

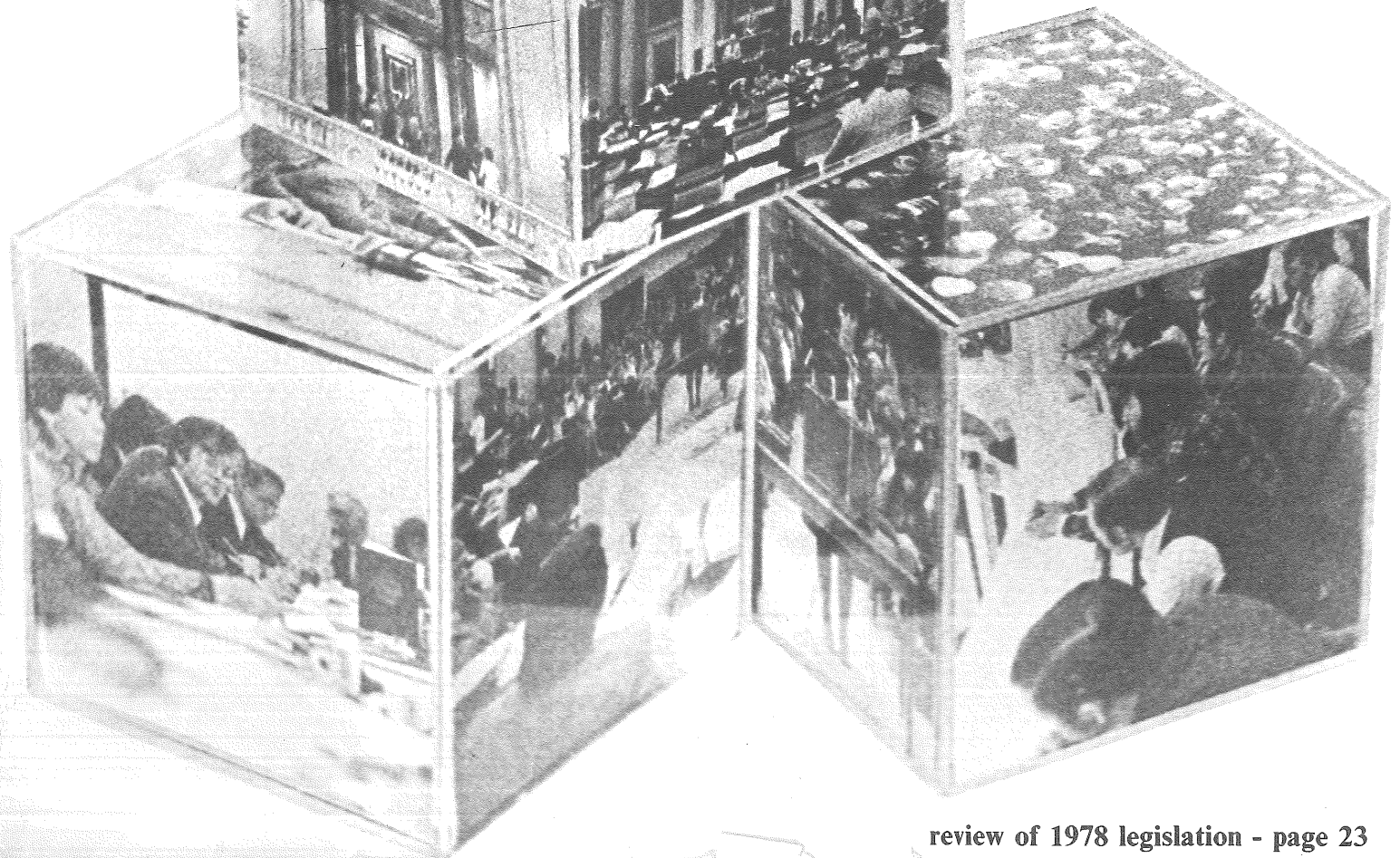
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# Minnesota House of Representatives SESSION

March-April, 1978

people  
and the  
process

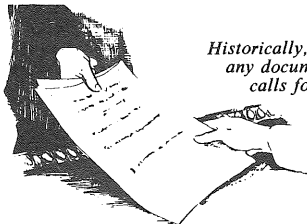
the building  
of legislation





## for your information

### A BILL FOR AN ACT



*Historically, a bill is any document that calls for action.*

*A bill is an idea for a new law, or an idea to abolish or change an existing law.*

*Several thousand bills, ideas about many things, enter the legislative process in Minnesota each time the legislature meets.*

Minnesota has a bicameral legislature, or two groups of elected citizens — Senators in the Senate — Representatives in the House of Representatives — who study, discuss, and vote on bills/ acting for the people of Minnesota.

Bills begin their legislative journey in either the House or the Senate, but to become law, all bills must pass both the House and Senate and go to the governor for his approval and signature.

#### The Idea

Anyone can propose an idea for a bill — an individual, a consumer group, corporation, professional association, a governmental, unit, the governor — but most frequently ideas come from members of the legislature.

#### Revisor of Statutes

The revisor puts the idea into the proper legal form as a bill for introduction into the House of Representatives or the Senate, usually both. The revisor also updates Minnesota Statutes to include all new laws.

#### Chief Author

Each bill must have a legislator to sponsor it and introduce the bill in the legislature. That legislator may be the chief author, or may find another member to author the bill and make the introduction. The chief author's name appears on the bill with the bill's file number to identify it as it moves through the legislative process.

#### Other Authors

The chief author of a bill, under legislative rules, may select other authors, but no more than a total of five in the House and three in the Senate.

These authors' names also appear on the bill, but the basic responsibility of presenting and defending a bill — guiding it through the process — all along rests with the chief author.

#### Introduction in the House of Representatives and the Senate

When the author introduces the bill in the House of Representatives, it gets a House File number (H.F. 2642, for example), indicating the chronological order of the bill's introduction in the House. The Senate gives it a Senate File number (S.F. 224, for example), indicating the bills's chronological order of introduction in that body.

Minnesota also has the House Advisory Bill (HAB) which a member presents as an informal introduction of an idea.

The Speaker will assign an HAB to a committee for study. The committee may then decide to develop a "committee bill" which the committee chairman will introduce in the House. It then becomes a House File and goes through the legislative process as do all House Files.

#### Committee Consideration

Next the bill has its first reading (the Minnesota Constitution requires three readings for all bills — on three separate days), and the presiding officer of the House or Senate refers it to an appropriate standing committee for committee action. All committee meetings are open to the public. A committee may —

- recommend passage of a bill in its original form.
- recommend passage after amendment by the committee.
- make no recommendation, in which case a bill may die when the session ends.

#### General Orders

After adoption of the committee report in the House and Senate, the bill has its second reading and goes onto General Orders of the Day. In Committee of the Whole legislators discuss bills on General Orders. They may debate the issues, adopt amendments, present arguments on bills, and they may vote to —

## Common terms in the legislative process

**adjournment** — the time called to end a session.

**bicameral** — two bodies of the legislature — in Minnesota 134 representatives elected to two-year terms in the House of Representatives; 67 senators elected to four-year terms in the Senate.

**bill** — a proposal to change or abolish an existing law, or create a new one.

**calendar** — a list of bills awaiting final action by the legislature.

**chief author** — legislator who sponsors a bill and whose name appears (in parentheses) after the file number on the bill.

**Committee of the Whole** — the entire membership of the House or Senate acting as a single committee with the presiding officer as chairman.

**companion bills** — identical bills introduced in both the House and the Senate.

**compromise** — a conference committee agreement on different or conflicting versions of the same legislation which both Houses have passed.

- recommend that a bill “do pass.”
- recommend postponement.
- recommend further committee action.

After acting on a bill, the committee sends a report to the House or Senate, stating its actions and recommendations.

#### Calendar

The calendar is a list of bills the Committee of the Whole recommends to pass. At this point —

- a bill has its third reading.
- amendments to the bill must have the unanimous consent of the entire body.
- legislators vote on it for the final time.

By committee recommendation, non-controversial bills can by-pass General Orders and go directly onto a “Consent Calendar,” usually passing without delay. Every bill requires a majority vote of the full membership of the House and Senate to pass.

#### Conference Committee

When the House and the Senate both pass the same version of a bill, that bill goes to the governor for his approval or disapproval. If the House and Senate do not agree, a conference committee of three to five senators, and an equal number of representatives, meets to reach an agreement.

If both bodies then pass the bill in compromise form, it goes to the governor.

#### Governor

When a bill arrives at the governor’s office, he may

- sign it, and the bill becomes law.
- veto it (return it, with a “veto message,” stating his objections) to the body where it originated.
- pocket veto the bill (after final adjournment of the legislature).
- exercise his right to line veto portions of appropriations bills.

If he does not sign or veto a bill within three days after receiving it, while the legislature is in session, the bill becomes law. □

**consent calendar** — list of non-controversial bills which usually pass without debate.

**General Orders** — a list of bills awaiting preliminary action in the House and Senate each day during a session.

**hearing** — committee meeting for the purpose of listening to arguments — for and against an issue — by concerned groups and individuals.

**House File, H.F.** — a bill introduced in the House of Representatives.

**line veto** — the governor vetoes a portion, or portions, of an appropriations bill, thus allowing other provisions of the bill to become law. This veto applies to appropriation bills only.

**non-controversial bills** — bills requiring little debate which usually pass routinely.

**pocket veto** — if the governor does not sign or return a bill he receives — on the final three days of a session — before the session adjourns, or within fourteen days after final adjournment, he exercises a pocket veto; and the bill does not become law.

**Revisor of Statutes** — a legal authority office which puts bills into proper legal form, properly places approved amendments into the language of the bill (a procedure known as engrossing), and updates the Minnesota Statutes to include new laws.

**Senate File, S.F.** — a bill introduced in the Senate.

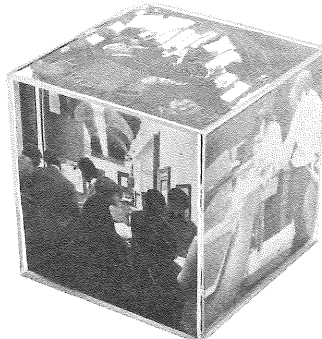
**standing committee** — a group of legislators that acts on bills and makes recommendations to the House and Senate.

## SESSION '78 — last of three publications.

**January:** Introduction of committee chairmen, House leaders, and upcoming legislation.

**February:** a look at legislation in process.

**In this issue:** members of the Minnesota House Summarize:



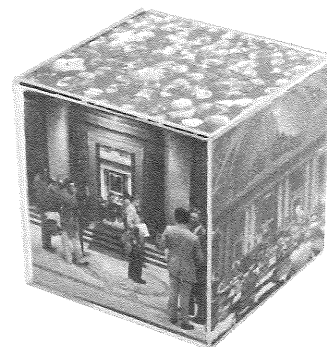
## people and the process

### The process:

Information — what’s available where and who provides it.

### The structure:

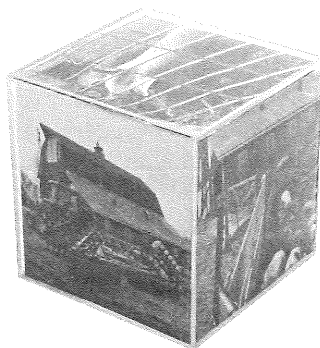
Speaker Martin Sabo, Reps. Dwayne King, Gerald Knickerbocker; Rod Searle talk about committees, people, legislation, the minority/majority role. Other members comment. Lobbyists describe their jobs.



### How it works:

A case history — The Family Farm Issue. The people: a young family farmer, a farmer’s group representative; legislators.

Plus highlights of the 1978 session, a bit of history, and students and the process (back page).



# people and the process

## Chief Clerk's Office house index front office front desk

*Providing the public with information is a primary activity of the Chief Clerk's Office, which is responsible for non-partisan administrative functions of the Minnesota House of Representatives. The House Index and the Front Office are the two departments within the Chief Clerk's Office that directly serve the public.*

### House Index

House Index has a computerized index system and a small staff of people, expert at taking a little bit of information and finding more—for example, a bill's number. Many times people will know one thing about some part of a bill that interests them, but very little more.

With a few questions, House Index can find the bill's number and status, pinpointing whether it is in a committee, on the House floor, or waiting for action in the Senate.

Index sorts bills by author, by subject, by author and subject, and can provide the number of a companion bill in the Senate, or refer a questioner to the section of Minnesota law that a bill will affect. The department serves the public by phone or in person at the counters in Room 211, on the second floor of the Capitol.

### Index publications

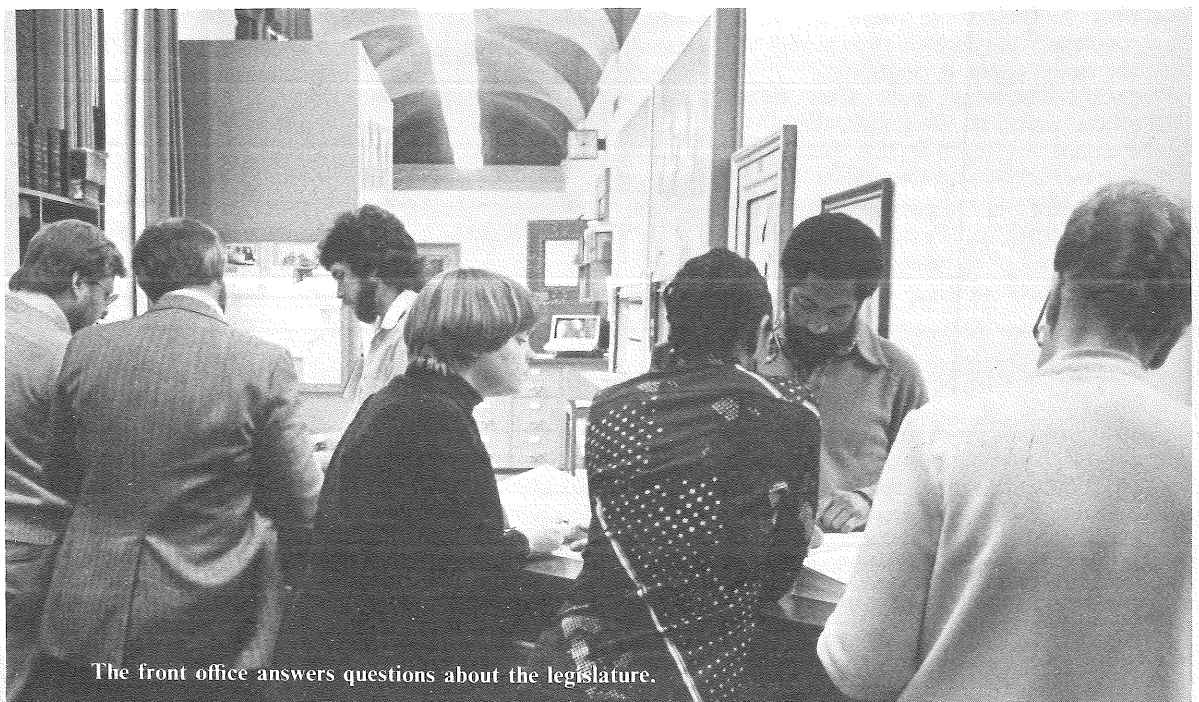
Index produces two kinds of publications, the *Index to the Journal of the House* and computer instruction manuals.

The instruction manuals are "how to" books that give simple directions for use

of computer terminals which are available to the public in Index and other departments in the Capitol complex and in government offices all over the state.

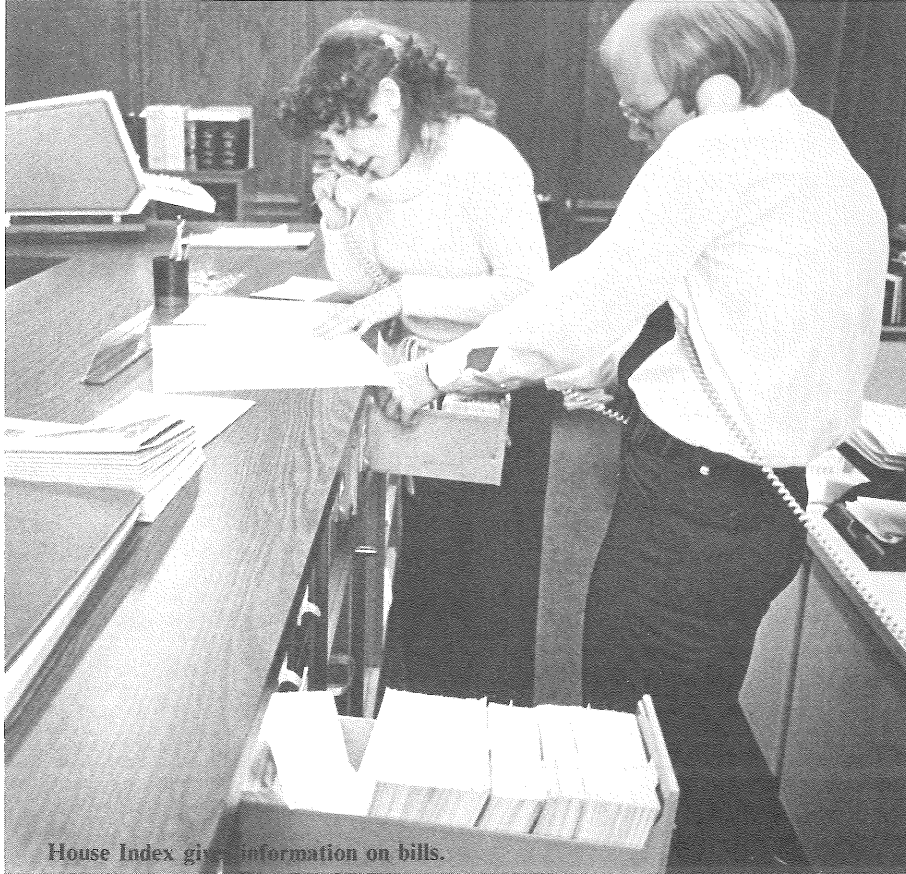
The House computerized the Index in 1971 and rents time from the State of Minnesota. The use of state employees to build the on-line system minimized the cost. The system carries the information on the status of bills throughout Minnesota to 225 terminals, or CRTs (Cathode Ray Tubes) that look like typewriters with television screens. Using the instruction books, the public types in their requests, and the information they want appears on the screen.

*Index to the Journal of the House* provides a quick, efficient means for finding information in the bound copies of the *Journal of the House*. Minnesota is one of twelve *Journal* entry states in which the courts look at the *Journal* as final determination on whether a piece of legislation has become law. The burden is on the chief clerk of the House to accurately write the *Journal* which the House publishes daily during legislative sessions, and publishes in bound copies at the end of each session.



The front office answers questions about the legislature.





House Index gives information on bills.

During the interim, when the House is not meeting, House Index gets fewer public requests for information. The staff then compiles and proofs the *Index to the Journal of the House* which has several subdivisions. These include lists of House bills, Senate bills, listings by topic, authors, and motions and resolutions.

#### Computer backup system

In addition to the computer system, House Index maintains a card file as a backup. The staff says this card file proves continually useful. They give as an example a recent power outage in the Capitol complex that shut down the computer along with other Capitol services. Index was able to continue providing information, using the card file.

The computer system has built-in safeguards against major errors, and the loss of information is not likely. Reconstruction of missing material following the power loss took only ten minutes of personnel time.

Future uses of the computer will emphasize new ways of working with accessing the database (the information in the computer) to meet the increasing demand for information.

#### Front Office of the Chief Clerk

Right next to the House Index, in Room 212, is the Chief Clerk's Front Office. Here staff people answer questions about the legislature and the legislative

process, by phone, and directly to the people who come to the Capitol each day.

