

PERFORMANCE REPORT
ON THE
OFFICE OF THE REVISOR OF STATUTES
FOR THE PERIOD
JULY 1, 1984 - June 30, 1985

JULY 1, 1985

The functions of the Office of the Revisor of Statutes are established by law, rule, or custom. Twenty-six identifiable functions were assigned during some portion of the year. Of that number, five require only minimal work. No functions were added or terminated during the year. The principal functions of the office remain drafting and publishing.

To ensure continued high quality performance of all functions, the office has established a yearly program of self-evaluation. This written review is the office's seventh evaluation of its yearly performance. It is intended to provide a more comprehensive look at how the office has performed than merely looking at production statistics or making a "seat of the pants" judgment on how "well" the office is doing. The report is divided into two parts. The performance of the drafting and publishing duties, in terms of production volume, is shown in the tables on the following pages. The office's performance on each of its twenty-six assigned functions is then analyzed.

A view of the combined response to the twenty-six assigned functions, yielding some kind of global judgment on the office's level of performance, shows that the office continues to provide a diverse group of products and services. The office is clearly oriented toward improving those products or the delivery of services. The office also provides its products and services efficiently: Almost all staff "double in brass" by doing more than one function. Despite the increasing workload, the number of the office's staff has remained constant in the four years since completion of the recompilation of Minnesota Rules.

Two items of concern occurred during the year.

First, the office was mandated by law to charge all state agencies for the drafting services it provides to them. The prospect of billing agencies prompts concern over whether the office can both maintain high quality and charge for its services. Nevertheless, the billing has been imposed as part of a general desire to impose the costs of government on the units of governments actually incurring the costs. It is the office's obligation to effectively implement the bill-back mandate. The office has adopted an attitude consistent with the intent of the legislation. It will be carried out in a way that achieves the cost-transfer goal and yet minimizes the known problems with bill-backs.

Second, the office was confronted with criticism by a few legislators on the quality of the drafting service provided by the office. This criticism seemed to be confined to a few legislators. The criticism led to a meeting with those doing the criticising. The result of the meeting was to involve one staff member in standing committee work in an attempt to quantify and qualify the nature of the criticism of the office. This action seemed to terminate the criticism for now. The involvement of

the staff member in the committee work helped to identify areas where more action may prevent reoccurrence of the criticism of the office from those voicing it during this past session.

The statistical report, and response to each of the office's assigned functions, follows.

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

TOTAL PRODUCTION

| <u>Session Year</u> | <u>Bills</u> | <u>Amendments</u> | <u>Comp.</u> | <u>CCRs</u> | <u>Misc.</u> | <u>Eng.</u> | <u>Enroll</u> | <u>Resolution Enrollments</u> | <u>Comm. Rpts.</u> | <u>Admin. Rules</u> | <u>Modif.</u> | <u>Statutory Editing</u> | <u>Rule Editing</u> | <u>Total</u> |
|---------------------|--------------|-------------------|--------------|-------------|--------------|-------------|---------------|-----------------------------------|------------------------|-------------------------|---------------|------------------------------|-------------------------|--------------|
| 1977 | 3301 | 388 | 197 | 50(Est) | — | 1324 | 455 | — | — | — | — | 2703 | — | 8418 |
| 1978 | 1418 | 400(Est) | 171 | 50(Est) | — | 975 | 342 | — | — | — | — | 2162 | — | 5518 |
| Total | 4719 | 798 | 368 | 100(Est) | — | 2299 | 807 | — | — | — | — | 4865 | — | 13936 |
| 1979 | 3267 | 425 | 138 | 49 | — | 1078 | 345 | 5 | — | — | — | 2130 | — | 7437 |
| 1980 | 1571 | 454 | 180 | 55 | — | 892 | 283 | 5 | — | — | — | 3042 | — | 6482 |
| Total | 4838 | 879 | 318 | 104 | — | 1970 | 632 | 10 | — | — | — | 5172 | — | 13919 |
| 1981 | 2936 | 395 | 227 | 72 | — | 1021 | 386 | 4 | — | — | — | 4397 | — | 9438 |
| 1982 | 1562 | 404 | 159 | 62 | — | 896 | 286 | 5 | — | 480 | 109 | 2675 | — | 6638 |
| Total | 4198 | 799 | 386 | 134 | — | 1917 | 672 | 9 | — | 480 | 109 | 7072 | — | 16076 |
| 1983 | 2607 | 566 | 225 | 92 | — | 1261 | 387 | 11 | 445 | 411 | 73 | 3922 | — | 10000 |
| 1984 | 1651 | 546 | 212 | 40 | 172 | 994 | 298 | 11 | 371 | 641 | 95 | 3612 | 1850 | 10493 |
| Total | 4258 | 1112 | 437 | 132 | 172 | 2255 | 685 | 22 | 816 | 1052 | 168 | 7534 | 1850 | 20493 |
| 1985 | 3170 | 1109 | 256 | 61 | 389 | 1347 | 335 | 7 | 478 | 841 | 169 | 4543 | 1201 | 13906 |

