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PERFORMANCE REPORT  
ON THE  
OFFICE OF THE REVISOR OF STATUTES  
FOR THE PERIOD  
JULY 1, 1985 - June 30, 1986

JULY 1, 1986

The functions of the Office of the Revisor of Statutes are established by law, rule, or custom. Twenty-seven identifiable functions were performed during some portion of the year. Of that number, five require only minimal work. One function, providing public data to requesters, was added during the year. One function, the gender project, came to an end 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 program of self-evaluation at the end of each fiscal year. This written review is the office's eighth 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-seven assigned functions is then analyzed.

An overview of the responses to the twenty-seven assigned functions, yielding some kind of global judgment on the office's level of performance, shows that the office continues to provide diverse products and services. The office is clearly bent on improving those products or the delivery of services. The office also provides its products and services efficiently: Almost all staff do 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.

Last fiscal year, concern was expressed over the newly required bill-back system on nonlegislative drafting and on the three-way division of the office's appropriation between the executive, legislative, and judicial branches. Problems were encountered with both but neither proved catastrophic.

Since bill-back revenue was only crudely estimated when appropriations were made, I decided to assume there would be a substantial reduction of this revenue source and budget accordingly for the entire year. The alternative, to spend as if the full revenue would be realized and then make draconian cuts in the last few months to make up for revenue loss, would have been poor management. The assumption proved to be correct. Only one-third of the original estimate was realized. This was not due to a reduction in drafting. In fact, agencies professed to have requested just as much drafting as they would have if bill-backs had never occurred. The discrepancy between estimated and projected revenue was due to the inadequacy of information on which to base the original estimate. Now that there is over a year of good records, accurate projections of future revenue can be made.

The three-way division of the office's appropriation also caused difficulty, although for an unexpected reason. During the 1986 session, severe budget cuts were considered because of a general failure in the state's tax revenue. That portion of the revisor's appropriation in the Department of Administration proved to be a target for cuts by that department. Although the legislature did not pass the bill, the governor's unallotment, at the department's recommendation, included a substantial cut in the revisor's funds that were part of the Department of Administration's appropriation. In retrospect, it is clear why that happened. The Department of Administration got "credit" for a cut even though the revisor's programs, not the department's, had the burden of the cuts.

During the session that the bill-back system, partial funding by revenue, and division of appropriations were initiated, legislative committees indicated that the success of those mandates would be reviewed in the 1987 session. It is possible that further changes may occur.

This problem has, I hope, been remedied for the coming biennium. The Department of Finance has decided to budget the revisor at one place and not three different places in the budget. The legislature could still divide the appropriation, but the budgeting remains unified.

A new area of importance in the office's operations is the obvious growth in outside computer services. Eight years ago, the office's computer operations were small and limited. Now, the office maintains a large computer center that furnishes services not just to the revisor but to the senate and house as well. Data is furnished to one outside source, and five or six outside sources may be involved next year. The size of the computer operation brings many problems that do not exist with a small system. These problems are not insurmountable, but they are significant matters that must be dealt with along with the more usual problems of the office.

Another event during the year was a series of retreats held separately by the attorneys, computer staff, editing staff, administrative staff, and production staff. These retreats were held in the fall of last year. The intent was to review performance and seek ways of improving performance. The retreats led to written papers outlining course of action. Most of the action steps were accomplished in the subsequent period. These activities are discussed in more detail under particular mandates on the office.

The office has also established a Standard Operations Procedure (SOP) Manual. It contains written information on literally everything done by everyone in the office. The SOP manual should ensure that everyone is informed of what must be done and how it is done. It should eliminate need to run the office by memo.

