgott Junge then offered a technical amendment, which was adopted, and the Senate passed the amended bill, 59-0.

S.F. 2685, regulating the conduct of lawful gambling, was taken up by the Senate and approved. The bill, authored by Sen. Charles Berg (DFL-Chokio), authorizes the use of pull-tab dispensing devices, regulates pull-tab cash banks and adjusts the pull-tab and tip-board tax computations. The bill also prevents the Gambling Control Board from denying or delaying a license or permit renewal because a completed application was not submitted by a specific date unless the board has first notified the applicant. Establishment of an advisory committee on gambling is contained in the bill.

Berg offered two amendments to the bill, making the license or permit renewal requirements effective the day after the bill is enacted, and limiting the participation of employees, who work for an organization that is leasing space where

lawful gambling is permitted, to participate in lawful gambling. Both amendments were adopted.

Sen. Gene Merriam (DFL-Coon Rapids) proposed amending the bill, by designating \$1.9 million from the state lottery prize fund for the compulsive gambling account starting on July 1, 1994. His amendment was also adopted.

Sen. Duane Benson (IR-Lanesboro) presented an amendment requiring the Gambling Control Board to propose an implementation plan for sales of pull-tabs from dispensing devices. The amendment was approved and S.F. 2685, as amended, was passed on a 62-1 roll call vote.

H.F. 3120, sponsored by Merriam, allows the adjutant general to pay National Guard forces called to active duty when the budget is insufficient to cover the costs. The Senate passed the bill on a 56-0 vote.

The Senate also acted on two pension bills authored by Sen. James Metzen (DFL-South St. Paul). H.F. 2839 clarifies how probationary periods apply to the service credits earned by certain members of the South St. Paul Police Relief Association. Sen. Phil Riveness (DFL-Bloomington) offered an amendment reducing the percentage of contributions to the firefighters relief association in order to reduce the excess funds. The amendment was adopted and the bill passed, 60-1. H.F. 2551 enables certain members of the professional employees retirement association to rescind a joint annuity and receive regular annuity. The bill passed on a 47-10 roll call vote.

H.F. 2478 gives teachers in cities of the first class the opportunity to receive service credit for maternity or paternal leave and prevents teachers from making lump sum payments to buy additional credits from the Teacher Retirement Association. Sen. Sam Solon (DFL-Duluth), the bill's author, said the bill applies to teachers in the cities of Mpls., St. Paul and Duluth. The bill was passed, 58-0.

H.F. 3122, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), clarifying various bonding authority provisions, was passed on a 59-0 vote.

## Friday, April 22

### Missing children bill passed

"The system failed Grant Hussey, it did not respond fast enough," said Sen. Ember Reichgott Junge (DFL-New Hope). Reichgott Junge is the author of S.F. 2392, a bill providing funding for a missing children program. The bill was passed by the Senate Fri., Apr. 22. Sen. Roy Terwilliger (IR-Edina), credited by

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Reichgott for work done on the bill, said his work on the bill "showed me the wonderful strength" of the Clark Hussey family. According to Reichgott Junge, the Hussey family has established the Grant Hussey Foundation, of which one of the goals is to update the technology used to notify gas stations, restaurants, and other high profile establishments when children are abducted. The bill provides for the use of computer and facsimile technology to rapidly disseminate information related to an abduction. According to Reichgott Junge, the bill also provides for the enhanced training of judges on child sex abuse problems.

The bill also appropriates \$15,000 to the Minnesota Bureau of Criminal Apprehension for the distribution of a policy manual on abductions, \$35,000 to local police departments for the development of related policies, \$155,000 for special investigations and history checks relating to child abuse situations, \$814,000 for pre-bail investigations and \$275,000 to the Dept. of Public Safety for the enhancement of the crime alert network. According to Reichgott Junge, the crime alert network uses the Internet (a widely used computer network), the state lottery terminals, and a broadcast facsimile network to rapidly disseminate the missing children and other crime alert information. "The existing resources are there," said Reichgott Junge, referring to the technology provided for in the bill. An amendment by Terwilliger, allowing judges to order that a person not possess a firearm until acquitted of a charge, was adopted. The vote on the bill was 64-0.

The omnibus data privacy bill was passed by the Senate on a 42-19 roll call vote. The author of the bill, Sen. Harold "Skip" Finn (DFL-Cass Lake), said the bill addresses data privacy relating to health, judicial, educational, law enforcement, and executive budget issues. An amendment calling for a background investigation on the private party transfer of handgun and assault style weapons, was ruled not germane by the president of the Senate, Sen. Allan Spear (DFL-Mpls.). The amendment's sponsor was Sen. Randy Kelly (DFL-St. Paul). A major provision in the bill requires preliminary budget work by the governor's office, to be public information. An amendment, offered by Sen. David Knutson (IR-Burnsville), deletes a section of the bill pertaining to that provision. Knutson said that the governor, just like the Legislature, needs to do preliminary budget work in private. The amendment was not adopted. Sen. Kevin Chandler

(DFL-White Bear Lake) stated that the preliminary budget work by the governor is "the public's money, the public's budget". Another amendment designed to require the Legislature to be subject to the data release laws in the bill was presented by Sen. Patrick McGowan (IR-Maple Grove). The McGowan amendment failed after the urging by Finn.

Senator also considered, for the second time, a measure prohibiting the Minnesota Lottery from advertising. The bill's chief author, Sen. Thomas Neuville (IR-Northfield), offered an amendment preventing false or deceptive gambling advertising. The amendment was not adopted. The bill was returned to Neuville, at his request.

## Monday, April 25

### Higher Ed bill repassed

After adopting the conference committee report and repassing the appropriation bill for higher education, the Senate voted to lay S.F. 2900 on the table Mon. morning, Apr. 25. The measure was laid on the table because of an informal agreement that the omnibus tax bill will be sent to the governor before work on the various budget bills is completed. The bill, authored by Sen. Leroy Stumpf (DFL-Thief River Falls), makes changes to the appropriations adopted by the Senate two weeks prior.

Significant changes include a \$9.1 million appropriation to the University of Minnesota for U2000, a plan to restructure and improve undergraduate education. Funds are earmarked for student services, educational equipment, library resources, and health services for indigent students.

The Dept. of Finance is allocated \$3 million to develop a shared accounting plan for the three higher education systems. As of July, 1995, the three systems will be merged under the Higher Education Board.

Additionally, the bill authorizes \$1.2 million to the technical colleges for library automation, 1.8 million to Metropolitan State University for the Urban Teacher Preparation Program, and \$1.2 million to the Higher Education Board for developing a student records system.

Stumpf said that the measure spends less than the \$49.5 million originally recommended by the Senate, but more than the \$21 million suggested by the other body.

A bill that clarifies the purposes for which various game and fish revenues may be spent, H.F. 3032, was passed by the

Senate, 51-14. The measure also ends the rebate for senior citizen fishing licenses. Author Sen. Gene Merriam (DFL-Coon Rapids) said that the legislative auditor's study found that dedicated funds were being misappropriated and that the measure corrects the situation by specifying which monies may be used for what purposes. Additionally, the bill establishes a citizen oversight committee to review expenditures of game and fish revenues. Merriam said that the changes are supported by the Dept. of Natural Resources, conservation groups and sportsmen.

Sen. Charles Berg (DFL-Chokio) offered an amendment that allows the commissioner of agriculture to enter into cooperative farming agreements for the pasturing of livestock. Furthermore, the amendment stipulates that fish manure from aquatic farm operations is subject to the same requirements under state law as are other animal manures. The amendment was adopted by the members.

Also incorporated into the bill was an amendment proposed by Merriam. The provision designates a specific number of deer hunting permits for those applicants 70 years of age or older. Additionally, the amendment allows disabled hunters to take a deer of either sex.

### Workers' comp bill tabled

Debate on the workers' compensation reform bill resulted in the tabling of S.F. 2475, carried by Sen. Steven Novak (DFL-New Brighton). The bill re-regulates insurance rates and limits some benefits for injured workers. The proposed rate regulation encompasses the restoration of one statewide rate schedule for each job classification. In addition, the bill provides for mandatory workers' compensation coverage of independent contractors doing commercial or residential construction or improvements, unless specific criteria are met by contractors. The bill also provides for a study by the Advisory Council on Worker's Compensation to determine non-benefit areas in which costs could be cut and delays eliminated.

During the middle of the floor session debate on Mon., Apr. 25, Novak explained that the bill is a balanced approach between business and labor interests, and that it offers "substantial long-term relief." "The two major priorities of the business community, long-term relief and decreased workers' compensation costs, are in this bill", Novak said.

Sen. John Hottinger (DFL-Mankato)

presented an extensive amendment making several important changes to the bill. Hottinger's amendment eliminates the automatic cost of living increases in workers' compensation benefits, raises the threshold for being declared permanently and totally disabled, increases anti-fraud enforcement, and increases regulations that qualify injured workers for total permanent disability payments and other benefits. Hottinger said that the amendment decreases costs, provides criteria for measuring expenditures and profits, and creates a more effective Advisory Council to further cost reduction and other goals.

Novak responded to the amendment, stating that the provisions damage the balance between business and labor. The amendment would affect reforms by increasing costs, and that provisions relating to independent contractors are important to both labor and business and need to be retained. Despite Novak's objections, the amendment was approved by a vote of 38-28. Novak moved to lay the bill on the table. A vote was taken on the motion, and it failed to gain approval by a vote of 28-36. As debate on the bill continued, Sen. Jane Krentz (DFL-May Township) remarked that "from a business point of view, there is no relief." However, Novak countered that the bill provides the long-term structural reform requested by business, and reduces costs to the business community.

Continuing to amend the bill, Sen. Kevin Chandler (DFL-White Bear Lake) proposed an amendment to regulate insurance rates. Chandler asserted that the bill doesn't solve the problem of increasing costs, and that it is "common sense" to include employees in rate discussions. The provisions of the amended bill are not well thought out, don't provide better worker benefits, and are aiding only the businesses, Chandler said. The amendment was adopted, 36-31.

Novak renewed the motion to table the bill, and the motion gained approval by a vote of 38-29.

## Tuesday, April 26

### Constitutional amendment passes

At the early portion of the Tues., Apr. 26, floor session, Sen. Carl Kroening (DFL-Mpls.), author of S.F. 180, urged passage of a bill providing for a constitutional question to the citizens of Minnesota relating to off-track betting on horse races. In 1982, the citizens voted in favor of a constitutional amendment allowing the parimutuel betting on horses, said Kroening. The Minnesota Supreme Court interpreted that the law allowing

off-track betting is unconstitutional. Sen. Charles Berg (DFL-Chokio) stood in support of off-track betting, saying that the state's horse racing industry stands to suffer and perhaps disappear if the bill is not passed. Kroening reinforced his position on off-track betting by saying Canabury Downs can not compete with other forms of gambling, unless this authority is granted. Sen. Douglas Johnson (DFL-Cook) opposed the legislation, because he said it marks a proliferation of gambling in Minnesota. On a vote of 41-18, the bill, proving for the constitutional question, was passed.

A bill allowing postnuptial agreements was granted final passage. The bill's author, Sen. Richard Cohen (DFL-St. Paul) said the bill allows a married couple with either marital or non-marital property assets in excess of \$1.2 million to enter into a legally binding postnuptial agreement. "The basic premise of this bill offends me," responded Sen. Ember Reichgott Junge (DFL-New Hope). Reichgott Junge said the legislation allows a couple to "plan a divorce" and circumvent protections afforded to the married individuals under current law as well as creates a problem for the enforcement of equitable distribution of assets in a divorce. Sen. David Knutson (IR-Burnsville) defended the bill, saying, "if you do not like postnuptial agreements, you shouldn't like prenuptial agreements." Knutson also stated that the bill contains numerous safeguards ensuring the rights of the individuals entering into the agreement. The vote on the bill was 38-23.

Reichgott Junge's legislation creating a limited liability partnership form of business organization, passed with no opposition. Reichgott Junge said the bill, H.F. 1985, shields a general partners personal assets from the liabilities of the other partner, in an organized partnership. Reichgott Junge also said that all organized partnerships are eligible for the status, including farmers.

The family law omnibus bill, sponsored by Sen. Don Betzold (DFL-Fridley), passed on a vote of 67-0 after numerous amendments and discussion about collecting outstanding child support payments. The bill, S.F. 2090, among other provisions, modifies the administrative process for child and medical support orders, authorizes the attorney general to establish a public service campaign educating the public about the necessity of child support payments and alters current laws dealing with dissolution of marriages. Sen. Steve Dille (IR-Dassel) offered an amendment that he had previously introduced to the Senate. The amendment instructs the children's

cabinet to study ways to promote, protect and nurture the two parent family. The amendment was adopted on a 39-27 vote.