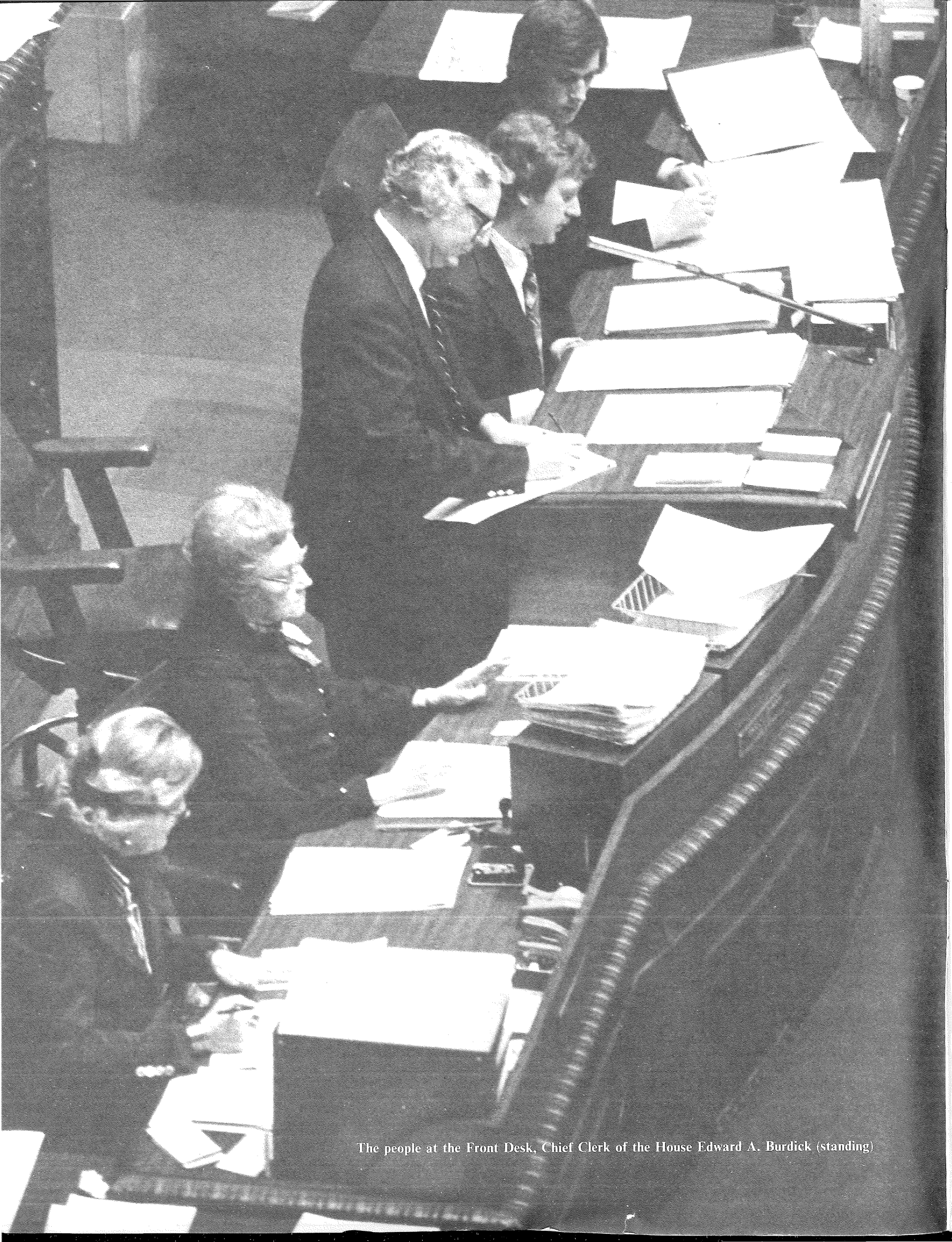
It is here that the public can get copies of General Orders and the various calendars that list bills the House will be considering. These are essential to people who follow legislation and to visitors who come to watch the House in session from the visitors' gallery. The Front Office is the distribution point for copies of the daily *Journal of the House*, the legal daily record of the legislative session. Other House publications (those that come out of the House Information Office) are also available here.

Answering questions about the process, about representatives, state departments, and about legislative procedure is a big part of the job of the Front Office staff.

The Front Office has copies of all bills, including engrossed bills, on file. Engrossed bills are those the House has amended. Engrossing is the process of putting amendments into the bills and is the responsibility of the Revisor's Office. After engrossment, the Chief Clerk's Office is responsible for the accurate reprinting of the bill. The Front Office then makes those reprinted copies available to the public.

The Front Office keeps separate files of bills that are in committee, all bill introductions, bills originating in the Senate, bills that the Senate has sent to the House, and bills that have gone to the governor after action by both the Senate and House; and the office keeps copies of bound volumes of past session laws for several years. □





The people at the Front Desk, Chief Clerk of the House Edward A. Burdick (standing)



The four people who work with the chief clerk at the front desk in the House chamber are a part of the coordinated structure of the Chief Clerk's Office.

They process the paperwork before and after each daily session, the bill introductions, committee reports, amendments, motions, resolutions, calendars, messages to and from the Senate.

Other members of this team are the chief clerk's secretary, the people in the Index Department, the Front Office, and five behind-the-scenes staff people in the offices on the third floor of the Capitol.

#### **Pre-session deadline**

Systematically, they meet two built-in, exacting deadlines every day. The first of these is the daily session (usually at two o'clock p.m., often earlier).

"When the Speaker comes out to begin the session, he doesn't look around and say, 'Are you ready?' We have to be ready," Chief Clerk Burdick explained.

It is the job of the people at the front desk to make sure the paper at the desk is in the proper order and that it flows through according to the official order of business — that motions are ready.

#### **"The Clerk will read the motion"**

Minnesota has a unique system of formed motions to save time and keep the process moving. For example, when the Senate returns a bill to the House, someone from the front desk contacts the author and asks what action he or she will be taking on the bill.

Then, according to the author's instructions, the front desk prepares the appropriate one of 20 preprinted motions at the desk. (There is a preprinted form for any motion a member might want to make on a bill, i.e. amend, add or remove authors, etc.)

During the session, the chief clerk reads the motion when the Speaker says, for example, "Johnson, R. makes the following motion. The clerk will read the motion."

A member stands and explains the action, but does not have to worry about explaining the motion. It is a perfect motion, and it becomes a perfect *Journal* entry, fitting into the processing system.

#### **Bill introductions — first reading**

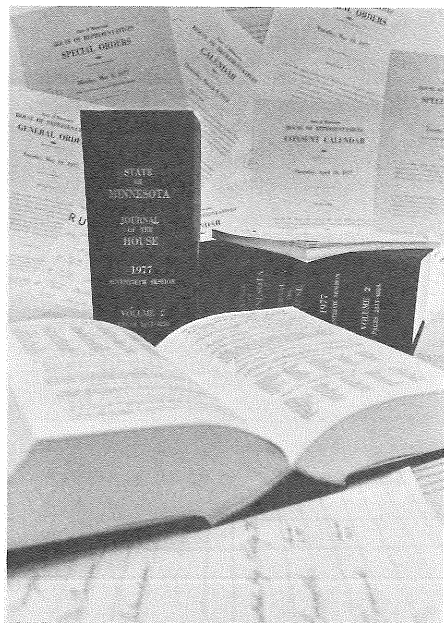
Another time-saver is the method of handling bill introductions and committee reports. Introductions must be in the hands of the Speaker 24 hours before the House convenes. (All committee

reports must get to the chief clerk four hours before convening.)

After the Speaker assigns the bills to committees, the front desk staff stamps each bill with its number, date, and committee assignment. Before the session, a copy of every bill's title, number, author, and committee assignment is on each member's desk. This process is part of a bill's first reading. (The Minnesota Constitution requires each bill to have three readings.)

When the Speaker raps the gavel and says, "Bill introductions. The clerk will give the bills their first reading," the clerk says, "House files 1 through 20 (for example) are introduced and have their first reading."

Before the adoption of this system, readings of each bill introduction, its title, number, and assignment could take an hour or more.



#### **Revisor's Office**

The Chief Clerk's Office works closely with the revisor. Bills the House amends on the floor, and committee reports the chief clerk receives, go to the Revisor's Office.

The staff there checks them for correct legal language and rewrites bills to include any amendments (engrosses) and returns them to the chief clerk who sends copies of the bills to the printer. They are in the bill binders on the members' desks every morning.

(Whenever the language of a bill changes in the process, members get a reprinted copy of the bill so they have the most current version in front of them when they vote on it.)

Duplicated copies of all committee reports with bill titles, numbers, committee assignments and committee recommendations are on every member's desk when the daily session begins.

#### **Second deadline — after session**

After session work takes an average of four hours after the house adjourns for the day. Several people edit the daily *Journal* copy every night before it goes to the printer and mark up the agendas for the next day (the calendar, General Orders, Special Orders, Rule 1.10, and the Consent Calendar).

All of it goes to the printer each night and is back to the House by eight o'clock the following morning for distribution to the members and the public.

#### **Keeper of the legal record**

When the House is in session, observers will see the chief clerk quickly jotting notes as the proceedings flow from one order of business to the next.

He is keeping records of what happens — points of order, bills that pass, roll call results (every roll call has a number) etc., so he can audit the *Journal* copy.

"We don't want to see in the *Journal* that a bill passed if it didn't, or a motion prevailed if it didn't," Burdick says.

When the House adjourns "Sine die" (the final adjournment of the session, meaning "without a day"), the chief clerk's staff begins the auditing, editing, proofing, and reproofing of the *Journal* as the permanent official record of the proceedings of the House. The process takes several months, but the printed, bound *Journal* must be absolutely correct.

A *Journal* mistake could upset a law. For example, we'll suppose House File 747 had a first, second, and third reading, passed both Houses, had the governor's signature — went through the process perfectly. But if the *Journal* had an error, and the bill appeared in the *Journal*, as House File 474 on the day of the second reading of what should have been House File 747, a citizen could challenge the law in court.

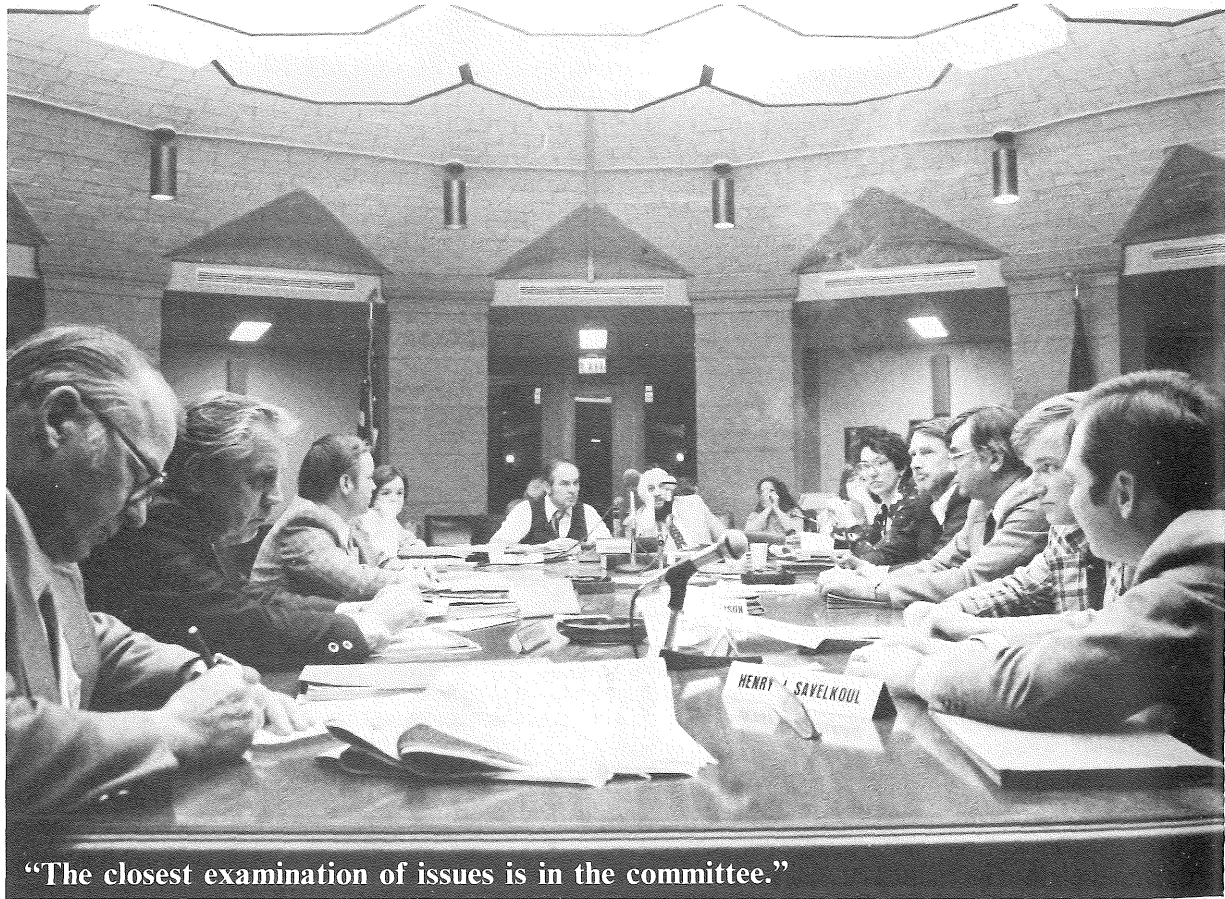
The chief clerk would then have to produce the *Journal*. The court may have to discard the law because the legal record of legislative action in the Minnesota House did not record a second reading for House File 747 — a Constitutional requirement before a bill becomes a law in Minnesota. □

# people and the process

*"The Legislature, like most institutions, is subdivided into committees, Generally, that's where the most important work goes on. That's true of state legislatures; that's true of Congress.*

*"The closest examination of issues is in the committee. It is there that you have public input through the hearing process. This is where a bill is studied to examine alternatives. It's the place where legislative proposals really get refined and put into final form before they're reported to the full body."*

SPEAKER OF THE HOUSE  
MARTIN O. SABO



*"The closest examination of issues is in the committee."*

## 16 STANDING COMMITTEES

Subcommittees —  
1977-1978

### AGRICULTURE

- Subcommittees:**
- Farm Programs & Policies
  - Relocation, Department of Agriculture
  - Shelterbelts
  - Water Survey

### APPROPRIATIONS

- Divisions:**
- Education
  - Health, Welfare & Corrections
  - Prison Industries Subcom.
  - Semi-State
  - State Departments

- Subcommittees:**
- Claims (Joint Subcom.)
  - Computer
  - Federal Funds

### CRIMINAL JUSTICE

- Subcommittees:**
- Criminal Laws and Procedure
  - Juvenile Delinquency & Corrections
  - Law Enforcement

### COMMERCE AND ECONOMIC DEVELOPMENT

- Subcommittees:**
- Business & Employment Development
  - Housing
  - Liquor

### EDUCATION

- Division:**
- School Aids
- Subcommittees:**
- Educational Standards & Services
  - Libraries (Joint Subcom.)
  - Mandated Programs

### ENVIRONMENT & NATURAL RESOURCES

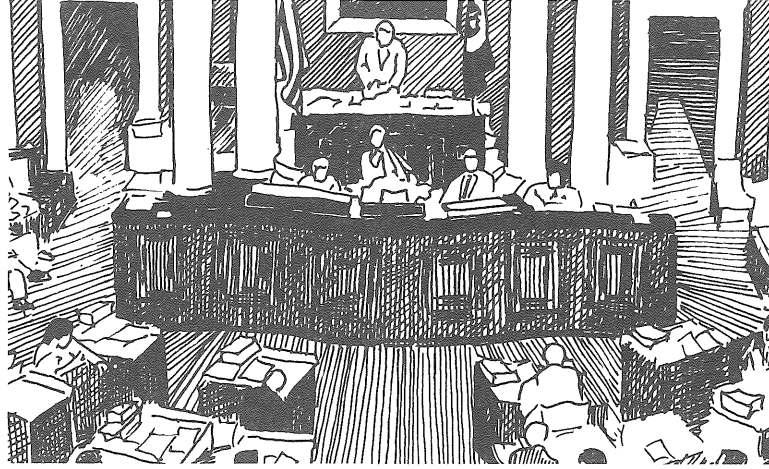
- Subcommittees:**
- Environment Protection
  - Game and Fish
  - Recreation and Open Space

### FINANCIAL INSTITUTIONS & INSURANCE

- Subcommittees:**
- Banking
  - Escrow Accounts
  - Insurance



**Martin Sabo:  
committee  
structure**



**Number of committees**

“There are now 16 standing committees. We’ve gradually reduced the number over the years. At the start of each session, we designate, in the House rules, which committees will exist. Generally, these have been my recommendations to the caucus. I expect there will continue to be minor modifications each session. This session we abolished the Judiciary Committee and added the Criminal Justice Committee.

“I think it’s accurate to say we’ve created more subcommittees as we reduced committees — a system that is now working fairly well. Basically, we have standing subcommittees and fewer ad hoc subcommittees created to deal with a particular bill or issue.

“Subcommittees and their members are appointed by the full committee chairmen at the beginning of session and stay pretty constant for the two-year period.

**Committee work assignments**

“The Speaker assigns bills to the committees for study. But, generally, it is obvious which committee is appropriate. When it is less obvious, one tries to be consistent and follow what was done with similar bills.

“Bills have become increasingly more complex, requiring action by several committees. So, one assigns them to the most logical beginning point.

“A committee may also work on issues without a particular bill before them. In Minnesota, we have the House Advisory Bill which is, in effect, an informal introduction of a bill. It may be just a definition of the problem without a definition of the solution.

**Committee Membership**

“The Speaker of the House decides who will be on each committee. There are a number of criteria for choosing. First, one reviews the requests of members. Members list, in order of their preference, the committees they would like to serve on. But there are some committees with many more requests than others.

“Geographical balance is another consideration. One can never do it perfectly, but, ideally, a committee should reflect the entire population — some from the metro areas, the non-metro areas, suburban, city, northern, southern, northwest, and so on. Each committee has about 20 to 30 people.

**Committee chairmen**

“The Speaker selects the committee chairmen. Generally, the system used is a modified seniority system in that chairmen are chosen from a pool of the most senior members.

“It isn’t strictly seniority, with the most senior member necessarily getting first choice; so there is flexibility.

“Once a person is chairman, normally, he continues as chairman. Obviously, that can change with a change in the majority party, or with a different Speaker, or with a change in the desires of the member who is chairman.”

**Committee of the Whole —  
the role of the Speaker**

When committees complete their work and send legislation to the House floor for consideration, the entire membership of the House becomes the Committee of the Whole.

The Speaker acts as chairman as the members consider reports from the standing committees. The Committee of the Whole, just as other committees do, may question provisions of the bills before it, may make some changes,(amend) and then will vote to recommend or not to recommend bills for passage.

The Committee of the Whole dissolves itself and the members take up their roles as representatives acting on final legislation in the Minnesota House of Representatives. Bills the Committee of the Whole recommended to pass will be on the agenda for the full House.

“In Minnesota, the bills are placed automatically on the agenda in the order in which they came out of the committees. This is different from some states that have agenda committees, or where the Speaker selects the agenda,” Sabo said.

**GENERAL LEGISLATION &  
VETERANS AFFAIRS**

**Subcommittees:**

- Elections
- General Legislation
- Veterans

**GOVERNMENTAL  
OPERATIONS**

**Subcommittees:**

- Government Administration
- Government Structure
- Legal Rights of the Mentally Disabled
- Pensions & Retirement
- Personnel

**HEALTH AND WELFARE**

**Subcommittees:**

- Departmental Affairs
- Health Care
- Social Services

**HIGHER EDUCATION**

**Subcommittees:**

- Area Vocational-Technical Schools
- Curriculum
- State University & Community College
- University & Private College

**LABOR-MANAGEMENT  
RELATIONS**

**Subcommittees:**

- General Labor & Migrant Affairs
- Labor-Management Relations

**LOCAL AND URBAN  
AFFAIRS COMMITTEE**

**Subcommittees:**

- Gov. Administration
- Gov. Structure
- Physical Development
- Shade Tree
- Social & Economic Development
- Tax Increment Financing (Joint W/Tax Comm.)