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>Statutory Editing</u>	<u>Rule Editing</u>	<u>Total</u>	<u>Change</u>
1977	3301	388	197	50(Est)	—	1324	455	—	—	—	2703	—	8418	
1978	1418	400(Est)	171	50(Est)	—	975	42	—	—	—	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	Nil
1981	2936	395	227	72	—	1021	386	4	—	—	4397	—	9438	
1982	1562	404	159	62	—	896	286	5	—	956	2675	—	7005	
Total	4198	799	386	134	—	1917	672	9	—	956	7072	—	16443	18%
1983	2607	566	225	92	—	1261	387	11	445	892	3922	—	10408	
1984	1651	546	212	40	172	994	298	11	371	1213	3612	1850	10970	
Total	4258	1112	437	132	172	2255	685	22	816	2105	7534	1850	21378	30%
1985	3170	1109	256	79	389	1347	335	7	478	1673	4543	1201	14587	
1986	1536	710	181	58	112	808	172	2	280	1342	2412	1048	8661	
Total	4706	1819	437	137	501	2155	507	9	758	3015	6955	2249	23248	9%

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>
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	10704	1606	838	598	0	3042
<u>Total</u>	<u>626</u>	<u>2918</u>	<u>4.66</u>	<u>11461</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	11509	1543	667	443	21	2675
<u>Total</u>	<u>653</u>	<u>4388</u>	<u>6.73</u>	<u>13241</u>	<u>4065</u>	<u>1642</u>	<u>1318</u>	<u>46</u>	<u>7072</u>
1983	375	2905	7.7	2151	2506	896	506	14	3922
1984	282	2409	8.5	12681	2225	789	590	8	3612
<u>Total</u>	<u>657</u>	<u>5314</u>	<u>8.08</u>	<u>14832</u>	<u>4731</u>	<u>1685</u>	<u>1096</u>	<u>22</u>	<u>7534</u>
1985 & Special	327	2993	9.2	2093	2747	1061	719	16	4543
1986 & Special	169	1508	8.9	13000*	1108	852	406	46	2412
<u>Total</u>	<u>496</u>	<u>4501</u>	<u>9.07</u>	<u>15093*</u>	<u>3855</u>	<u>1914</u>	<u>1125</u>	<u>62</u>	<u>6955</u>

\* Estimated

OFFICE OF THE REVISOR OF STATUTES  
YEARLY PRODUCTION STATISTICS

BILL DRAFTING OPERATIONS

<u>Session Year</u>	<u>Drafting Files</u>	<u>Drafting Files Introduced</u>	<u>%</u>	<u>Amendment Drafts</u>	<u>Total Bill Introductions</u>	<u>Bill Comparisons</u>	<u>Conference Committee Reports(Acted On)</u>	<u>Misc. Documents Including Appropriations</u>
1975	3683	*	*	*	3643	*	*	*
1976	1541	*	*	*	1654	*	*	*
<u>Total</u>	<u>5224</u>	<u>2645</u>	51%	<u>559</u>	<u>5297</u>	*	*	*
1977	3301	*	*	388	3268	197	*	*
1978	1418	*	*	*	1680	171	*	*
<u>Total</u>	<u>4719</u>	<u>3049</u>	65%	*	<u>4948</u>	<u>368</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>	61%	<u>879</u>	<u>4944</u>	<u>318</u>	<u>104</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>	60%	<u>809</u>	<u>4529</u>	<u>386</u>	<u>134</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>	63%	<u>1112</u>	<u>4493</u>	<u>437</u>	<u>132</u>	*
1985	3078	1923	62%	1054	3259	256	79(61)	256
Special	92	36	39%	55	49	0	0	133
1986	1521	928	61%	690	1644	181	58(31)	101
Special	15	3	20%	20	3	0	0	11
<u>Totals</u>	<u>4706</u>	<u>2890</u>	61%	<u>1819</u>	<u>4955</u>	<u>437</u>	<u>137(92)</u>	<u>501</u>

\* 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 &amp; House Resolutions Enrolled</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
1986	375	430	15	18	805	87	82	169	1	2
Special	2	1	0	0	3	2	1	3	0	0
<u>Total</u>	<u>984</u>	<u>1171</u>	<u>50</u>	<u>49</u>	<u>2155</u>	<u>252</u>	<u>255</u>	<u>507</u>	<u>2</u>	<u>9</u>

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>
FY 1982	46	13	33	1	15	65
FY 1983	40	16	24	0	35	105
FY 1984	39	17	22	0	40	145
FY 1985	41	17	24	0	45	194
FY 1986	42	16	26	0	45	135