An amendment offered by Sen. Kevin Chandler (DFL-White Bear Lake) mandates that businesses must submit to the state a copy of the W-4 form a new employee fills out. According to Chandler, the state is then able to check if the employee's paycheck requires a deduction attributed to child support owed. Currently, employers ask employees if they owe child support and deduct the support payment if it is necessitated under law. Chandler said that the system in place today does not catch enough of the employees who do not stay at a job long enough to be detected as owning child support. Sen. Harold "Skip" Finn (DFL-Cass Lake) opposed the amendment and said the cost employers must incur (approximately \$1 per employee) to send the form to the state represents a significant burden on small employers. Chandler cited the success of the state of Washington has had with a similar program. The amendment failed on a 28-37 roll call vote.

An amendment, offered by Cohen, ties the payment of child support to the issuance of a state driver's license. Cohen said the privilege of having a driver's license is revoked if a person does not pay court ordered child support. Sen. Phil Riveness (DFL-Bloomington) and Sen. Bob Lessard (DFL-Intn'l Falls) took exception to the linking of the two issues. The amendment failed.

In response to a message from the other body, Sen. Steven Novak (DFL-New Brighton), author of the NSP dry cask storage bill, moved to send the bill to conference committee in order to work out the differences in the bills. The motion on S.F. 1706 was passed. A motion by Sen. Steven Morse (DFL-Dakota) to resurrect the workers compensation bill tabled on Monday, failed. The bill was tabled at the request of Novak. Novak said he does not agree with changes that he said significantly alters the bill and does not represent compromises made by labor and business.

### Landfill bill passes

At the Tues., Apr. 26, afternoon session, the Senate granted final passage to H. F. 3086, sponsored by Sen. Ted Mondale (DFL-St. Louis Park). The bill provides protection from liability for person who are purchasing and cleaning up polluted lands.

The Senators approved an amendment by Sen. Steven Morse (DFL-Dakota) establishing a landfill cleanup program. The measure outlines a program under

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which landfill operators who stopped accepting waste by April 9, 1994, transfer to the state the landfill sites and any trust monies set aside for their cleanup. In exchange, the state will assume liability, excluding personal injury liability, for the sites. The bill authorizes \$180 million in bonding over a nine-year period to pay for the program.

The Senators approved an amendment offered by Sen. Steve Dille (IR-Dassel), allowing passive bioremediation, or not actively cleaning up pollution at a landfill site, when the use of the land is such that the pollution poses no threat. The amendment was approved.

Morse moved to amend the bill by removing a provision that was amended onto it in committee. The amendment deletes the portion of the bill that requires that a materials processing project with a processing capacity of 10,000 tons per month that would be located on the Mississippi river critical area obtain an environmental impact statement (EIS). Morse decided to withdraw the amendment, but Sen. Gene Merriam (DFL-Coon Rapids), then re-offered it. Merriam said the language is aimed at one company's metal processor and therefore violates the state's constitution. Sen. Carl Kroening (DFL-Mpls.), author of the provision requiring the EIS, said the bill would apply to anyone who wished to establish a large metal processing facility in the specified area. The Senators defeated the Merriam amendment on a 27-39 roll call vote.

An amendment offered by Sen. Steve Murphy (DFL-Red Wing), removes language requiring an EIS for a radioactive waste management facility located in the Mississippi River critical area. The amendment was approved.

Senators voted to approve an amendment, offered by Kroening, revising the EIS requirement to apply to metal processing projects with a capacity of 20,000 or more tons per month.

## Bonding bill amended

The Senate amended and tabled a bill that provides \$545 million to finance state construction and renovation projects, Wed. afternoon, Apr. 26.

S.F. 2928, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), provides capital bond appropriations for state building projects. A number of amendments to the bill were considered and adopted before the bill was tabled. Further action was delayed because of a state constitutional provision that prevents bills that raise revenue from

originating in the Senate. Further consideration of the bill is expected when the companion bill is received from the other body.

Among the appropriations is \$69.8 million to expand the capacity of the state's correctional system, more than \$150 million for building and remodeling projects on the campuses of the four public post-secondary systems, and \$157 million for state park maintenance and natural resource protection projects.

An additional \$59 million is designated for projects at the regional treatment centers, other human services facilities and the Mpls. Veterans Home, \$37.3 million for K-12 education facilities programs, and about \$70 million for a variety of other state projects.

A number of technical amendments were adopted, as was a proposal, offered by Sen. Steven Morse (DFL-Dakota), allowing the Dept. of Natural Resources to find another suitable Lake Superior safe harbor site, if the Silver Bay proposal is found to be unsuitable. Sen. LeRoy Stumpf (DFL-Thief River Falls) presented an amendment setting a minimum purchase price to be used should the Rochester School District purchase the local technical college campus. His amendment was also adopted.

Saying that the state has an immediate need for additional correctional facilities, Sen. Charles Berg (DFL-Chokio), offered an amendment to appropriate \$20 million to purchase and remodel the Appleton prison. Berg said the Appleton facility, a privately-operated prison, can house 160 inmates. He argued that the purchase would help meet the current need for additional prison space and that it would be available much sooner than other projects.

Sen. Tracy Beckman (DFL-Bricelyn), who chairs the division that prepared the Dept. of Corrections bonding provisions, opposed the amendment. Approving the purchase would circumvent the process that has been used, he said. Beckman also said that the facility does not meet any of the department's planning criteria for correctional facilities. He also expressed concern about the additional costs that would be necessary to operate the prison.

Sen. Allan Spear (DFL-Mpls.) also opposed the amendment, saying that the Legislature has time to consider purchasing the facility. "There probably aren't many prospective buyers for slightly-used prisons," he said. The Berg amendment was not adopted.

Sen. Dean Johnson (IR-Willmar) presented an amendment appropriating

\$13 million to remodel the University Of Minnesota's mechanical engineering building. He said that because the state's bonding capacity is higher than the bill's total, the project could be included without exceeding the capacity limits. Merriam called the proposal to add the project "a real attraction," but he urged the members to be disciplined in the process and not exceed the bonding limit set in the bill. The Senate did not adopt the Johnson amendment.

Another amendment, to shift \$275,000 from the funds designated for repair and renovation projects in the Technical College System to a St. Cloud Technical College project, was considered and defeated. Sen. Joanne Benson (IR-St. Cloud), who sponsored the amendment, argued that the additional funds would support the first phase of a project to add needed classroom space at the technical college. Opponents to the amendment expressed concern that the funds would be taken from the system's highest bonding priority.

In other action, the Senate gave final passage to S.F. 2210, allowing the St. Paul-Ramsey Hospital to become a nonprofit corporation. Sen. Randy Kelly (DFL-St. Paul), the author, explained that the only changes made to the bill after it left the Senate require the Ramsey County commissioner to hold a public hearing before any property sale can occur, and that the hospital may no longer purchase some of its goods in conjunction with the state. Kelly's motion was approved and the bill was passed, 62-0.

The Senate also adopted the conference committee report on H.F. 2362, which contains provision relating to liability on owners of dangerous animals. The bill, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), was passed on a 62-2 vote.

## Wednesday, April 27

### Rulemaking reforms approved

Discussion on the floor Wed., Apr. 27 resulted in the final passage of an administrative rulemaking reform bill. Sponsored by Sen. John Hottinger (DFL-Mankato), the bill provides "better oversight, accountability, and accessibility" for state government, Hottinger said. Hottinger explained that the bill enhances legislative, gubernatorial, and agency accountability, permitting greater public access. Provisions of the bill include the requirement of public hearings and dockets on rulemaking, review of modifications, and

the establishment of advisory committees. In addition, the bill alters the duties of the Legislative Commission to Review Administrative Rules and ensure oversight. Sen. Duane Benson (IR-Lanesboro) praised the bill, saying that it "goes a long way to make government work for the people."

Sen. Linda Runbeck (IR-Circle Pines) presented an amendment requiring information regarding the cost impact of rulemaking reform. The amendment was adopted. Sen. Steven Dille (IR-Dassel) introduced an amendment to establish procedures for best management practices in state government. Hottinger supported the amendment, but encouraged public input on the amendment before its adoption. Dille withdrew his amendment. The bill was granted final approval by a vote of 64-0.

In other floor action, a bill introduced by Sen. Leonard Price (DFL-Woodbury) gained final passage. The bill requires local governments to have ordinances for individual sewage treatment systems that comply with Pollution Control Agency (PCA) rules. Local governments must inspect additional construction on homes to ensure compliance before licensure, and sellers must disclose information about individual sewage treatment systems to the buyer.

Dille introduced an amendment permitting counties to modify rules and aspects of the bill, saying that the bill "micro-manages" local governments. "Give local units the freedom to assess their situation," Dille said. Price opposed the amendment, saying that the bill attempts to establish a benchmark of regulation to protect the state's groundwater, and encouraged members not to take away minimum standards. The amendment was approved by a vote of 34-32.

Also gaining final approval was H.F. 2920, a bill sponsored by Sen. Gene Merriam (DFL-Coon Rapids), that changes the name of the Office of Waste Management to the Office of Environmental Assistance. The bill transfers the environmental assistance programs from the PCA, and waste management and policy planning from the Metropolitan Council to the office. Merriam emphasized the importance of the agency taking a pro-active stance on environmental policy through education and prevention. The bill passed by a vote of 58-7.

### Health supplemental bill passed

At the midday portion of the Wed., Apr. 27, floor session, Sen. Don Samuelson (DFL-Brainerd) reported to the Senate work done by a conference committee on H.F. 3210. The health and human

services omnibus supplemental appropriations bill, as amended by the conference committee, was granted passage on a vote of 50-14. Sen. Pat Piper praised the work of the conference committee based on provisions in the bill "supporting families and caring for children."

A major provision in the medical and child support section of the bill, prohibits a medical plan from denying coverage or reducing benefits because the applicant or plan holder is ineligible for the federal Medicaid program. The bill also requires the commissioner of health and human services to publish the names of people who are at least \$3,000 delinquent in child support payments. The Child Abuse Reporting Act is revised under the bill, allowing an alleged abuser who prevails in a court case to recover attorney fees. A program designed to pay private health care plan premiums for people with HIV is expanded from 24 months to 36 months. Also contained in the bill is a requirement for cities to randomly inspect the sellers of tobacco products for compliance with related laws. In addition to that requirement, the sellers must educate employees on the tobacco laws and policies regarding the sale of the products. Current law relating to the membership of the Health Care Commission is altered to expand membership on the commission to 28 members. Formerly, the membership was limited to 25. The commissioner of health is added to the board which advises the director of environmental health within the Dept. of Health.

Prior to going to conference committee, the House of Representatives version of the bill appropriated \$43.398 million and the Senate version appropriated \$27.55 million. The final bill passed provides for the appropriation of \$21.988 million.

## Thursday, April 28

### Sprinkler system bill passes

By a vote of 53-11, a bill that requires mandatory installation of sprinkler systems in buildings higher than 75 feet was passed by the Senate Thurs. morning, Apr. 28. Author Sen. Carl Kroening (DFL-Mpls.) said that H.F. 392 significantly decreases the risk of fatal fires in high-rise dwellings.

An amendment offered by Sen. Deanna Wiener (DFL-Eagan) generated lengthy floor debate. Wiener's amendment exempts residential structures built to type 1 or type 2 noncombustible standards from the new code requirement. Kroening strongly objected to the amendment, saying that "it guts the bill."

Several members supported the amendment because of concerns about mandat-

ing policy that interferes with the rights of the individual. Sen. Allan Spear (DFL-Mpls.) said, "We shouldn't be telling people what they have to do at their own expense for their own good. This bill goes too far."

Wiener said that the measure forces yet another economic burden upon residents who are already financially constrained. Many of the units affected by the proposed code are public housing projects and high-rises that house senior citizens living on fixed incomes, she said.

Spear said that the members must look beyond the safety issue and toward those who generated the legislation, the sprinkler lobbyists. Referring to the job of retrofitting required by pipe-fitters, Spear said, "Let them go out and sell their product in the market like everyone else, rather than coming here and having us legislate what people should buy."

Kroening said that the measure is overwhelmingly supported by firefighters. Commenting on fire resistant construction of building materials, Kroening said that smoke is the major cause of death, not flames. The sprinkler system prevents fires, rather than just stalling them, Kroening said.

