

PERFORMANCE REPORT  
ON THE  
OFFICE OF THE REVISOR OF STATUTES  
FOR THE PERIOD  
JULY 1, 1986 - June 30, 1987

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JULY 1, 1987

To ensure that we continue to do all our work well, the Office of the Revisor of Statutes has established a program of self-evaluation at the end of each fiscal year. This written review is the office's ninth evaluation of its yearly performance. It is intended to provide a more systematic look at how the office has performed than merely looking at production statistics or making a general judgment of 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 assigned functions is then analyzed.

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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, the gender project, came to an end during the year. The principal functions of the office remain drafting and publishing.

A review of the twenty-seven assigned functions shows that the office continues to provide diverse products and services. The office has sought to improve those products and the delivery of services. The office also provides its products and services efficiently: Almost all staff do more than one function and, despite the recently increased work load, the number of drafting attorneys and production staff has remained the same for many years.

In the bill drafting area, the quantity of work decreased only slightly from 1985, the last equivalent year. 1985 saw more bills drafted than any other year since 1979. The office continued to emphasize timely delivery of drafts in the best technical form and plain English style.

In the rule drafting area, the number of drafts was also modestly reduced from last year, although the number of drafts per file continued its slow upward spiral. The ratio of bill drafts to rule drafts was 20:1, so the proportion of the office's work that is done for the legislature is very high.

The editorial work on statutory material showed a remarkable increase this year. The number of chapters was higher than in the last few years, and the number of statutory sections affected was up about 50 percent from 1985, 1983, and 1981. The editorial and indexing effort needed to process this material was extraordinary. Despite the workload, the editorial deadlines, calculated from the adjournment of the special session, were met. The editorial and indexing standards were maintained.

The office resumed an extensive program of preparing style and form bills to cure technical problems in the statutes and improve the wording of the law. In the past few years, office resources had been devoted to the gender neutralization of the statutes. Included in this year's program were a bill correcting many erroneous internal cross-references and a bill to rewrite nine chapters of the statutes to improve their style. This kind of effort will be continued in the future.

In the computer service area, major goals were accomplished. The largest of these was the implementation of a combined Senate and House indexing system. The new amendment merging utility program was released for use by other offices and clearly proved to be a boon to all concerned. The office added a second CPU and additional software to enable both CPUs to operate in tandem. The office also went through an elaborate process to select a vendor of office word processing and accounting hardware and software.

The last element of the gender project was successfully completed during the year. The major work was completed last year, but the office was requested to report on substantive gender references that were unaffected by the earlier work. Most of those reported references were then also changed. As a result, Minnesota Statutes is one of the most gender neutral bodies of statutory law in the country.

As always, the office performs a variety of services simply because they appear appropriate for the betterment of government and citizens information. Included are:

- . responses to letters and phone requests for information on or interpretations of Minnesota's laws;
- . seminars on drafting for the public or other state's drafters under the auspices of the National Conference of State Legislatures;
- . editorial work on the National Conference of State Legislatures' Legal Services Staff Section's newsletter; and
- . authoring texts to help agencies and the public understand the state's administrative rules process.

There are two areas of major concern for the future of the office.

First, the office's computer services will shortly require additional staff. The computer work has expanded in amount and complexity over recent years. As more programs and equipment are added, more programs and equipment must be maintained. But adding new programs and equipment doesn't end. There is an obvious limit to the volume the present staff can handle, and we are reaching it.

Second, the office was mandated to reindex Minnesota Statutes over the next eight years without expending any additional funds. This mandate was given despite the office's request for significant funds to undertake the project. It is difficult to see how this project can be managed without additional resources. Nevertheless, planning will begin this fall.