OFFICE OF THE REVISOR OF STATUTES  
 YEARLY PRODUCTION STATISTICS

ADMINISTRATIVE RULES - DRAFTING AND FORM APPROVAL OF PROPOSED RULES

	(1) New Drafting Files	(2) Rough Drafts Prepared	(3) Preliminary Drafts Prepared	(4) Final Proposed Rule Drafts Approved	(5) Stripped Proposed Rules	(6) Modif- ications	(7) Final Adopted Rules	(8) Notice of Adoption	(9) Stripped Adopted	(10) Total (2) to (9)	(11) Average Drafts Per File
FY 1982	195	175	104	201	82	109	122	76	87	956	4.9
FY 1983	140	140	154	171	75	73	117	84	78	892	6.4
FY 1984	185	185	205	241	138	95	135	103	111	1213	6.6
FY 1985	239	240	318	283	179	169	173	151	160	1673	7.0
FY 1986	180	242	176	192	186	85	182	151	128	1342	7.5

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
<u>1986</u>	<u>280</u>
Total	758

\*The revisor did not draft committee reports before 1983 and now only does it for the House. Senate reports are prepared by Senate engrossing staff.

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>Repealed</u>	<u>Renumbered</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	9661	414	547	240	-	1201
4/9/85 to 12/2/85	1986 Supplement No. 1	843	257	564	209	18	1048

Function:

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

Source of Mandate: Minnesota Statutes 1986, section 3C.03, subdivision 2.

Performance:

All bills introduced in the legislature must be processed and prepared or reviewed in the revisor's office. The office prepared 1,536 bills and resolutions and 710 amendments for the 1986 session of the legislature. For an even-year session of the legislature, this is an average number of bills. The number of amendments, however, is the highest ever for an even-year session among the years 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.

Quality controls are used for all drafting. The controls include review by attorneys, clerical review, the use of specially adapted computer programs, the text editing system itself, regular review of all processes, and formal and informal instruction of all staff in quality standards.

In the 1985 session, several attorneys expressed concern that they were not able to prepare floor amendments fast enough because a computer terminal and printer were not available near the house floor. As a result, arrangements were made in the 1986 session to have a member of the House Journal staff use her CRT terminal to prepare amendments. The system worked very well. Amendments were completed much more quickly.

Also in the 1985 session, intensive efforts were made to determine the reason for complaints originating in the senate on the quality of some drafts. Before the 1986 session, the results of the 1985 session efforts were reviewed by all attorneys and a specific plan developed to remedy the problems. While improvement is as difficult to quantify as were the original complaints, there was no apparent reoccurrence of the complaints of 1985 in the 1986 session.

Problems:

None

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 1986, 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 280 reports prepared in 1986. This number decreased from two years ago. The work is still a substantial part of the office's clerical load.

After a year's experience, the quality of the material provided by the new committee secretaries was generally excellent and the problems reported in 1985 were eliminated.

Problems:

None

Function:

- drafting administrative rules upon the request of an agency.

Source of Mandate: Minnesota Statutes 1986, section 14.07, subdivision 1, clause (f).

Performance:

During fiscal year 1986, the office handled 180 sets of rules for form approval or drafting assistance. This figure is down from the 185 sets prepared in fiscal year 1984 and 239 in fiscal year 1985.

The office prepared 418 rough or preliminary drafts in fiscal year 1986, up from 390 in fiscal year 1984; 192 final proposed rules, down from 241 in 1984; 85 modifications, down from 95 in 1984; and 148 final approvals, up from 135 in 1984. The average number of drafts per file was also down slightly; 3.3 this year from 3.4 in 1983-1984.

The 1985 law that required our office to charge agencies for drafting services has not affected our overall workload. Concern was expressed in last year's report over what that change would mean in the overall drafting load. The drafting load was down from the previous two years. However, agencies consistently indicate that the amount of rule work they request is a function of statutory change, not of the agencies' independent decisions to change rules. The drafting load, while moderately reduced this fiscal year, is apparently the same as it would have been if the agencies had not been charged for our drafting services.