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

STATUTORY EDITORIAL OPERATIONS

| <u>Session Year</u> | <u>Chapters</u> | <u>Session Law Pages</u> | <u>Average Pages Per Chapter</u> | <u>Statute or Supplement Pages</u> | <u>Statutory Sections- Amended</u> | <u>Statutory Sections- New</u> | <u>Statutory Sections- Repealed</u> | <u>Statutory Sections- Other</u> | <u>Total Statutory Sections Affected</u> |
|---------------------|-----------------|------------------------------|--|--|--|--|---|--|--|
| 1973 | 783 | 2472 | 3.15 | 1280 | 1965 | 1173 | 1210 | 0 | 4348 |
| 1974 | 583 | 1457 | 2.50 | 7091 | 1120 | 950 | 599 | 0 | 2669 |
| <u>TOTAL</u> | <u>1366</u> | <u>3929</u> | <u>2.87</u> | <u>8371</u> | <u>3085</u> | <u>2123</u> | <u>1809</u> | <u>0</u> | <u>7017</u> |
| 1975 | 437 | 1623 | 3.72 | 958 | 1335 | 851 | 714 | 0 | 2900 |
| 1976 | 348 | 1405 | 4.04 | 7509 | 1533 | 748 | 782 | 0 | 3063 |
| <u>TOTAL</u> | <u>785</u> | <u>3028</u> | <u>3.86</u> | <u>8467</u> | <u>2868</u> | <u>1599</u> | <u>1496</u> | <u>0</u> | <u>5963</u> |
| 1977 | 455 | 1449 | 3.19 | 874 | 1508 | 652 | 543 | 0 | 2703 |
| 1978 | 342 | 1251 | 3.66 | 8253 | 1315 | 535 | 312 | 0 | 2162 |
| <u>TOTAL</u> | <u>797</u> | <u>2700</u> | <u>3.39</u> | <u>9127</u> | <u>2823</u> | <u>1187</u> | <u>855</u> | <u>0</u> | <u>4865</u> |
| 1979 & Specials | 343 | 1297 | 3.78 | 757 | 1233 | 508 | 389 | 0 | 2130 |
| 1980 | 283 | 1621 | 5.73 | 10,704 | 1606 | 838 | 598 | 0 | 3042 |
| <u>TOTAL</u> | <u>626</u> | <u>2918</u> | <u>4.66</u> | <u>11,461</u> | <u>2839</u> | <u>1346</u> | <u>987</u> | <u>0</u> | <u>5172</u> |
| 1981 & Specials | 381 | 2602 | 7.19 | 1732 | 2522 | 975 | 875 | 25 | 4397 |
| 1982 & Specials | 272 | 1786 | 6.57 | 11,509 | 1543 | 667 | 443 | 21 | 2675 |
| <u>TOTAL</u> | <u>653</u> | <u>4388</u> | <u>6.73</u> | <u>13,241</u> | <u>4065</u> | <u>1642</u> | <u>1318</u> | <u>46</u> | <u>7072</u> |
| 1983 | 375 | 2905 | 7.7 | 2,151 | 2506 | 896 | 506 | 14 | 3922 |
| 1984 | 282 | 2409 | 8.5 | 12,614 | 2225 | 789 | 590 | 8 | 3612 |
| <u>TOTAL</u> | <u>657</u> | <u>5314</u> | <u>8.08</u> | <u>14,765</u> | <u>4731</u> | <u>1685</u> | <u>1096</u> | <u>22</u> | <u>7534</u> |
| 1985 & Special | 327 | 2993 | 9.2 | * | 2747 | 1061 | 719 | 16 | 4543 |

*Statistics not available

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

BILL DRAFTING OPERATIONS

| <u>Session Year</u> | <u>Drafting Files</u> | <u>Net Drafting Files Introduced</u> | <u>%</u> | <u>Amendment Drafts</u> | <u>Total Bill Introductions</u> | <u>Bill Comparisons</u> | <u>Conference Committee Reports</u> | <u>Misc. Documents Including Appropriations</u> |
|-------------------------|---------------------------|--|------------|-----------------------------|-------------------------------------|-----------------------------|---|---|
| 1973 | 4771 | * | * | * | 5113 | * | * | * |
| 1974 | 2030 | * | * | * | 2202 | * | * | * |
| <u>TOTAL</u> | <u>6801</u> | <u>3621</u> | <u>53%</u> | <u>*</u> | <u>7315</u> | <u>*</u> | <u>*</u> | <u>*</u> |
| 1975 | 3683 | * | * | * | 3643 | * | * | * |
| 1976 | 1541 | * | * | * | 1654 | * | * | * |
| <u>TOTAL</u> | <u>5224</u> | <u>2645</u> | <u>51%</u> | <u>559</u> | <u>5297</u> | <u>*</u> | <u>*</u> | <u>*</u> |
| 1977 | 3301 | * | * | 388 | 3268 | 197 | * | * |
| 1978 | 1418 | * | * | * | 1680 | 171 | * | * |
| <u>TOTAL</u> | <u>4719</u> | <u>3049</u> | <u>65%</u> | <u>*</u> | <u>4948</u> | <u>368</u> | <u>*</u> | <u>*</u> |
| 1979 | 3267 | 1998 | 61% | 425 | 3249 | 138 | 49 | * |
| Special | 8 | 3 | | 0 | 3 | 0 | 0 | * |
| 1980 | 1571 | 974 | 62% | 454 | 1692 | 180 | 55 | * |
| <u>TOTAL</u> | <u>4846</u> | <u>2975</u> | <u>61%</u> | <u>879</u> | <u>4944</u> | <u>318</u> | <u>104</u> | <u>*</u> |
| 1981 | 2901 | 1817 | 63% | 395 | 3018 | 227 | 72 | * |
| Specials | 35 | 18 | 51% | 10 | 27 | 0 | 0 | * |
| 1982 | 1562 | 876 | 56% | 404 | 1484 | 159 | 62 | * |
| <u>TOTAL</u> | <u>4498</u> | <u>2711</u> | <u>60%</u> | <u>809</u> | <u>4529</u> | <u>386</u> | <u>134</u> | <u>*</u> |
| 1983 | 2607 | 1594 | 61% | 566 | 2690 | 225 | 92 | * |
| 1984 | 1651 | 1088 | 66% | 546 | 1803 | 212 | 40 | 172 |
| <u>TOTAL</u> | <u>4258</u> | <u>2682</u> | <u>63%</u> | <u>1112</u> | <u>4493</u> | <u>437</u> | <u>132</u> | <u>*</u> |
| 1985 | 3078 | 1923 | 62% | 1054 | 3259 | 256 | 61 | 256 |
| Special | 92 | 36 | 39% | 55 | 49 | 0 | 0 | 133 |