**RULES AND LEGISLATIVE  
ADMINISTRATION**

**Subcommittee:**

- Rules and Procedures

**TAX COMMITTEE**

**Subcommittees:**

- Energy/Utilities
- Land Use/Green Acres
- Minerals and Natural Resources.
- Review (formerly Oversight)
- Tax Exempt Properties
- Tax Increment Financing (Joint W/Local & Urban Affairs)

**TRANSPORTATION**

**Subcommittees:**

- Inadequate Bridges
- Public Safety
- Railroad Revitalization
- Snow and Ice Control
- Surface Transportation
- Vandalism & Theft on All Modes of Transportation

# people and the process

## Rep. Dwayne King: subcommittees divisions

*"It's been said that most of the work of the Legislature gets done in committees. Within the committee structure are divisions and subcommittees where most of the real work goes on."* KING

### Divisions

"A division is much like a full committee in that it has a staff, and the Speaker decides what divisions there'll be and names them.

"I serve on the Appropriations Committee which has four:

- *State Departments division* looks at appropriation needs for state departments, except health, welfare, and corrections budgets, which the *Health Welfare and Corrections division* handles
- *Higher Education division* deals with higher education budgets.
- *Semi-State division* takes care of the quasi-state departments—things like the historical society and the arts.

"The Education Committee has one division, on school aids. Of course, the school aids budget still has to go to appropriations, but the division does the study and recommendations.

"Divisions are permanent, and I believe the Speaker names the people who chair them.

### Subcommittees

"Subcommittees are more informal, so to speak. The committee chairmen assign the chairpersons, the members, and the bills to the subcommittees they set up.

"A committee usually keeps certain permanent subcommittees, but may have a more temporary variety of subcommittees to deal with specific subjects.

"For example, I serve on the Water Survey subcommittee of the Agriculture Committee. I believe it was established in 1977, and I don't know what its life span will be.

### Purpose

"The reason we have subcommittees is to work on bills, to go into more depth than the committee would have time for. The Water Survey subcommittee is a good example of that, too. The chairman formed it in response to the drought we experienced in Minnesota and throughout the Midwest.

### Method

"Subcommittees often go out into the state to hold hearings. We did that—to southwestern Minnesota. We went to a well-recognized research laboratory on the Mississippi river to learn about water flow, water levels and tables, etc. We attended a drought conference in Denver where we compared Minnesota's approach to the approach western states take.

"Western states have always considered water a resource and have much more elaborate laws dealing with water than we have here.

"We had extensive public hearings on the problem—learning about all the interests involved.

"We had testimony from well contractors who wanted to irrigate. In some sections of the state, that's feasible, in other sections it's not. Some people don't want to irrigate. Some do, and when they do,





they may affect their neighbors in that they bring down water levels in some wells. Things like that we had to consider.

“There were several agencies of government to hear from that deal with water and set up water planning—about 11 to 15 such agencies. We had presentations from people from USGS on United States geological surveys.

#### **Results**

“The studies of the Water Survey subcommittee resulted in a bill that passed. In this case, the chairman of the subcommittee authored the bill with coauthors.

“Then, there is the situation where we have a problem and proposed legislation to solve the problem, but the chairman’s not certain what the impact of the legislation might be and wants further study on that particular bill.

“Some bills can be committee bills—something everyone has worked hard on. The committee chairman will then report that bill to the House for the whole committee.

“Appropriation bills often come out as committee bills, because so many people work so hard on them for so long.

#### **Division Work**

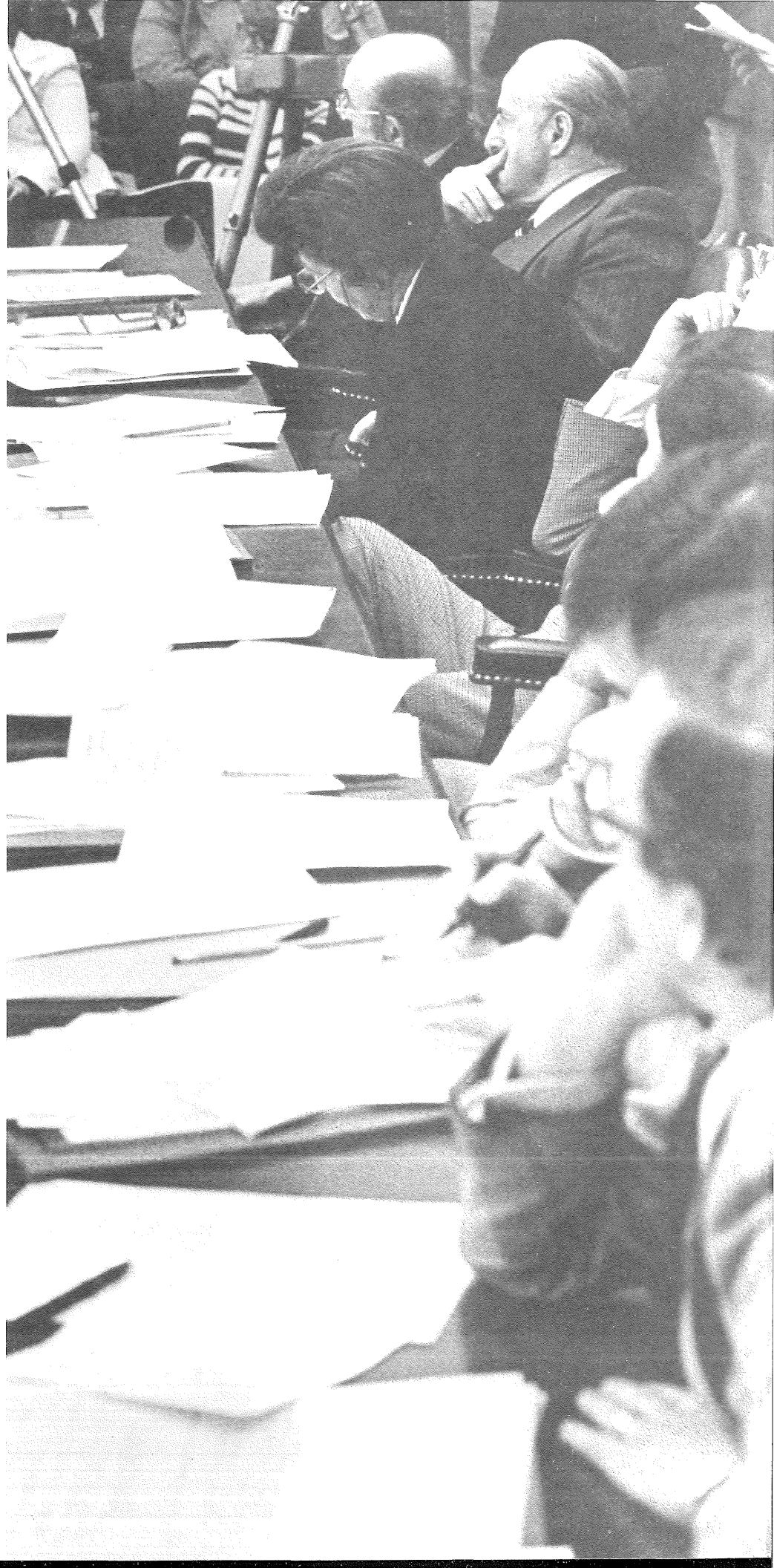
“The State Department’s Division of Appropriations is an interesting example of division work. We work on one major bill—in 1977—the omnibus state departments bill.

“We spent about 150 to 160 hours debating sections of that bill. We’d meet at eight in the morning on Monday, Tuesday, Wednesday, and Thursday. As the session moved on, we began meeting at four in the afternoon.

“We’d put in at least four hours a day. Toward the very end, we’d meet from 8 to 10 a.m. and 4 to 6 p.m., and in the evening. It would go as late as midnight.

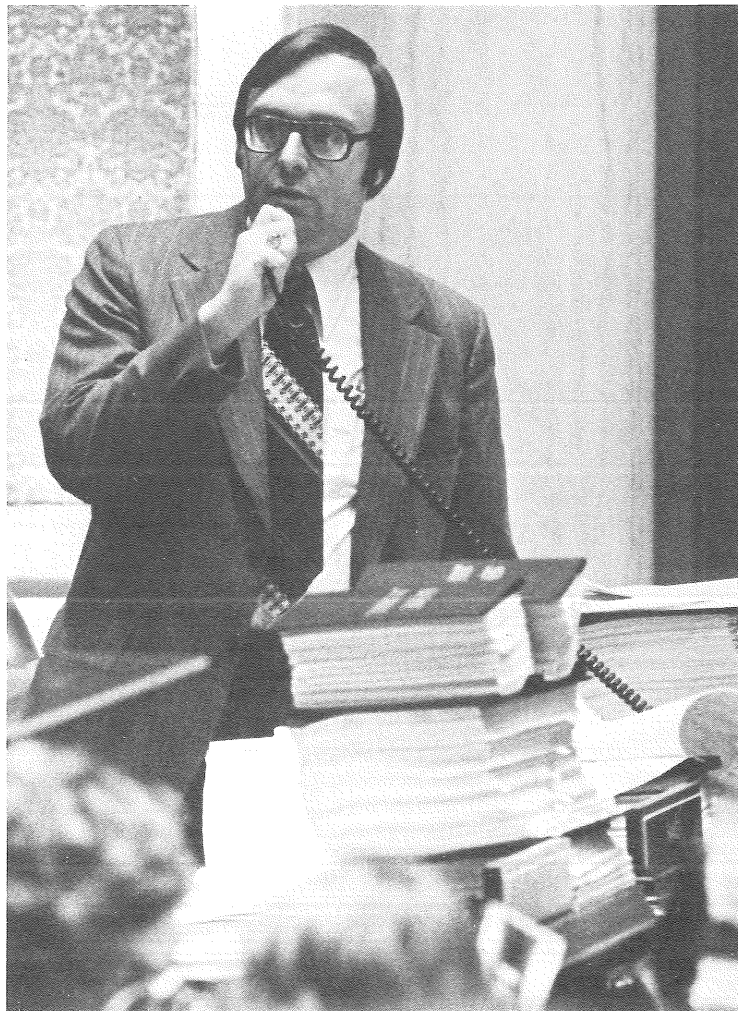
“Obviously, persons serving on Appropriations can’t also be on committees that regularly meet many times a week. They’ll generally serve on at least one other committee that meets only once or twice a week, so they’ll have time to work on Appropriations without missing their other committees.

“My two other committees were Higher Education and Agriculture which met once a week. Of course, you also have subcommittee meetings. You just have to work them all in.”



# people and the process

## King and Knickerbocker: the process and partisanship



Dwayne King (DFL - Golden Valley)

### Tuning legislation

"We spend a great deal of time 'fine tuning' legislation that we have previously passed. The governor has said that legislators might not any longer be judged by the amount of legislation they pass, but how well they can fine tune legislation that's already there—to make it really work.

"The purpose of education bills we talked about this session was to enhance the teacher mobility package that we passed last session. I authored the part-time teaching bill that became a part of a three-part mobility package.

"The whole idea was to save the individual school districts money so they didn't have to cut off so many teachers.

"Often, people who have taught a long time would just as soon not carry as heavy a load, or perhaps would like to get out of teaching for a while, or for good.

"So, we tried to offer them options, part-time teaching, retirement incentives, or extended leave of absence.

"We may have been too conservative in the package last year, so we're trying to open it up to see if that gives more help.

"There are so many variables that can't be predicted or projected that followup studies and followup legislation is essential.

### How do people find out about hearings?

"The author of a bill makes the request for a hearing to the committee chairman, and at that time, asks the staff of the committee to notify certain people.

"For example, if members have local bills, they might request notification of their local town boards or civic councils—whatever is appropriate. Or, on other bills, they might request notification of certain individuals who have expressed interest in the bill.

"If authors are interested in having special interest groups support their bills, they will figure out what groups may be interested and try to contact them. But, it's possible the groups have already contacted the legislator, may have pointed out the need for the legislation.

"The staff does an excellent job. I find the *House Weekly Wrap-Up* particularly valuable to me and the people in my district. It shows the bills that have been introduced and summarizes some of the committee testimony in each issue, and gives the upcoming committee schedule. (See "Chief Committee Secretary's Office").

"I'm sure we're not perfect in our notification process, but we try to contact those who may be interested.

### What do you see as responsibilities of legislators as committee members?

"I try to:

- stay through the entire committee meeting;
- be interested in what's being discussed and in the people testifying;
- ask meaningful questions, realizing that what I ask may help other members remember questions they may have;
- explain bills I know best to other members.

"We have pretty much a citizens legislature. I think we should try to lend our own experience to the process whenever we can.

"Being with people from many different backgrounds who give various slants to the issues is helpful.



"Over a period of time, when members have served on committees for awhile, they get familiar with the kinds of things they deal with, and from there, become expert in certain areas.

"That happened to me in my experience with authoring the part-time teaching bill. I became quite knowledgeable about education and all its aspects in our state.

#### ... as part of the whole legislative process?

"The responsibility of representatives is to work on passing legislation that will serve the state, while, at the same time, representing the concerns of their districts.

"We can't be completely selfish on how we deal with legislation, because it affects the entire state, but a representative has to represent his or her district.

"That's why our constituents send us here — to cast their voice on given issues.

#### ... as party members?

"As I see it, the majority party's primary responsibility is to govern in a responsible manner.

"One of the responsibilities of minority party members is to serve as a check and balance in terms of debating the issues — debating opposing views on bills.

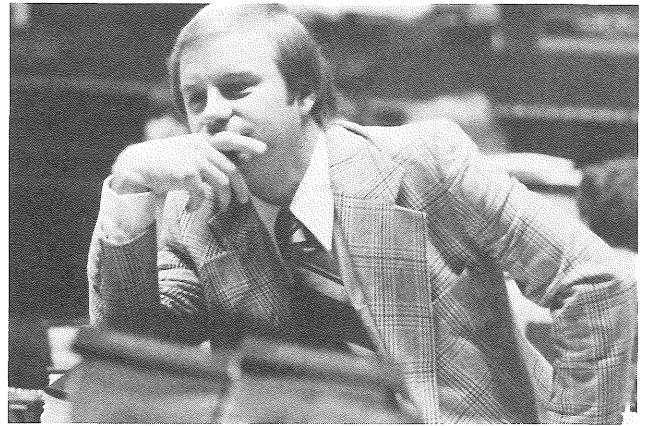
"I feel that the more vigorous and constructive debate is, the better the legislation is. I'm not referring to being political, but to presenting opposing viewpoints.

"The majority has a responsibility to present a good program. The minority should do this, too, but the minority also acts as a watchdog to bring up points the majority may have overlooked, or to bring up disagreements in terms of direction or scale.

"All members have this responsibility, but it is the majority party that will be held responsible for legislation." □

*"In committees, the representatives can work on a one-on-one basis."*

KNICKERBOCKER



Gerald Knickerbocker

#### Committee structure and partisanship

"Despite the few members in the minority caucus", Rep. Gerald Knickerbocker (IR-Hopkins), assistant minority leader, said he thinks the committee system is one of the strengths of the legislative structure.

"The committee system can work very well," he said, "and I think it's a good way to bring out the best possible bill and to provide a check on what other committees do. If one committee doesn't do the job, then we have the opportunity to see it again in another committee."

Partisanship has little influence at the committee level, Knickerbocker said, "At the subcommittee and committee level, partisanship doesn't often enter in. The minority can make amendments and do things, because they're dealing with a very small group. There's more free flow of discussion. Things don't get labeled as they do as they progress along the line.

"In committees, the representatives can work on a one-on-one basis. The minority and majority have the same number of committee assignments, so the 34 minority members are spread thin.

"We try to have someone in the minority responsible for following committee activity to keep on top of major legislation and relay it back to our members. We have fewer people on committees, so someone has to take responsibility for monitoring them."

Most issues, such as gun control and abortion, remain nonpartisan. Issues that become partisan include taxes, some appropriations, and anything political or dealing with elections. They occur less often, Knickerbocker said.

"Partisan rivalry may exist when supporters of a bill accuse the opposition of attacking the bill because of caucus affiliation rather than the bill's merits."

On the floor, members are reluctant to change bills. The role of the minority caucus there is to offer policy alternatives and constructive criticism, according to Knickerbocker.

"I think the tendency on the floor is to make the issues a little more partisan, because, basically, when people get up to speak on the floor, unless they are asking informational questions, the rhetoric tends to make it more partisan." □

#### Chief Committee Secretary's Office

Public notification: Committee chairpersons, through the secretarial staff, notify the office of the chief committee secretary of upcoming meetings.

The chief committee secretary supervises compiling the schedule of committee meetings, and each day's posting of committee meeting notices on boards in the State Office Building and in the Capitol Building.

The chief secretary also sends the committee meeting schedule information to the House Information Office for use on "Today in Your Minnesota House of Representatives", a listing of daily meetings in the House, for distribution to points throughout the Capitol complex; for the weekly advance committee meeting schedule that appears in the *Weekly Wrap-Up* during the session; and on "This Week in Your Minnesota House of Representatives", a listing of committees and com-

missions that House members serve on during the Interim when the House is not in session.

People may place their names on the mailing list to receive the *Wrap-Up* and interim committee meeting schedules by calling the House Information Office, (612)-296-2146, or by contacting their representatives. □

# people and the process

## role of the lobbyist

*Lobbyists work for the legislative interests of groups (farmers, businesses, senior citizens, the handicapped, teachers, and others.) Gene Mamenga, former state senator and teacher, lobbyist for the Minnesota Educational Association, answers questions about his job and the process . . .*

*Qualifications? . . . knowing the legislature and the people in it. . .*

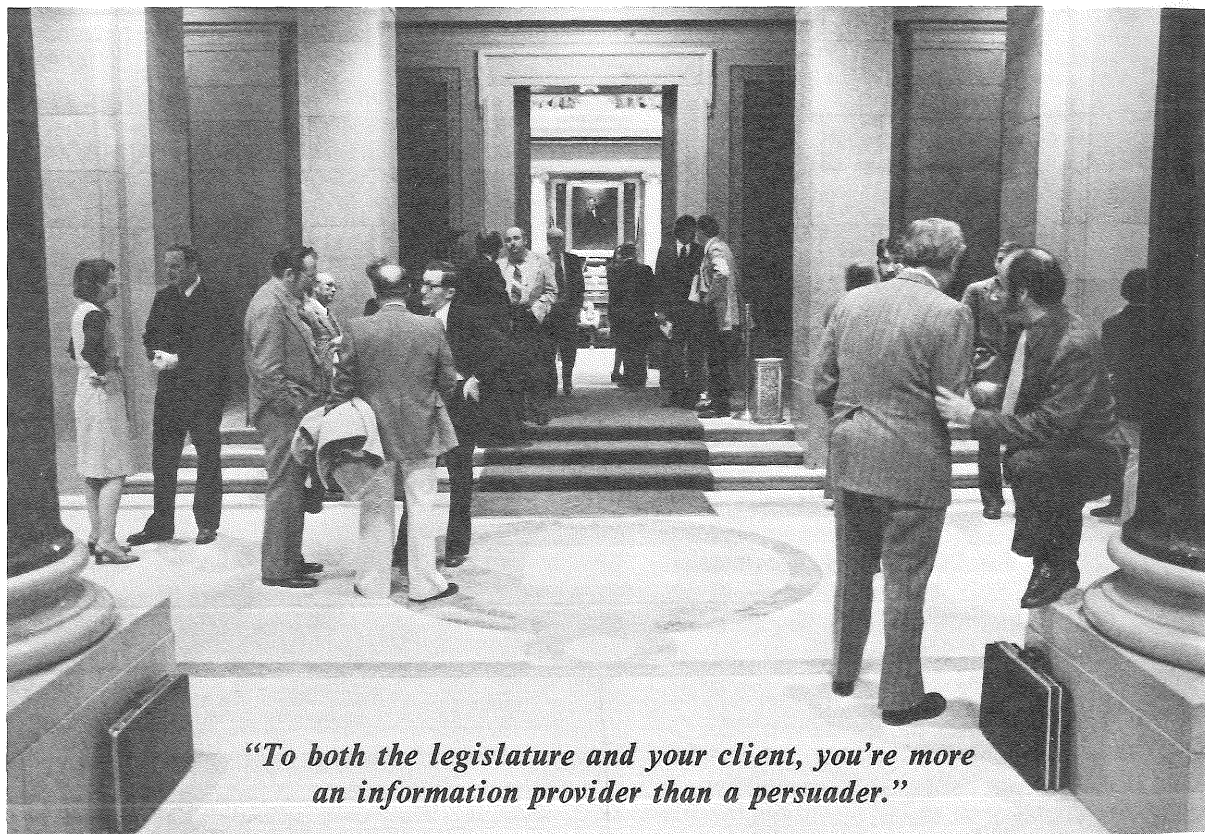
"My own qualifications are simple — I lobby in the area I've been working in all my life — education. That, in addition to the legislative experience — I'm an ex-legislator — are my qualifications. It was an easy blend.