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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	<u>4719</u>	<u>798</u>	<u>368</u>	<u>100(Est)</u>	—	<u>2299</u>	<u>807</u>	—	—	—	<u>4865</u>	—	<u>13936</u>	—
1979	3267	425	138	49	—	1078	345	5	—	—	2130	—	7437	
1980	1571	454	180	55	—	892	283	5	—	—	3042	—	6482	
Total	<u>4838</u>	<u>879</u>	<u>318</u>	<u>104</u>	—	<u>1970</u>	<u>632</u>	<u>10</u>	—	—	<u>5172</u>	—	<u>13919</u>	Nil
1981	2936	395	227	72	—	1021	386	4	—	—	4397	—	9438	
1982	1562	404	159	62	—	896	286	5	—	956	2675	—	7005	
Total	<u>4198</u>	<u>799</u>	<u>386</u>	<u>134</u>	—	<u>1917</u>	<u>672</u>	<u>9</u>	—	<u>956</u>	<u>7072</u>	—	<u>16443</u>	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	—	9120	
Total	<u>4258</u>	<u>1112</u>	<u>437</u>	<u>132</u>	<u>172</u>	<u>2255</u>	<u>685</u>	<u>22</u>	<u>816</u>	<u>2105</u>	<u>7534</u>	—	<u>19528</u>	19%
1985	3170	1109	256	79	389	1347	335	7	478	1673	4543	3051	16437	
1986	1536	710	181	58	112	808	172	2	280	1342	2412	1048	8661	
Total	<u>4706</u>	<u>1819</u>	<u>437</u>	<u>137</u>	<u>501</u>	<u>2155</u>	<u>507</u>	<u>9</u>	<u>758</u>	<u>3015</u>	<u>6955</u>	<u>4099</u>	<u>25098</u>	29%
1987	3052	*1020	246	62	161	1660	410	10	606	1148	6167	6552	21094	

\*Includes 262 floor amendments. Floor amendments are not included in 1985 and 1986 numbers but were probably much higher than the 1987 number.

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	11680	1543	667	443	21	2675
<u>Total</u>	<u>653</u>	<u>4388</u>	<u>6.73</u>	<u>13412</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	12731	2225	789	590	8	3612
<u>Total</u>	<u>657</u>	<u>5314</u>	<u>8.08</u>	<u>14882</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	12421	1108	852	406	46	2412
<u>Total</u>	<u>496</u>	<u>4501</u>	<u>9.07</u>	<u>14514</u>	<u>3855</u>	<u>1914</u>	<u>1125</u>	<u>62</u>	<u>6955</u>
1987 & Special	410	3960	9.7	*	3466	1619	1017	65	6167

\*Not available

OFFICE OF THE REVISOR OF STATUTES  
YEARLY PRODUCTION STATISTICS

BILL DRAFTING OPERATIONS

Session Year	Drafting Files	Drafting Files Introduced	%	Amendment Drafts	Total Bill Introductions	Bill Comparisons	Conference Committee Reports (Acted On)	Misc. Documents Including Appropriations
1975	3683	*	*	*	3643	*	*	*
1976	1541	*	*	*	1654	*	*	*
Total	5224	2645	51%	559	5297	*	*	*
1977	3301	*	*	388	3268	197	*	*
1978	1418	*	*	*	1680	171	*	*
Total	4719	3049	65%	*	4948	368	*	*
1979 & Spec	3275	2001	61%	425	3252	138	49	*
1980	1571	974	62%	454	1692	180	55	*
Total	4846	2975	61%	879	4944	318	104	*
1981 & Spec	2936	1835	63%	405	3045	227	72	*
1982	1562	876	56%	404	1484	159	62	*
Total	4498	2711	60%	809	4529	386	134	*
1983	2607	1594	61%	566	2690	225	92	*
1984	1651	1088	66%	546	1803	212	40	172
Total	4258	2682	63%	1112	4493	437	132	*
1985 & Spec	3170	1959	62%	1109	3308	256	79(61)	389
1986 & Spec	1536	931	61%	710	1647	181	58(31)	112
Totals	4706	2890	61%	1819	4955	437	137(92)	501
1987 & Spec	3052	1902	62%	1020	3253	246	67(62)	161

\*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>Vetoed*</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	195	153	348	5	3
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	408	640	26	14	1048	207	199	406	8	4
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	607	740	35	31	1347	163	172	335	1	7
1986	377	431	15	18	808	89	83	172	1	2
<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>
1987 Spec	858	801	41	40	1660	262	158	410	0	10

\* does not include item vetoes.