* Statistics not available

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

ENGROSSING AND ENROLLING OPERATIONS

| <u>Session Year</u> | <u>Engrossed House Bills</u> | <u>Engrossed Senate Bills</u> | <u>Unofficial House Engrossments</u> | <u>Unofficial Senate Engrossments</u> | <u>Total Engrossments</u> | <u>House Enrollments</u> | <u>Senate Enrollments</u> | <u>Total Enrollments</u> | <u>Vetoes</u> | <u>Senate & House Resolutions Enrolled</u> |
|---------------------|--------------------------------------|---------------------------------------|--|---|-------------------------------|------------------------------|-------------------------------|------------------------------|---------------|--|
| 1973 | * | * | * | * | * | 420 | 363 | 783 | 0 | 8 |
| 1974 | * | * | * | * | * | 297 | 286 | 583 | 0 | 2 |
| <u>TOTAL</u> | * | * | * | * | * | <u>717</u> | <u>649</u> | <u>1366</u> | <u>0</u> | <u>10</u> |
| 1975 | 763 | 648 | 2 | 4 | 1411 | 257 | 180 | 437 | 1 | 1 |
| 1976 | 475 | 432 | 73 | 6 | 907 | 174 | 176 | 350 | 4 | 2 |
| <u>TOTAL</u> | <u>1238</u> | <u>1080</u> | <u>75</u> | <u>10</u> | <u>2318</u> | <u>431</u> | <u>356</u> | <u>787</u> | <u>5</u> | <u>3</u> |
| 1977 | 608 | 716 | 67 | 6 | 1324 | 211 | 244 | 455 | 0 | 1 |
| 1978 | 544 | 431 | 58 | 15 | 975 | 242 | 100 | 342 | 0 | 2 |
| <u>TOTAL</u> | <u>1152</u> | <u>1147</u> | <u>125</u> | <u>21</u> | <u>2299</u> | <u>453</u> | <u>344</u> | <u>797</u> | <u>0</u> | <u>3</u> |
| 1979 | 494 | 584 | 65 | 7 | 1078 | 194 | 151 | 345 | 5 | 3 |
| Special | | | | | | 1 | 2 | 3 | 0 | 0 |
| 1980 | 381 | 511 | 53 | 4 | 892 | 139 | 144 | 283 | 5 | 0 |
| <u>TOTAL</u> | <u>875</u> | <u>1095</u> | <u>118</u> | <u>11</u> | <u>1970</u> | <u>334</u> | <u>297</u> | <u>631</u> | <u>10</u> | <u>3</u> |
| 1981 | 388 | 633 | 26 | 14 | 1021 | 194 | 192 | 386 | 7 | 3 |
| Specials | 20 | 7 | 0 | 0 | 27 | 13 | 7 | 20 | 1 | 1 |
| 1982 | 461 | 435 | 24 | 12 | 896 | 161 | 125 | 286 | 10 | 5 |
| <u>TOTAL</u> | <u>869</u> | <u>1075</u> | <u>50</u> | <u>26</u> | <u>1944</u> | <u>368</u> | <u>324</u> | <u>692</u> | <u>18</u> | <u>9</u> |
| 1983 | 626 | 635 | 40 | 18 | 1261 | 205 | 182 | 387 | 1 | 11 |
| 1984 | 513 | 481 | 26 | 9 | 994 | 162 | 136 | 298 | 5 | 11 |
| <u>TOTAL</u> | <u>1139</u> | <u>1116</u> | <u>66</u> | <u>27</u> | <u>2255</u> | <u>367</u> | <u>318</u> | <u>685</u> | <u>6</u> | <u>22</u> |
| 1985 | 604 | 738 | 35 | 31 | 1342 | 153 | 162 | 315 | 1 | 5 |
| Special | 3 | 2 | 0 | 0 | 5 | 10 | 10 | 20 | 0 | 2 |

* Statistics not available

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

ADMINISTRATIVE RULES - SOURCE AND TYPE OF RULE DRAFTING

| | <u>Agencies Served</u> | <u>Department-level Agencies</u> | <u>Smaller Agencies</u> | <u>Original Drafts by Revisor</u> | <u>Agency Drafts Needing Few Changes</u> | <u>Agency Drafts Needing Many Changes</u> |
|-----------|----------------------------|--------------------------------------|-----------------------------|---------------------------------------|--|---|
| F.Y. 1982 | 46 | 13 | 33 | 1 | 15 | 65 |
| F.Y. 1983 | 40 | 16 | 24 | 0 | 35 | 105 |
| F.Y. 1984 | 39 | 17 | 22 | 0 | 40 | 145 |
| F.Y. 1985 | 41 | 17 | 24 | 0 | 45 | 194 |

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

ADMINISTRATIVE RULES - DRAFTING AND FORM APPROVAL OF PROPOSED RULES

| | (1) New Drafting <u>Files</u> | (2) Rough Drafts <u>Prepared</u> | (3) Preliminary <u>Drafts Prepared</u> | (4) Final Proposed <u>Rule Drafts Approved</u> | (5) Total <u>(2)+(3)+(4)</u> | (6) Average <u>Drafts Per File</u> |
|-----------|-------------------------------------|--|--|--|------------------------------------|--|
| F.Y. 1982 | 195 | 175 | 104 | 201 | 480 | 2.5 |
| F.Y. 1983 | 140 | 140 | 154 | 117 | 411 | 2.9 |
| F.Y. 1984 | 185 | 185 | 205 | 241 | 631 | 3.4 |
| F.Y. 1985 | 239 | 240 | 318 | 283 | 841 | 3.1 |