"Often lobbyists come from the legal profession. Their qualification is familiarity with the law and the process. They may find it easier to adapt to a number of different subjects, I feel more comfortable being a lobbyist in my own area — one I have the background in."

*Registering? . . . it's a simple matter*

"You go to the Ethical Practices Board. You need to register if you spend more than a certain number of hours lobbying. I spend all my time here, so I'm clearly a lobbyist.

"It's a simple matter; we file what we spend. We file my expense account; lunch money is a bit, and whatever we use for communication. That's most of it. Our telephone hotline for daily messages and our weekly newsletter are our major lobbying expense with the MEA."



*"To both the legislature and your client, you're more an information provider than a persuader."*

**Bob Rumpza, assistant to the president of the Farmers Union, formerly director of communications for the Union, is involved with farm legislation on the state and national level. Bob comments on his role as a lobbyist in Minnesota.**

"The main thing is being honest. Rule number one for a lobbyist is *Don't go back on your word.*" Bob Rumpza of the Minnesota Farmers Union said.

"That applies to members who agree or disagree with me, urban or rural members, members on either side of the aisle (from either of the two major parties). If I deceive one member, I wind up where I can't be trusted by any member.

"My primary responsibility in my job with the Farmers Union is to follow legislation

affecting our members and family farmers. In the Minnesota Legislature, my main goal is to do whatever I can to benefit the family farm whether it relates to taxes, corporate farms, or any other issue affecting farmers.

"During a legislative session, I attend any committee meeting that has an impact on farm and rural people. I'll spend quite a bit of time at hearings, but I limit my own testimony.

"It is better for a constituent to go directly to his legislator rather than a paid lobbyist,

***Don't mislead a legislator — ever.***

“Are there any unwritten rules? Sure there are. Don't mislead a legislator, ever. That's an absolute cardinal rule. If you do that, you're just finished.

“For example, a lobbyist testifying says, ‘The senators from Duluth had agreed to this change.’ Heaven help him if they haven't, because your credibility, which is the only thing you sell, would be shot.

“If you're going to be a lobbyist for more than one session, you not only can't lie; you can't shade it. The legislators have to believe what you say and be able to operate on it.

***... more an information provider than a persuader***

“Most lobbyists are more like lawyers and clients. The lobbyist is the liaison between the legislature and the client. His or her job is to know when to put them together.

“To both the legislature and your client, you're more an information provider than a persuader. You hope your information persuades and hope you get the conclusion you want.

“I'm convinced, and I try to tell my members this — they are better persuaders than I am. If they are teaching in a district where a legislator lives, they can talk to him. He's much more likely to respond to them than to me.

“My job is to be at the Capitol, dawn to dusk, reporting information to the legislature that they want, and reporting back to the MEA members.

***... Minnesota is just plain not corrupt that way***

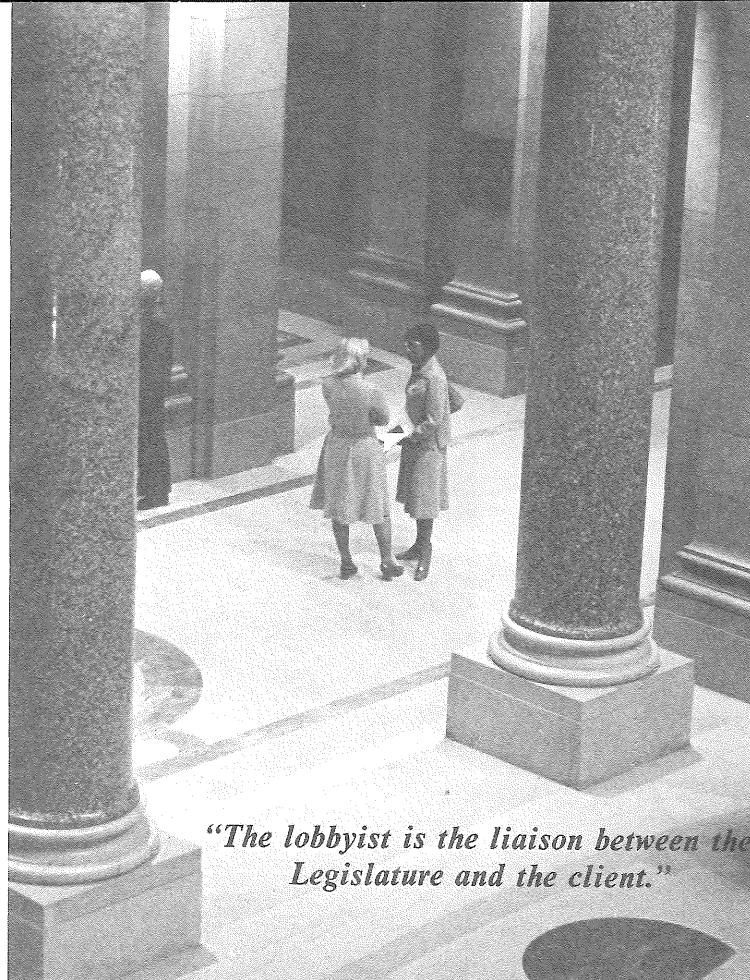
“Does money make a difference? If you've got a good argument, money is fine. If you have a bad argument, you can have all the money in the world and not win. You've got to have both to be totally effective, it seems to me.

because the legislator is more responsive to a constituent.

“So, we don't hire outside legal firms to do our lobbying for us. We try to use our people.

“We have about 400 local organizations, each with a legislative director responsible for a locale that may contain one or two townships or half a county.

“There may be some advantage in having a legal background for drawing up the language of a bill, but the Legislature has the



***“The lobbyist is the liaison between the Legislature and the client.”***

“You need some staff, good researchers, and communication with your members to be effective.

“Having the ability to support people who have been kind to you is helpful, but if you've got a bad argument, they'll say ‘Thanks for the support, but you don't make sense;’ and vote against you. Minnesota is just plain not corrupt that way.

“On the other hand, if you have a solid, substantial, sensible, unattackable argument and never put a dime in it — it's going to win.

***... their own research is what they listen to***

“Who does the research? There is so much research capacity in the Legislature itself, that I don't see why we need a

dual system. I can go to staff people to get data and I give data back.

“We do some studies. I can tell you the various negotiations settlements in each district — things like that — but we don't attempt to construct an alternative school aids formula, for example.

“We tried that kind of thing once. We hired an Atlanta based research firm, but it didn't mean a thing. The legislators didn't pay any attention to it. Their own research is what they listen to.” □

Revisor's Office, counsel and staff to do that, expertly.

“Legislators are not going to trust you unless you know your subject. If you're going to lobby for labor, you better know the labor system; if you're going to lobby for a chiropractic group, you better know something about chiropractic medicine.

“And if you're going to lobby for farmers, you better know about farming and farm issues.” □



# people and the process

**the problem:  
could the  
family farm  
survive?  
the search  
for solutions;  
the people**



## the action: family farm security act 1976

In 1975, the House Agriculture Committee searched for a way to put farmland within the reach of young people who have the experience and background, but not the money to begin on their own.

Inflation, and other factors had advanced the cost of farmland beyond the reach of most people seeking to get a start in farming.

Land prices of \$2,000 an acre and up for farmland were not unheard of in some parts of the state. Even at the more "reasonable" price levels of \$500 to \$1,000 an acre that seemed to prevail, a beginning farmer needed capital resources of \$200,000 and up to start even a modest farm operation.

Few beginning farmers can pull together \$200,000. What could Minnesota do to help farmers pass their land on to successive generations? Would large corporations replace the family farm in the social and economic structure of the state?

### **A proposal**

Rep. George Mann (DFL-Windom), chairman of the House Agriculture Committee, introduced a House Advisory Bill which was the beginning of the Family Farm Security Act.

Mann's proposal followed somewhat a program in Saskatchewan, Canada where the government was buying and leasing land in a program that involved one percent of the land and two percent of the farmers within the province.

One of the aims of that program was to help retiring farmers sell their land to young people coming up.

### **The solution**

After a series of meetings throughout Minnesota in the summer and fall of 1975, in January of 1976, Rep. Willis Eken (DFL-



*"I bought mine from my dad. This is the home place."*

**ROBERT NYBORG — farmer, Jackson, Minnesota  
Loan recipient under the Family Farm Security act.**

"I grew up on a farm, went to the University of Minnesota, studied agriculture economics. I'd been farming about four years before I got the loan guarantee.

"I'd been renting, but I wanted to own my own land so I could have some buildings and livestock.

"I'd never have been able to own my own land without the program (Family Farm Security Act). The interest adjustment thing is what helps. You have to pay that back eventually, but it gives you the time to get started.

By the time you have to pay that four percent adjustment back, you hopefully have built up to where the land is paying for itself.

"When I rented, it was all crops. Now that I've got the buildings, and the land that goes with it, I'm into hogs along with crops.

"The problem is there is really no incentive to a seller to sell to someone like me. HF1881 (see p. 18) would make the four percent adjustment, that the buyer in this program gets, tax free to the seller. The way it's set up now, the only incentive for the seller to sell to a young farmer is his goodwill.

"He could put the farm on the auction block, and get the whole thing over in about an hour. It takes about a month at the least to get all the paper work approvals to get this loan thing through.

"He doesn't have any incentive to wait around to see if a young guy can get all the work done and get it through.

"This interest tax break wouldn't be that big a thing as far as tax money lost to the state, but it would be something to help the young guy looking for land to get a seller to wait around for him to try to get it through if the seller knew he had a chance to get four percent of the interest tax free.

"I bought mine from my dad. This is the home place. I'm lucky to have a dad who had some land he was willing to sell me.

"I know from going to the U that there are a lot of kids there that don't have a dad that has any land. There's no way they'll ever get enough money to buy some right off the bat.

"And the competition for rented land is just fantastic.

"Ever since I started farming, I've been talking about this — that I wanted land and livestock of my own, but I never had any way I could make the payments.

"I learned about the loans when I read the farm magazines. They had a meeting in the area. We went, and I decided I wanted to try it.

"I think they passed about four amendments to the original act that really improved the seller's position. At first, the seller was taking a lot more risk by going into this thing, even with the 90

Twin Valley) introduced HF1984 which would appropriate money for a loan guaranty fund.

HF1984 went through the legislative process. On April 8, 1976, the governor signed it into law, effective July 1, 1976.

The new law directed the commissioner of agriculture to set up procedures for implementing the program and to appoint an advisory board to screen applicants for the farm loans. Daniel Garry, formerly a vice president with the Alexandria Bank and Trust Company, Alexandria, Minnesota, and a member of the Minnesota Bankers Association administers the program.

The Family Farm Security Act in its final version, to provide financial assistance to beginning farmers, stated:

— persons whose net worth (including that of a spouse and dependents) is less than \$50,000 could qualify.

**The state would help in two ways:**

- guarantee 90 percent of the outstanding balance due on a qualifying loan.
- provide funds to defer the interest due on a qualifying loan until the farmer is better able to handle this burden (This is the "payment adjustment" provision in the amount of four percent of the balance due on the loan each year for a period of ten to twenty years.)

**Seller-sponsored loan**

The Family Farm Act takes advantage of the fact that the contract-for-deed has, in recent years, financed farm sales in Minnesota. The seller-sponsored loan is similar to the contract-for-deed. Such loans will preserve the tax benefits that are part of installment sales under the traditional contract approach.

**Built-in safeguards**

- If an applicant's net worth exceeds \$100,000 in any year, the individual

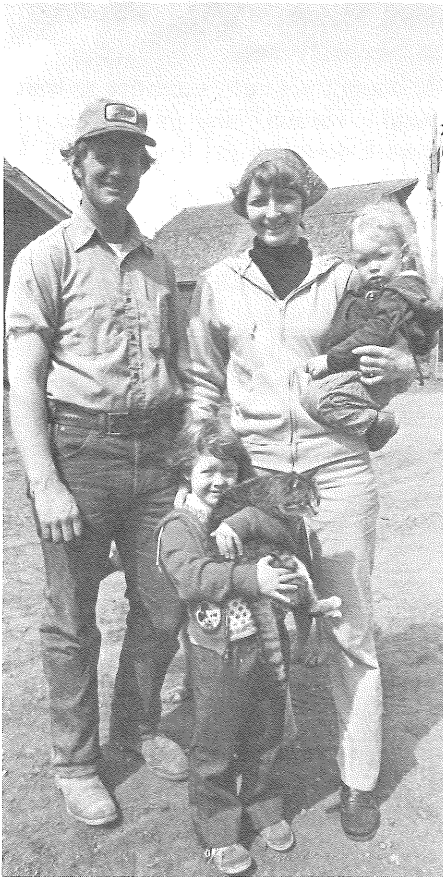
automatically becomes ineligible for a payment adjustment in that year.

- Corporate farms are not eligible;
- A stiff capital gains tax would apply to gains on farms this program has financed if the owner sells within ten years of the date of the loan.

**Applications for loans** would receive priority in this descending order:

- An application from a person under 35;
- from a person who displays the capability to farm successfully;
- a person who has been farming for ten years or less;
- a person whose net worth is less than a specified amount.





The Robert Nyborg family

percent guarantee, than he was if he just sold it to some rich guy — quite a bit more risk.

“I’ve got to call my rep and senator to encourage them to hurry it some (HF1881), cause it’s getting near the end (mid-March). It might not get to the floor unless they hurry it out of committees. It won’t be retroactive, so my Dad won’t benefit on the tax break. But it’s a good idea, and I know a lot of other guys who could use it.

“I’ve had a lot of calls from people. I guess because I was one of the first ones to get the loan. I was on even national TV. I’m not used to that.

“But it’s a good program. I sure feel it’s worth my time to talk about it a little bit.

“Dan Garry who runs the program is a fantastic guy. It really seems like he’s trying to help. He knows maybe the program isn’t the most perfect thing in the world, but it’s a start.

“I just talked to him last week. He said there are a lot of Congressmen from the federal level checking up quite often to see how the thing is going. □

### *Can the family farm survive?*

***Minnesota is the first state to try to answer, “Yes, it can” through legislative action, beginning with the Family Farm Security Act of 1976, and with followup legislation such as HF1931 (page 19) and HF1881:***

HF1881, (G. Anderson, Wenstrom, Eken, Friedrich, M. Nelsen, authors):

A bill for an act relating to agriculture; family farm security program; providing for exclusion from gross income of interest on certain loans; amending Minnesota Statutes 1976.

*Rep. Gene Wenstrom (DFL-Elbow Lake) co-author, and Bob Rumpsa, Farmers Union representative, comment:*

“This is another attempt to help young people keep on farming. By giving tax free interest to the seller, we hope he can sell to the qualified young farmer at a lower per acre rate and bring the cost of a farm down. I think it was the right response to encourage retiring farmers to sell to the young family farmer,” Wenstrom said.

Bob Rumpsa said a provision similar to HF1881 was in the original Family Farm Security Act in 1976, but amendments to the bill removed it.

“The Family Farm Security Act (FFSA) was a good example of the Legislature and a public interest group working together. The Farmers Union was a moving force behind the FFSA from its inception in 1973 to the time it passed in 1976.

“A group of us went to Canada and studied the Saskatchewan land bank system. We tried to put together some adaptations to make something like that work for Minnesota to reach our goal of helping young people stay on the farm.

“House Research, Senate Research, and the governor’s office worked hard to put together this program. There was no real example to draw on. It was something brand new.”

Note: HF1881 became law effective for interest received for taxable years beginning after December 31, 1977 and before January 1, 1982. Minnesota’s Family Farm Security Act is now a model for upcoming legislation on the federal level.

### **History of Minnesota Laws 1976 - Chapter 210 The Family Farm Security Act**

#### *House Action*

2/17/75: House Advisory Bill introduced referred to Agriculture Committee

3/21/75: Hearings: Faribault, Marshall

4/4/75: Hearings: Morris, Thief River Falls (Several St. Paul hearings in March/April, 1975)

Summer/Fall '75: Background/staff work developing draft of the bill

1/29/76: HF1984 introduced; first reading; referred to Agriculture Committee

Senate Action 2/2/76: SF1895 introduced; first reading; referred to Agriculture/Natural Resources Committee

House Action 2/25/76: Committee Report: Pass as amended and re-refer to Committee on Taxes

Senate Action 3/4/76: Previous committee report adopted, re-referred to Committee on Governmental Operations.

House Action 3/8/76: Committee Report: Pass as amended and re-refer to Committee on Appropriations

Senate Action 3/11/76: Committee Report: Pass as amended and re-refer to Committee on Rules and Administration. Previous committee report adopted, re-referred to Committee on Taxes and Tax laws

House Action 3/17/76: Committee Report: Pass as amended and re-refer to Committee on Finance

House Action 3/18/76: Committee Report: Pass as amended/second reading.

Senate Action 3/22/76: Committee Report Pass as amended

House Action 3/22/76: Special order for immediate consideration; motion to amend; third reading; passed as amended and sent to Senate

Senate Action 3/22/76: Second reading SF1895/first reading HF1984

Senate Action 3/23/76: First reading of HF1984

Senate Action 3/24/76: HF1984 substituted for SF1895; second reading of HF1984; special order for immediate consideration; rules suspended; urgency declared; motion to amend; third reading; passed; sent to House.

House Action 3/26/76: Bill returned to Senate; concurrence and repassage. Signed by Governor 4/8/76

## Can the family farm survive?

### Continuing the search for solutions:

**HF1931** A bill for an act relating to agriculture providing new definitions; declaring the desirability of family farm stability; amending Minnesota Statutes 1976.

**Rep. Gene Wenstrom (DFL-Elbow Lake), author of HF1931 talks about this followup legislation.**

#### The problem

"The original problem was first pointed out in 1975 when some amendments to the corporate farm bill were enacted.

"Or, perhaps, you could even say that the problem was first pointed out in 1973. It became evident to me from talks with various constituents who thought it was a good idea to protect family farms (grain farmers) and they thought it would be a good idea to protect people raising hogs and cattle.

"In 1977, there was a group called the Agriculture Land Trust that got together and were going to buy a lot of farmland. That would have been prevented in Minnesota, because we had our anti-corporation farm act."

#### The proposal and the people

"The idea in HF1931 is to give that same protection to people raising hogs and cattle. I told the revisor what I wanted to do, and he worked it out in the proper legal form. Then, I got support from the Farmers Union (see Bob Rumpza's comments below) and the National Farmers Organization (NFO), two of the major farm groups.

"We had hearings in the Agriculture Committee. People came in from all over the state to testify in favor of the bill. It was pointed out in Adrian, for example, that people from down in that area really wanted it.

"This bill didn't get subcommittee study, because in the two full committee hearings, testimony from the public seemed to indicate they wanted it.

"We took poultry raisers out of the bill, because there was significant testimony from the poultry industry that they needed special consideration and special exemption. We gave them that. Public input is always taken into account.

#### Statement of intent

"Statements of philosophy behind a bill are important to get the proper perspective of where the bill is coming from.

The statement in the title of this bill certainly was that we were interested in protecting the family farm and in protecting the small rural family.

"It shows the intent of the Legislature. That is always of interest to the courts. Our intent is to give protection to family farmers who can't compete with the large giants."



*"The family farmers were becoming tenants on the land . . ." RUMPZA*

#### Bob Rumpza of the Farmers' Union:

"The original corporate farming act passed in 1973. It applied to the cultivation of land for the production of crops. Livestock corporations could still purchase land for the production of livestock without restrictions on them.