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
FY 1987	44	20	24	0	30	122

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
FY 1987	152	245	173	164	118	90	120	112	126	1148	7.6

OFFICE OF THE REVISOR OF STATUTES  
YEARLY PRODUCTION STATISTICS

COMMITTEE REPORTS\*

<u>Session Year</u>	<u>House Committee Reports</u>
1983	445
1984	371
<u>Total</u>	<u>816</u>
1985	478
1986	280
<u>Total</u>	<u>758</u>
1987	606

\*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
4/9/85 to 7/28/86	1986 Supplement No. 2 (cumulative)	1404	564	1039	458	38	2099 (cumulative)
4/9/85 to 3/30/87	1987 (cumulative)	10481	919	1547	891	96	3453 (cumulative)

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 3,052 bills and resolutions and 1,020 amendments for the 1987 session of the legislature. The number of bills is roughly the same as the number drafted two years before. The number of drafting requests may have stabilized. The high-water mark for drafts was in 1973, and the number has generally gone down until 1985 and this year. The length of drafts, however, has increased at the same rate as the number of enacted chapters. The number of amendments drafted also remains about the same as in 1985. The number is much higher than it was only a few years ago.

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.

Two lawyers were available on the house floor at all times during its meetings to draft amendments and provide other legal services. Only one was provided during the previous two years. The change was due to a request by the speaker for more floor assistance on drafting. A member of the revisor's staff, a member of the house journal staff, and the chief clerk's secretary provided computer and noncomputer assistance to type amendments for the house floor.

Quality controls for all drafting 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.

Problems:

The number of requests for floor amendments seems to have gone down from previous years. We are not certain that the number has gone down because records were not kept of the number of floor amendments drafted in previous years. Some attorneys have expressed concern over the usefulness of this service.

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 606 reports prepared in 1987. This number compares with 478 two years ago. The work is a substantial part of the office's clerical load.

The quality of the material provided by the committee secretaries was generally excellent.

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 1987, the office handled 152 sets of rules for form approval or drafting assistance. This figure is down from the 239 sets prepared in fiscal year 1985 and 180 in fiscal year 1986. The average number of drafts per file continued its upward trend from 7.5 in FY 1986 to 7.6 this year. But at least the increase was not as great as in some prior years.

Problems:

Because so many mandates for new rules were enacted at the 1987 session, the number of rule drafts will increase dramatically during FY 1988.



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 1987 is progressing as scheduled. Delivery is anticipated in mid-August, approximately 60 days following adjournment of the 1987 special session. A preliminary count of sections affected shows a total of 6,167 sections in 416 chapters compared to 4,543 sections affected in 372 chapters two years ago. This indicates that more and longer bills were passed during the 1987 regular session than ever before. For the first time, Laws of Minnesota will have to be published in three volumes to accommodate all the laws passed during the year.

Minnesota Statutes 1987 Supplement is targeted for delivery in late September, 120 days following adjournment of the special session. Editorial work on the pocket-part supplement is progressing as planned. Because of the increase in volume of sections affected, this year's supplement will probably also be much larger than in the past.

Purchasers of Minnesota Statutes 1986 will receive the 1987 supplement automatically, rather than having to order and purchase it separately as in the past. Through an arrangement between the office and the Documents Center, purchasers can be tracked through the Documents computerized purchaser system, which will generate labels for mailing supplements automatically. Minnesota Statutes was priced to include the supplement. The objective of the new subscription system is to make the set easier for users to keep current, increasing its appeal and, we hope, its sales.

In addition to the subscription system, other efforts to market publications have continued. Ads, promotional announcements, and conference displays have all contributed to increased sales of Minnesota Statutes.

Problems:

The office's ability to meet the respective 60- and 120-day delivery deadlines for Laws and the Supplement has been strained by the length of time taken by the governor to sign bills this year. The governor did not sign the last acts until four weeks after adjournment. The problem might be cured if the revisor,

rather than the secretary of state, assigned chapter numbers for acts. At least then editing could proceed while the governor was considering his or her action. It would be easier to delete a single vetoed law than wait for a large number of acts to be approved so we could have chapter numbers.

The tremendous volume of sections affected in this year's sessions severely tested the office's ability to handle material within the established time limits for publication.