Problems:

None

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 1986, sections 3C.06, 3C.08, and 3C.09.

Performance:

Laws of Minnesota 1986 was delivered July 10, 1986 approximately 90 days after adjournment of the 1986 special session. A total of 2,412 statutory sections in 169 acts were affected by 1986 legislative action compared to 3,612 affected in 282 acts two years ago. The trend toward fewer but longer chapters appears to be continuing.

Work on Minnesota Statutes 1986 is in progress. Delivery is anticipated in October, 180 days following legislative adjournment. The adoption of the gender neutral revision of the statutes this session and a profusion of instructions to the revisor have added to the already heavy amount of work involved in editing material for statutory publication. A new table, specially added to this edition only of Minnesota Statutes, shows all sections affected by the gender neutralization project. In addition, laws relating to Hennepin County and the Duluth Transit Authority have been codified for inclusion in the statutes, as well as renumbering of several other miscellaneous statutes.

Activity in editing court rules has been high because of the merger of many of the trial courts to form a unified trial court system in several judicial districts. Changes in court personnel have necessitated many changes in the preface.

Efforts to market the publications have continued. Staff members wrote a press release and worked with media staff from each caucus to disseminate information about the publications to each legislative district. In addition, materials were exhibited at the Minnesota Bar Association convention and the Minnesota Association of Law Librarians convention. Efforts have increased sales as indicated by a sellout of Minnesota Statutes 1984.

A brief retreat of the editorial staff was held in the fall of 1985 to review progress on publications and to plan improvements in the future. A written plan was drafted. The plan should provide a blueprint for activities for the next few years.



Problems:

The delivery date targeted for session laws was four weeks earlier than the actual delivery of books. The delay was due to programming problems encountered by our new compositor. With the programs now completed and in place for the next five years, problems of the sort encountered this year should not recur. All is going as scheduled for Minnesota Statutes 1986.

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Function:

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

Source of Mandate: Minnesota Statutes 1986, section 3C.08, subdivision 1.

Performance:

We now have an editorial policy of processing court rules on a continuous basis. By doing this, the court rule editorial staff gains time to do other editing tasks during the summer. The policy of continuously updating court rules also has significantly enhanced quality control efforts and given staff time to make incremental improvements in text and format.

Work on the 1985 pocket-part supplement was completed on schedule. This supplement contained substantial amendments to the rules of civil procedure and the new Minnesota Rules of Professional Conduct. The court rule editorial staff processed 24 court rule files in 1984-1985 and also 24 court rule files in 1985-1986.

The court rule staff has finished editorial work on court rules for the 1986 edition of the court rules volume. The 1986 edition of the court rules volume will contain a number of new sets of rules, including a new set relating to Family Court Matters. As usual, there also have been substantial amendments to a number of sets of rules previously included in the court rules volume, including the Rules on the Lawyers Professional Responsibility Board and Sentencing Guidelines.

A number of improvements have been made to the court rule preface. We have updated information relating to changes in court organization, jurisdiction, and personnel. We have provided users of the court rule volume with current information on the status of merger in the trial courts. In addition, we have completely redone the court personnel section to give users more information in a format that makes processing of information easier.

Problems:

The normal editorial cutoff date for the court rules volume in July creates some problems for us because the courts often make many court rule changes in the summer.

Function:

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

Source of Mandate: Minnesota Statutes 1986, section 14.47.

Performance:

Work in the rules editorial area has stabilized. Minnesota Rules 1985 was completed as scheduled. Several improvements to the set were made. The set was expanded to ten volumes from the original seven, making it more manageable by itself, as well as with its pocket part supplements. Historical notes were added for changes after 1983, and a table of amendments has been included. In addition, an effort was made in the 1985 edition to include text changes to reflect agency reorganizations or terminology changes directed by legislative action. The first 1986 supplement proceeded as scheduled, with a second cumulative supplement scheduled for December delivery.

The index to Minnesota Rules 1985 increased in length by 26 composed pages. For the Minnesota Rules 1986 Supplement Number 1, the new computer program for sorting and alphabetizing index entries was used. Dictating index entries by using the new computer program required only one keying of entries, resulting in a great time saving.