Sen. Steve Murphy (DFL-Red Wing) agreed, saying that smoke from carpets, curtains, couches and chairs is what kills people. "If we can save just one life by installing sprinkler systems, it's worth it," Murphy said.

Sen. Joe Bertram, Sr. (DFL-Paynesville) said that he didn't want to legislate a measure that placed cost effectiveness before safety. Additionally, the cost of refitting is carried over a 15 year period, and is not more than \$1.50 per square foot, Bertram said.

On a roll call vote, the members defeated the Weiner amendment, 29-32, and granted final passage to the bill. Several hours later, Sen. Charles Berg (DFL-Chokio), gave notice of his intent to move for reconsideration of the bill Fri., Apr. 29.

### Floor sessions continue

The Senate will meet in daily floor sessions throughout the coming week. Conference committees on major bills will also meet during the late afternoon and evening hours. Because conference committee meetings are often announced with little advance notice, please contact the Senate Information Office at 296-0504 or call the Senate Hotline at 296-8088 for the latest information about meeting times. For persons with hearing impairment, the Senate TDD number is 296-0250.

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# Floor action

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## The Minnesota Senate Week at a Glance

### Bills granted concurrence and repassage--April 22.

S.F. 1930-Betzold: Human services technical bill, provides for mental health grants, provides rules concerning psychopathic personalities and provides for treatment of alcohol, drug abuse and chemical dependency. 54-0

### Bills granted final passage on Special Orders--April 22.

H.F. 2135-Hanson: Prohibits mobile home parks from prohibiting senior citizens from having pet dogs, cats or birds and sets best management practices for pet breeders. 47-10

S.F. 2354-Vickerman: Regulates the transportation of hazardous material and hazardous waste, specifies that some federal regulations do not apply to cargo tanks under 3,500 gallons used in the intrastate transportation of gasoline and establishes a uniform registration and permitting program for transporters of hazardous material and hazardous waste. 61-0

H.F. 2046-Ranum: Restricts the killing of dogs wounding, killing, or pursuing big game within the Metro Area. 53-9

S.F. 2177-Spear: Modifies liability provisions for child abuse investigations, provides for access to data regarding determinations of maltreatment and provides for the establishment of protocols for investigations.

H.F. 1999-Riveness: Requires disclosure of information relating to insurance fraud and grants immunity for reporting suspected insurance fraud. 58-0

S.F. 2194-Riveness: Authorizes the legislative auditor to perform best practices review audits. 61-0

S.F. 2392-Reichgott Junge: Missing Children Rapid Response Act, requires law enforcement agencies to adopt policies for investigating cases involving children who are missing and endangered, requires pretrial evaluations in felony and specific other cases and requires the commissioner of public safety to develop a plan for a criminal alert network. 64-0

H.F. 2028-Finn: Omnibus data practices bill, classifies data as private, confidential or nonpublic. 42-19

S.F. 2885-Lesewski: Expands the Governor's Job Training Council and renames the council the Governor's Workforce Development Council. 63-0

H.F. 2485-Price: Changes provisions of the Groundwater Protection Act including providing for the duties of the Legislative Water Commission, providing for a Sustainable Agriculture Advisory Committee, requiring plans relating to sustainable agriculture and integrated pest management and changing water well permit requirements. 62-0

S.F. 2072-Mondale: Adds labeling requirements for salvaged food; adds licensing requirements for salvaged food distributors. 62-0

H.F. 2054-Benson, D.D.: Authorizes the commissioner of administration to sell lands in the Gordy Yaeger Wildlife Management Area in Olmsted County. 58-0

S.F. 2289-Merriam: Authorizes a person who wishes to construct or expand an air emission facility to reimburse costs of the Pollution Control Agency. 46-15

S.F. 2630-Piper: Restructures the functions and groups related to ombudspersons for families. 61-0

### Conference committee reports adopted and repassed--April 22.

H.F. 2675-Lessard: Authorizes the sale of tax forfeited land in Aitkin County. 57-0

### Bills granted final passage on Special Orders--April 25.

S.F. 2309-Reichgott Junge: Consolidates and recodifies statutes providing limitations on private personal injury liability, provides immunity for volunteer athletic physicians and trainers, limits liability for injuries arising out of nonprofit livestock activities and modifies provisions dealing with recreational land use liability. 63-0

H.F. 3032-Merriam: Clarifies the purposes for which various game and fish revenues may be spent, abolishes the angling license refund for senior citizens and changes deer hunting provisions. 51-14

H.F. 2010-Johnson, J.B.: Requires a person who arranges for management of solid waste in an environmentally inferior manner to indemnify generators of the waste and, for a landfill, set aside a fund to pay for contamination from the landfill. 63-0

### Conference committee reports adopted and repassed--April 25.

S.F. 2900-Stumpf: Higher education omnibus bill appropriates money for education and related purposes to the State Board of Technical Colleges, the Higher Education Board, the State University Board and the Board of Regents of the U of M. 65-0

S.F. 2246-Murphy: Authorizes the exchange of state lands in Wabasha and Fillmore Counties. 64-0

S.F. 1898-Wiener: Requires insurance coverage of equipment and supplies for the management and treatment of diabetes. 60-7

### Bills granted final passage on Special Orders--April 26.

H.F. 1788-Cohen: Provides for postnuptial contracts. 38-23

H.F. 3193-Pogemiller: Provides conditions and requirements for the issuance of debt, authorizes the use of revenue recapture by housing agencies, clarifies a property tax exemption and authorizes the use of special assessments for on-site water contamination improvements. 59-2

H.F. 1985-Reichgott Junge: Provides for the registration and operation of limited liability partnerships. 64-0

S.F. 2150-Dille: Establishes a feedlot and manure management advisory committee, provides for development of manure management research and monitoring priorities, changes eligibility requirements for beginning farmer loans and establishes a livestock expansion loan program. 63-0

H.F. 2227-Sams: Requires the Public Utilities Commissioner to appoint a team of science advisors and provides for studies of stray voltage and the effects of earth as a conductor of electricity. 52-11

S.F. 2090-Betzold: Modifies provisions dealing with the computation, administration and enforcement of child support and provides for custody determinations. 67-0

S.F. 180-Kroening: Proposes an amendment to the Minnesota Constitution permitting the Legislature to authorize pari-mutuel betting on horse racing without limitation and directing the Minnesota Racing Commission to prepare and submit legislation to implement televised off-site betting. 41-18.

S.F. 2825-Kiscaden: Modifies provisions concerning rates for care and recovery of medical assistance overpayments, modifies provisions concerning home care and alternative care and requires changes in related rules. 63-0

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- S.F. 2410-Luther: Modifies registration requirement for off-road recreational vehicles. 61-0  
S.F. 2795-Merriam: Requires fees charged by state agencies to cover costs. 63-0  
S.F. 1842-Piper: Makes changes in laws relating to the protection of vulnerable adults. 63-0  
H.F. 2365-Langseth: Makes technical changes to laws relating to traffic regulations, removes the requirement for auxiliary low beam lights to be removed or covered when snowplow blades are removed and requires seat belts for commercial motor vehicles. 63-0  
H.F. 2925-Johnson, D.J.: Requires that specific leased lakeshore lots in Cook County be reoffered for public sale. 48-7  
H.F. 2034-Murphy: Changes requirements for distribution of funds from the town road account and town bridge account. 63-0  
H.F. 2226-Anderson: Permits employees of Minnesota Project Innovation, Inc. to participate in state benefit programs. 56-5  
H.F. 3086-Morse: Establishes a cleanup program for closed landfills and requires an environmental impact statement for specific operations in critical areas. 64-0  
H.F. 2120-Piper: Provides that health-related licensing boards may establish a program to protect the public from impaired regulated persons. 64-1

**Conference Committee reports adopted and repassed--April 26.**

- S.F. 1712-Johnson, D.E.: Provides for financial audits for towns. 55-0  
S.F. 2303-Pappas: Requires persons age 55 or over to complete a refresher course in accident prevention in order to remain eligible for a reduction in private passenger vehicle insurance rates. 57-0

**Conference committee reports adopted and repassed--April 27.**

- S.F. 1766-Reichgott Junge: Expands remedies for the unauthorized practice of law. 61-0  
S.F. 2104-Runbeck: Establishes an abused child advocacy advisory council. 64-0  
S.F. 2709-Berg: Provides for the pricing of dairy products. 58-4  
H.F. 3210-Samuelsen: Omnibus health and human services supplemental budget bill. 50-14  
H.F. 2362-Reichgott Junge: Changes the definition of potentially dangerous dog and changes the identification tag requirements for a dangerous dog. 62-2

**Bills granted concurrence and repassage--April 27.**

- S.F. 2210-Kelly: Authorizes Ramsey Health Care, Inc., to incorporate as a nonprofit corporation and to terminate its status as a public corporation. 62-2

**Bills granted final passage on Special Orders--April 27.**

- H.F. 1899-Hottinger: Revises procedures used for adoption and review of administrative rules and corrects erroneous, ambiguous, obsolete and omitted text and obsolete references. 64-0  
H.F. 2920-Merriam: Reestablishes the Office of Waste Management as the Office of Environmental Assistance, transfers environmental assistance programs from the Pollution Control Agency to the office and transfers waste management and policy planning from the Metropolitan Council to the office. 58-7  
H.F. 2158-Price: Requires that towns, cities and counties have ordinances complying with Pollution Control Agency rules regarding individual sewage treatment systems and requires the agency to license sewage treatment professionals. 63-1  
H.F. 2080-Sams: Provides for uniformity of food laws with federal regulations. 61-0  
S.F. 2395-Luther: Providing for uniform local government elections dates and supersedes inconsistent general and special laws and home rule charter provisions. 39-24

**Conference committee reports adopted and repassed--April 28.**

- S.F. 584-Krentz: Prohibiting SLAPP suits. Protects citizens and organizations from civil lawsuits for exercising their rights of public participation in government. 51-0  
H.F. 2624-Flynn: Ratifies labor agreements, makes some positions unclassified and changes the duties of the Legislative Commission on Employee Relations. 54-0  
H.F. 2410-Lessard: Provides for the sale of tree seed and tree planting stock and sets terms and conditions governing the leasing of state timber lands. 57-0  
S.F. 2710-Solon: Modifies provisions relating to lead and asbestos abatement. 58-0  
H.F. 2485-Price: Provides for the duties of the Legislative Water Commission, provides for a sustainable agriculture advisory committee and requires plans relating to sustainable agriculture and integrated pest management. 55-1  
H.F. 2710-Riveness: Requires the creation of a system for electronic application for licenses and permits and requires a study. 55-0

**Bills granted concurrence and repassage--April 28.**

- S.F. 2500-Kelly: Requires proportional representation for various membership groups on the St. Paul Teachers Retirement Fund Association Board of Trustees. 47-7  
S.F. 2277-Merriam: Authorizes the Metropolitan Waste Control Commission to enter into agreements to implement total watershed management. 63-0

**Bills granted final passage on Special Orders--April 28.**

- H.F. 3079-Price: Authorizes the commissioner of natural resources to make subgrants to local units of government. 59-0  
H.F. 2234-Morse: Legislative Commission on Minnesota Resources bill, clarifies roles of personnel working on specific projects and clarifies terms and conditions of specific 1993 appropriations. 61-0  
H.F. 2762-Ranum: Regulates the use and operation of Head Start school buses. 59-0  
S.F. 2316-Metzen: State Board of Investment housekeeping bill; limits the investment authority of various local pension plans to the pre-1994 investment authority of the board and provides for the management of funds under the board's control. 61-0  
H.F. 392-Kroening: Requires the installation of automatic sprinkler systems in existing high-rise buildings. 53-11  
H.F. 2567-Terwilliger: Permits state employees to donate vacation leave for the benefit of a specific state employee. 57-5  
S.F. 2475-Hottinger: Omnibus workers' compensation reform bill. 39-27  
H.F. 2894-Price: Provides for evaluation of motor vehicle salvage facilities by the Pollution Control Agency. 56-0  
H.F. 3179-Stumpf: Makes changes to the Wetlands Conservation Act, modifies easements, makes changes to provisions relating to drainage and filling for public roads and establishes special vehicle license plates for wetlands wildlife purposes. 61-0  
S.F. 2929-Knutson: Provides an emergency appropriation in order to respond to the fire at Burnsville High School. 64-0  
H.F. 2658-Morse: Waives the annuity reduction for faculty in the State University System who return to teaching part-time after retirement and mandates employer-paid health insurance for these faculty. 55-4