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

ADMINISTRATIVE RULES - DRAFTING AND FORM APPROVAL OF ADOPTED RULES

| | <u>Modification Drafts after Proposed Stage</u> | <u>Files Disapproved at Adoption Stage</u> | <u>Files Approved after Disapproval</u> | <u>Files Approved Without being Disapproved</u> | <u>Total Files Approved For Adoption</u> |
|-----------|---|--|---|---|--|
| F.Y. 1982 | 109 | 44* | 44* | 80 | 124 |
| F.Y. 1983 | 73 | 0 | 0 | 117 | 117 |
| F.Y. 1984 | 95 | 0 | 0 | 135 | 135 |
| F.Y. 1985 | 169 | 0 | 0 | 173 | 173 |

* One-half of these files represent rules proposed without revisor approval before July 1, 1981.

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

COMMITTEE REPORTS*

| <u>Session Year</u> | <u>House Committee Reports</u> |
|---------------------|--|
| 1983 | 445 |
| <u>1984</u> | <u>371</u> |
| TOTAL | 816 |
| 1985 | 478 |

*The revisor did not draft committee reports before 1983 and now only does it for the house.

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

MINNESOTA RULES EDITORIAL OPERATIONS

| | <u>Edition</u> | <u>Pages</u> | <u>Parts Amended</u> | <u>New</u> | <u>Repeal</u> | <u>Total</u> |
|----------------------|---------------------|--------------|--------------------------|------------|---------------|--------------|
| Prior to 8/1/83 | 1983 | 8787 | - | - | - | - |
| 8/1/83 to 8/31/84 | 1984 Supplement | 1107 | 487 | 906 | 457 | 1850 |
| 9/1/84 to 4/8/85 | 1985 [Estimated] | 9396* | 414 | 547 | 240 | 1201 |

Function:

- drafting bills, resolutions, and amendments for the members of the legislature, the heads of departments, and the governor.

Source of Mandate: Minnesota Statutes 1984, section 3C.03, subdivision 2.

Performance:

The office prepared 3170 bills and resolutions and 1109 amendments for the 1985 sessions of the legislature. This is a 22 percent increase over the number of bills prepared in 1983, 9 percent more than 1981, and almost as many as 1979. The number of amendments is the highest ever and is almost double any prior year for which records are available.

Virtually all drafts were completed within the time allotted by the requester. All drafting files are reviewed to ensure that prompt delivery is the normal procedure.

One or more lawyers were available on the house floor at all times during its meetings to draft amendments and provide other legal services. The service was clearly useful to the members. However, the massive increase in amendment drafting mentioned above was not attributable to this new service. Only a small fraction of all amendments were requested during floor duty. The work on the floor was also useful on an intangible basis. It brought the revisor's drafting attorneys into more frequent contact with the legislators that is helpful in knowing legislative intentions and, consequently, ensuring that drafts are consistent with legislative intent.

Quality controls include drafting and review by attorneys, clerical review, the use of a specially adapted computer data base and text editing system, regular review of all processes, and formal and informal teaching.

Problems:

The duty for drafting house floor amendments was determined by a rotation schedule. Several attorneys indicated that this resulted in their drafting of amendments in substantive areas that they were not familiar with. Alternative assignment methods are being considered to remedy this problem. Also, several attorneys expressed concern that they were not able to turnaround floor amendments fast enough because a computer terminal and printer were not available near the house floor. Ways of resolving this problem are also under explanation.

A system for billing state departments for drafting services must be devised because of a change in law. The office must be ready to react to the unpredictable effects of this change.

Function:

- examine bills and endorse approval of both form and compliance with joint rules and house rules.

Source of Mandate: House Rule 5.1.

Performance:

Each bill prepared for introduction in the House of Representatives (that, in practice, means all bills since bills drafted for a senator have both house and senate copies) was checked for compliance with legislative rules. This function was continued without difficulty as an integral part of the regular bill drafting procedure.

Problems:

None

Function:

- preparing house committee reports.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 6 (requested by the speaker and chief clerk).

Performance:

House committee reports are prepared in the revisor's office. There were 478 reports prepared in 1985. This amount represents a modest increase over two years ago. The work is a large part of the office's clerical load.

Problems:

In advance of the legislative session, staff members wondered what quantitative or qualitative differences in committee report work might occur because of the change in partisan control in the House. There were some difficulties connected with a total change of house staff dealing with the committee reports. At the beginning of the session, most of the material received from committee secretaries was inaccurate. Wrong dates, wrong amendments, or ommitted amendments were common. To ensure accuracy, the revisor's staff began consulting House Research staff to verify records received from the secretaries. By the end of the session, the work product from the secretaries had greatly improved.

Function:

- drafting administrative rules upon the request of an agency.

Source of Mandate: Minnesota Statutes 1984, section 14.07, subdivision 1, clause (f).

Performance:

During fiscal year 1985, the office handled 231 sets of rules for form approval or drafting assistance. This figure is up from the 185 sets prepared in fiscal year 1984.