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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:

Work on the 1986 edition of the court rule volume was completed on schedule. The 1986 edition of the court rule volume contained a number of new sets of rules and substantial amendments to a number of sets previously included. The court rule editorial staff processed 24 court rule files in 1985-1986 and anticipates processing approximately 20 to 25 court rule files in 1986-1987.

The court rule staff anticipates finishing editorial work for the 1987 pocket-part supplement on schedule. The supplement will contain the new Rules of Family Court Procedure, substantial amendments to the Rules of Criminal Procedure, and some new sets of rules. Some of the unified trial courts have submitted new sets of local rules to us this year.

Problems:

The normal editorial cutoff date for the court rules volume in July continues to create some problems for us because the courts often adopt 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:

By the time that Rules 1987 is published, it appears that only about 90 sets of Rules 1985 will remain unsold. The original press run was 1,000 sets. There was concern over whether anything approaching the whole press run would be sold. The fact that so many were sold is undoubtedly due to the extensive merchandising efforts over the past two years as well as the inherent quality of the publication.

The editorial work on the index for Rules 1987 was completed on time. The index increased in length by about 20 pages. The computer program for finding repealed parts reduced the time necessary to work on the removal of repealed entries.

Because many new rules were added, the rules publication increased from 10 to 11 volumes this year.

Problems:

The final terminal entry and checking work on Rules and Rules Index occurred in April. The terminal entry operators and supervisors did a superb job of doing the necessary work along with heavy session work at that time. Nevertheless, we need to look at the Rules publishing schedule to determine whether we can publish at a less busy time of year.

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 43 requests for statutory extracts this past fiscal year. This is a slight increase from the previous year.

As this was a statutory editing year, most of the extracts were provided through positives from our publication. However, whenever requests were made that included rules, we would do a printout so that the extract would have consistent type for the reader.

There were 46 requests for extracts of Minnesota Rules. This is a slight decrease from last year. We again provided a Revisor's Certificate, a suggested cover, and a chapter analysis if the extract was printed on our printer.

The past recurring problem of poor communication with Documents has been resolved.

Changes to law enacted in the 1987 session require the office to charge agencies for preparation of each extract requested effective July 1. The additional charge is expected to have little impact on the number of requests processed.

Problems:

Some agencies have asked to have an index in each extract. This isn't a frivolous request. The absence of an index, at least on larger extracts, clearly limits the extract's use. It would be possible now, with some programming, to pull extracts from the general index to provide indexing for rules extracts. Once the statutes are reindexed, the same process would be used for them as well. Agencies could be charged for the cost of the work. This whole issue needs to be explored further.

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 index for Minnesota Statutes 1986 was completed at the scheduled time. Major improvements include the following:

- . Removal of numbered subdivisions under about 50 main headings and rearranging the entries under many new main headings for additional access points;
- . Removal of gender-related terms; and
- . Major reorganization of the main headings "state hospitals" and "state correctional facilities" to bring together scattered terms and remove outdated ones.

A new computer program for locating repealed sections was used. It reduced dramatically the time for marking repeals on the alphabetic printout.

At the date of this report, work on Laws of Minnesota 1987 is complete. Statutes Supplement 1987 work is on schedule. Each index is 33 percent to 50 percent larger than indexes to comparable publications in 1985 and 1986. This reflects the increased amount of law passed by the legislature in 1987. Even with this increase, the two indexes were completed on the scheduled dates.

Problems:

The statutes reindexing is now scheduled. The request for funds in the 1988-1989 biennium was not passed, but the legislature has directed the Revisor's Office to complete a reindexing of the statutes in "about eight years." Doing the reindexing over a long period and without additional funds presents major organizational and planning problems. Nevertheless, a plan for the reindexing is the first step. It will be completed this fall.

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 1987 drafting. Suggestions and comments for another edition are regularly considered.

Problems:

Some users of the manual still treat even its most tentative style suggestions as absolute imperatives. The problem seemed less severe in 1987, although there were still amendments for style.



Function:

- preparing and publishing a rule drafting manual.