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Party	Phone	Name	Room	Dist.	Party	Phone	Name	Room	Dist.
DFL	296-5981	Adkins, Betty A	309	Cap. 19	DFL	8869	Luther, William P.	205	Cap. 47
DFL	5537	Anderson, Ellen R.	G-27	Cap. 66	DFL	5645	Marty, John	G-9	Cap. 54
DFL	5713	Beckman, Tracy L.	301	Cap. 26	IR	2159	McGowan, Patrick D.	129	SOB 33
IR	5975	Belanger, William V., Jr.	113	SOB 41	DFL	4154	Merriam, Gene	122	Cap. 49
IR	3903	Benson, Duane D.	119	SOB 31	DFL	4370	Metzen, James P.	303	Cap. 39
IR	6455	Benson, Joanne E.	153	SOB 16	DFL	2577	Moe, Roger D.	208	Cap. 2
DFL	5094	Berg, Charles A.	328	Cap. 13	DFL	7-8065	Mondale, Ted A.	309	Cap. 44
DFL	4261	Berglin, Linda	G-9	Cap. 61	DFL	5649	Morse, Steven	G-24	Cap. 32
DFL	2084	Bertram, Joe, Sr.	323	Cap. 14	DFL	4264	Murphy, Steve L.	226	Cap. 29
DFL	2556	Betzold, Don	G-24	Cap. 48	IR	1279	Neuville, Thomas M.	123	SOB 25
DFL	9307	Chandler, Kevin M.	111	Cap. 55	DFL	4334	Novak, Steven G.	322	Cap. 52
DFL	4182	Chmielewski, Florian	325	Cap. 8	IR	4837	Oliver, Edward C.	121	SOB 43
DFL	5931	Cohen, Richard J.	317	Cap. 64	IR	1282	Olson, Gen	131	SOB 34
IR	9457	Day, Dick	105	SOB 28	DFL	1802	Pappas, Sandra L.	G-27	Cap. 65
IR	4131	Dille, Steve	103	SOB 20	IR	5252	Pariseau, Pat	109	SOB 37
DFL	6128	Finn, Harold R. "Skip"	306	Cap. 4	DFL	9248	Piper, Pat	G-9	Cap. 27
DFL	4274	Flynn, Carol	G-29	Cap. 62	DFL	7809	Pogemiller, Lawrence J.	235	Cap. 59
IR	8138	Frederickson, Dennis R.	139	SOB 23	DFL	7-8060	Price, Leonard R.	235	Cap. 57
DFL	3219	Hanson, Paula E.	328	Cap. 50	DFL	7-8061	Ranum, Jane B.	325	Cap. 63
DFL	6153	Hottinger, John C.	G-29	Cap. 24	DFL	2889	Reichgott Junge, Ember D.	306	Cap. 46
DFL	8017	Janezich, Jerry R.	328	Cap. 5	DFL	7-8062	Riveness, Phil J.	317	Cap. 40
IR	3826	Johnson, Dean E.	147	SOB 15	IR	4314	Robertson, Martha R.	125	SOB 45
DFL	8881	Johnson, Douglas J.	205	Cap. 6	IR	1253	Runbeck, Linda	107	SOB 53
DFL	5419	Johnson, Janet B.	322	Cap. 18	DFL	7-8063	Sams, Dallas C.	G-9	Cap. 11
IR	4123	Johnston, Terry D.	117	SOB 35	DFL	4875	Samuelson, Don	124	Cap. 12
DFL	5285	Kelly, Randy C.	122	Cap. 67	DFL	4188	Solon, Sam G.	303	Cap. 7
IR	4848	Kiscaden, Sheila M.	143	SOB 30	DFL	4191	Spear, Allan H.	G-27	Cap. 60
IR	4120	Knutson, David L.	133	SOB 36	IR	8075	Stevens, Dan	127	SOB 17
DFL	7061	Krentz, Jane	235	Cap. 51	DFL	8660	Stumpf, LeRoy A.	G-24	Cap. 1
DFL	4302	Kroening, Carl W.	124	Cap. 58	IR	6238	Terwilliger, Roy W.	115	SOB 42
IR	4351	Laidig, Gary W.	141	SOB 56	DFL	5650	Vickerman, Jim	226	Cap. 22
DFL	3205	Langseth, Keith	G-24	Cap. 9	DFL	7-8073	Wiener, Deanna	303	Cap. 38
IR	5655	Larson, Cal	145	SOB 10	<b>Capitol or State Office Building, St. Paul, MN 55155</b>				
IR	4125	Lesewski, Arlene J.	135	SOB 21	<b>TDD number 296-0250</b>				
DFL	4136	Lessard, Bob	111	Cap. 3	<b>Senate Information 296-0504</b>				

# Briefly

Minnesota Senate Week in Review

May 10, 1994

## Session adjourns

With the motion to adjourn sine die, made by Sen. William Luther (DFL-Brooklyn Park), the 78th Legislative Session came to a close at 3:10 a.m. Sat., May 8. The 74 day session brought about a number of significant pieces of legislation, from sweeping ethical practices reform to the passage of a \$550 million bonding package. Two of the most controversial bills, the NSP bill and the Target Center bill, were passed in the closing hours of the session. One of the last bills to come to the Senate floor, the K-12 education finance measure, restores \$300 million in state aid to local districts and \$24 million to the technical colleges.

Members will return to the Capitol for the beginning of the 79th Legislative Session, Jan. 3, 1995.

## Target Center bill okayed

One of the final pieces of legislation to gain passage was the controversial measure allowing the public takeover of the Target Center in downtown Mpls. H.F. 3041, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), allows for the purchase of the Target Center with the proceeds of \$42 million in bonds sold by the Metropolitan Council. Under the bill, the bonds are to be paid off by a 10 percent tax and a \$1 surcharge on all Target Center tickets. The measure also requires that the Metropolitan Sports Facilities Commission sign long term leases for the Target Center and requires full disclosure and due diligence on the part of the new owners of the Timberwolves basketball team. In addition, the bill specifies that the state contribute \$750,000 per year for 15 years and that the city of Minneapolis must provide a guarantee with a backup tax on hotel, liquor and food. The backup tax is designed to "blink on" if revenues are not sufficient to pay off the bonds. Pogemiller also said that the bill was not premised on any particular local owner of the Timberwolves, but the bill does require a 30 year commitment to keep the team at the facility.

According to Pogemiller, the compromise version of the bill contained most of the provisions found in the original Senate bill. Pogemiller said that the major differences from the Senate version included changing the membership of the Metropolitan Sports Facilities Commission by adding two members, neither of whom may be Minneapolis residents. The conference

committee version also adds due diligence language for the new owners of the facility. Pogemiller also said that the so called "Mighty Ducks" provision, a requirement that a 50 cent surcharge be placed on tickets to finance youth skating arenas, was dropped from the bill. However, Pogemiller said that the compromise version does include policy language expressing the hope that there will be future bonding for ice facilities for young people, particularly for female athletes. Pogemiller also said that another positive provision in the measure is a requirement that if the backup tax blinks on .25 percent of the tax is to be used for youth activities by the Minneapolis Park and Recreation Board. Finally, Pogemiller said that the bill contains a departure from the Senate bill in that the state commitment is reduced from 30 years to 15 years.

There was little debate on the measure and the conference committee report was adopted and re-passed on a vote of 35-26.

## Bonding package okayed

In an effort to speed up the process, Senators amended the conference committee agreement on the bonding bill, H.F. 2742, onto H.F. 218, another bill dealing with bonding. The parliamentary maneuver was done in order to allow the Senate to act on the bill prior to the House taking action. Thus, although Sen. Dean E. Johnson (R-Willmar) is the chief author of H.F. 218, the provisions were explained by Sen. Gene Merriam (DFL-Coon Rapids), chief author of the omnibus bonding measure.

The bill authorizes \$550 million in bonding for capital improvements. Some of the major items include \$69 million for the University of Minnesota with \$25 million earmarked for the Carlson School of Management and \$13 million for Mechanical Engineering. About \$72 million is slated for prison expansion to accommodate the increase in prison population anticipated with the passage of various crime bills this session. In addition, \$57 million is provided for the State University system and \$45.5 million for projects at technical colleges. A total of \$59 million is appropriated to the Department of Natural Resources, with \$1 million earmarked for state park development, \$10 million for Metropolitan Regional Parks and \$2 million for state park acquisition. RIM programs are to receive \$4 million under the compromise measure. The measure

also includes funding for the Wakota Bridge, \$10 million for light rail transit to match a federal grant and \$10 million for the MTC bus garage. The measure also includes funding for the Bloomington Ferry Bridge. Finally, the measure includes funding for Head Start facility grants, early childhood facility grants and truancy centers all totalling \$2.5 million.

The bill was granted final passage on a vote of 62-1.

## K-12 funding compromise passed

H.F. 2189, the K-12 finance conference committee report was approved in the early hours of the morning on a vote of 62-1. The measure, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), contains a number of supplemental appropriations and additional K-12 education provisions.

The bill provides \$172 million in aid to local school districts and another \$24 million for the State Board of Technical Colleges to restore those state payment amounts that had been shifted from one fiscal year into the next. Both of the appropriations had appeared in the Senate version of the K-12 bill.

Other Senate proposals that were included in the final version of the bill included measures setting new operational and equipment standards for school buses, \$3 million in aid for school district transportation safety programs, and an additional \$8 million to increase in the amount per-pupil aid districts receive based on the number of kindergartners in the district.

An additional \$500,000 in emergency aid to the Burnsville School District is included in the bill. The appropriation was approved as part of another bill and added to the K-12 package.

The conference committee modified the Senate position that repealed all excess referendum levies in 1997. The changes allow districts to keep the referendum levy authority until July 1, 2000. Under the bill, districts may convert their existing excess referendum levies from a net tax capacity to a market value basis.

The Senate did prevail in their position to change how the intermediate school districts are funded. The committee agreed to give about \$14 million in property tax authority to the intermediates' member districts, and the member districts will use the revenue to pay for the services that the intermediate provides.

# Committee update

## Finance

### Target Center bill passed

On a 12-8 vote, the proposal allowing the Metropolitan Sports Facilities Commission (MSFC) to buy the Target Center was passed out of the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), Thurs. evening, Apr. 28. The bill was re-referred to the Senate floor.

S.F. 2725, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), lays out the process for the MSFC to buy the Minneapolis sports arena. Under the bill, the MSFC can request the Metropolitan Council to issue bonds for the purchase, if a number of conditions are met, including requirements that the MSFC and the arena's primary tenant reach a 30-year lease agreement and that other components are in place that will provide the revenue needed to operate the arena and make the debt service payments on the bonds.

Having reviewed and debated the proposal, the committee took up several additional amendments. Sen. William Luther (DFL-Brooklyn Park) proposed an amendment to require the facility's current owners and potential lessees with information that is relevant to the acquisition. His amendment was adopted.

Luther also offered an amendment allowing the MSFC to select a name for the arena through a public participation process. His amendment was also approved.

An amendment raising the ticket tax from 10 percent to 13 percent was offered by Sen. Richard Cohen (DFL-St. Paul). Cohen argued that increasing the tax would raise enough revenue to make the purchase entirely user-supported.

Pogemiller opposed the amendment, saying that ticket prices are based on what the market will bear and that the raising the tax would raise prices beyond that point. The amendment was not adopted.

The bill calls for a food, lodging and liquor tax to be imposed if arena revenue proves to be insufficient to cover debt service payments. The committee had earlier approved an amendment, offered by Sen. Carl Kroening (DFL-Mpls.), that the tax remain in effect after the debt service payments are met and the revenue is designated for Minneapolis youth programs.

Luther moved for reconsideration of the Kroening amendment and expressed concerns that using the tax revenue to support ongoing programs was inappropriate.

ate. Sen. Allan Spear (DFL-Mpls.) opposed the motion, arguing that the tax was a way for the city to benefit from the additional revenue. The Luther motion was adopted and upon reconsideration, the Kroening amendment was not adopted.

The bill was then passed, as amended, on the roll call vote.

The committee also approved a proposal to set a process that will allow businesses to buy licenses through a "one-stop" approach. H.F. 1918, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), requires the Dept. of Trade and Economic Development to develop and design a single license application with parts of the application appropriate to particular businesses. The bill was passed to the floor.