In conjunction with efforts to increase sales of publications in general, particular attention has been given to increasing sales of Minnesota Rules and its supplements. Further efforts are planned to market this publication through advertising and attracting new purchasers, as well as tracking those who purchase the full set to stimulate supplement sales.

Problems:

If the rules indexing work could be continuous it might be possible to shorten the time between the cutoff and publication dates. To achieve this, the assistant deputy for indexing's workload needs readjustment.

Function:

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

Source of Mandate: Minnesota Statutes 1986, section 3C.11, subdivision 2.

Performance:

There were 37 requests for statutory extracts this past fiscal year. This is almost the same as the previous year.

Many changes were made to the extract computer program. The program will prepare an extract that more closely resembles a statutory chapter in the printed volume. The program eliminates the logo, does the alternating pagination, has bold headnotes at both section and subdivision levels, puts in first grade heads and has margins compatible with margins necessary for the printer. Our extracts need only be reduced by five percent and they are camera ready.

There were 53 requests for extracts of Minnesota Rules. Again, we provided a Revisor's Certificate, a suggested cover, and if printed on our computer, a chapter analysis.

As with statutes, new computer capabilities have helped tremendously in processing the extracts.

Problems:

During the past year there again were problems with statutory extracts. Problems with two extracts were encountered when the agency and Documents misunderstood what the revisor's office could offer in a supplement year. Both of these extracts had to be redone.

The main obstacle was poor communication, so we set up a meeting between our office, Documents, and the printing contractor. Many areas were cleared up and we have had better rapport with both Documents and the printing contractor.

There was one main problem with a request for a Rules extract from the Department of Human Services. This request was done five times by our office because of lack of communication and understanding of what was wanted. It was necessary to meet with agency and Documents personnel to determine just what was desired.

Documents reported serious problems with the contract printer. Numerous print jobs were late and poorly printed. Since a new five-year contract was then up for bid, a meeting was held with the contractor. At the meeting, the contractor was told that if the problems were not remedied immediately, we would award the new contract to the next higher bidder. The problems were corrected and remained corrected through a four-month waiting period. The new contract was then awarded to the same contractor. The former problems still have not reappeared.

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Function:

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

Source of Mandate: Minnesota Statutes 1986, 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 1986, section 3C.08, subdivision 1.

Performance:

The Laws of Minnesota 1985 index and the Minnesota Statutes 1985 Supplement index were completed on time. For both indexes the new computer program for automatic sorting and alphabetizing of entries was used. The program provides for direct keying of an indexer's dictation and makes rekeying unnecessary, thus saving considerable time.

The index for the Laws of Minnesota 1986 is completed. Work on Minnesota Statutes 1986 is progressing at the date of this report. Over the past nine months what will be a major improvement in the statutes index has been underway. The numbered subdivision headings under about 50 of the main headings have been removed and the entries rearranged to make them easier to find. This was a time-consuming activity requiring a good deal of assistance from computer terminal operators and supervisors.

Problems:

The reindexing of Minnesota Statutes will not occur in fiscal year 1987. The funds were originally budgeted but were eliminated as part of the governor's unallotment of funds following the state's fiscal problems during the 1986 session. This was the second time that funds were appropriated to accomplish the reindexing and eliminated in a fiscal crisis. Reindexing is still necessary. Time needs to be allocated so the assistant deputy revisor for indexing can seriously explore alternatives for improving the index in fiscal years 1988-1989.

Function:

- preparing and publishing a bill drafting manual.

Source of Mandate: Minnesota Statutes 1986, section 3C.03, subdivision 4.

Performance:

The edition of the bill drafting manual published in 1984 remained in use for the 1986 drafting. Suggestions and comments for another edition are regularly considered.

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Problems:

Discussions still periodically occur with other staff offices over what the drafting manual does and does not require. Despite the manual's indication that some stylistic forms were only recommended, some other staff continue to regard them as required just because they are stated in the manual.

Several meetings were held with those staff particularly about their insistence on amending text to divide it into different subdivisions, paragraphs, and other divisions or to renumber or reletter divisions. It was agreed that no one would amend bills drafted by the other just to conform the draft to the preferred style of the office suggesting the amendment.