Our office prepared 537 rough or preliminary drafts in fiscal year 1984, up from 390 in fiscal year 1983; 274 final proposed rules, up from 241 last year; 174 stripped proposed rules, up from 138 last year; 167 modifications, up from 95 last year; 164 final approvals, up from 135 last year; 151 notices of adoption, up from 103 last year; and 157 stripped adopted rules, up from 111 last year. The average number of pages in the final proposed rules was 13.0, down from 15.5 last year; and the average number of pages in the final adopted rules was 15.5, down from 16.8 last year. The average number of drafts per file was also down slightly; 3.1 this year from 3.4 in 1983-1984. Considering the increase in the total files handled, the reduced drafts per file was a welcome development.

Problems:

Under a law passed this past session, the office must now charge agencies for all work connected with the drafting of administrative rules. What effect this will have upon the office and its work product is a source of concern. The key problem will be how to maintain high-quality drafting in the face of agency pressure to reduce costs.

Function:

- Compiling and publishing the Laws of Minnesota, Minnesota Statutes, and Minnesota Statutes Supplement together with an index and finding aids.

Source of Mandate: Minnesota Statutes 1984, sections 3C.06, 3C.08, and 3C.09.

Performance:

Work on Laws 1985 is in progress and on schedule. Publication of completed session laws has resulted in the need for a revised schedule based on the 1985 special session. We expect to meet our goal of 60-day delivery after the close of the special session with session laws available before the end of August. An analysis of sections and subdivisions affected reveals 2,748 for 1985 regular session (in 309 acts) and 1,795 for the 1985 special session (in 18 acts) for a total of 4,543 sections or subdivisions affected. This compares to 3,922 sections affected in 375 chapters in 1983 and 4,397 sections affected in 381 chapters in 1981 (the prior all time record year). Thus, while the number of chapters has gone down, the amount in each chapter (and, consequently, the necessary editorial work) has gone up.

Work on material for the 1985 supplement is also in progress at this time. Work on processing of the 1985 regular session material is ahead of the anticipated original schedule. However, the addition of the volume of material from the 1985 special session will probably eat up the time gained so far. Delivery of the supplement will be made within our 120-day goal, before the end of October. In response to favorable reaction from users, the supplement will be continued in pocket-part format.

Alteration to procedures for processing updates to court rules and some of the tables for the publications has resulted in a time savings. In addition, computer aids continue to increase the speed and accuracy of our publications.

The office has continued to expand merchandising efforts on Statutes and Laws. This includes mention of those publications in a direct mail brochure and magazine advertisements that principally advertise Minnesota Rules. The advertising clearly had a positive effect on sales. More effort in this area is warranted.

Problems:

Personnel turnover in two key editorial positions, assistant deputy and supervisor, led to concern over the quality and timeliness of editorial work. However, new staff learned rapidly and work has gone smoothly and efficiently. Further staff turnover in this area would be a cause for concern.

There remains a large discrepancy between the number of those buying the main volumes of Statutes and Rules and those buying supplements. This is believed due to the lack of information available on when the supplements are published. The Documents Division of the Department of Administration, who does the distribution for the office, does not maintain complete records of purchasers so follow-up mailings would not be totally effective. However, if the revisor's office undertook recordkeeping and mailings it might increase sales of the supplements.

Function:

- publish rules adopted by the Minnesota Supreme Court and other courts.

Source of Mandate: Minnesota Statutes 1984, section 3C.08, subdivision 1.

Performance:

Work on the 1984 edition of the court rule volume began after the 1984 session and was successfully completed on schedule. The court rule editorial staff processed 24 court rule files in 1984 compared with 23 court rule files in 1983. The court rule preface was updated to reflect changes in court organization, jurisdiction, and personnel.

In January 1985, the court rule editorial staff began updating the court rules continuously. By continuously updating court rules, we have made more time available for other editing tasks during the summer.

The court rule staff is currently working on the 1985 pocket-part supplement of the court rule volume. Since July 15, 1984, the cut-off date for the 1984 edition of the court rule volume, the editorial staff has processed 21 court rule files. Updating court rules for the pocket-part supplement involves:

- 1) collecting, compiling, coding, keyboarding and proofing new and amendatory court rule material;
- 2) corresponding with judicial agencies to receive updating information with respect to court rules; and
- 3) preparing a preface to the pocket-part supplement.

Problems:

None

Function:

- Compiling and publishing Minnesota Rules and Minnesota Rules Supplement together with an index and finding aids.

Source of Mandate: Minnesota Statutes 1984, section 14.47.

Performance:

Publication of the first supplement to Minnesota Rules went well. The cut-off date for adoptions included in the supplement was August 31, 1984. Delivery of the supplement was made in December, 1984, as scheduled. A 27 page 1984 supplement to the rules index was produced as a pocket part in volume 7. For newly adopted parts, the index coverage was complete. For amended parts, entries were made only if the existing entries in the main volume were inadequate to cover the amended text. Work on Minnesota Rules 1985 is in progress and on schedule. Improvements in this edition include publication in ten rather than seven volumes, making the set less cumbersome; editing of all chapter titles to minimize the number of alterations to composed copy; the addition of an amendments table to aid users in finding changes to rules; the addition of historical source notes; and updating of terms in the text. Time and cost savings should result because much of the exception matter could be reused from the 1983 edition, rather than being totally reset. The index to the 1985 rules is nearing completion at the time of this report. New parts, renumbering of multiple parts, name changes, and reorganization of agencies necessitated a considerable amount of original reindexing. 292 main headings were removed and 344 added, bringing the total number of main headings to 5,390. Editing was done to 1486 existing documents. The computer checking programs were invaluable in assisting us to produce an index as free from errors as possible.

Staff have made a concerted effort to increase sales and exposure of the rules, including an ad in Bench and Bar and an exhibit at the Minnesota State Bar convention. Both have resulted in user interest in the rules, as well as the receipt of many favorable comments about the publication. While it is difficult at this time to determine how much sales might actually increase as a result of this effort, at least 20 sets of rules have been sold as a result of the ad in Bench and Bar.