## Thursday, April 28

### Funding for school repair

Emergency assistance to Burnsville High School was granted final approval by the Senate Thurs., Apr. 28. Sen. David Knutson (IR-Burnsville) carried the bill, which allocates \$500,000 to assist the school district in completing the school year. Knutson asked members to respond to the "community's urgent loss." The school was damaged by fire Mon., Apr. 25. According to Knutson, the funds would be used for temporary furniture, transportation, and staffing.

Sen. Don Samuelson (DFL-Brainerd) expressed concern for emergency needs when the Senate is not in session and suggested an interim fund. Knutson supported the proposal for later legislation. The bill was approved by a vote of 64-0.

Continued preservation of wetlands gained Senate approval by a vote of 61-0. The bill, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), creates a wetlands wildlife legacy account and simplifies the wetlands notification process. The bill improves care of public roads by giving rural authority on road rehabilitation, Stumpf said.

An amendment, proposed by Sen. Leonard Price (DFL-Woodbury), establishes a wetlands wildlife legacy account through the sale of wildlife license plates. Price said that the sale of license plates is a voluntary way to establish more wildlife areas. Sen. Roger D. Moe (DFL-Erskine) opposed the amendment, explaining that it would create an undue administrative burden. The amendment failed to gain approval.

In other floor action, Sen. Randy Kelly (DFL-St. Paul) authored a bill relating to claims against the state. Kelly explained that H.F. 3211 discourages frivolous claims and settles outstanding claims. Kelly presented an amendment, that was adopted, protecting community work experience participants. The bill was given final passage on a vote of 64-0.

The Senate granted final approval to H.F. 2658, carried by Sen. Steven Morse (DFL-Dakota). The bill waives the annuity reduction for faculty in the state university system who return to teaching on a part-time basis after retirement. Morse encouraged approval of the bill, stating that it allows the higher education system to take advantage of special skills, while phasing out a faculty member.

## Friday, April 29

### Relief volunteer bill passes

A bill that establishes a disaster volunteer leave program in the state civil service was passed by the Senate Fri. morning, Apr. 29. Before passing, H.F. 1915 generated considerable discussion on the floor.

Sen. Sheila Kiscaden (IR-Rochester) asked, "What is a volunteer?" Under the bill, state employees who are certified by the American Red Cross are paid 50 percent of their salary for a maximum of 15 days when assisting in a specialized disaster relief program. Kiscaden said that the bill "sets up a two-tier structure for volunteers--those who are paid and those who are not."

The bill's author, Sen. Ember Reichgott Junge (DFL-New Hope), said "this is a unique volunteer opportunity" and should be treated as such. "There is only one volunteer organization which is federally mandated to provide relief and that is the American Red Cross," she said. Furthermore, the hands-on experience that the individuals acquire in emergencies is invaluable to the state, Reichgott Junge said.

Sen. Gene Merriam (DFL-Coon Rapids) questioned the measure saying, "There is no end to good causes and if we can do it for this one, than why not do it for the other?" He also objected to the underlying assumption that "state employees don't do anything." Merriam said, "This is a dangerous idea."

Reichgott Junge said that 10 states have passed similar legislation, but that their employees are paid 100 percent of salary, not the 50 percent proposed in her bill. "This is not new ground," she said.

Kiscaden moved to send the measure to the Finance Committee, a maneuver that would effectively kill the bill for the session. The motion was defeated, 30-32, and members passed the bill, 34-28.

The Senate also approved H.F. 3211, a measure that provides for payment of various claims against the state. Sponsored by Sen. Randy Kelly (DFL-St. Paul), the bill appropriates monies from the general fund for damages suffered by individuals who have claims against the state.

Sen. Martha Robertson (IR-Minnetonka) offered an amendment restructuring public assistance. On a voice vote, the amendment was adopted, but Reichgott Junge called for reconsideration. Debate followed, centering around welfare reform. Robertson told members that the amendment is "identical to what we passed out of the Senate."

Merriam, speaking against the amendment said, "This would set a precedent of passing unbalanced bills to the governor," because the amendment requires additional funding.

Kiscaden asked, "Does this mean welfare reform is dead this year? And has this money been re-appropriated by the Finance Committee elsewhere?"

In response to Kiscaden's question, Merriam said that there are separate balancing procedures between the Senate and the other body. The other body had appropriated a different amount of money for the bill than the Senate had allocated.

Reichgott Junge questioned whether the amendment was germane. After a decision that the Robertson amendment was not germane, members voted on the measure, passing it 64-0.

### Juvenile justice bill passes

The conference committee report on the juvenile justice bill was adopted and the bill was granted final passage on a vote of 62-0 at a midday portion of the floor session. The Senate also confirmed several appointments by the governor.

H.F. 2074, sponsored by Sen. Jane Ranum (DFL-Mpls.), revises current juvenile justice laws as well creates new laws. Sen. Gene Merriam (DFL-Coon Rapids) expressed concern that the bill spends money that the state does not have and said, "this builds a big tail into the next biennium." Sen. Tracy Beckman (DFL-Bricelyn) countered by saying the bill appropriates funds to necessary prevention programs that are one time expenditures.

Among the provisions in the bill is the restriction of a juvenile convicted in an

adult court for a crime of violence from possessing a firearm for ten years. Also, juveniles charged with committing a murder in the first degree, after the age of 16, are prosecuted in an adult court and are subject to adult criminal penalties. According to Ranum, the bill creates a category of "extended jurisdiction juvenile" or "EJJ". The new classification replaces the "serious youthful offender" classification. An EJJ is treated in the same manner as an adult felon convicted under current sentencing laws. The community crime reduction program is extended under the bill. Juveniles identified as possible offenders by community based programs, organizations that coordinate truancy and school drop out programs, and programs that increase high school graduation rates are included in the expansion of the community crime prevention program. The duties of the criminal and juvenile information policy groups are expanded under a provision in the bill. Drive-by shootings are added to the list of crimes for mandatory minimum sentencing. The laws governing weapons possession on school grounds are altered to classify the possession or use of a replica firearm or BB gun as a felony. In a related provision, the unlawful transfer of a pistol or assault weapon is reclassified as a felony, from a gross misdemeanor.

The following were confirmed by the Senate: Frank W. Wood, commissioner of the Dept. of Corrections; Edward A. Garvey and Keith H. Langmo, Minnesota Pollution Control Agency; Paul Toren, Deanna Fairbanks and Bruce Bomier, Minnesota Environmental Quality Board; Jack LaVoy, Jean Sanford, Ty Bischoff, Nancy Gibson and Arlan H. Anderson, Environmental Trust Fund Citizens' Advisory Committee; John R. Chell, director of the Office of Waste Management; Daniel D. Foley, William A. Urseth and Russel B. Kirby, Minnesota Pollution Control Agency; D. James Nielson, director of the Board of Water and Soil Resources; Clarence S. Carter, John Breon, Dennis Flaherty, Allan E. Fonfara, Laura Schupp and Mary K. McLeod, Gambling Control Board; Joseph Friedberg, Mary B. Magnuson and Camille J. McArdle, Minnesota Racing Commission; Joseph Alvite, Penny Becker, Henry Buchwald, Daniel Ferber, Philip M. Goldman, Steven Levinson, Donna J. McBrian, Janet Robb, Patsy Sherman, Lyle Stevermer and Milton Toratti, Board of Invention; Vivian Evans, Marlene H. Malstrom, Curtis J. Pietz, Christopher J. Skaalen, Minnesota Rural Finance Authority; James Ulland,

director of the Dept. of Commerce; Allyson Hartle, Todd Paulson and Frank Snowden, Metropolitan Transit Commission; Roger Scherer, Bill Schreiber, Mary Smith, Julius Smith, Martha Head, Carol A. Kummer, David Hartley, Patrick Leung, Esther Newcome, E. Craig Morris, Diane "Dede" Wolfson, Stephen Wellington, Jr., Kevin Howe and Terrance Flower; Sharon Feess, N. Harry Mares, Gary Humphrey, Michael Beard, Ruby Hunt and Morgan Grant, Regional Transit Board; Sally Evert, chair of the Regional Transit Board; Susan Kiley, Stephen J. O'Connor, Harvey C. Aaron, Robert Hansen and Michas Ohnstad, Minnesota Veterans Homes Board of Directors; Caroline Baillon, Robert E. Powless, Stephan George Shank, Board of the Arts; Maria R. Gomez, commissioner of the Dept. of Human Services; Vanne Owens Hayes, State Ethical Practices Board; Mary Jo O'Brien, commissioner of the Dept. of Health; Bruce Bakken, Jo Van Hovel and Michael Finch, Minnesota Housing Finance Authority; Dunacan Baird, Minnesota Public Utilities Authority; R. Marshall Johnson, Public Utilities Commission; Kevin E. Johnson, chief administrative law judge of the State Office of Administrative Hearings; Debra Rae Anderson, commissioner of administration.

The appointment of Robert Mairs to the Metropolitan Transit Commission (MTC) was rejected by the Senate on a 61-0 vote. According to Sen. Ted Mondale (DFL-St. Louis Park), Mairs was not recommended for confirmation by the Metropolitan and Local Government Committee because of his role in the hiring of the MTC executive director. According to Mondale, Mairs failed to perform an adequate search and recommended that the executive director be hired despite a conflict of interest.

In other action on the floor, H.F. 1316 gained final approval by a vote of 34-19. The bill, carried by Sen. Janet Johnson (DFL-North Branch), requires licensure of nutritionists and dietitians and establishes a board of nutrition and dietetics practice. Johnson stressed the need for licensure, so that "qualified, educated people who understand the impact of food on health" are practicing in the state.

Sen. Duane Benson (IR-Lanesboro) opposed the bill, maintaining that increased licensing of professions would only serve to increase costs. Protection and accountability already exist in the system, Benson said.

The Senate also granted approval to a bill relating to agricultural operation,

# Floor action

sponsored by Sen. Dallas Sams (DFL-Staples). The bill, H.F. 2493, states that an agricultural operation cannot be declared a nuisance until three years after the date of its established organization. An adopted amendment was proposed by Sen. Steve Dille (IR-Dassel) to create a livestock expansion loan program and a feedlot and manure management advisory committee. The final vote on the bill was 55-0.

## Monday, May 2

### Tax bill passed

In the early afternoon, Mon., May 2, the Senate granted final passage to the conference committee report on the omnibus tax bill. The bill passed on a vote of 58-8.

Sen. Douglas Johnson (DFL-Cook), Sen. Ember Reichgott Junge (DFL-New Hope) and Sen. Carol Flynn (DFL-Mpls.) detailed the provisions in H.F. 3209 for the Senators. Among the many provisions in the bill, a provision conforms state tax law to federal tax law. The at-home dependent care credit is extended to all married taxpayers with dependents less than one year old. The current sales tax of four percent on special tooling is removed from sales made after June 30, 1994. Also, the sales tax on replacement equipment is phased down to two percent for purchases made after June of 1998. The bill also provides a sales tax exemption for construction materials if purchased for the installation or use in an agricultural processing facility in which investment exceeds \$100 million. An appropriation of \$17.5 million is made to the special education aid account for educational needs. The local government trust fund is eliminated effective July, 1996, under a provision in the bill. A "this old house" provision in the bill is designed to encourage the renovation of older housing through tax credits. The homestead credit given to homeowners is limited to one home per married couple. Also under the provisions of the bill, the filing date for petitions relating to property taxes is changed from May 15 to March 31.

"We do not look at the big picture", said Sen. Pat Piper (DFL-Austin), objecting to a \$3.7 million dollar appropriation to the program providing a tax credit for at-home parents. According to Piper, the money would be better spent for the sliding fee child care program. Piper said the state is sending a conflict message by encouraging two parent

families to use the at-home program while encouraging single parents to work. Sen. Jane Krentz (DFL-May Township) defended the at-home program, saying "we are not talking about wealthy people in this bill." Krentz said the two issues are both important programs and should not be pitted against each other.

### Transportation bills passed

On Mon. afternoon, May 2, the Senate passed a bill enabling the Metropolitan Transit Commission (MTC) to buy new buses and additional equipment.

S.F. 2816, authored by Sen. Sandra Pappas (DFL-St. Paul), allows the MTC to request that the Metropolitan Council issue bonds for bus replacement and other capital needs. The bill also establishes a high speed bus service pilot project, which sets up a transit service project connecting the southern suburbs with the downtown areas.

Pappas offered an amendment to the bill permitting MTC to request that the Metro Council issue up to \$142 million in bonds over the next three fiscal years. The amendment also removes a provision in the bill that required the MTC to design uniform bus stop signs.