Function:

- preparing and publishing a rule drafting manual.

Source of Mandate: Minnesota Statutes 1986, section 14.07, subdivision 1, clause (2).

Performance:

The first permanent rule drafting manual was completed and distributed on February 1, 1984. Work is beginning on revising and republishing the manual in fiscal year 1987.

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Problems:

Substantial changes in the Administrative Procedure Act during the 1987 legislative session or budgetary constraints may force changes in this republication schedule.

Function:

- engrossing and enrolling bills for the senate and house.

Source of Mandate: Minnesota Statutes 1986, section 3C.04, subdivision 5; Joint Rule 2.07.

Performance:

In the 1986 regular and special sessions, a total of 808 engrossments was completed. During the 1984 session 994 engrossments were done; in 1982, we completed 897.

In the 1986 regular and special sessions, a total of 169 enrollments was completed. In 1984, the total was 298 and in 1982 it was 291.

During the 1985 session many "unofficial unofficial" engrossments (that is, engrossments other than those requested by the senate and house desks) were created for conference committees and other deliberating groups. The demand for the "unofficial unofficial" engrossments dropped during the 1986 session. For that reason, concerns expressed last year that "unofficial unofficial" engrossments might blossom into a major new workload have proved unfounded.

Work has been completed by computer staff on an automatic engrossing program. Use of this program next year should greatly speed the engrossing and enrolling work.

Problems:

Lobbyists complained to the revisor and to leadership staff that inappropriate changes occurred in the engrossment of one particular bill. Review of records shows that extensive, but not unprecedented, corrections were made in the engrossment of the bill. The corrections were believed necessary because of drafting deficiencies in amendments caused by haste in drafting and a complex parliamentary situation. While corrections were believed to be in accordance with standard practice, in retrospect, it is easier to see why the lobbyists were disturbed.

As a result, future bills with faulty amendments will probably be corrected later in the legislative process rather than in the engrossing process.

Function:

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

Source of Mandate: Minnesota Statutes 1986, section 14.07, subdivision 2.

Performance:

In fiscal year 1986, no final proposed rules or final adopted rules were disapproved. The drastic step of disapproving a rule has not been necessary since the first year the revisor was involved in rulemaking. Agencies are generally comfortable allowing the revisor to make changes considered appropriate to avoid disapproval. The office's method of billing is designed to encourage agencies to use available services. The office's production statistics for fiscal year 1986 confirm that agencies are using all services and allowing the office to revise drafts before they are finalized. Consequently, there is no need to refuse to approve these drafts when they are finalized.

Problems:

None

Function:

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

Source of Mandate: Minnesota Statutes 1986, section 3C.04, subdivision 3.

Performance:

This report is a biennial report that is only prepared in even-numbered years. It was not prepared during this fiscal year. It will be prepared, as scheduled, this November.

Problems:

None

Function:

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

Source of Mandate: Minnesota Statutes 1986, section 3.251.

Performance:

Uniform laws conference drafts were reviewed throughout the year and active participation in conference meetings and committees was provided. The 1986 conference will consider acts relating to criminal procedure, criminal records, evidence, sales, franchises, trusts, leases, perpetuities, and dormant mineral interests.

Problems:

None

Function:

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

Source of Mandate: Minnesota Statutes 1986, section 3C.04, subdivision 4.

Performance:

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A bill to correct cross-references, conflicts, and numerous other miscellaneous problems was proposed and passed. At the special session, material was added to the revisor's bill to catch errors and conflicts noted during the 1986 session.

Style and form revision was put off pending the adoption of a gender language revision.

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 begun using the bill as a vehicle for substantive amendments. 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, especially because it endangers the passage of all revisor's bills. The revisor will clearly have to adopt a stronger posture against including in the revisor's bill anything not appropriate.

Function:

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

Source of Mandate: Minnesota Statutes 1986, section 3C.04, subdivision 6; custom and usage of the legislature (requested by secretary of the senate and chief clerk of the house).