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

Performance:

During the 1987 session, once it was clear that the legislature would not make major changes in the Administrative Procedure Act, planning began for a new edition of the rule drafting manual. Changes in book design had been planned in 1986 when specifications were written for composition, printing, and binding. Copy is now being marked with the changes needed to shorten the manual, bring it up to date, coordinate its text with that of the rulemaking guide, and answer the questions that have arisen in three years of experience with the current rules format. A notice will be published in the State Register early this summer inviting users of the manual to suggest improvements. Copies of the new edition should be available in late spring of 1988.

Problems:

None

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 1987 regular session, 1,659 engrossments were completed including unofficial engrossments requested by the desks. 858 engrossments were done for the house. This is an increase of 254 over the 1985 regular session. 801 engrossments were done for the senate. This is an increase of 63 over the 1985 regular session.

In this session, 415 enrollments were completed. This is an increase of 100 over the 1985 regular session.

The amendment merging utility program speeded the completion of engrossments tremendously.

A new procedure was implemented this year to print the enrollments rather than Xerox them. This procedure speeded the completion time on the enrollments greatly and eliminated a possibility of copying error.

Problems:

Early in the session there were concerns that the new amendment merging utility program would cause many requests for unofficial unofficial engrossments, which were now to be called working drafts. But because the new procedure was given to house research and senate counsel, most working drafts were done by those offices. Only nine were done by our office.

Concern was also expressed to the secretary of the senate and chief clerk of the house that use of the amendment merging utility program would encourage its use to create more delete everything amendments and so balloon the journals. That is what actually happened: The number of delete everything amendments that included only minor real changes was clearly much higher this year. It has apparently been determined to permit this.

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 1987, 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 1987 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:

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The report submitted in November 1986 contained 12 cases, six of them from the Court of Appeals. Including Court of Appeals cases requires us to look at many more cases than before.

Problems:

The main problem arises from practice in recent years of proposing an accompanying bill designed to remedy defects in statutes. The problem is that very few of the statutory deficiencies reported are subject to solution by only one legislative action. This places the author of the report and legislation in the position of advocating a solution when more than one possible solution exists. This year the original bill, as submitted based on the 12 cases, was worked over in the various committees until only legislation resulting from three of the cases remained.

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 participation in conference meetings and committees was provided particularly to consider a model power of attorney act. The 1987 conference will consider acts relating to criminal procedure, trusts, franchises, liens, parental rights, controlled substances and anatomical gifts.

Problems:

None

Function:

- preparing and submitting to the legislature bills 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 and a bill to revise the language of nine chapters of Minnesota Statutes were proposed and passed. Material was added to a revisor's bill to catch errors and conflicts noted during the 1987 session.

Problems:

None

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:

Comparison reports detail the differences between companion bills. In 1987 we completed 246 comparison reports. The house requested 97 comparisons and the senate 145 comparisons. We also prepared four appropriations comparisons. In 1985 our office prepared 256 comparisons, and 225 were completed in 1983.

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

We use a short comparison form for the senate; as a result, our staff has more time to do other work. The house report requires a detailed bill comparison that is very time-consuming and difficult.

Problems:

House comparison reports are tedious and time-consuming to prepare. It would be most helpful if a short form were used for house comparisons rather than listing every difference. An alternative would be to adopt an amendment form of report. The amendment form consists of page and line amendments to the senate companion that make it identical to the house bill. The amendment form of comparison is easier to prepare and saves time. It would also be easier to copy from the comparison report to prepare other amendments.

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).

Performance:

The higher education and semi-state appropriation conferees used the side-by-side comparison. The state department and human service conferees used the linear comparison that had been copied into the computer. Conferees on the education aids and building bills also made some use of our comparisons.

Problems:

The matter of which kind of comparison to use is one of preference of the staff and conferees. It is important to make sure, in advance of the conference, which kind of comparison is preferred.



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:

The highlights of the work accomplished in the year are these:

- . The amendment merging utility program was used extensively during the session and was improved.
- . The procedure for producing enrollments was improved by using new text editor features and the printers.
- . A feature was added to the text editor program that allows a program of commands to be written, stored in a document, and executed from the document.
- . More disc storage was added and our data bases were restricted for security and functional reasons.
- . A computer system for the administration part of the office was chosen.
- . A spelling checker program was used on all documents with underscored material.

Problems:

Our system is growing in size and complexity. We need to cross train people in the system area. In addition, each new program developed increases the library of programs that must be maintained. The time is rapidly approaching when additional computer staff will be needed.