"This historically has been a Farmers' Union issue. Our people were concerned about corporations moving into agriculture. Quite often their goal was land speculation rather than farming. Family farmers were becoming tenants on the land instead of owning their own land and having control of it.

#### Cooperation helped

"I worked closely with the authors on HF1931, especially with Rep. Wenstrom. For instance, on the day the bill was going to be heard and considered for final passage in the House Agriculture Committee, there were a couple of provisions that had aroused some strong sentiment out in the country.

"That presented some problems that might have delayed passage. So, we kind of jointly decided before the meeting to drop one of the provisions that was causing opposition to the bill.

#### People made the difference

"We called farmers we knew were interested. They weren't Farmers' Union members, but farmers that were being threatened by corporate livestock operations coming into their areas. Those testimonies from people being affected had a tremendous impact at the committee meetings.

"Both the Family Farm Security Act and the Corporate Farm Act do something to keep people on the farm who are going to live on the place, raise families that attend the local schools, and do business in the town with main street businesses.

#### Does farm legislation help city people?

"Indirectly, yes, because the economy of this state is agriculturally oriented. A lot of what happens in the cities — the General Mills, the Swifts, the Hormels, the International Harvesters — are all closely tied with agriculture.

"We believe, if we can keep a healthy family agriculture out in the country, it is going to keep the plants and the processors in the cities running, too. It's going to be a healthier economy all over." □





## members comment on people in the process



**Mary Forsythe (I.R. - Edina)**

"No individual has the knowledge or expertise to make all the important decisions demanded by service in the Legislature. I need, welcome, and appreciate the help offered by constituents.

"The title 'representative' is descriptive of the role played by elected members of this body. We are elected for only two years.

"This short term was designed to keep the members responsive to citizens. Communications between the legislator and constituents is the responsibility of both parties and imperative to the process."



**Richard Kostohryz (DFL - N. St. Paul)**

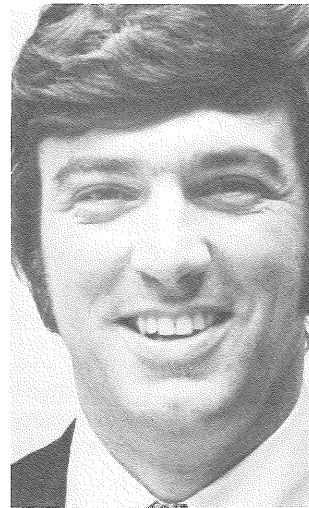
"Phone calls and personal letters are most important to me. I pay some, but not much, attention to form letters.

"For example, I got a bunch of form letters that I guess the MEA or MFT told their members to send. They all urged my support on the school aids bill.

"Now, since I'm the main author, it would have meant more if they would have thanked me, or asked for my continued support.

"I would give more credit to people without a vested interest, or who aren't just acting at the direction of some special interest group.

"It appears interest in various issues flows with the press. Like the tax surplus--the articles in the paper started people calling, 'How much of a cut can we expect? Do something about taxes,' and so forth. Those are the calls and letters that are important to me."



**Pete Petrafeso (DFL - St. Louis Park)**

"A legislator has a responsibility to inform constituents on as regular a basis as possible. Then, I think a citizen also has a responsibility to contact the legislator.

"For some reason, this happens less in metropolitan areas than in rural areas where people rely much more heavily on their legislator to get something done through a state agency, or the U.S. Department of Agriculture, for instance. I find it amazing that I have so few requests.

"I don't think citizens realize that all they have to do is pick up the telephone and call. But the best way to get something done is to contact your legislator and ask him to start working on what you want done.

"When they call, so many people apologize, or say, 'I don't want to bother you,' or 'I hate to call you, but...' I always encourage them to do just that. I keep saying, 'You ought to call; that's what I'm here for.'"



**Janet Clark (DFL - Mpls.)**

"The communication of information goes both ways. I call constituents to give me information, and constituents contact me to alert me to problems in my district.

"I rely heavily on my constituents for input. It is extremely important to draw upon their knowledge and experience.

"Many bills I sponsor come directly from constituents. As an example, the dental care for seniors bill. A constituent called saying she hadn't been able to afford dental care.

"Investigation showed me that this was a very common problem for those on fixed incomes. So, I researched the problem--called on those people who had knowledge and experience--asked for information and ideas--and worked out a bill to give seniors a chance to have decent dental care. But the idea came directly from one of my constituents."



**Rep. Rod Searle (I.R. - Waseca) assistant minority leader.**

Searle is serving his 11th term in the House: "I think a lot of the work of representatives, especially those of us from outstate, is to act as a kind of clearing house for constituent problems.

"We spend a good deal of our time tracking down problem areas — finding out where a person can get an answer — whether it's on the local level, from a state department, a bureau, or some commission.

*...some have even hired lawyers*

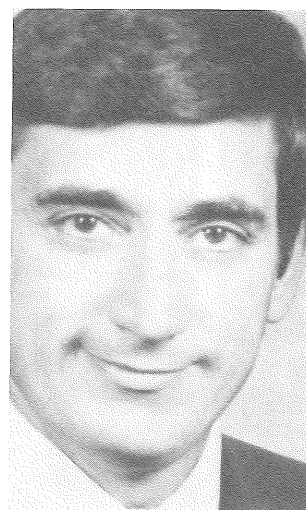
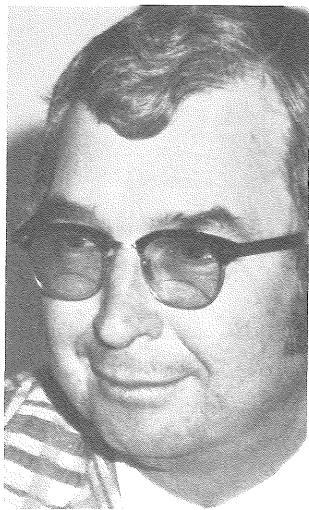
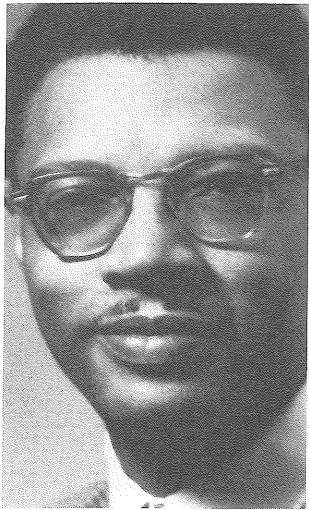
"We find that, more and more government doesn't respond as well to the average citizen as it does to the elected official. This is where the red tape begins.

"Sometimes a constituent will call me after trying. I don't know how many agencies. Some have even hired lawyers. I've been a legislator long enough that I usually can say, 'Sure, I know that commissioner; I'll get you an answer.'

*...people confuse us with Congressmen*

"We all get a number of calls that relate to federal legislation. For example, certain farm problems, or economic farm policy.

"We then need to say, 'You'll have to speak to your Congressman, because the state doesn't set economic farm policies.' Our agriculture department is strictly regulatory. We oversee labels, cartons, weights and measures — regulatory things. The federal government, not us, sets forth trade sales; we



**Ray Pleasant (I.R.-Bloomington)**

**John Biersdorf (I.R. - Owatonna)**

**Peggy Byrne (DFL - St. Paul)**

**Al Patton (DFL - Sartell)**

**Howard Neisen (DFL - Mounds View)**

"I can best explain how people can have input into the legislative process by an example.

"On the far southwestern border of Bloomington — my district — there were about 150 families who were within the city limits of Bloomington, but in the Eden Prairie School District.

"Not only did they feel like second-class citizens in both areas, but there were tax and school levy problems as a result of being divided in this way between the two communities.

"They got together to see if something could be done, and we all worked with the school boards.

"The result was a law passed last year and followup legislation this year to allow these people to transfer to the Bloomington School District.

"Now these people can look at chapter 488 of *Minnesota Statutes* and see that they were the important part of the process—that the system works."

"In my business I regularly see a lot of people in my district. They'll ask me, 'How is it going up there (meaning at the Capitol)?' I'll say, 'Fine. Do you have any problems?' They'll usually say, 'No, that's what we elected you to handle'.

"I keep in touch, send out polls to get opinions, and I write a news column. I tell people we have an information office where they can put their names on a mailing list and keep up-to-date on what is happening in the Legislature.

"That's why I feel being a member of the House Information Overview Committee is important — to guarantee, as much as possible — the utilization of that office for that purpose.

"But, generally, it's like my being in sales. The company hires me to sell. If I'm not doing the job, they'll let me know. If a legislator is not doing the job, the people would let him know at the polls."

"I have many thoughts on how to get people into the process.

"For instance, I think it would work better if we held our political meetings out in the communities where the problems are instead of pleading with people to attend political club meetings where we organize them.

"I divide my responsibilities into two roles: one, as a legislator working in the legislature, and, two, and more important, being a representative.

"I think people should keep in touch with their legislators—call them when they have a problem. It means 10 times more than a call from a paid lobbyist from another district.

"I try to visit the people who have called me on a particular problem to let them know that someone cares enough to personally respond. People like to feel they're being represented."

"I work at getting the views of the people, the people who are unable to come down to the Capitol and give their views.

"I like to go sit down with them over a cup of coffee and talk the problems out. They have an input directly into legislation that way.

"Then, I get back in touch with them after a period of time and see how things are going.

"I usually find this works with groups that aren't organized as such. The unstructured groups are the ones I find most helpful—those who have a problem and want to sit down and talk it over.

"They don't necessarily want some new bill passed, but they want to give their views on legislation coming up."

"Participation in the system is most needed. One of the responsibilities of constituents is to let their representatives know how they feel so they can properly represent their districts.

"I try to get papers to print releases. Some do; some don't. I always include information on how people can contact me. I pass out pamphlets and send a newsletter—again asking for comments. When I speak to groups, I ask them to call.

"I have twice changed my vote against my personal feelings because a majority of my constituents wanted me to vote the other way.

"People should keep in mind however, that for one call objecting to a bill, there may be a hundred in favor, that they might be in the minority on an issue."

don't want to get involved, for instance, in how much grain we're going to sell or ship to some country.

"I'm often surprised at how many people confuse us with Congressmen.

*You've asked about local bills...*

"What we call local legislation is strictly for a local governmental unit — a county, township, a school district, or a municipality. They need to go to the state Legislature to solve a particular local problem.

"These bills are often on the floor daily, usually on the Consent Calendar, since they don't affect any of the other 87 counties, or hundreds of municipalities. Because the Local and Urban Affairs Committee has already studied them, they generally are

simply passed without challenge or much question.

*... there's a ripple effect*

"There are local bills that are just a bit more controversial. The uncontroversial/controversial factor is influenced by the nature of the area the bill affects.

"For example, there was one on the floor recently to allow a special liquor license to allow the Mayo Clinic Auditorium in Rochester to sell liquor for certain events.

"It set up a system where they would need to apply for a permit through various agencies for one event at a time.

"I would certainly call this a local bill, but it could have statewide implications — there's a ripple effect.

"There's a limited number of licenses for each county, municipality, etc. When we give out a bunch of special liquor licenses in one part of the state, another part will want some, too.

*... for people, not parties*

"Requests for help can come from a group, such as the case I just mentioned or the request can come from an individual. For example, a businessperson who thinks he must have a liquor license if he's going to have a successful restaurant or resort business.

"He comes to the Legislature for help. To sum it up, local bills aren't usually political, because they're being done, as most of our bills are — for people, not parties." □



**Tad Jude (DFL - Mound)**

"There are a number of specific examples I could give to show the effect of people in the process.

"When I went door-to-door in my district, many people complained about paying taxes in the rural metro area for bus services not offered to them.

"I worked out a bill with a number of legislators that would have a property tax to support bus service in only those specific cities that are served by MTC buses.

"Another example that people in my district brought me was a bill to take an abandoned railroad--the Luce Line Railroad--and make it into a hiking, biking, and horseback trail.

"Through the efforts of the people concerned about it, we were able to get a bill passed that would create the Luce Line Trail, now being developed by the Department of Natural Resources.

"In many cases, there are people in my area who know more about the issues than I do, because of their occupation or their experience on a particular subject.

"I'm able to share information with them, and they give me information. We usually come up with a consensus on what is the best thing to do.

"There are a few issues where I feel committed to vote the way my conscience dictates. But, on most issues, I discuss them with constituents who are active and have an interest in the subjects under consideration."



**Jim Evans (I.R. - Detroit Lakes)**

"My district is 212 miles from the Capitol. We don't get the news coverage you get in the cities. Our TV is from Fargo. As a result, I don't think my constituents are quite as cognizant of what's going on at their state Capitol.

"So, I really try to encourage them to contact me for information. The House *Wrap-Up* has been an invaluable tool for me in informing my constituents. A lot of people in my area are now on the mailing list.

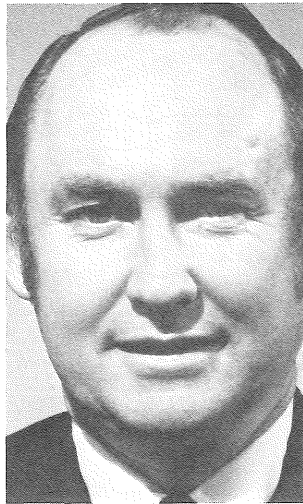
"Every time I attend a meeting, or speak on our local radio shows, I urge people to call me with their legislative interests or concerns. The local papers have been very good about including information from my releases.

"Frankly, at first I was disappointed with the response from my district. I think they felt, 'Now he's elected, he'll vote any way he wants.' It just doesn't work that way.

"I've noticed the volume of mail has increased substantially in the last eight months, and I really appreciate that.

"I try to hold open meetings every weekend--sort of office hours in different places around the district.

"I'm pleased with the response I'm getting now. A year ago I would have been lucky to have 10 or 12 people come. Now I'll often have 60 to 70 people. I think just getting out there and telling people what is happening here helped."



**Donald Friedrich (I.R. - Rochester)**

"To relate to people's feelings, to communicate, is pretty vital to a representative as far as I'm concerned--by letter; card; on the street; or by phone.

"I'm a farmer, and when I get out to a feed elevator, filling station, implement shop, or wherever, we usually get involved in a discussion of day-to-day issues. All the while, I'm getting input.

"Most people are more astute than we sometimes give them credit for. They may not be informed on every issue, but they certainly know about those issues that they're involved with and interested in.

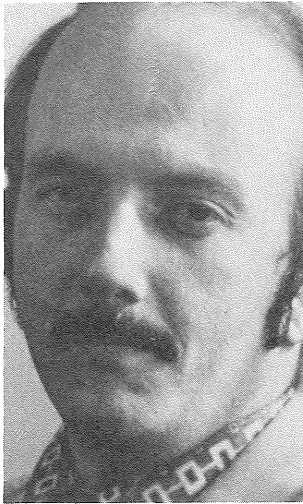
"Since I've been here, I've tried to invite people to come up, because most people don't understand the whole process until they see it.

"They can walk around with me and go to a committee meeting; listen to some of the conversations with other legislators in the halls.

"You know, a lot of discussion and compromise on legislation and issues takes place in the halls and offices before you get to the committees. It seems here's more lawmaking going on in the halls than on the floor.

"When people actually visit and walk around with you, they see the work that goes on, the long hours--late evening and early morning--spent on discussing and working with other legislators--all the paper work.

"Until they see that, they tend to think less of legislators--downgrade them."



**Richard Welch (DFL - Cambridge)**

"I think the role of the people in the process occurs in three areas. Most people, in one way or another, through an employment group, civic, or church group--in some way--they have an interest in what is going on legislatively.

"Some get into the process at the development and drafting of legislation, or when changes are necessary.

"Others jump in when they hear something is going on that interests them. They'll call and say 'That's okay (or not okay), but what about this instead?' So, they end up being involved in refining, amending whatever proposals they were concerned about.

"Whatever we enact, I think a lot of people out there serve as watchdogs, telling us which laws we passed are working well, or what is not working, and telling us 'These are the various problems with it.'

"I really think all the people have a vested interest. The subjects of interest may vary, but their interest fits somewhere in the three stages.

"I definitely feel people can help get the job done. If they let us know what they think, they can give suggestions, monitor legislation, or act as watchdogs on how legislation is working. At any of the three stages, they can contribute, and their ideas are important."





# 1978 LAWS

(listing does not include specific local bills)

## AGRICULTURE

**Ch 731 Corn detasslers**  
**HF1789 - M. Sieben, \*SF1643 - Sikorski**

Requires corn detassler's employers to provide transportation to corn detasslers they terminate, or who become injured or sick, to the location where the employer picked them up on that day. Employers must also provide an easily accessible, potable water supply. **Effective:** Day following final enactment.

**Ch 722 Defining corporate and family farms \*HF1931 - Wenstrom, SF2002 - Hanson**

Limits corporations of beef and hog producers to five shareholders and a majority of the shareholders must live on the farm. Corporations currently in hog and cattle production may continue operations. **Effective:** August 1, 1978.

**Ch 763 Family Farm Security loans - income tax exclusion \*HF1881 -G. Anderson, SF2001 - Nichols**

Exempts the interest a property seller receives on a guaranteed seller-spon-

sored loan from gross income for tax purposes. **Effective:** For interest received for taxable years beginning after December 31, 1977 and before January 1, 1982.

**Ch 610 Grain weighing and inspection \*HF1575 - Munger, SF1642 Solon**

Requires the commissioner of agriculture to appoint grain weighers to perform their duties at designated export points when the state resumes grain weighing activities. **Effective:** Day following final enactment.

## BANKING

**Ch 469 Electronic funds transfer \*HF1180 - Hanson, SF1062 - Laufenburger**

Allows the use of electronic fund transfer systems, either manned, point-of-sale terminals or unmanned automated-teller machines. Customers could withdraw cash, make deposits and transfer funds, disburse loans against a pre-established credit line, make loan payments, but could not open accounts or take out loans using the terminals. **Effective:** Day following final enactment.

**Ch 643 Interest rates - savings account loans \*HF2000 - Pehler, SF1846 - Kleinbaum**

Allows financial institutions to raise interest rates to over eight percent if a person is borrowing money and using a long-term savings account as security on the loan. **Effective:** Day following final enactment.

**Ch 663 Powers of credit committees \*HF2147 - Skoglund, SF2158 - Penny**

Allows credit union credit committees to approve an advance line of credit for a member and advance money to the member within the limit of the extension of credit without additional loan application. **Effective:** Day following final enactment

**Ch 664 Unclaimed property**

**\*HF2151 - Suss, SF2003 - S. Keefe** Provides for classifying, as abandoned, all intangible personal unclaimed property a government or political subdivision or agency holds for an owner for more than seven years. Requires such subdivisions or agencies to pay 12-percent interest on the unclaimed property to the state treasurer if they fail to return the property within a specified period of time. **Effective:** Day following final enactment

## COMMERCE/CONSUMER AFFAIRS

**Ch 709 Division on small business HF1446 - White \*SF1450 - Peterson**

Creates a division on small business within the department of economic development. It also creates a one year advisory task force to advise the commissioner on structuring the division, to define small business, to develop a plan for a statewide educational consortium on small business development, to study the feasibility of establishing regional educational consortiums for small business development. **Effective:** Day following final enactment. Sections 3 and 6 shall expire July 1, 1979.