Performance:

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Comparison reports detail the differences between companion bills. In 1986 we completed 181 comparison reports. The house requested 109 comparisons and the senate 68 comparisons. We also prepared four appropriations comparisons. In 1984 our office prepared 212 comparisons, and 159 were completed in 1982.

Comparison reports must be prepared in a limited time. Because some of the bills are very long and complex, supervisors must stay all night to prepare them.

We have continued to use the short comparison form for the senate and, as a result, our staff has more time to do other work, but the house requires detailed bill comparisons. This job is very time-consuming and difficult.

Problems:

Comparison reports are tedious and time-consuming to prepare. It would be helpful if a summary form were used in making comparisons rather than listing every difference.

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 1986, section 3C.04, subdivision 6; custom and usage of the legislature (requested by staff of house appropriations committee and senate finance committee).

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Performance:

Attorneys again took responsibility for preparing the complex, detailed appropriations comparisons. These comparisons were used extensively by conference committees as they negotiated on major spending bills before the special session.

The appropriation comparisons were prepared both in the traditional computer manner and alternatively as visual side-by-side cut-and-paste mockups of the two companion bills.

Though the side-by-side comparisons are easier to prepare and more simple to follow, the computerized comparison was still desired by some conferees, apparently because of tradition, familiarity, and a perception that it is a document that is easier and less confusing to amend.

Problems:

For the foreseeable future, both documents should be prepared.



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 way to do work otherwise mandated.

Performance:

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The highlights of the work accomplished in the year are:

1. A word and phrase checker was implemented.
2. The ability to produce memos in a production manner was added to TE.
3. An engrossing program which integrates amendments into a bill and produces a new engrossed document was made ready for 1987 testing.
4. A program to automatically renumber sections in a bill was placed into production.
5. A dozen programs were written and run in support of the gender project.
6. The payroll and accounts receivable programs were modified.
7. Improvements were made in various areas including TE, execs, and publishing programs.
8. Release 3.1 of VM was installed.

Problems:

The wish list for work seemingly grows faster than projects can be disposed of. One mentioned project--opening the computer to outside search and use--presents important security and administrative problems.

Function:

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

Source of Mandate: Minnesota Statutes 1986, section 3C.04, subdivision 6; custom and usage of the legislature (requested by senate and house staff).

Performance:

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Significant computer enhancements were achieved during the year. Among them are:

1. A new release of creatabase was installed and its use was generalized.
2. Publication and report programs were written for the senate index.
3. Work on the house index was started.
4. The production of the senate general orders was improved.
5. Work was started on the computerization of the House Journal.

Problems:

As for inside applications, ideas grow faster than projects can be finished.

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 1986, section 3C.04, subdivision 6; custom and usage of the legislature (requested by senate and house staff).

Performance:

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The augmented uses of the computer necessitated rapid growth and change in equipment. Important changes include:

Two 6670 printers were sold and one retired from the system.

Four new 3700 printers were integrated into the system.

One new 2700 printer was added.

Two new 4045 printers was added.

Ten new 3179 CRTs were added.

One new 3274 terminal controller was added.

The seventh floor State Office Building was wired for computer terminals in every office.

The computer maintenance vendor was changed from IBM to CDC with excellent results.

A 4341-M02 was purchased on the used market and placed in service.

The computer system ran almost without a problem.

Problems:

Diagnosing coaxial cable problems is difficult but it appears there is no better way. The system is so critical to the functioning of the legislature that maintaining it and correcting problems when they occur are major concerns.

Function:

- drafting conference committee reports.

Source of Mandate: Minnesota Statutes 1986, section 3C.04, subdivision 6; custom and usage of the legislature.

Performance:

The office processed 58 conference committee reports that were received by the house and senate desks in 1986. Of that number, action was completed by the senate and house on 31. This compares with 40 in 1984 and 62 in 1982 on which action was completed. The 1986 total may have been affected by the abrupt end of the regular session.

Problems:

Requests for multiple, slightly different, reports for the same bill have become frequent. They totaled 26 in 1986.

As the number adopted has gone down, the complexity has undoubtedly gone up and by more than a simple inverse proportion. Acts based on these reports represent a very large part of the legislature's most important work. Time constraints on preparation of the reports are often extreme.