Sen. Jane Ranum (DFL-Mpls.) objected to using the Metro Council's bonding authority to support the MTC proposal. By subsidizing the costs of the transit system through property taxes, Ranum argued, the bill asks Metro Area taxpayers to carry the funding costs for transit when transit funding should be addressed as a statewide issue.

Pappas agreed with Ranum's argument, but added that the bonding would get the MTC through a transition period until the Legislature can come back and provide for another funding source for transit programs other than property taxes. The Pappas amendment was adopted. The bill was passed, 60-1.

The Senate also amended and passed a transportation policy bill, H.F. 3011, sponsored by Sen. Keith Langseth (DFL-Glyndon). The bill makes technical changes and clarifies a number of Dept. of Transportation (MnDOT) provisions.

A number of amendments to the bill were proposed. Sen. Gen Olson (IR-Minnetrissa) offered an amendment enabling MnDOT to open an extra lane along I-394 from Highway 100 to Penn Avenue. She said the proposal will relieve congestion along I-394 using existing right-of-way to provide an additional channel for traffic moving from

Highway 100 to Penn Avenue. She added that the proposal would not require any additional construction.

Calling the amendment a "deal-buster", Sen. Allan Spear (DFL-Mpls.) asked the Senate to reject the amendment. He said the proposal violates an agreement that was reached between the neighborhood association and MnDOT, preventing any additional lanes and increasing the amount of traffic. The Olson amendment was approved on a 35-24 roll call vote.

The Senate also adopted an amendment presented by Sen. Jane Krentz (DFL-May Township) regulating personal transportation service vehicles, another offered by Sen. Linda Berglin (DFL-Mpls.) requiring MnDOT to complete an environmental impact statement before widening the I-35 bridge over Minnehaha Creek in Minneapolis, and a proposal moved by Sen. Dennis Frederickson (IR-New Ulm) repealing the at-cost license plate exemption on vehicles used by the Minnesota State Lottery.

Sen. Paula Hanson (DFL-Ham Lake) also offered an amendment increasing the fine assessed for work zone speeding on an interstate to not less than \$25. The amendment was adopted.

H.F. 3011 was passed, as amended, 60-1.

On a 59-0 vote, the Senate also passed H.F. 2411, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), allowing certain Itasca County employees to remain in the Public Employees Retirement Association (PERA). Lessard said the bill, approved by a conference committee, now allows new county employees to join PERA.

## Wednesday, May 4

### Target Center bill passed

After nearly four hours of debate, the Senate voted, on Wed., May 4, to approve a \$42 million financing package for the public purchase of the Target Center. H.F. 3041, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), allowing the Metropolitan Sports Facilities Commission (MSFC) to buy the Minneapolis sports arena, was passed on a 36-31 roll call vote.

Under the bill, the MSFC can request that the Metropolitan Council issue revenue bonds for the purchase. In order to cover the operating and debt service expenses of the arena, the bill allows the MSFC to assess a 10-percent admissions tax and a one-percent surcharge on tickets to all Target Center events.

In addition, the bill requires the

commission to enter into a 30-year lease agreement with a professional basketball team, as the primary tenant of the facility, and allows the Minnesota Amateur Sports Commission to lease both the Target Center and the Metrodome from the MSFC for amateur sporting events. An appropriation of \$750,000 is included to the amateur sports organization.

The bill also includes provisions requiring the city of Minneapolis to set up a special food, liquor and lodging tax that will be imposed if arena revenues are insufficient to cover debt service payments, and that separates the arena health club from the Target Center in order to maintain its private ownership.

The proposal also calls upon the current owners and potential lessees to disclose relevant information on the arena before a purchase agreement is completed, encourages the sports facilities commission to attempt to land a professional hockey team as a tenant, and includes a clause that prevents the arena from competing against other St. Paul facilities for events.

Pogemiller argued that without the Legislature's approval of the proposal, it is virtually certain that Target Center would lose its primary tenant. He noted that while the arena's primary tenant, the professional basketball team, is making money, the costs of the facility are more than had been expected.

Because of the current financial situation, Pogemiller said the opportunity exists to purchase of the Target Center "at fire sale rates", and secure a long-term lease agreement with the professional basketball franchise. "This bill doesn't guarantee the team will stay," Pogemiller said, "but it creates the possibility for that to happen."

Sen. Richard Cohen (DFL-St. Paul), speaking in opposition to the bill, argued that the bill is based on little information about efforts to privately refinance the arena through the owners current lenders, and that it is inappropriate to use the state's general funds to support the proposal. "It seems illogical to me to base our decision on the bill without any information on whether the banks will refinance the arena," he said.

Sen. Phil Riveness (DFL-Bloomington) moved to raise the admission tax from 10 to 13 percent and to delete the state appropriation to the Amateur Sports Commission. Arguing that the increase would not substantially raise ticket prices, Riveness said the amendment would make all of the financing for the arena the responsibility of the users. "It seems

reasonable to take the taxpayers off the hook," he said.

Pogemiller opposed the Riveness amendment, saying that a higher admission tax than was included in the bill had been considered "but I if thought it would work, I wouldn't be here asking for a state appropriation." He said current ticket prices are based on market forces and are set at what the market will bear.

Joining the debate, Sen. Dennis Frederickson (IR-New Ulm) opposed the amendment, saying that ticket prices would be higher now if the current owners felt the market would bear those increases. Sen. Leonard Price (DFL-Woodbury), speaking in favor of the amendment, called it a logical way to prevent the use of state funds to support the proposal.

Sen. Ember Reichgott Junge (DFL-New Hope) also added her support for the increase, saying that the increase would not make much difference to those who are willing to pay to attend events. Opposing the amendment, Sen. Gene Merriam (DFL-Coon Rapids) said any increase in the admission tax would not do what is intended because of how it would change the cash flow needed for the purchase work. The Riveness amendment failed on a roll call vote, 28-36.

An amendment offered by Sen. Allan Spear (DFL-Mpls.), requiring that if the food, liquor and lodging tax is used, it would remain in effect. Under the amendment a portion of the revenue from the tax would be used to fund recreational programs sponsored by the Minneapolis School District.

While the tax may never be needed to cover the debt service payments, Spear said that the prices at those food and lodging establishments subject to the tax would probably increase. He argued that those prices would probably not fall if the tax was removed, so that excess revenue should be captured and used for youth programs.

While agreeing that there is a need for youth programs, Pogemiller opposed the amendment, saying that using the tax as a revenue source for those programs was not appropriate. The Spear amendment was not adopted on a 24-38 vote.

Cohen proposed an amendment imposing a one-percent tax on Minneapolis hotels and motels, and eliminating the state appropriation to the Amateur Sports Commission. He argued the tax increase would generate up to \$825,000 each year. The amendment was not adopted, 21-37.

The Senate also rejected a second

Cohen amendment, requiring the Amateur Sports Commission to provide the chair of the Senate Finance State Government Division and the other body's counterpart with a monthly report on the commission's actual use of the sports arena. Cohen, who chairs the Finance division, said the amendment provides an opportunity for the division to monitor the commission's involvement in the Target Center.

A motion requiring the sale of the professional basketball team was offered by Sen. Thomas Neuville (IR-Northfield). He argued that requiring the sale will prevent the current team owners from making additional demands and will make it clear that the arena purchase is not a bail-out. Pogemiller responded by saying the provision was unnecessary because of the owners' expressed intent to sell. The Neuville amendment was not adopted.

The Senate adopted part of an amendment requiring that the arena's current owners and potential lessees allow relevant past and present financial records to become public information. The amendment, offered by Sen. William Luther (DFL-Brooklyn Park), also called for a review of the final agreement by the Legislative Commission on Planning and Fiscal Policy. The members adopted the public information provisions, but rejected the Legislative review provision by a 26-40 vote.

Sen. Roy Terwilliger (IR-Edina) proposed an amendment requiring the sports facilities commission to study the impact that professional sports franchises have on the state and submit a report on that study to the 1995 Legislature. The amendment was adopted, as was the amendment offered by Sen. Cal Larson (Ir-Fergus Falls) increasing the Amateur Sports Commission membership from nine to 12 members and changing the make-up to include one representative be appointed from each congressional district along with four Legislators.

The Senate also adopted an amendment, offered by Pogemiller, clarifying that any excess revenues the arena generates will be used to pay back the state and local governments for their investments, and approved the proposal by Sen. Carl Kroening (DFL-Mpls.) specifying the portion of downtown Minneapolis that will be subject to the food, liquor and lodging tax.

### **DWI bill approved**

A bill increasing the penalties for operating a snowmobile and motorboat while intoxicated and allowing those

# Floor action

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convictions to be included on an individual's driving record was passed by the Senate, Wed. morning, May 4.

The Senate also gave final passage to the omnibus liquor bill, the omnibus game and fish bill, and other conference committee reports.

S.F. 1961, authored by Sen. Gene Merriam (DFL-Coon Rapids), also allows convictions for operating snowmobiles, boats, and all-terrain vehicles while intoxicated to be considered as enhancements to subsequent driving-while-intoxicated (DWI) violations. The bill increases the license revocation period for persons convicted of child endangerment DWI, expands the crime to include test refusal, and adds a limit to when impounded license plates can be reissued.

The measure also requires that some repeat offenders will face a mandatory minimum sentence of one year in jail or intensive probation with electronic alcohol monitoring, and increases the maximum bail amount for persons arrested for a gross misdemeanor DWI violation while their licenses are revoked. The bill had been amended by the other body and Merriam had asked that the Senate concur with the amendments.

Objecting to the provisions that include convictions for operating recreational vehicles while intoxicated on an individual's driving record, Sen. Bob Lessard (DFL-Int'l Falls) moved to send the bill to a conference committee. Including those convictions on a driving record will raise a driver's insurance rates, Lessard said. "I'm not saying that people should be driving a boat or snowmobile when they're intoxicated," he said. "I just think that it's wrong for convictions to go on their driving record."

Merriam agreed that insurance companies may raise the rates of those with the convictions on their driving records, but "that may be a good thing." He said that while people are convinced to not drink and drive, the attitude remains that drinking when operating boats or snowmobiles is acceptable. Accidents involving DWI cause insurance rates to increase, Merriam said, "So what would be wrong if people with a record of driving or operating snowmobiles or boating while intoxicated pay the costs?"

Lessard's motion to send S.F. 1961 to a conference committee was defeated on a 20-43 roll call vote. The Senate then concurred with the amendments to the bill, passing it by a 63-1 margin.

The Senate also passed S.F. 2429, the

omnibus game and fish bill authored by Lessard. The bill clarifies a number of provisions regulating transmission and transportation of undesirable exotic aquatic plants or wild animals, amends hunting and fishing regulations, and provides immunity from liability for individuals who assist at accident scenes.

Merriam questioned including a provision amending the border water enterprise agreements law that had been passed and enacted earlier this session. He said the change allows commercial fishing operations to bring fish into the state while individual anglers are prevented from importing fish. "We're saying that if you go and catch fish by hook and line, the fish will be confiscated, but if you take big nets to catch fish, you can keep them," he said.

The Lessard motion to adopt the conference committee's report was narrowly approved, 33-28. On its final passage, the Senate passed the bill, 55-6.

The Senate also took up the H.F. 2617, the omnibus liquor bill sponsored by Sen. Sam Solon (DFL-Duluth). The bill, as amended by a conference committee, regulates agreements between brewers and wholesalers, prohibits registration of malt liquor brands that use names of American Indian leaders, and allows liquor to be taken away from the licensed site under certain circumstances. The bill also allows nonprofit organizations to hold a temporary liquor license for wine tasting events, and allows the city of Burnsville to issue up to three additional licenses.

Solon's motion to adopt the conference committee report was approved and H.F. 2617 was passed, 55-1.

S.F. 788, prohibiting municipalities from using quick take condemnation proceedings when acquiring property of another electric service provider through eminent domain, was presented. Sen. Janet Johnson (DFL-North Branch), the author, asked that the Senate concur with the amendments to the bill. She explained that what began as a bill that deals with energy consumption requirements, was amended with the quick take provision by the other body.

Sen. Steven Novak (DFL-New Brighton) moved the Senate not concur. He argued that the issue was one of importance and concern and that it would effect the bill should be examined on its effects on statewide policy. Novak's motion was not adopted on a 21-44 roll call vote.

The Senate then concurred with the

amendments to the bill and granted passage to S.F. 788, 44-21.

Repassage was also given to H.F. 3193, the omnibus public finance bill sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.). The bill amends a number of public finance provisions used by housing agencies, school districts and local governments. The Senate adopted Pogemiller's motion to adopted the conference committee report on the bill and passed the measure, 51-12.