Problems:

The main problem in rules has been implementing a stable schedule for publication. Because this function is relatively new to the office, it was difficult to determine how often supplementation would be necessary. A schedule, based on examination of adoptions and other office work, has been planned that will stabilize the work. Rules will be supplemented twice each even-numbered year, with republication of the bound sets each odd-numbered year.

Function:

- Preparation and printing of pamphlets containing extracts from Minnesota Statutes and Minnesota Rules.

Source of Mandate: Minnesota Statutes 1984, section 3C.11, subdivision 2.

Performance:

The statutory editing department has filled 35 requests for extracts during the past fiscal year. This is a 50 percent increase over the previous year.

A new addition to our extracts preparation was the ability of a computer program to supply a chapter analysis. This was helpful in saving time and in checking our printed copy. We had 12 requests for chapter analyses to accompany the chapters that were requested.

There were 57 requests for extracts of Minnesota Rules for fiscal year 1984, also a 50 percent increase over the previous year.

Our rules editing department provided the requester with pages from Minnesota Rules 1983, or if the rules requested had been amended, a printout from our computer data base. In some cases, we provided both composed pages and a computer printer copy. We also provided the requester with a revisor's certificate, a "suggested" cover, and, if needed, a concordance table.

Problems:

Most of the problems were encountered from rules extracts. The Documents Division of the Department of Administration, which requests most extracts, requested rules piecemeal for two different extract requests. In one instance, they started asking for pages in September 1984, and requested the last of the needed pages in May 1985, for a total of 14 different requests. In several instances, Documents requested the same material twice, and in some cases, at the time of the second request Documents still had the pages originally sent to them. Again this year, we had a number of requests for rules which were unclear and required several phone calls to clarify. On several occasions, the requests for rules were received before the notice of adoption of the rules was published. As a result of this, we found it necessary to check the State Register to ascertain if there were amendments being processed to the requested rules. This problem appears to have been solved because new personnel have taken over extract responsibilities in the Documents office.

For statutory requests, the major problem was that Documents did not comply with our request not to mark up or cut up our Kodak reproduction pages and positives. It was necessary to remind them of this on three separate occasions.

Function:

- accumulating data on the operation and effect of laws in Minnesota and other states.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 2.

Performance:

This mandate is fulfilled by the revisor's active encouragement of the staff to request acquisition of specialized legal treatises relating to their assigned bill drafting subject areas. Several attorneys have acquired modest collections that they actively use in drafting. A few acquisitions to these collections were made during the year.

Problems:

None

Function:

- prepare and have available for use indexes of the permanent and general laws and all permanent local laws of this state.

Source of Mandate: Minnesota Statutes 1984, section 3C.08, subdivision 1.

Performance:

The indexes to Laws of Minnesota 1984 and Minnesota Statutes 1984 were completed on time. Reorganization and renaming of executive branch departments and text revisions, codification, and renumberings made it necessary to reindex substantial portions of the Statutes index. The development of computer programs to find cross-references allowed us to make significant improvements in the finding aids in the 1984 Statutes index.

In the fall of 1984, the instruction manual for indexing was completed. The manual contains CRT operator instructions for each of the six different indexes we produce. It also includes a section on the standards we use for mechanics, such as punctuation, capitalization, alphabetizing, etc.

The 1985 publications are progressing on schedule at the date of this report. A major improvement will be implemented in the production of the Laws index for 1985. The computer staff has developed a program that will automatically alphabetize and format index entries. The program eliminates a second "rekeying" of index entries and should save considerable time. The program will work for the Laws and Supplement indexes. Our next step will be to develop the program to work on the large Statutes and Rules indexes.

Problems:

Once again the reindexing of Minnesota Statutes appears to be on hold. The cause this time is the possibility of budgetary cuts if revenue from the bill-back to agencies fails to appear in sufficient amount. The reindexing is still necessary. With the ongoing work on the indexes regularly produced by our office, it is not possible for present staff to do the reindexing in addition to their current job responsibilities.

Function:

- preparing and publishing a bill drafting manual.

Source of Mandate: Minnesota Statutes 1984, section 3C.03, subdivision 4.

Performance:

A new edition of the bill drafting manual was published in 1984 and available for use for the 1985 regular session drafting. It incorporates various new editorial and typographical features and incorporates the criticisms and suggestions of revisor's and other legislative staff.

Problems:

None

Function:

- preparing and publishing a rule drafting manual.

Source of Mandate: Minnesota Statutes 1984, section 14.07, subdivision 1, clause (2).

Performance:

The first permanent rule drafting manual was completed and distributed on February 1, 1984. Since then, our office has begun compiling information for the next edition. No major legislative changes that would have necessitated changes in the manual have been made in the Administrative Procedure Act this year.

Problems:

None

Function:

- engrossing and enrolling bills for the senate and house.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 5; Joint Rule 2.07.

Performance:

During the 1985 regular and special sessions, a total of 1,347 engrossments was completed. This number is compared to 1,261 engrossments in 1983 and 1,021 engrossments in 1981. Only one other year, 1975 with 1,411, had more engrossments.

During the 1985 regular and special sessions, a total of 335 enrollments were completed. This is the lowest number of enrollments done in an odd-numbered year during ten years of recordkeeping. However, the average size of enrollments was the largest in the same ten years.

The statistics on engrossments, enrollments, enrollment size, the number of sections affected the enrollments, and the number of amendments drafted make it clear that a significant change in occurring in the legislature. Matters that were formerly separate bills are now being added to other bills.