**Ch 516 Eyeglasses - price advertising permitted HF1389 - M. Sieben, \*SF1229 - Luther**

Allows optometrists to advertise the price of eyeglasses. **Effective:** August 1

**Ch 737 Item Pricing-retail merchandise**

**\*HF 37-Jacobs, SF 303-Solon** Requires any store using an electronic scanner which reads the prices of merchandise at the checkout counter to label all canned, bottled, boxed, or bagged items with the selling price. Exempts food items one can eat on or about the retail premises: vending machine items, items on sale for seven days or less, cigarettes, cigars, tobacco and tobacco products with a retail price of \$1.00 or less, and items that don't have the uniform products code or similar marking the electronic checkout equipment scans for price. Exempts retailers from the item marking requirement on not more than 25 classes or individual items (which the retailer shall post on a list in the store) and on an additional 25 items the retailer advertises or features at reduced price. **Effective:** August 1

**Ch 710 Repair of motor vehicles, appliances, dwelling places**

**HF1344 - Simoneau, \*SF1468 - Merriam** Regulates repairs of motor vehicles, appliances, and dwelling places; provides that when repair work costs more than \$100 and less than \$2000 the customer may request a written estimate before the shop begins the repair. If the customer provides authorization to make the repair after

reviewing the total estimated price, the shop cannot charge more than 10 percent over the total estimated price. **Effective:** August 1

## CRIME/CORRECTIONS

**Ch 724 Domestic assault HF 8883 - Cohen, \*SF318 - McCutcheon**

Allows for the arrest of a person who has assaulted his or her spouse. States that a police officer may make the arrest without a warrant if the officer has observed a recent physical injury. The officer may make the arrest only at the person's residence. The act allows the officer in charge of the police station or the county sheriff to hold the arrested person for up to 24 hours if the officer believes the individual may cause more harm to the spouse and provides for judicial review after detention. **Effective:** Day following final enactment.

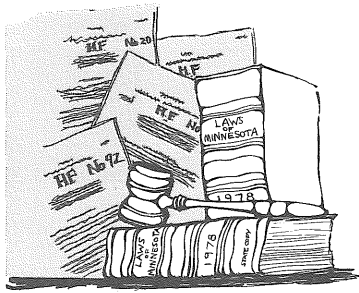
**Ch 736 Police use of firearms HF387 - Nelson, \*SF2361 - McCutcheon**

Clarifies when law enforcement officials can use "deadly force"; defines "deadly force" as force known to cause death or great bodily harm, force involving the intentional discharge of a firearm in the direction of a person or vehicle; allows a law enforcement official to use deadly



force for self protection or for the protection of another person from apparent death or great bodily harm, or if it is necessary to arrest, capture, or prevent the escape of a person the officer has reasonable grounds to believe has committed, or has attempted to commit a felony, and if the officer believes (unless he/she apprehends the person) the suspect may cause bodily harm or death. **Effective:** Sections 1, 2, 3 are effective August 1, 1978. Section 4 is effective the day following final enactment.





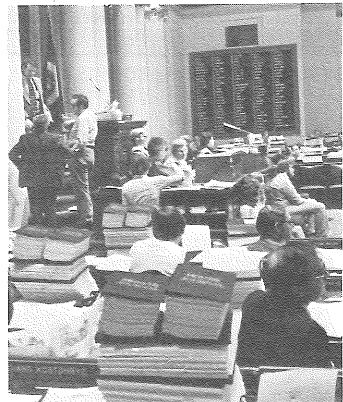
# 1978 LAWS

## Ch 638 Possession of traffic signs

**\*HF1976 - Lemke, SF1882 - Purfeerst**

Prohibits the possession of certain traffic signs and provides immunity for persons who voluntarily notify law enforcement officials that they have the signs. **Effective:** August 1

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## Ch 629 School buses displaying stop signals

**\*HF1884 - Wenzel, SF2215 - Wegener**

Increases the penalty for passing a school bus that is displaying the stop signal from a petty misdemeanor to a misdemeanor. **Effective:** August 1

## Ch723 Sentencing guidelines

**HF386 - A. Kempe, \*SF65 - McCutcheon**

Creates a nine-member commission to establish sentencing guidelines for the district court by January 1, 1980. The guidelines would establish the circumstances under which imprisonment of an offender is proper and a fixed sentence for such offenders, which judges could deviate from by 15 percent. The Minnesota Corrections Board will lose its power of parole and will mainly supervise prisoners on work release programs. **Effective:** Article I — Sections 9 and 18 are effective the day following final enactment, Sections 1-8, 10-17, 19 are effective May 1, 1980 and apply to all offenses committed on or after that date and to all persons convicted of a felony committed on or after that date. Article II — Sections 1-5 are effective the day following final enactment and apply to all offenses committed on or after that date.

## Ch 639 Small amounts of marijuana - reducing past convictions

**\*HF1977 - Clark, SF1946 - Dieterich**

Retroactively reduces past convictions involving small amounts of

marijuana to a petty misdemeanor. Persons convicted of possessing a small amount of marijuana before April 11, 1976 may petition the court to change the conviction on their records. **Effective:** April 11, 1978

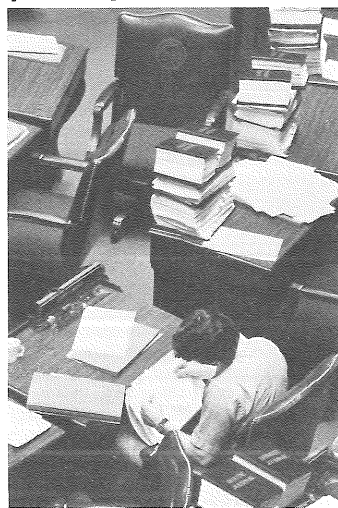
## EDUCATION

### Ch 550 Coaches - right to hearing

**\*HF1447 - Waldorf, SF1551 - Chenoweth**

Provides a due process hearing for licensed athletic coaches who receive notice they are going to lose their jobs. Requires school districts to notify the coaches of the termination and state their reasons for the proposed termination. Allows coaches to request a hearing within 14 days after getting the notice. Allows school boards to terminate a coach for any reason they can support with substantial and competent evidence. **Effective:** August 1

## piles up . . .



## Ch 603 Private college registration - definitions

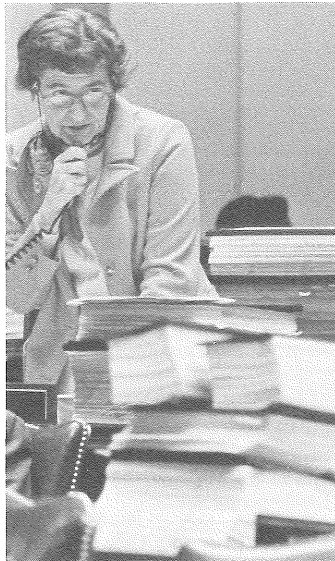
**\*HF1323 - Cohen, SF1573 - Hughes**

Requires public post-secondary educational institutions in other states or countries offering or making available to Minnesota residents any course, program or educational activity which does not require residents to leave the state to register with the Higher Education Coordinating Board. Exempts certain post-secondary institutions, including seminars, from having to register. **Effective:** Day following final enactment

## Ch 733 Non-public school aid

**HF1750 - Pehler, \*SF1722 - Kleinbaum**

Provides \$2.6 million for aid to private schools in the 1978-79 school year. Grants much of the state aid for textbooks, standardized tests, and health services. Includes \$90,000 for nonreligious private schools with small enrollments. Grants aid for the administration of the program and for guidance and counseling services two years from now for secondary pupils in private schools. **Effective:** Sections 1 - 13, 15 - 17, 20, 21, 23, effective the day following final enactment. Other sections - August 1.



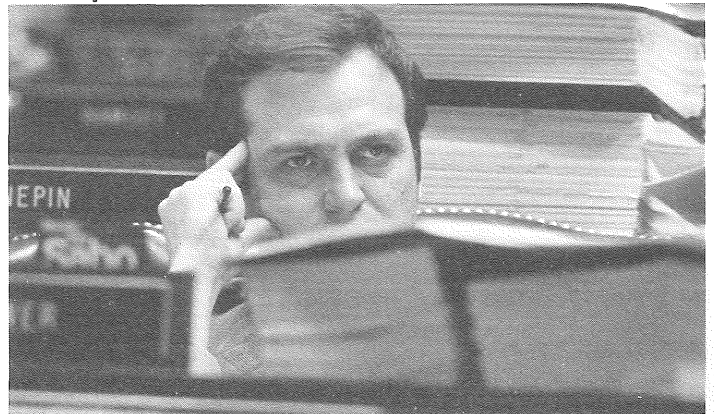
## and up . . .

## Ch 764 Omnibus school aids bill

**\*HF1885 - Eken, SF 1781 - Merriam**

Makes various changes in the laws relating to school aids, appropriating \$15.7 million in additional aid to schools. Provides \$4.6 million for increasing the per-pupil-unit aid from \$1,090 to \$1,095 for the 1978-79 school year. Provides foundation aid levels for school districts with declining enrollments, allowing the districts to spread the loss of students out over a 3¼-year period, rather than the current two years. Provides \$3.1 million for increasing the state's share of salaries for special education teachers,

## and up . . .



having the state pay for 68 percent (now 65 percent), to a maximum of \$12,000 a teacher. **Effective:** day following final enactment, with exemption of several sections.

## Ch 561 Student CC board member

**\*HF1833 - Wenstrom, SF1641 - Dieterich**

Requires that one member of the Community College Board be a student at a community college at the time of appointment or a student within one year before appointment. **Effective:** August 1

## Ch 632 Teachers' file data

**\*HF1908 - Wenstrom, SF1847 - Merriam**

Relates to grounds for terminating from teachers' files, excluding administrators, material found false or substantially inaccurate through grievance procedures. **Effective:** August 1

## ELECTIONS

### Ch 463 Campaign financing

**\*HF404 - George, SF1006 - S. Keeffe**

Limits campaign financing and candidate spending; applies spending limits to candidates accepting public check-off funds; changes distribution of funds according to vote totals and the number of persons using the check-off system in the legislative district; changes laws governing the ethics commission; allows contributors to get an income tax credit only if the candidate abides by state spending limitations. **Effective:** Sections 106 and 107 are effective for taxable years beginning after December 31, 1977. The remaining sections are effective the day following final enactment.

### Ch 725 Elections - judges - ballots - constitutional amendments

**HF 357 - Lehto, \*SF 744 - Stokowski**

Defines a member of a political party, primarily for the purpose of selecting judges, as a person who supports the principles of the party's constitution, a person who voted for a majority of that party's candidates in the last election or a person who intends to vote for a majority of a party's candidates in the next election. Changes outdated language. Alters various provisions relating to publication of constitutional amendment explanation, ballots, judges, summary statements, canvasses and returns. **Effective:** Day following final enactment.

**Ch 714 Elections - voter registration HF1894 - Cummiskey, \*SF1630 - S. Keefe**  
Provides safeguards against improper registration. Provides rules for election day requirements. Provides guidelines for the administration of absentee ballots. **Effective:** Day following final enactment

**Ch 456 U.S. Senate seat vacancies \*HF1500 - Rice**  
Requires special elections to fill U.S. Senate seat vacancies in the year the vacancy occurs except when the vacancy occurs - 1) six weeks before the regular primary preceding the election in November - 2) in the last year of the Senate term. Provides that successors take office immediately following their election and certification and that the governor will appoint someone to fill the vacancy until the election. **Effective:** Day following final enactment.

**ENVIRONMENT/NATURAL RESOURCES**

**Ch 786 Omnibus energy bill \*HF2261 - Munger, SF 1706 - Humphrey**  
Clarifies residential energy efficiency standards, requires renter occupied residences to meet air infiltration standards by Jan. 1, 1980 (excluding seasonal dwellings), requires that persons selling a home after September 30, 1979 provide an energy evaluation report to the buyer unless the buyer waives his right to the report, authorizes the energy agency to set up standards for the manufacture, labeling, and installation of insulation, provides property owners "sun rights", a contract right prohibiting blockage from the sun. **Effective:** Day following final enactment except for section 11 which is effective for assessments made for taxes levied in 1978 payable in 1979 and thereafter.

**Ch 735 Regulating maintenance of fires HF1519 - Stoa, \*SF1943 - Luther**  
Defines "open fire", requires permits for open fires in forest areas except for cooking or warming fires in fireplaces, grills or similar devices and for burning grass, leaves, rubbish, garbage, etc, in an approved incinerator. **Effective:** Day following final enactment.

**Ch 728 Solid and hazardous waste HF1164 - Eckstein, \*SF1106 - H. Olson**  
Allows any county other than Anoka,

Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties and the solid waste districts in northern Minnesota to prohibit the transportation of solid waste to other counties for disposal. Establishes a temporary joint legislative committee on solid and hazardous waste which will advise and assist the director of the state planning agency and other agencies. **Effective:** Day following final enactment.

**Ch 505 Water use priorities - designation of public waters HF2116 - W. Kelly, \*SF1664 - Moe**  
Equalizes priorities of agricultural irrigation and the use of water for processing of agricultural products; provides that the commissioner of natural resources need not provide access to waters designated as "public waters". **Effective:** Day following final enactment.

**GENERAL INTEREST**

**Ch 457 Destruction of animals HF764 - R. Kelly, \*SF686 - Merriam**  
Authorizes destruction rather than research use of certain unclaimed animals. Allows pet owners to put tags on their animals saying they don't want their animals used for research or allows pet owners to inform pounds of that fact after seizure of the animals. **Effective:** Day following final enactment.

**Ch 507 Gambling devices - nonprofit organizations \*HF405 - Reding, SF399 - Nelson**  
Allows nonprofit organizations to use gambling devices, such as paddlewheels, punch boards and raffles, to raise money; requires the organizations to get a license from their local unit of government; requires the organization to report gambling expenses, gross receipts, and profits to its members and the local unit of government. **Effective:** August 1

**Ch 794 Trespass bill \*HF 669 - Clawson, SF1759 - Purfeerst**  
Prohibits people from trespassing on agricultural land for any recreational purpose unless the person has permission from the owner, occupant, or lessee. Requires any person who engages in any recreational purpose, and, who opens a gate to, when entering or leaving another person's land, to return the gate to its original position. Limits the discharge of firearms within 500 feet of an occupied building. Provides penalties. **Effective:** August 1

**GOVERNMENT OPERATIONS Ch 792 Bonding building bill**

**\*HF2494 - Norton, SF2371 - Moe**  
Authorizes approximately \$107 million in bonds to finance a number of state building projects. These include: -\$8.7 million for a new 165-bed security hospital at St. Peter. -\$11.5 million for a state office building in Duluth. -\$2.9 million for the construction of a new visitors center at Fort Snelling. -\$1.6 million for construction of new highway rest centers. -\$458,000 for acquiring and restoring the Hill House. -\$2 million for energy conservation projects. -\$4.2 million for Capitol complex projects. -\$10.1 million for building projects at the state universities. -\$30.2 million for building projects at the University of Minnesota. -\$9.3 million for building projects at the community colleges  
**Effective:** Day following final enactment.

**Ch 791 Non-bonding building bill \*HF2493 - Norton, SF2370 - Moe**  
Appropriates \$13 million for repairs and improvements to state buildings. Some of the projects include: -\$2 million for projects at the State Capitol. -\$720,890 for the department of natural resources. -\$30,000 for a new heating plant in the armory at Madison. -\$1.1 million for remodeling and maintenance at community colleges. -\$6.5 million for the department of transportation. -\$1.2 million for general projects for welfare institutions. -\$654,000 for general projects for corrections institutions.  
**Effective:** Day following final enactment.

**Ch 592 Open appointments \*HF85 - Wenstrom, SF37 - Luther**  
Allows for open appointments to state agencies; requires the chairman of an existing agency to report to the secretary of state details of the duties and compensation of appointed members and when vacancies occur; requires the secretary of state to prepare a list of vacancies every 15 days and publish them in the next available state register; allows any person to nominate himself or herself by completing an application from the secretary of state's office. **Effective:** Day following final enactment in respect to all vacancies occurring after July 1, 1978.

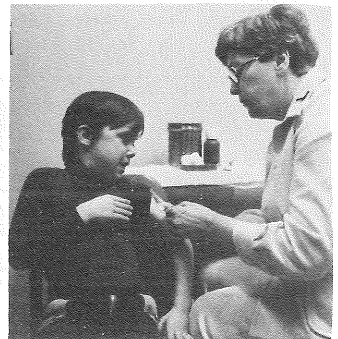
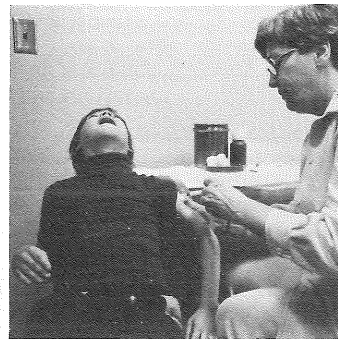
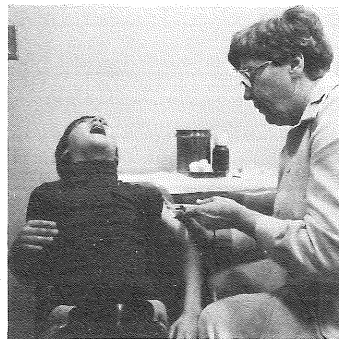
**Ch 583 State purchase of American made products and services \*HF2233 - I. Anderson, SF2111 - Johnson**  
Prohibits Minnesota's state agencies from buying materials for governmental purposes which are not United States manufactured, except if U.S. manufacturers do not produce needed materials in large enough quantities; if the price unreasonably exceeds the price of foreign materials; if the quality of materials is substantially less than that of foreign products; if the purchase of U.S. products is not in the public interest. **Effective:** For all contracts the state executes after July 1, 1978

**Ch 793 Supplemental appropriations bill \*HF2527 - Norton**  
Appropriates \$6.5 million for various projects last year's spending bills did not cover. Some of the projects include: -\$633,000 to the department of economic development for tourism programs. -\$100,000 to the department of health for a study of high voltage power transmission lines' effects. -\$1 million to the department of public safety for the cost of sending state patrol to the power line protest area. -\$1.3 million to the Metropolitan Transit Commission for Project Mobility and other transit for the handicapped. -\$123,700 to the department of education for the Minnesota school for the deaf, for multiple handicapped students, for a facility for the blind and multiple handicapped students. -\$410,000 to school districts for preschool screening programs.  
**Effective:** Day following final enactment except as otherwise provided.

**HANDICAPPED**

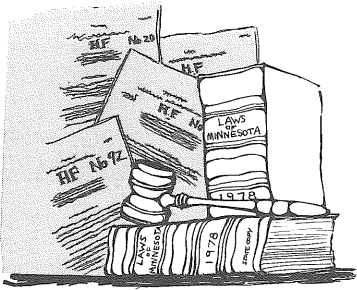
**Ch 630 Handicapped - trial work experience \*HF1898 - Petrafeso, SF 1764 - Knoll**  
Provides on-the-job trial work experiences within civil service for severely handicapped persons. **Effective:** August 1, 1978.

**Ch 522 Sheltered workshops \*SF1510 - Vega**  
Allows cities, towns or counties to expend money from their general fund or levy taxes to provide for a long term sheltered workshop or work activity program for the handicapped. **Effective:** August 1, 1978.



**HF1823 — An 'ouch' of prevention is worth a pound of cure ...**





# 1978 LAWS

## Ch 520 State Council for the Handicapped

**HF1522 - Brandl, \*SF1446 - Knoll**  
Gives the council for the handicapped authority to initiate or intervene in proceedings affecting handicapped persons and would allow the commissioner of administration to set rules regarding the display of the international symbol for the handicapped. **Effective:** Day following final enactment.

## Ch 751 State buildings and meetings - accessibility to handicapped

**\*HF1736 - Berkelman, SF1595 - Benedict**  
Requires state rented or leased buildings, larger than 1000 square feet and on more than a 30 day lease, to meet state building code requirements for the physically handicapped. It also requires that after July 1, 1979 the state must hold public meetings and conferences in buildings that are accessible to the handicapped. **Effective:** July 1, 1978.

## Ch 752 Wheelchair securement devices

**\*HF1744 - Berkelman, SF1790 - Gunderson**  
Establishes safety standards in transportation of individuals in wheelchairs. **Effective:** Day following final enactment.