## Thursday, May 5

### MinnesotaCare passed

Many major bills were granted final passage at the Thurs., May 5, floor session. A flurry of activity on the floor took place as the 1994 legislative session began winding down.

The MinnesotaCare implementation conference committee report, sponsored by Sen. Linda Berglin (DFL-Mpls.), was granted final passage on a vote of 35-26. Among the recent additions to the S.F. 2192, Berglin cited a limitation in the phase-in of the community rating system. According to Berglin, a provision in the bill allows health care cooperatives to form. The bill also provides funding for technical assistance to community integrated service networks (CISNs). Some providers are exempted from the two percent provider tax that is used to help fund the MinnesotaCare program. Among those exempted are providers to college and university students. Berglin also stated that the bill forgives a \$2.1 million loan to the Children's Hospital. Children of laid-off workers are not required to wait 18 months before they are covered by MinnesotaCare, under a change made by the conference committee. Under current law, Berglin said, the parents and children must wait 18 months after being laid off in order to be eligible. According to Berglin, the work done by the conference committee amounts to a \$54 million deficit in the health care account by 1997, which is lower than originally expected due to a reduction in the rate of enrollment into the program. The vote on the bill was 35-26.

The conference committee report on H.F. 2028 was granted final passage on a 58-0 vote. According to Sen. Harold "Skip" Finn (DFL-Cass Lake), the omnibus data privacy bill contains provision that increase and decrease public access to information. Finn highlighted areas in which the bill was

changed by the conference committee. In certain cases, the blood alcohol content of a person arrested for driving while intoxicated, may be disclosed, said Finn. The bill also provides for the protection of information relating to video tape rentals. A major revision in the bill, according to Finn, exempts the commissioner of corrections from the Minnesota open meeting law. The release of "911" emergency call tapes is restricted under the bill. Finn said the provision does not disallow law enforcement agencies from releasing tapes if the information aids in an investigation of a crime. The major provisions in the bill relate to the transfer of information on juveniles between school administrators and law enforcement agencies.

Sen. Gene Merriam (DFL-Coon Rapids) presented the conference committee report on S.F. 2913, the supplemental budget bill. The bill contains provisions relating to public safety, environment and natural resources, state government, community development, budget reserves, and transportation. Merriam said the public safety section of the bill provides for a \$3.50 fee on motor vehicle certificates of title in order to fund the purchase of state patrol cars. The fee is imposed for the next three years and there after the surcharge will be \$1, said Merriam. In the past, funding for state patrol vehicles has been taken out of highway funding. Sen. Steven Morse (DFL-Dakota) outlined aspects of the environment and natural resource section. According to Morse, the state provides \$2 million in funding for low interest loans to deal with non-point source pollution problems. The bill also provides for the voluntary labeling and inspection of milk from cows not given the recombinant growth hormone (rBGH) input. Sen. Richard Cohen (DFL-St. Paul) said under the state government section of the bill \$823,000 is appropriated to the Great Lakes protection fund, a ground water quality monitoring database and for a study of environmental justice. Cohen said that the section also provides for equal access to indoor ice arenas. Sen. Carl Kroening (DFL-Mpls.) said that the community development section includes provisions for a \$500,000 appropriation to the job skills partnership program. The bill was granted final passage on a 49-14 vote.

Sen. Pat Piper (DFL-Austin) presented the conference committee report on S.F. 2129, a bill regulating independent adoptions. According to Piper, the bill completely reconstructs laws relating to

independent adoptions. Piper said the bill regulated advertising and payments in connection with adoptions, regulates the agencies, provides for direct adoptive placement, provides for the enforcement of postadoption contact agreements, and establishes penalties for independent agencies failing to comply with new rules. Sen. Gen. Olsen (IR-Minnetrista) said the bill puts up barriers to adoptions by regulating the agencies. "The bill prevents the buying and selling of children," responded Piper. The bill was granted final passage on a 58-5 vote.

A bill providing for a constitutional question on pari-mutuel betting on horse racing was presented by Kroening. S.F. 180 was granted final passage on a 46-15 vote. Under the bill, the citizens of Minnesota shall be asked to vote on the question "shall the Minnesota Constitution be amended to permit off-track wagering on horse racing in a manner prescribed by law?"

### **Crime bill finalized**

The Senate granted final approval to the conference committee report on the omnibus crime package, H.F. 2351, Thurs., May 5. The chief author, Sen. Allan Spear (DFL-Mpls.), presented the final version of the bill.

The bill includes a mandatory minimum sentence of at least the length of the presumptive sentence for dangerous repeat offenders, a form of the "three time loser" provision. The bill increases restrictions on juvenile truancy and improves investigations of reports of missing and endangered children. The state takeover of public defender services is completed in the bill, as are improvements to the correctional system. Also contained in the bill are several firearms provisions, including prohibition of firearm possession for between three years to life by a person convicted of assaulting a family member with a firearm. In another firearm provision, a felony sentence is imposed on a person that possesses a firearm within 10 years of prohibition. Spear stated that he was "not completely happy" with the firearms provisions, but that the bill continued to be effective and include important elements.

Included in the conference committee report is the requirement that parents be responsible for providing health care to children, stating that spiritual means do not exempt parents from this requirement. The provision, proposed by House members, imposes a gross misdemeanor penalty if the child suffers substantial

harm, and a felony penalty if the child dies because of lack of medical care. Sen. Jane Ranum (DFL-Mpls.) supported the measure, encouraging parental responsibility for important health decisions. Spear stated that the provision oversteps the bounds of the state, and is adversarial to people practicing their beliefs. "They are parents, not criminals", Spear said, and stated that he preferred medical consultation instead of criminal penalties.

Referring to the omnibus crime package, Spear encouraged members to continue to pursue a balanced spending approach of prevention and correction. The expenditures required by the bill total \$37.4 million in FY 95 and \$105.4 million in FY 96. Sen. Patrick McGowan (IR-Maple Grove) said that the bill is a "compromise of lots of major provisions" that successfully incorporates both prevention and incarceration. After reviewing the committee report, the bill gained approval by a vote of 63-1.

### **Gambling bill okayed**

The Senate also granted final passage to the conference committee report on S.F. 103, the omnibus gambling bill, on a 57-0 vote. The measure, sponsored by Sen. Charles Berg (DFL-Chokio), gives the Horse Racing Commission the authority to issue up to five class D licenses to conduct simulcasting in any year. The provision applies to broadcasting of harness races at county fairs. The bill also requires annual audits of organizations with more than \$250,000 per year in gambling receipts and financial reviews of organizations with more than \$50,000 and less than \$250,000 in receipts. The measure also provides that advertising may be an allowable expense for lawful gambling organizations if the amount expended doesn't exceed five percent of the annual gross profits of the organization or \$5,000 per year. The measure also prohibits gambling by persons under 18.

The Senators also adopted the conference committee report on S.F. 1662, the family law omnibus bill, and granted it final passage on a 61-1 vote. The conference revised bill provides for several changes to the administrative process for child and medical support orders, child support administration and enforcement, and other portions of family law.

**Friday, May 6**

### **Transportation bill passed**

On a 49-15 vote, the Senate gave its final approval to a transportation policy bill on Fri. morning, May 6.

# Floor action

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H.F. 3011 contains a number of transportation provisions that were presented this session, according to Sen. Keith Langseth (DFL-Glyndon), the bill's sponsor. He said the measure, which was adopted by a conference committee, contains many proposals approved by the Senate as well as others that were added during the committee's deliberations. Langseth said the bill eliminates many amendments that would have micro-managed the responsibilities of the Dept. of Transportation (MnDOT).

The bill requires MnDOT to establish standards for the development and upkeep of state park roads, allows certain emergency vehicles to use blue lights, and sets up a railroad user loan program to help individuals to buy and rehabilitate railroad cars. Also included are provisions regulating personal transportation service vehicles and excluding the use of those vehicles in the seven-county Metro Area, amends bridge inspection regulations, and requires that MnDOT install a number of sound barriers along Metro freeways.

Langseth's motion to adopt the conference committee report was approved and the bill was passed.

The Senate also granted final passage to H.F. 2351, the omnibus anti-crime bill. Sen. Allan Spear (DFL-Mpls.) moved that the body concur with the conference committee report, which had been debated during the Thurs., May 5, floor session. Spear's motion was approved and the bill was passed, 63-1.

## NSP bill passed

Friday, May 6, marked the last day of the 1994 legislative session. The Senate worked late into the evening in order to pass some of the most controversial bills of the session.

The morning began with Sen. Steven Novak (DFL-New Brighton) presenting the conference committee report on S.F. 1706, a bill allowing Northern States Power (NSP) to store spent nuclear fuel in dry casks at the Prairie Island location. The bill was granted final passage on a 43-22 vote. The bill "sets Minnesota apart from the country in its commitment to renewable resources," said Novak. Novak also said the bill marks a commitment to phase out nuclear power in the state.

Under the compromise version NSP is authorized to use five dry casks for the purpose of storing spent nuclear fuel at

the Prairie Island site immediately. Four more casks can be added and filled if the Environmental Quality Board (EQB) determines that NSP has filed a license application for an alternative site for the waste in Goodhue County by Dec. 31, 1996, or NSP is making good faith efforts to implement an alternative site. The bill also stipulates that NSP must construct, contract for construction and operation, or purchase 100 megawatts of wind power by Dec. 31, 1996. An additional eight casks are authorized on the Prairie Island site if NSP has met the wind power and biomass requirements by Dec. 31, 1998, and the alternative site is either under construction or operational. If the alternative site is not operational or under construction, or the renewable energy resource requirements are not met, the Legislature may revoke the authorization for the eight additional casks. The revoking of the authorization by the Legislature must be done by June 1, 1999. By December 31, 2002, NSP is required to provide or purchase 200 megawatts of wind power and 75 megawatts of biomass power.

The bill limits dry cask storage to 17 casks in the state, with the exception of the decommissioning of a plant. A provision in the bill mandates that if an out of state storage facility for the spent fuel becomes available, the waste in the casks must be shipped before the waste in the storage pools at either the Prairie Island or Montecello nuclear power generating sites. The casks must then be decommissioned and may not be used again for storage. The bill also requires that the casks containing the spent nuclear fuel be moved to the alternate site in Goodhue County as soon as it is available. Novak said an important provision in the bill provides for a renewable development fund by NSP. NSP must deposit \$500,000 into the fund each year. The construction of new nuclear power generating facilities in the state is prohibited under the bill. Also, any nuclear plant in the state that falls below a 55 percent capacity factor load for three consecutive years, must be shut down.

Novak said a provision mandates that NSP must contribute two percent of its gross revenues for conservation purposes while it operates nuclear power electric plants in the state. Along with that

provision, NSP must operate at least 225 megawatts of wind energy conservation systems within the state by Dec. 31, 1998. Another 400 megawatts of wind power conservation systems must be provided for by Dec. 31, 2002. By Dec. 31, 1998, a biomass fueled electric plant generating at least 50 megawatts of electricity must be provided for by NSP. An additional 75 megawatts is required by Dec. 31, 2002.

The current NSP low-income discount program for low-income residential customers is expanded under the bill. Novak said an electric energy task force is created. The task force, according to Novak, is charged with studying various aspects of the state's energy policies.

"We've done the best we could in a terrible situation," said Sen. Steven Murphy (DFL-Red Wing). Sen. Janet Johnson (DFL-North Branch) said the state is "once again ignoring the wishes of the tribal council" and practicing environmental racism by allowing dry cask storage at the site adjacent to the Mdewakanton tribe's land. According to Novak, the bill represents a compromise that saves jobs in Minnesota, keeps electric rates down and phases-out nuclear power.

Sen. Steven Morse (DFL-Dakota) presented the conference committee report on H.F. 3086, the landfill cleanup bill. According to Morse, the bill is a scaled back version of the original cleanup bill. "The bill incorporates a mixed approach to cleanup," said Morse. Provisions in the bill allow for the state to take ownership and be responsible for the cleanup of a landfill if the owner desires it and it is in the best interest of the state. The bill was granted final passage on a 58-2 vote.

Sen. Joe Bertram, Sr. (DFL-Paynesville) presented the conference committee report on S.F. 2168, the flood relief bill. Bertram said the bill is in response to the flood of 1993 that destroyed cropland and crippled parts of rural Minnesota. Major provisions in the bill exempt the sale of used farm equipment from sales tax, provide an interest buy down program, appropriate money to the Rural Financing Authority for a revolving loan fund, provide for soybean research, and provide for increased grain inspection. Bertram said the bill amounts to \$18 million in relief. The conference committee report was granted final passage.