This year many "unofficial unofficial" engrossments (that is, those other than those requested by the senate and house desks) were created for conference committees and other deliberating groups. There were no requests for such documents in other years. All of them were complicated with many separate amendments and required much work.

Problems:

The interest in "unofficial unofficial" engrossments is clearly large. The work involved in doing more engrossments, even if the process is automated, will be a major undertaking.

Function:

- examining all administrative rules and approving or rejecting their form.

Source of Mandate: Minnesota Statutes 1984, section 14.07, subdivision 2.

Performance:

In fiscal year 1985, no final proposed rules or final adopted rules were disapproved.

The average time the office took to prepare and certify the 274 final proposed rules handled this year was 1.65 days. Last year 241 rules were handled in an average of 1.56 days. Substantial economies were obtained with roughly the same staff as last year though 46 additional rules were processed.

The average time the office took to prepare and certify the 64 final adopted rules it handled this fiscal year was 1.70 days. Last year 135 final adopted rules were handled in an average of 1.29 days. The Administrative Procedure Act gives our office five working days to process these certifications.

Problems:

None

Function:

- preparing a biennial report on Supreme Court opinions which criticized or found statutes to be unconstitutional.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 3.

Performance:

1984 was the year for submission of the biennial report to the legislature. The report contained 12 cases including, for the first time, two from the new Court of Appeals. Solutions were suggested in nine of these cases, with the remaining three being felt too controversial for prudent involvement by the revisor's office. Five of the nine recommended solutions were adopted by the legislature.

Problems:

Criteria for selection of cases for inclusion have now stabilized. Cases containing statements such as "Any change in the statute is a matter for the legislature" are now omitted.

The advent of the new Court of Appeals during the biennium covered by this report resulted in a substantial increase in the volume of decisions examined for this report. It is possible that this represents only a temporary situation resulting from the Appeals Court eliminating a number of cases which would otherwise have constituted a part of the Supreme Court backlog of cases. If this be the case, the volume for the next reporting period should drop.

Function:

- serve as one of the four state commissioners on the Uniform Laws Commission.

Source of Mandate: Minnesota Statutes 1984, section 3.251.

Performance:

Uniform laws conference drafts were reviewed throughout the year and active participation in conference meetings and committees was provided. The 1985 conference in Minneapolis will consider acts relating to securities, personal property, health care information, rights of the terminally ill, trade secrets, and criminal records.

Problems:

None

Function:

- preparing and submitting bills to the legislature that clarify existing statutes.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 4

Performance:

The style and form of Minnesota Statutes, chapters 35, 37, 92, 219, 315, 344, 390, 458, 589, 629 and 631 were generally revised to simplify, modernize and abbreviate their language. Similar revisions of other chapters were prepared for use by members.

A bill to correct cross-references, conflicts, and numerous other miscellaneous problems was proposed and passed. At the end of the special session, material was added to one revisor's bill to catch errors and conflicts noted during the 1985 sessions. Various amendments to conform Minnesota Statutes to constitutional or other objections raised by the courts were adopted in a revisor's bill or submitted to other committees for consideration. Work on gender-specific language changes will be done during 1985.

Problems:

The size, complexity, subject matter, and rushed requirements of the session corrections bill passed at the end of the session make it a very difficult project to manage. In addition, some legislators have thought the session revisor's corrections bill to be a possible vehicle to attach their own substantive amendments to. Some of these amendments are, or have turned out to be, very controversial. The use of the corrections bill for this purpose should be resisted for many reasons including that it endangers the passage of all revisor's bills. These bills are very important to the improved quality of Statutes.

Function:

- preparing bill comparison reports for the secretary of the senate and chief clerk of the house.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 6; custom and usage of the legislature (requested by secretary of the senate and chief clerk of the house).

Performance:

The office performed this tedious task in an efficient manner in 1985 with no complaints.

A comparison report details the differences between companion bills and has to be prepared overnight. The difficulty of preparing reports depends on the length of the companion bills and the amount of difference between them. Some reports are so complex that staff must stay the entire night to prepare them. In an average year about 150 reports are prepared. There were 256 prepared for the 1985 session, a record number. The house requested 150 reports and the senate 106.

The senate rules committee permitted use of a short comparison form at the end of the 1984 session. This short form was again used during the 1985 session and saved a great deal of time. The house, however, remains adamant in its requirement for detailed bill comparisons and a great deal of time was spent by supervisors preparing those reports.

Problems:

Comparison reports are difficult and time-consuming to prepare and have doubtful utility. Elimination of the reports would free staff time, particularly for supervisors, for other useful work.

Function:

- preparing special comparisons of appropriations bills for use by appropriations conference committees to arrive at a compromise on major appropriations bills.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 6; custom and usage of the legislature (requested by staff of house appropriations committee and senate finance committee).

Performance:

Attorneys again took responsibility for preparing the complex, detailed appropriations comparisons. For the first time, these comparisons were used extensively by conference committees as they negotiated on major spending bills prior to the special session.

The higher education appropriation comparison was prepared both in the traditional computer manner and alternatively as a visual side-by-side cut-and-paste mockup of the two companion bills. Both staff and legislators reported that the side-by-side comparison was easier to use. The advantages to this form are as follows:

1. The attorney can prepare an informal report on his own.
 2. No deck time is involved in entering the report on the computer.
 3. Supervisors are freed from the tedious task of trying to proof from two long, complex bills.
 4. The attorney is freed from writing both sets of numbers on one document because both sets of figures appear on the cut-and-paste version.
 5. Computer space is saved because a new document is not being created.
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Problems:

Appropriations comparisons are especially complex and use of a side-by-side cut-and-paste format should be further explored as an alternative to the current computer format.