Function:

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

Source of Mandate: Minnesota Statutes 1986, 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 provide 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, a research assistant, and a secretary. The legal assistance provided by this office was essential to the functioning of the commission.

It was decided to broaden participation by the office's lawyers providing legal counsel to the LCRAR. The other lawyers are sometimes used to analyze LCRAR issues in the lawyers respective drafting specialty areas.

Problems:

None

Function:

- remove all gender-specific references in Minnesota Statutes.

Source of Mandate: Laws 1986, chapter 480, section 21.

Performance:

The drafting phase of the gender project was completed on schedule in the fall of 1985. Agency review was completed shortly thereafter and a bill was prepared in January 1986 to adopt the revision by reference. More than 100 agencies were involved in the review. The legislation adopting the revision was passed, with a few amendments (Laws 1986, chapter 444).

The process to merge the revised material with the statutes is in progress now. The process is on schedule, though the effort takes a good deal of time because the revision is so large (2500 pages, affecting over 40 percent of the sections in the statutes).

At one time or another every person in the office was involved in this project. The project manager estimates that 12,000 to 15,000 staff hours have gone into the project so far.

The result is the most complete, the quickest, and most stylistically varied gender revision yet attempted in any jurisdiction in this country. (More than 21,000 terms were changed.)

The 1986 gender revision as amended will be reflected in Minnesota Statutes 1986.

Problems:

The statutes still contain substantive references to specific genders. Some are merely descriptive and some are protective; others may be discriminatory. It was beyond the scope of the gender project to deal with these references because of their substantive nature.

The Legislative Commission on the Economic Status of Women has asked us to report on these remaining substantive gender-specific references by December 1, 1986.

Function:

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

Source of Mandate: Minnesota Statutes 1986, section 3C.04, subdivision 6 (individual research requests by legislative and outside staff of a system developed by us for drafting and editorial purposes.

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Performance:

The office conducted 311 searches from 139 requests from July 1, 1985 to June 30, 1986. Approximately 75 percent of the requests came from our staff but often at the request of people from other agencies. The other 25 percent were direct requests from other agencies and individuals.

The search system has been set up to do three types of searches, which have been able to handle all requests.

The searches are completed by either a data entry operator, three assistant supervisors, or a supervisor.

Problems:

There were no significant problems. Our one area of concern is that some people bypass the supervisor in requesting a search and it is difficult to keep track of the searches being done.

Function:

- furnishing public data to outside sources requesting copies.

Source Mandate: Minnesota Statutes, chapter 13 (Government Data Practices Act).

Performance:

During the fall of 1985 and throughout the 1986 legislative session our office transmitted bills, amendments, engrossments, committee reports, and conference committee reports. The criteria for deciding when documents can be transmitted were established at a meeting with people from our office, Legislative Associates, Secretary of the Senate, House Chief Clerk, and Senate Journal on December 19, 1985. Before that meeting we had transmitted existing engrossments from the 1985 session.

The transmittal of documents was accomplished by one data entry operator, an assistant supervisor, and a supervisor. We transmitted documents after they were determined to be public documents according to the meeting of December 19.

We transmitted 1567 bills, 561 senate and house committee reports, 29 conference committee reports, and 799 engrossments. These figures may seem large but it must be taken into account that some were transmitted more than once because of transmitting difficulties. We did not keep track of whether it was an initial transmission or duplicate. I would guess that approximately three percent had to be transmitted more than once.

Problems:

The main problems occurred early in the session when we did not have speakers in our office to hear when bills were introduced and we had to call the house and senate desks for permission to transmit. The other problem was also early when we had problems transmitting documents and had to do it more than once, or when headers were not shown and Legislative Associates could not determine the name of the document. It also took considerable time to transmit documents individually. Clayton devised a program to let us list all the documents requested and then transmit them all in one command. It saved considerable time and also showed us any errors in listing the documents.

For our first effort, I believe we worked together very well and that we were accurate and thorough in our transmission. Legislative Associates felt we got them documents quickly, we had no problems in working with them, and we had good communications with all the people concerned.