## HEALTH/WELFARE

### Ch 755 Child abuse reporting

**\*HF1786 - Hokanson, SF1917 - Staples**  
Amends the child abuse reporting law and requires the reporting of neglect by those persons the law already requires to report child abuse. Defines neglect as the failure by a parent, guardian, or other person responsible for a child's care to supply a child's clothing, food, shelter, or other required parental care when reasonably able to do so. Requires the local welfare agency, upon receiving a report of suspected abuse, neglect, or juvenile prostitution, to notify the police department or local sheriff. Provides immunity from liability to those persons who voluntarily make reports. **Effective:** August 1

### Ch 775 Family planning bill

**\*HF2098 - Berglin, SF2143 - Staples**  
Appropriates \$1.3 million for grants to cities, counties, groups of cities or counties, or nonprofit corporations to provide pre-pregnancy family planning services. Prohibits funds from going to any nonprofit corporation which performs abortions or contracts with another agency to perform abortions. Prohibits state funds for any family services for any nonemancipated minor in any elementary or secondary school build-

ing. Requires any family planning service which gets state funds to notify parents when they recommend an abortion or sterilization. **Effective:** Day following final enactment.

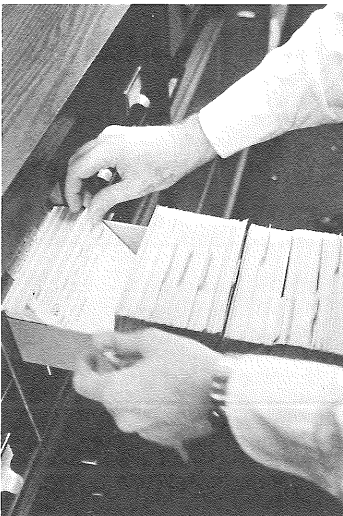
### Ch 716 Identifying dentures

**HF1785 - Den Ouden, \*SF1779 - Setzepfandt**  
Requires manufacturers of removable dental prostheses to mark them with the owner's name or other approved identification during manufacture. **Effective:** August 1, 1978.

### Ch 542 Liability for good samaritans

**\*HF267 - Brinkman, SF211 - H. Olson**  
Extends the application of the Good Samaritan Law to transportation of people needing emergency care and removes the liability for any civil damages of persons providing such care. **Effective:** August 1

## card index: backup . . .



### Ch 571 Malpractice - temporary joint underwriting association

**\*HF2005 - L. Carlson, SF2287 - Luther**  
Relates to the Temporary Joint Underwriting Association Act for medical malpractice insurance coverage, extending the duration of the act from April 14, 1978, to September 1, 1980. **Effective:** Day following final enactment.

### Ch 482 Medical malpractice reports

**\*HF1095 - L. Carlson, SF1032 - Luther**

Requires insurance companies to supply the name and address of the physician a malpractice suit involves when they file a medical malpractice report with the insurance division. **Effective:** August 1

### Ch 508 Public funds for abortions

**HF1708 - R. Kempe, \*SF2236 - Olhoff**  
Restricts the use of public funds for abortion. Allows the state to fund abortions only if two physicians sign a statement that an abortion is medically necessary to prevent the death of the mother, if the pregnancy is the result of rape and the victim reports the incident within 48 hours of the incident, or if the pregnancy is the result of incest and is reported to a valid law enforcement agency. **Effective:** August 1

### Ch 760 Pilot Dental program

**\*HF1831 - Clark, SF1730 - Tennessen**  
Extends the dental care program for the elderly for one additional year and appropriates \$415,000. Clarifies language directing the department of public welfare to seek a waiver from the federal government relating to medical assistance eligibility for the spouse of a nursing home patient. **Effective:** August 1

### Ch 758 Required immunizations

**\*HF1823 - L. Carlson, SF1733 - Lewis**  
Requires all students entering elementary schools, day care centers, or nursery schools to have diphtheria, tetanus, pertussis, polio, and mumps immunizations. Provides exemptions for people who have a health problem or have religious beliefs against such immunizations. **Effective:** Day following final enactment.

### Ch 602 Termination of parental rights

**\*HF1317 - Brandl, SF1013 - Knoll**  
Defines and provides procedures for termination of parental rights as to neglected children in foster care. **Effective:** July 1, 1978

### Ch 560 Welfare omnibus bill

**\*HF1826 - Welch, SF2160 - Dieterich**  
Allows the commissioner of public welfare to determine the amount of compensation that residents of state institutions receive depending upon the quality and character of the work they perform, but they couldn't receive less than one-fourth state's minimum wage. Clarifies language relating to the commissioner's authority for placing wards of the state in state institutions. Changes the classification of some department

postage. Allows a patient or relative of a patient to contest a welfare decision before a local welfare referee. Prohibits welfare recipients who can walk from using ambulances for non-emergency trips. Allows welfare payments for bus or taxi trips to medical facilities for people who can walk. Directs the department to set up temporary and emergency rules for medical transportation. **Effective:** Day following final enactment.

### Ch 732 Women's shelters

**HF1904 - Kahn, \*SF1689 - Lewis**  
Amends last year's law on battered women that provided for the establishment of pilot shelters, educational grants and programs, and data collection. Allows the commissioner of corrections to establish more than four (now four) shelters. Appropriates \$100,000. Requires the commissioner to report to the Legislature by January 1, 1979, on the feasibility of creating similar programs for men. **Effective:** August 1.

## HOUSING/REAL ESTATE

### Ch 670 Metropolitan Native Americans - funds for housing programs

**\*HF2201 - Kroening, SF1806 - Knoll**  
Appropriates \$4 million for housing programs for low and moderate income Native Americans. **Effective:** August 1, 1978

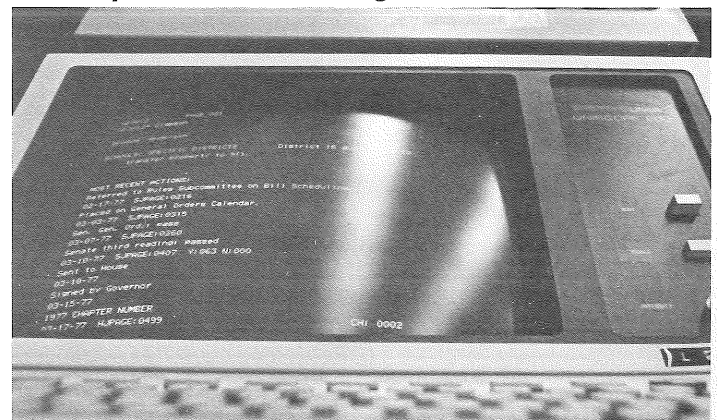
### Ch 598 Rental agreements - landlords and tenants

**\*HF774 - Berglin, SF848 - Luther**  
Adds provisions to the "Tenants Remedies Act" that prohibit automatic renewal of certain leases and require a tenant to give a landlord 14 days notice if the tenant is bringing a grievance to court. **Effective:** August 1, 1978

### Ch 620 Rehabilitation projects - delay in increased valuation

**\*HF1803 - Berglin, SF1628 - S. Keefe**  
Provides for a five year delayed assessment for apartment buildings that are 25 or more years old, where the owner is doing substantial rehabilitation to the original structure. Rehabilitation must include 60 percent of the estimated market value of the building. **Effective:** For taxes levied in 1978 (payable in 1979) and shall expire for taxes levied in 1983 (payable in 1984).

## to computerized indexing of all bills.





people come to visit ...

#### HUMAN RIGHTS

##### Ch 708 Affirmative action - state employment

**HF1402 - Nelson, \*SF1364 - Lewis**  
Puts a state civil service affirmative action program into the statutes; directs each agency to establish an affirmative action plan; requires the commissioner of personnel to approve the plans; calls for the hiring of members of "protected groups" which are women, handicapped, and minorities. **Effective:** July 1, 1978

##### Ch510 Council on Spanish-speaking people

**HF1221 - A. Kempe, \*SF336 - McCutcheon**

Creates a council on the affairs of Spanish-speaking people to replace the present office the state has under governor's executive order. The council will consist of seven members the governor appoints. The duties are to advise the governor and the Legislature, recommend legislation, serve as a referral agency and liaison to state and federal government; implement programs for Spanish-speaking people. **Effective:** July 1, 1978 - expires June 30, 1981.

#### INSURANCE

##### Ch 711 No-fault auto insurance

**HF2213 - Voss, \*SF1606 - Davies**  
Relates to no-fault auto insurance, increasing the medical expense threshold from \$2,000 to \$4,000 which allows persons to recover for "pain and suffering" if their medical expenses are over that amount or if the injury results in permanent disfigurement, permanent injury, death, or disability for 60 days or more. **Effective:** Applies to injuries occurring after August 1, 1978.

##### Ch738 Product liability

**\*HF338 - Berkelman, SF308 - Davies**

Governs product liability actions. Establishes a statute of limitations of four years for liability actions and two years for actions based on the applica-

tion of pesticides. Establishes rules for punitive damages. Authorizes the award of costs and attorney fees when one party acts in bad faith. Modifies rules of comparative fault, contribution, and joint liability. Allows as a defense in such actions that the injury to the defendant occurred after the ordinary useful life of the product. **Effective:** Sections 1,2,4-10 are effective April 15, 1978. Section 3 is effective August 1, 1978.

##### Ch 461 Reports of liability insurance

**HF1001 - Berkelman, \*SF417 - Solon**

Requires the driver of any vehicle that becomes involved in an accident to provide the name and address of his/her liability insurance coverage company and local insurance agent at the time of the accident or within 72 hours to any party also in the accident. **Effective:** August 1

##### Ch 769 Standard fire insurance - cancellation provisions

**\*HF1943 - Nelson, SF1618 - S. Keefe**

Limits the circumstances under which insurance companies may to express their views ...



cancel fire insurance policies to (1) nonpayment of premium, (2) when the insured obtained the coverage through misrepresentation or fraud, (3) when the insured commits an act which reasonably increased the originally insured risk, (4) physical changes in the insured property which the insured fails to correct or restore within a reasonable time after they occur and which result in the property becoming uninsurable, or (5) nonpayment of dues to an association or organization, where payment of dues is prerequisite to obtaining or continuing the insurance. Applies only to policies which have been in effect for six months or which the insured has renewed. **Effective:** August 1, 1978.

#### LABOR

##### Ch 490 Children - occupational safety and health bill

**HF2241 - Byrne, \*SF1607 - Davies**  
Prohibits the employment of children under 16 in occupations or places potentially injurious. **Effective:** August 1

##### Ch 588 Employee wage deductions

**\*HF2374 - Enebo, SF2372 - Laufenburger**

Allows an employer to deduct cost of employee purchases from employee paychecks if the employees give per-

mission in writing. Corrects a change in the previous law. **Effective:** August 1, 1978

##### Ch 702 Good Samaritan - workers compensation

**HF1458 - Welch, \*SF798 - Dunn**  
Provides that if a law enforcement officer calls a citizen into service, the state would cover workers compensation for that citizen. **Effective:** August 1, 1978.

##### Ch 649 Prohibiting mandatory retirement

**\*HF2041 Enebo, SF2000 - Spear**  
Prohibits mandatory retirement for public and private employees before the age of 70. It excludes judges, firefighters, correctional officers, police, highway patrols, teachers, pilots and executive, professional and administrative employees who are entitled to annual retirement benefits of \$27,000. **Effective:** August 1, 1978.

##### Ch 574 Workers compensation - definition of family farm

**\*HF2020 - Kalis, SF1915 - Penny**  
Defines "family farm" as an operation which pays less than \$4,000 (now

\$2,000) in cash wages to farm laborers. **Effective:** August 1, 1978.

##### Ch 618 Unemployment compensation - limited benefits in certain cases

**\*HF1773 - Simoneau, SF1709 - S.Keefe**

Provides limited unemployment compensation benefits to employees whose employers terminate them because they gave notice of their intention to terminate. **Effective:** August 1, 1978, except for section 3 which is effective the day following final enactment.

#### LEGAL/JUDICIARY

##### Ch 672 Administration of tax court

**\*HF2218 - Suss, SF1885 - Davies**  
Makes several housekeeping amendments to the tax court laws; allows the district court to transfer matters dealing with any section of tax law to the tax court; deals with administrative matters within the tax court; provides that when persons bring real estate tax matters to the court they could pay the tax when it is due; specifies qualifications for judges; makes judges part of the public employees' retirement association. **Effective:** July 1, 1977

##### Ch 519 Exempts nurses from testifying against a client

**HF2368 - Brandl, \*SF1425 - Hanson**

Exempts registered nurses from restrictions on giving out information or opinions about a client when testifying in a court of law. **Effective:** August 1, 1978.

##### Ch 696 Judicial commitment - records

**\*HF2518 - Wynia, SF1804 - Dieterich**

Permits a person who was the subject of a judicial commitment proceeding for mental retardation, mental illness, or alcoholism to petition the probate court to seal the records of those proceedings if other persons' access to those records is an undue hardship on the petitioner. **Effective:** August 1, 1978.

##### Ch 772 Marriage and divorce act

**\*HF2027 - Berglin, SF1826 - Davies**

Makes technical changes to the marriage and divorce laws; provides guidelines to the courts in dealing with divorce cases concerning division of property, awarding of maintenance and child support; permits re-marriage without a waiting period once a dissolution is final; permits parties to get marriage licenses in any county; requires certain information on a marriage license; reduces penalties for solemnizing unlawful marriage, unauthorized performance of a ceremony, and illegal marriage; provides that children of a prohibited marriage are legitimate; revises procedures and grounds for annulment actions; provides new procedures for actions of dissolution and legal separation. **Effective:** March 1, 1979

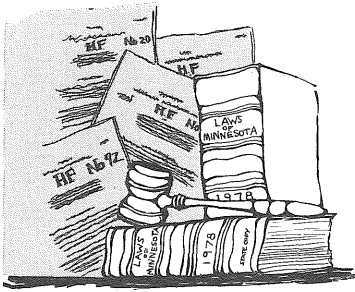
##### Ch 496 Solemnization of marriage

**HF2019 - H. Sieben, \*SF1951 - Merriam**

Transfers the duty of solemnizing marriage vows from the justice of the peace to clerks of county court. **Effective:** Day following enactment.

#### to protest.





# 1978 LAWS

**CH 525 Uniform International Wills Act - probate code**  
\*HF1764 - Ellingson, \*SF1616 Davies

Enacts the international Will Act to recognize the validity of wills in other countries. Allows actions to determine title to property to go through informal proceedings. **Effective:** Day following final enactment.

**Ch 593 Wrongful death**  
\*HF316 - H. Sieben, SF949 - Borden

Provides that court action in wrongful death (death due to negligence) cases take place within three years of the death provided that is within six years of the act of omission, except in professional negligence cases (those involving physicians, dentists, etc.) the action must take place within three years of the date of the act or omission that could have caused the death. **Effective:** For deaths occurring on or after August 1, 1978

## LOCAL / METROPOLITAN GOVERNMENT - GENERAL

**Ch 654 Aeronautics: zoning regulations**  
\*HF2052 - Scheid, SF1908 - Luther  
Modifies airport zoning regulations to protect existing residential neighborhoods. **Effective:** Day following final enactment

**Ch 551 Cartways in unorganized territories**  
\*HF - Fugina  
Authorizes the county board of commissioners to act as the township board to establish cartways in unorganized territories. **Effective:** August 1, 1978.

**Ch 489 Cities of the first class - amending definition**  
HF1121 - Jaros, \*SF478 - Ulland  
Amends the definition of a first-class city, providing that once a city has a first-class classification, that won't change unless the city's population decreases by 25 percent from the census figure that qualified it as a first class city. **Effective:** August 1, 1978.

**Ch 518 Local government - time limits**  
HF467 - Clawson, \*SF1285 - Anderson  
Establishes a one year time limit on local units of government for improvements being made on special assessment process. **Effective:** August 1, 1978.

**Ch 787 Municipalities - financial reporting**  
\*HF2292 - Berg, SF2265 - Wegener  
Requires all cities to use the calendar year as their fiscal year, requires officials in cities of 2,500 population to prepare financial reports and smaller towns must publish or post a budget statement. **Effective:** January 1, 1979 except section 6 is effective July 1, 1978.

**Ch 744 Water user districts**  
\*HF1091 - Stanton, SF954 - Nichols  
Provides a new method for organizing and governing rural water districts where the users have to pay for the system in proportion to the amount of water they use. **Effective:** Day following final-enactment.

## final days are long — for legislators . . .



## OCCUPATIONS - LICENSING & REGULATIONS

**Ch 483 Architects and engineers - knowledge of needs of handicapped**  
\*HF1728 - Berkelman, SF1789 - Gunderson  
Requires that state examinations for architects, engineers, and landscape architects include questions showing that applicants for licensure have knowledge of design needs of physically handicapped persons and of the relevant law and codes. **Effective:** For license examinations administered after January 1, 1980.

**Ch 681 Constables - training and licensing**  
\*HF2270 - Lehto, SF2248 - Willet  
Provides for training and licensing of constables; establishes the position of deputy constable; extends the options rural communities have in electing

law enforcement officials; defines constable as one who has full police powers; requires that after July 1, 1979, constables have the same training and licensing as other peace officers. **Effective:** July 1, 1978.

**Ch 770 Dentistry - regulations**  
\*HF1950 - Berkelman, SF2181 - Strand  
Relates to the board of dentistry; allows a reciprocity licensing agreement with Canada; gives the board greater flexibility in determining the qualifications of dental assistants; reinstates the late fee for license registration; allows the board to establish rules and requirements for eye examinations for dentists, dental hygienists, and dental assistants. **Effective:** Day following final enactment.

**Ch 703 Mechanics liens - notices**  
HF1578 - Simoneau, \*SF823 - Davies  
Relates to the mechanics lien law; extends the notice requirement for lien rights from 20 to 45 days; makes contractors, who fail to furnish the name of the property owner to subcontractors or material suppliers within 10 days after request, liable for any actual damages and expenses, plus attorney's fees and costs; lowers the square footage for the notice requirement from 10,000 to 5,000 square feet. **Effective:** Applies to con-

tracts for improvements entered into by an owner on or after August 1, 1978

**Ch 564 Nurses - licensing exemptions**  
\*HF1870 - L. Carlson, SF1717 - Humphrey  
Allows the state board of nurses to issue a practical nursing license to individuals who have a license from another state and have passed the same national examination that they would have to pass if they were completing the program in Minnesota. **Effective:** Day following enactment.

**Ch 789 Physical therapists, occupational therapists - definition as teachers**  
\*HF 2372 - Mangan  
Includes physical therapists and occupational therapists in the definition of "teacher", allowing them to be

part of the teacher's bargaining group. **Effective:** August 1, 1978.

**Ch 604 Plumbers - licensing and bonding**  
\*HF1329 - Casserly, SF1122 - Kleinbaum  
Allows plumbers and steamfitters to obtain a single bond, license or liability insurance policy to operate anywhere within the state instead of having to become bonded in each municipality in which they operate. **Effective:** August 1, 1978.

## PENSIONS/RETIREMENT

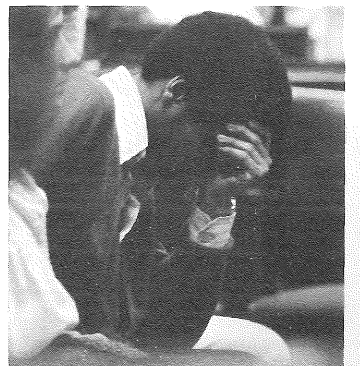
**Ch 796 Public employees retirement law - misc. changes**  
\*HF1861 - Reding, SF1654 - Stokowski  
Changes the public employees retirement law including buy back and early retirement provisions. It also changes the number of years a legislator must serve before qualifying for a pension from eight to six, the percent of their salary contributed for retirement from 8 percent to 9 percent and the amount a pension increases between the time a legislator leaves office and reaches retirement age is lowered from five percent yearly to three percent. **Effective:** Day following final enactment except for certain sections.

**Ch 781 Teacher pension program - variable annuity program**  
\*HF2160 - Beauchamp, SF1976 - Stokowski  
Provides that after June 30, 1978 the Teacher's Retirement Association will credit teacher contributions to the full formula program instead of the variable annuities. It also increases the annuity formula and reduces early retirement penalties. **Effective:** Day following final enactment except for certain sections.