Function:

- developing and maintaining a computer system for use by the revisor's office for the production of legislative documents.

Source of Mandate: None, but the use of the computer system is the most efficient means of accomplishing work otherwise mandated.

Performance:

Although a policy on outside access to the computer has been in existence, new and broadened demands necessitate its review and revision.

The following activities and projects were accomplished by the computer staff during the last year.

1. A new release of our operating system was installed.
 2. The payroll and accounts receivable program were enhanced.
 3. System EXEC programs were converted to the new release language and streamlined.
 4. Mason histories in the data base were moved for easier handling.
 5. An indexing system and program was done for the session law and supplement index.
 6. A feature was added to TE which allows the execution of functions not a part of TE to appear as a part of TE.
 7. Move, duplicate, and delete block were added as TE commands.
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8. The ability to print fielded screens within a document was added to TE.
 9. Support was provided for the style and form revision with the writing of programs to find chapters in need of revision and the modification of the SUPSORT program to include style and form bills and chapter amendments.
 10. As a part of the Senate project, a general base was built for other search applications using CREATABASE.

11. The procedures, computer data bases, and processing were designed for the gender-specific language project.
12. Safeguards against some common errors were built into TE.
13. The method of specifying composition parameters was changed to use fielded screens. Other basic work on composition was done.
14. Production programs and other direct office support was done.
15. A word frequency program was added.
16. Access for two outside companies and data formatting for them was added.
17. The move back to the SOB was planned.
18. The opening of access to our system including accounting, security and communications was started.

Problems:

Despite the work done, even more effort was contemplated. The additional work could not be undertaken because of senate and house demands for service direct to them. Additional computer staff must be added so that both inside and outside demands can be met.

Although a policy on outside access to the computer has been in existence, new and broadened demands necessitate its review and revision.

Function:

- upon request, assisting senate and house staff in preparing new computer systems for their use.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 6; custom and usage of the legislature (requested by senate and house staff).

Performance:

Senate: The plans for the automation of the senate index were implemented during this period. This represented a major undertaking by the office to supply the computer hardware and software demanded by the senate.

House: House general orders were input and sent out to their printer using our system and a telephone line. Several programs were written to assist the house staff with the preparation of general orders and other calendars.

Problems:

The general workload on our computer this session was much higher than expected which resulted in poor response times for senate index inquiries. A faster CPU and more storage must be obtained.

The house's printing vendors system was not fully compatible with our system and was slow.

Function:

- obtaining and maintaining computer terminals, printers, and other equipment for use by the revisor's office and other legislative agencies for the production of legislative documents.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 6; custom and usage of the legislature (requested by senate and house staff).

Performance:

Eleven 3279 terminals and one 2700 printer were added to our system this year.

Two outside lines were added for Legislative Associates and Phillips.

Plans were drawn for wiring and moving back into the State Office Building

Problems:

None

Function:

- drafting conference committee reports.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 6; custom and usage of the legislature.

Performance:

The office prepared 61 conference committee reports in 1985. This compares to 92 in 1983 and 72 in 1981. While the number has gone down, the complexity has undoubtedly gone up. Time constraints on preparation of these reports are often extreme. The reports remain a major component of the office's work.

Problems:

None

Function:

- providing legal assistance to the legislative committee to review administrative rules.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 6; custom and usage of the legislature (requested by the LCRAR).

Performance:

The assistant deputy revisor for rules was assigned as counsel for the LCRAR. This position was in addition to this person's other drafting duties. At the request of counsel, other attorneys in the office provided advice on specific issues related to their specialties.

Counsel's duties include attending all commission hearings; reviewing preliminary assessments, staff reports, and other documents issued by the commission; and providing legal advice to staff and commission members as requested.

The LCRAR staff consists of an executive director and a secretary. The legal assistance provided by this office was essential to the functioning of the commission.

Problems:

None

Function:

- remove all gender-specific references in Minnesota Statutes.

Source of Mandate: Laws 1984, chapter 480, section 21.

Performance:

The guidelines, timetable, and a test sample of the project's end product were delivered to the revisor's joint subcommittee in March. Research was continued to find alternatives for the gender-specific terms and to determine the effect on readers of the removal of gendered terms. The attorney general's office was contacted to arrange for the office's review of selected chapters of the revision. West Publishing Company was apprised of the timetable as a courtesy because of West's publication of Minnesota Statutes Annotated. The military affairs department volunteered to test how many hours are needed for a department's review of revised chapters of statutes in its area of interest.

Problems:

The office move, which was anticipated in planning, has been delayed because of the special session. This will result in a delay in the computer's week-long down time. An effort will be made to alter the work schedule to minimize the effect of this change on the project.

The proposed imposition of billing of the attorney general's office's time to the agencies it services may affect that office's review of parts of the revision. The result may be less attorney general review and more agency in-house review of the revision. However, because the billing process is new and hasn't been implemented yet, its effect on the project is speculative.

Function:

- Conducting computer searches for legislative staff and executive agency clients.

Source of Mandate: Minnesota Statutes 1984, section 3C.04, subdivision 6 (individual research requests by legislative and outside staff of a system developed by us for drafting and editorial purposes.

Performance:

The office conducted 159 searches from 79 requests from November 30, 1984 until present.

An office structure for carrying out the search function was established with a senior assistant revisor responsible for several other staff persons.

Procedures for requesting and conducting searches were formalized and will be written into the standard office procedure booklet.

A new search system was created by computer staff to replace the purchased STAIRS system.

Problems:

Providing the searches involves a substantial time commitment by at least one staff member. Use of that staff time might be obviated if a more user-friendly system for the searches were used.