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# Floor action

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## *The Minnesota Senate Week at a Glance*

### **Bills granted concurrence and repassage--April 29.**

S.F. 2498-Stumpf: Offers options of coverage for employees of the Higher Education Board upon merger of the State University System, the Community College Board and the Technical College Board. 57-0

### **Conference committee reports adopted and repassed--April 29.**

S.F. 2009-Terwilliger: Expands the Minnesota Emergency Response Commission membership. 59-0

S.F. 1788-Johnson, J.B.: Waste Management Act amendments. 61-0

H.F. 2046-Ranum: Restricts the killing of dogs wounding, killing or pursuing big game in the Metro Area. 58-2

H.F. 2227-Sams: Requires the Public Utilities Commission to appoint a team of science advisors and provides for studies of stray voltage and the effects of earth as a conductor of electricity. 51-7

H.F. 1999-Riveness: Requires disclosure of information regarding insurance fraud and grants immunity for reporting suspected insurance fraud. 63-0

H.F. 2074-Ranum: Omnibus juvenile justice bill. Provides for adult court jurisdiction over juveniles alleged to have committed first degree murder or first degree sexual assault and provides for presumptive certification to adult court for juveniles alleged to have committed prison level felonies. 62-0

### **Bills granted final passage on Special Orders--April 29.**

H.F. 1915-Reichgott Junge: Establishes a disaster volunteer leave program in the state civil service. 34-28

H.F. 3211-Kelly: Provides for payment of claims against the state. 64-0.

H.F. 2493-Sams: Changes the law on nuisance liability of agriculture operations. 55-0

H.F. 1316-Johnson, J.B.: Establishes a Board of Nutrition and Dietetics Practice and requires nutritionists and dietitians to be licensed. 34-19

S.F. 1795-Laidig: Establishes the Minnesota child passenger restraint and education account to assist families in financial need to obtain child passenger restraint systems. 51-0

### **Bills granted final passage under suspension of rules--April 29.**

H.F. 2625-Luther: Provides for metropolitan government reorganization, provides for a regional administrator and a management team, imposes organizational requirements and imposes duties. 50-1

### **Conference committee reports adopted and repassed--May 2.**

H.F. 2411-Lessard: Provides for PERA coverage for employees of the lessee of the Itasca Medical Center facilities. 59-0

H.F. 3209-Johnson, D.J.: Omnibus tax bill. Conforms with changes in the federal income tax law, changes tax brackets, rates, bases, exemptions, withholding, payments and refunds and changes the calculation of property tax refunds. 58-8

### **Bills passed under suspension of rules--May 2.**

H.F. 2742-Merriam: Omnibus bonding bill. Authorizes spending to acquire and to better public land and building and other public improvements of a capital nature. 44-0

H.F. 3230-Langseth: Omnibus transportation funding bill. Dedicates part of the tax on vehicles to public transit, provides for annual inflation adjustments to the gasoline tax and provides for summer highway construction. 58-8

### **Bills granted final passage on Special Orders--May 2.**

H.F. 1778-Riveness: Establishes minimum qualifications for audits of Police and Fire Relief Associations, establishes reporting requirements for public pension funds, requires notice of meeting of relief associations and requires meetings to be open to the public. 39-24

H.F. 1829-Novak: Requires copies of evacuation plans for residents of manufactured home parks. 61-0

H.F. 2171-Novak: Requires the Metropolitan Council to adopt guidelines allocating comprehensive choice housing among cities and towns in the Metropolitan Area. 34-32

H.F. 2064-Novak: Modifies programs of the Housing Finance Agency for low-income and tribal housing and modifies programs for accessibility loans. 66-0

H.F. 1918-Reichgott Junge: Requires the Bureau of Business Licenses to expand services. 66-0

S.F. 1944-Kelly: Increases the minimum wage to \$4.65 per hour in January of 1995 and to \$5 per hour beginning January 1996 for large employers. 37-29

# Floor action

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**S.F. 2816-Pappas:** Increases the amount of obligations the Metropolitan Council may issue for transit purposes and authorizes a high speed bus plan pilot project. 60-1

**H.F. 3011-Langseth:** Makes technical changes and defines terms in laws relating to the Dept. of Transportation. 60-1

## Conference committee reports adopted and repassed--May 3.

**H.F. 1919-Krentz:** Clarifies language governing application fees with in park manufactured home sales. 61-0

**H.F. 2365-Langseth:** Makes technical changes in laws governing traffic regulations. 60-0

## Bills granted concurrence and repassage--May 3.

**S.F. 1996-Belanger:** Modifies the definition of employer for personnel records review purposes and defines special investigators for purposes of inclusion in the unclassified civil service of St. Louis County. 58-0

**S.F. 2858-Flynn:** Changes the Hennepin County personnel system to a human resources system. 60-0

**S.F. 1735-Betzold:** Modifies provisions concerning foster care and adoption. 58-2

**S.F. 2316-Metzen:** Provides for the management of funds under the control of the State Board of Investment. 44-16

## Bills granted final passage on Special Orders--May 3.

**H.F. 2951-Johnson, D.J.:** Modifies provisions for enrollment in the MinnesotaCare program and establishes a health care access reserve account. 39-26

## Bills granted concurrence and repassage--May 4.

**S.F. 1961-Merriam:** Imposes increased penalties on persons who operate a snowmobile, all terrain vehicle or motorboat while intoxicated and who have previously been convicted of driving a motor vehicle while intoxicated and extends the maximum length for multiple gross misdemeanor sentences and combined gross misdemeanor and misdemeanor sentences. 63-1

**S.F. 788-Johnson, J.B.:** Prohibits a municipality from using a quick take condemnation proceeding when acquiring the property of another electric service provider through eminent domain. 44-21

## Conference committee reports adopted and repassed--May 4.

**H.F. 2617-Solon:** Omnibus liquor bill. Regulates agreements between brewers and wholesalers, authorizes issuance of licenses by specific cities and counties and makes other changes to laws regulating liquor. 55-1

**H.F. 3193-Pogemiller:** Provides conditions and requirements for the issuance of public debt, authorizes the use of revenue recapture by housing agencies and authorizes the use of special assessments for on-site water contamination improvements. 59-1

**S.F. 2429-Lessard:** Omnibus game and fish bill. Modifies the list of protected game birds and makes other changes to laws relating to game and fish. 55-6

**S.F. 2540-Lesewski:** Classifies and requires information on applications for the municipal energy conservation investment loan program and authorizes a fee to fund enhanced 911 emergency telephone service. 51-12

## Bills granted final passage under suspension of rules--May 4.

**H.F. 3041-Pogemiller:** Target Center. Provides for the ownership, financing and use of the Target Center sports facility. 36-31

## Conference committee reports adopted and repassed--May 5.

**H.F. 2158-Price:** Requires towns, cities and counties to have ordinances complying with Pollution Control Agency rules regarding individual sewage treatment systems. 51-0

**H.F. 2028-Finn:** Omnibus data practices changes. Classifies data as private, confidential or nonpublic, provides for access to some enforcement and court services data on juveniles and provides law enforcement access to welfare and patient directory information. 58-0

**H.F. 2493-Sams:** Changes the law on nuisance liability of agricultural operations. 55-0

**H.F. 3211-Kelly:** Provides for payment of claims against the state. 57-0

**S.F. 1948-Berg:** Provides for family farm limited liability companies and authorized farm limited liability companies and removes the limitation on the number of shareholders or partners for authorized farm corporations and partnerships. 58-0

**S.F. 2192-Berglin:** MinnesotaCare. Establishes and regulates community integrated service networks, creates a reinsurance and risk adjustment association and sets timelines and requires plans for implementation of MinnesotaCare. 35-26

**S.F. 2015-Flynn:** Provides for metropolitan government reorganization, provides for a regional administrator and a management team, imposes organizational requirements and imposes duties. 57-4

**S.F. 2913-Merriam:** Supplemental appropriations bill, provides for supplemental appropriations for public safety, the environment and natural resources, the general legislative, judicial and administrative expenses of state government. 49-14

**S.F. 2129-Piper:** Regulating advertising and payments relating to adoption, regulates agencies, provides for direct adoptive placement and provides for the enforceability of postadoption contact agreements. 58-5

**S.F. 180-Kroening:** Provides for a constitutional amendment to allow off-track pari-mutuel betting. 46-15

**S.F. 103-Berg:** Omnibus gaming provisions. Regulates the conduct of lawful gambling, prescribes the powers and duties of licensees and the board and gives the Gambling Control Board director cease and desist authority. 58-0

- H.F. 2519-Reichgott Junge: Creates a civil cause of action for persons who are coerced into prostitution. 60-0
- S.F. 1662-Piper: Uniform Interstate Family Support Act additions, provides for an administrative process for child support collection, and modifies child support collection and enforcement provisions. 61-1
- H.F. 3179-Stumpf: Creates the wetlands wildlife legacy account, modifies easements and makes other changes in the Wetland Preservation Act and establishes a special vehicle license plate for wetlands wildlife purposes. 50-0
- H.F. 1899-Hottinger: Modifies the duties of the Legislative Commission to Review Administrative Rules and revises procedures for the adoption and review of administrative rules. 52-0
- H.F. 2351-Spear: Omnibus crime prevention bill. Appropriates money for criminal justice programs, improves law enforcement investigations of reports of missing and endangered children, adds judgeships, requires mandatory minimum sentences for specific crimes and increases penalties for violent crimes. Laid on the table.
- S.F. 2289-Merriam: Authorizes a person who wishes to construct or expand an air emission facility to reimburse costs of the Pollution Control Agency. 43-14
- H.F. 984-Riveness: Modifies provisions relating to the Dept. of Administration, includes state licensed facilities in coverage by the state building code and clarifies language and duties of the state building inspector. 54-0

#### **Conference committee reports adopted and repassed--May 6.**

- H.F. 3011-Langseth: Transportation policy bill. Makes technical changes and defines terms in laws relating to the Dept. of Transportation. 49-15
- H.F. 2351-Spear: Omnibus crime prevention bill. Appropriates money for criminal justice programs, improves law enforcement investigations of reports of missing and endangered children, adds judgeships, requires mandatory minimum sentences for specific crimes and increases penalties for violent crimes. 63-1
- S.F. 1706-Novak: Prairie Island bill. Provides for temporary dry cask storage of nuclear waste at Prairie Island, requires an alternative site search, requires development of alternative energy sources. 43-22
- H.F. 3086-Morse: Establishes a cleanup program for closed landfills, provides for state assumption of cleanup of landfills and requires an environmental assessment worksheet for a specific operation in a critical area. 58-2
- H.F. 2016-Solon: Regulates accelerated mortgage payment services, requires a bond or other security and permits background checks. 57-0
- H.F. 3230-Langseth: Provides funding for a variety of transportation projects. 59-0
- S.F. 2168-Bertram: Provides for flood disaster relief, provides a tax exemption for farm machinery and provides matching funds for federal flood disaster relief. 56-2
- S.F. 1512-Luther: Provides for uniform local government elections dates for school districts and cities and supersedes inconsistent general and special laws and home rule charter provisions, provides for uniform November elections, permits Metro Area town elections to be held in the fall, establishes four year terms for school board members, and provides that cities and school districts may choose odd or even year elections. 60-3
- H.F. 2189-Pogemiller: Omnibus K-12 education funding bill. 62-1
- H.F. 3041-Pogemiller: Target Center. Provides for the ownership, financing and use of the Target Center sports facility. 35-26

#### **Bills granted final passage under suspension of rules--May 6,**

- S.F. 2927-Reichgott: Revisor's bill. Provides for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature. 55-0

#### **Bills granted final passage on Special Orders--May 6.**

- H.F. 218-Johnson, D.E.: Amended to include the language of conference committee report on the omnibus bonding bill (H.F. 2742-Merriam). Authorizes spending to acquire and to better public land and building and other public improvements of a capital nature. 62-1
- H.F. 2591-Lesewski: Eliminates duplicate reporting relating to energy demand forecasting information by public utilities, authorizes low-income rates in some circumstances and establishes a pilot program. 62-0
- H.F. 942-Chmielewski: Requires every driver to use due care in operating a motor vehicle. 59-1
- S.F. 1985-Morse: A resolution memorializing the President and Congress to act expeditiously in procuring a site for the storage of high-level radioactive waste. 61-1

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