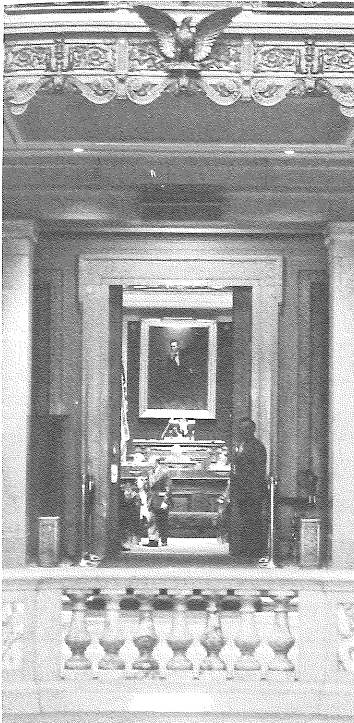
## PUBLIC EMPLOYEES

**Ch 541 Public employees - political activities**  
HF2426 - Pehler, \*SF2316 - Setzepfandt  
Prohibits any political subdivision of the state from denying or abridging the right of an employee to engage in political activities outside the hours of employment, except to the extent the state denies or abridges state employees with similar positions in the classified service. **Effective:** Day following final enactment.

## and for pages.







*inside the chamber . . .*

**Ch 734 State personnel system changes**

**HF2032 - Berglin, \*SF1864 - Chenoweth**

Improves testing procedures, tightens provisions relating to provisional appointments, provides for a pilot reliability-based band width certification program, alters certain requirements for appointment and benefit eligibility, establishes special procedures for filling certain positions, provides for modified reimbursements of costs, and provides for notification of appeal rights. **Effective:** Day following final enactment. Section 17 expires June 30, 1980.

#### **PUBLIC SAFETY**

**Ch 727 DWI - statute changes**

**HF1515 - Arlandson, \*SF804 - Davies**

Changes sections of the law relating to DWI (driving while under the influence). Increases the maximum penalty to \$500, in agreement with all misdemeanor violations. Clarifies circumstances relating to testing procedures. Provides procedures for the limitation, suspension, revocation, and reinstatement of driving privileges. Provides for alcohol problem assessments. **Effective:** Some sections effective day following final enactment. Others effective September 1, 1978 and shall apply to all offenses committed on or after that date.

**Ch 596 Fencing of unused open pit mines**

**\*HF523 - Begich, SF1797 - Johnson**

Requires fences around all open pit mines immediately after a mine ceases operations for six consecutive months. Mines already out of operation have one year after the effective date to erect fences. **Effective:** November 1, 1979.

**Ch 680 Financing and installation of 911 emergency telephone service**

**\*HF2267 - Hanson, SF2128 - S. Keefe**

Provides that the general revenue fund will supply funds to finance the 911 system. **Effective:** Day following final enactment.

**Ch 587 Requirements for signaling turns**

**\*HF2298 - Clark, SF1398 - Davies**  
Requires all motorists to signal all right and left-hand turns. **Effective:** Day following final enactment.

#### **PUBLIC UTILITIES**

**Ch 795 Cooperative electric associations**

**\*HF 830 - Wenstrom, SF715 - Nichols**

Exempts cooperative electric association from the rate-setting oversight of the Public Service Commission (PSC). Allows an association to become subject to rate regulation if at least five percent of its stockholders or members initiate a petition for an election and a majority approve of the change. **Effective:** Day following final enactment.

Alters the distribution of proceeds of tax on certain transmission and distribution lines. **Effective:** Sections 1 to 3 effective day following final enactment. Section 4 - for taxes levied in 1978, payable in 1979 and thereafter.

**Ch 746 Utility consumer corporations**

**\*HF1131 - M. Sieben, SF939 - Chenoweth**

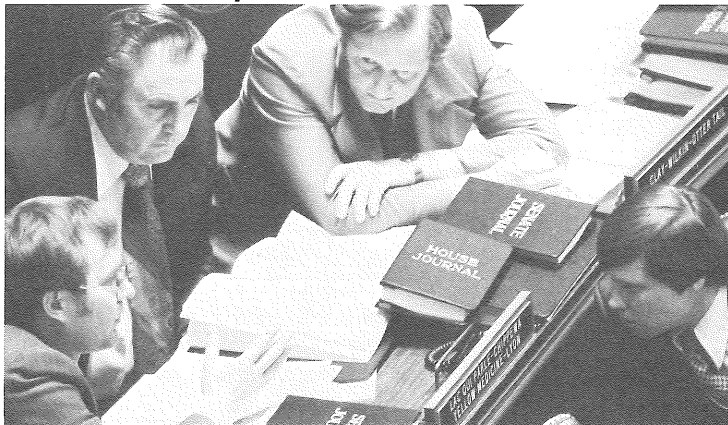
Provides for representation of consumer interests in public utility matters. Requires the consumer services section of the department of commerce to represent and further the interests of residential utility consumers through participation in matters before the Public Service Commission (PSC) involving utility rates and quality of service. Sets up a nine-member board the governor appoints which would establish guidelines for the consumer services section. Provides that funds from the general revenue pay for the costs. **Effective:** Day following final enactment.

#### **RECREATION/ PARKS/GAME & FISH**

**Ch 535 Designation of wild, scenic and recreational rivers**

**HF1939 - Sherwood, \*SF1743 - Willet**

*members in a quick conference . . .*



**Ch 694 Public utilities - telephone companies**

**\*HF2461 - Hanson, SF2081 - Johnson**

Provides that the Public Service Commission (PSC) will determine annually their costs for regulating telephone companies and assess these costs to telephone companies in proportion to their gross operating revenues, limited to two-fifths of one percent. Provides how the PSC handles uncontested cases. **Effective:** August 1, 1978.

**Ch 658 Rules concerning power plant sites and transmission line routes**

**\*HF2087 - Wenstrom, SF1956 - Luther**

Extends the emergency rules of the Environmental Quality Board until July 1, 1978, or until they adopt the permanent rules concerning the process and procedure for designating power plant sites and transmission line routes. Clarifies the ground for revocation or suspension of a site certificate route or suspension permit.

Requires the commissioner of nature resources to make a decision on the designation of wild, scenic or recreational rivers within 60 days after receiving the hearing examiner's report. **Effective:** Day following final enactment.

**Ch 547 Fees for taking of raccoon - deer licenses**

**\*HF1297 - Reding, SF1212 - Peterson**

Increases the fees for nonresidents to take raccoons to \$50 in addition to the small game license fee. Allows the commissioner of natural resources to set a limit on the number of raccoons a nonresident can take and provides for an identification tagging system of raccoon carcasses. Prohibits the sale of deer licenses during the firearms season. **Effective:** Sections 1 to 7 are effective March 1, 1979, Sections 8 to 10 are effective the day following final enactment.

**Ch 594 Leeches - two line fishing - tip-ups**

**\*HF449 - Begich, SF526 - Johnson**  
Puts leeches into the definition of a

minnow, regulates non-resident minnow haulers, regulates non-resident minnow dealers, allows the commissioner of natural resources to authorize two line angling in designated areas in Lake Superior by other than licensed commercial anglers, and allows tip-ups if the person fishing is within 80 feet. **Effective:** Thirty days after final enactment.

#### **RESOLUTIONS**

**R002 Funds for Milwaukee Road**

**\*HF1930 - Osthoff, SF1760 - Purfeerst**

Urges the President, Congress, and the secretary of transportation to provide necessary grants and loans to the Milwaukee Road rail line.

**R003 Resolution on MIA's and POW's**

**\*HF2177 - Jensen, SF1973 - Chmielewski**

A resolution expressing the concern of the Minnesota Legislature for unaccounted MIA's and POW's (Missing in Action and Prisoners of War). Urges action by the national leadership to end the heartache the lack of information about these servicemen has caused.

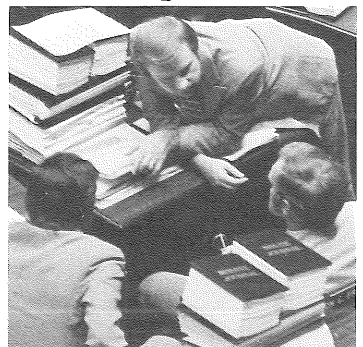
#### **TAXES**

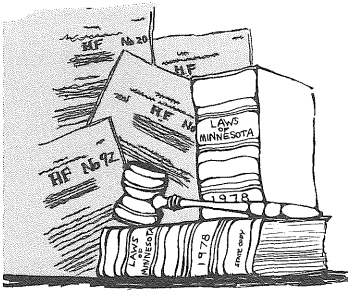
**Ch 741 Inheritance taxes**

**\*HF551 - Vanasek, SF1522 - Olhoff**

Clears up some inconsistencies and vague language in the present inheritance tax laws. Provides for the transfer of jointly held property to heirs of decedent joint tenant. Clarifies marital exemption provisions. Provides for a deduction for certain taxes on estates of nonresidents. Clarifies time for filing and extension. Provides for abatement of penalties in cases of reasonable reasons for delay. **Effective:** August 1, 1978.

*discuss legislation.*





# 1978 LAWS

**Correction:** In February, *SESSION* incorrectly reflected Rep. Howard Neisen's position on legislation on charge accounts.

*Rep. Neisen (DFL-Mounds View) supports the concept of a bill he introduced in 1976 which did not become law. It would have required retailers who provide open-end credit to compute the finance charge on the average daily balance during each monthly billing cycle, which balance would include only purchases the retailer billed previously and remained unpaid.*

## Ch 721 Omnibus tax bill

**\*HF2250 - W. Kelly, SF2051 - McCutcheon**

Provides approximately \$105 million in tax relief. Repeals the state sales tax on home heating fuels. Increases the personal income tax credit from \$30 to \$40 for taxes paid in 1978. Establishes a homemaker credit of \$50 for parents earning less than \$25,000 a year who take care of their children in their home. Raises the eligibility ceilings for the existing "working poor programs," which provides total income-tax forgiveness to people below certain income levels. Repeals the employers' excise tax. Reduces the tax rates for those with incomes of \$25,000 or more. Provides an annual tax credit of \$140 for members of the National Guard. Provides a \$7,200 exclusion from state income taxes for recipients of public and private pensions, excluding Social Security and railroad benefits which a pensioner receives plus any earned

income over \$13,000 a year. **Effective:** All income tax provisions are effective for taxable years after December 31, 1977. The sales tax exemption on heating fuels is effective immediately. And the excise tax repeal is effective for wages paid after June 30, 1978.

## TRANSPORTATION

### Ch 739 Bicycle regulations

**\*HF474 - Kahn, SF2058 - Gunderson**

Makes regulation changes for bicyclists. Prohibits motor vehicles from using bicycle lanes except when turning, when parking in permitted parking areas, or when leaving the highway. Allows bicyclists to use their right hand when signaling a right turn. Requires bicyclists to follow the same traffic regulations as drivers of any other vehicles with certain exceptions. Prohibits carrying passengers except in cases where the bicycle equipment includes a baby carrier or when the bicycle has two

seats. Requires bicyclists to ride on the right-hand side of the road with certain exceptions. Requires certain bicycle equipment. Prohibits bicyclists from riding on sidewalks in business districts unless local authorities permit it. Requires bicyclists to give pedestrians the right of way. **Effective:** August 1, 1978.

### Ch 569 Construction of interstate highway I-94

**\*HF1965 - Hanson, SF2031 - McCutcheon**

Directs the department of transportation to use the existing trunk highway No. 12 between highways I-94 and I-694, 494 to the St. Croix River in Central Washington County for the construction of interstate highway I-94. **Effective:** August 1, 1978.

### Ch 740 I-35E Moratorium lift

**\*HF 544 - A. Kempe, SF543 - Vega**

Lifts the ban on construction of high-

way I-35E in St. Paul. Permits a four lane parkway going from West Seventh Street into the downtown area with a connection to the junction of Highways I-35E North and I-94. Prohibits routing I-35E over the Lafayette Freeway and prohibits connecting Lafayette Freeway with I-94 or I-35E. Requires the Metropolitan Council to do an environmental impact study on the highway before September 1, 1979. **Effective:** Day following final enactment.

### Ch 636 Personalized license plates - recreational vehicles, trucks

**\*HF1967 - Simoneau**

Allows owners of a van or pickup truck over 9,000 pounds to get personalized license plates; prohibits the owner from using the plates for commercial advertising. **Effective:** August 1, 1978.

### Ch 667 Rail user loan guarantee program

**\*HF2192 - Stanton, SF2017 - Penny**

Establishes a rail user loan guarantee program to assist rail users (shippers) who participate in contracts for rail line rehabilitation. Provides that the state would guarantee 90 percent of the loan plus interest. **Effective:** Day following final enactment.

### Ch 570 Surety bonds of motor vehicle dealers - definition of "bus"

**\*HF1966 - Neisen, SF1980 - Willet**

Extends protection that motor vehicle dealer surety bonds provide to any transferrer or seller; authorizes the issuance of nontransferable certificates of title; changes the definition of a "bus" so that it doesn't include vehicles a manufacturer designs for carrying more than 10, but less than 14, passengers and that people operate for personal or family use. **Effective:** Day following final enactment.

## VETERANS/MILITARY

### Ch 532 National Guard - increased pay for active duty

**HF2008 - Hokanson, \*SF1693 - Schmitz**

Increases the pay for enlisted national guard persons on active duty from \$12 to \$35 a day. **Effective:** August 1, 1978.

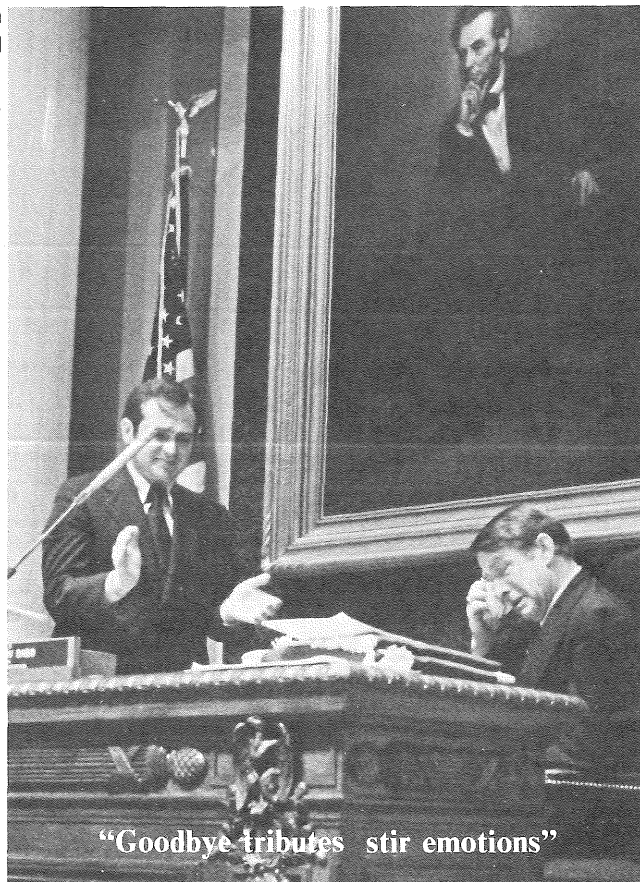
### Ch635 Veterans - classification of records

**\*HF1945 - Birnstihl, SF1788 - Lessard**

Classifies veterans' service medical records as private data. **Effective:** August 1, 1978.

House members and staff said goodbye in tributes to Speaker Martin Sabo and Minority Leader Henry Savelkoul, March 24, 1978.

Sabo plans to run for Congress after 18 years in the House. Savelkoul is returning to private life and his law practice.



"Goodbye tributes stir emotions"

# Almanac

Minnesota  
a bit of  
history

*In 1848, the people of the Territory of Minnesota, with pride in their progress, wanted a territorial seal to stamp their official deeds with the mark of their strength and accomplishments. The Territorial Legislature authorized Governor Alexander Ramsey and Congressional Delegate Henry H. Sibley to choose a design and motto.*

*The two men selected a drawing that gave expression to the dominant sentiment of the time: The white man is here with his plow; the Indian must go. Its Latin motto translated into what is now archaic language, "I fain would see what lies beyond."*

*As Minnesota moved toward statehood, the Constitutional Convention met and approved a state seal design that disappeared in the confusion surrounding the formation of the state's constitution. But the adopted constitution did charge the Legislature to provide a seal and motto. The first Legislature passed an appropriate resolution, which somehow never reached Governor Henry H. Sibley, the same man who was the Congressional delegate in 1848.*

*In the absence of that legislative directive, Sibley, fond of the territorial seal he had played a role in developing, acted to modify that original design. He changed the words, "The Great Seal of Minnesota 1849" to "The Great Seal of the State of Minnesota 1858," added a motto in French, "L'Etoile Du Nord" (The Star of the North), and ordered engravers to produce it. The Legislature approved the seal in 1861.*

*Twenty years later, on the evening of March 1, fire destroyed the Capitol. People saved records, books and other valuables from the flames, but not the state seal.*

*In the twilight of the following day, Peter A. Bergsma, a businessman from Holland, passing the ruins, caught the gleam of a brass object in the ashes and rubble. He slipped it into his pocket and went on his way. It was, of course, the great seal.*

*Bergsma returned to Holland, but eventually settled in England. He forgot about the shiny souvenir until a day in 1894 when he came upon it in his desk, recognized it for what it was, and realized he somehow must return it to Minnesota.*

*His opportunity came in 1901 when Mr. and Mrs. J. Dyer of St. Paul stopped in Bergsma's city while on a European trip. Bergsma had met Dyer during his stay in Minnesota, and it was to Dyer that Bergsma entrusted the seal for its journey home.*

*Dyer gave the seal to Governor S.R. Van Sant. Van Sant agreed with the secretary of state that the original great seal of the State of Minnesota depicting the pioneer at his plow; the Indian on his horse, riding into the sunset, should rest in a place of honor in the Minnesota Historical Society where it is today.*



Minnesota House of Representatives  
**SESSION**

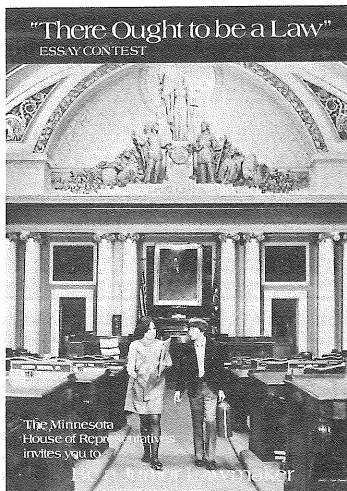
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Thomas Osthoff (DFL-St. Paul), and James  
Pehler (DFL-St. Cloud)

# Students in the process



For more information on student programs  
and names of people to contact call  
House information (612)296-2146.

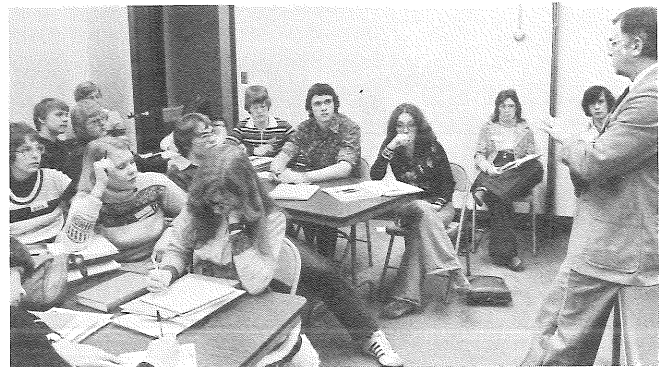
### HIGH SCHOOL PAGES

Mary Jane Hedstrom, administrator of the High School Page Program, directs students in their daily activities: learning about government; keeping members' bill and *Journal* files up-to-date; distributing messages, amendments, and other documents on the House floor.



### PROJECT 120

Urban Concerns' Workshops Incorporated sponsors Project 120 students, high school juniors and seniors, in a government studies program: meeting with legislators (at right, House Majority Leader Irvin Anderson) and speakers from the Senate, Supreme Court, and executive branch; observing House and Senate sessions, and committee meetings.



### ESSAY CONTEST

Junior high essay contest ended at a special mock session at 1:30 p.m., Sunday, May 21st in the House Chamber.

### COLLEGE INTERNS

Julie Roles, (at right) coordinates the college intern program where students may: work with a member; monitor committees; research bills; handle constituent communications; work with caucus research offices; the House Information Office; or committee staff.