In the last two years we have produced many programs that are run by our clientele. The support for these systems is by the program authors, who are not always around. The users do not distinguish between authors and other at-hand computer people.

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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The highlights of the work accomplished this year are these:

- . The house index system was implemented.
- . As a part of the index project, the senate index was upgraded in function and both bodies' information was tied together so that it can be shared.
- . Programs for use in publishing the index part of the journals were prepared for both bodies.
- . Our system was used in the production of the house journal for the first time. Support was given throughout this project.

Problems:

The index system is slow and needs to be reworked to make it take fewer system resources.

As mentioned above, having more programs calls for more people and more training. Additional staff support to maintain and develop the programs will soon be needed.

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 following equipment was added:

- . Thirty 3179-G terminals
- . Six 4045 Xerox printers
- . Two 3174 control units
- . One 3380 B04 disc unit
- . One 3700 Xerox printer
- . One house voting machine

The power management system was upgraded.

An additional 4341 was obtained along with software which allowed it to be coupled with our existing 4341.

Problems:

Each piece of equipment added is an additional piece of hardware to be maintained. As for internal and external software support, the increasing amount of equipment may soon necessitate additional staff.

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 conference committee reports on 62 house and senate files in 1986. Of that number, action was completed by the senate and house on 57. This compares with 61 in 1985 and 92 in 1983 on which action was completed.

Problems:

Acts based on these reports represent a very large part of the legislature's most important and contentious work. We are pressed very hard to prepare them very quickly.

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 drafting 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.

Major support was provided to the commission in analyzing the impact of S.F. No. 704, introduced during the 1987 legislative session. This legislation would have a significant impact on the LCRAR. Counsel attended all legislative committee hearings on the issue, briefed the commission on the substance of the legislation and its effect of the LCRAR, and advised members on suggested modifications to it.

Counsel also helped compile a list of exemptions from the APA for the Senate Governmental Operations Committee and the LCRAR.

Problems:

None

Function:

- remove all gender-specific references in Minnesota Statutes.

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

Performance:

The office completed a report, requested by a senator, on substantive gender references in Statutes that were left unchanged by the gender project of the past few years. As a result of the report, a bill was introduced to remove these references. The remaining gender terms that were substantive, but relatively noncontroversial, were removed in Laws 1987, chapter 49. As a result of the work of the past few years, Minnesota Statutes is virtually free of nonsubstantive gender-specific references.

We continue to encourage all offices involved with legislation to avoid gender-specific language in their drafts. Also, we now have a permanent editorial duty to remove gender-specific language when we edit Minnesota Statutes.

Problems:

The remaining substantive gender terms either are appropriate in the statutes or were considered by this office, the Commission on the Economic Status of Women, or the legislature to be too controversial to be removed now. This office does not propose removing any of them in the immediate future.

At least a few gender terms have been added by session laws in 1987. We now have editorial authority to remove them. We will review them to see what editorial action to take.

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.

Performance:

The office conducted 425 searches from 153 requests for the past year beginning July 1, 1986. Approximately 70 percent of the requests came from our staff members. Some of these were requesters from outside sources that we cannot tabulate. We also include searches that are done as part of the editing cycle.

Search requests from other people in the past year have come from: libraries, departments within state government, law offices, house research, senate counsel, local newspapers, individual members of the house and senate, and the attorney general's office.

Searches have increased modestly in the past year and have been used for a greater variety of reasons. The searches were done by a data entry operator, two assistant supervisors, and two supervisors.

Problems:

This was a year that had no major changes in the search program and no significant problems. We have tried to advertise the use of searches for people who use our publications and as more people learn that searches are available, the number of requests for searches will probably continue to rise.

Function:

- furnishing public data to outside sources requesting copies.

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

Performance:

The firm that wanted access to revisor-created documents went out of business at the end of 1986. Although there were periodic inquiries from other companies about furnishing a similar feed, nothing materialized. Consequently, no activity occurred in this area.

Problems:

Sooner or later, other companies or individuals will claim their right under the Data Practices Act to receive electronic feeds of our data. The office must maintain a capacity to do this even though it is not used at the present time.



