

Briefly

The Minnesota Senate Week in Review

February 7, 1986

Senate Reconvenes 74th Session

The second half of the 74th session of the legislature began at 2:00 p.m., Monday, February 3, 1986, with the traditional introduction and processing of bills.

Senate Majority Leader Roger Moe (DFL-Erskine) spoke of the farm crisis and the projected \$350 Million budget shortfall as two of the Senate's top legislative priorities and said that he is "looking forward to cooperation from everyone to resolve these very difficult issues."

The Senate adopted routine opening day resolutions for postage and the reimbursement of student interns. Committee deadlines of February 28 for bills originating in the Senate, March 8 for bills originating in the House of Representatives and March 13 for conference committee reports were also adopted.

The Senate also observed a moment of silence for the seven astronauts killed in the explosion of the space shuttle Challenger.

The Senate met for a brief floor session Wednesday, February 5, to introduce and assign bills to the appropriate committees.

Info services combined

In a continuing effort to make access to legislative information easier and more efficient, a number of organizational changes have been made in the Senate. All public information services are consolidated into a central office, which is located in Room 231 of the Capitol.

The new office will distribute all public materials and will handle inquiries about meetings, districts, Senate phone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request, through this office, copies of bills or ask to be placed on the mailing list for Senate publications.

If you want to know the name of your legislator or have any other questions concerning the Minnesota Senate, call 296-0504. Written correspondence may be addressed to Room 231, State Capitol, St. Paul, MN 55155. Senate staff members are available to answer general questions about the Senate and the legislative process. We hope these changes will make it easier for you to gather information about the Minnesota Senate.

Panel okays foreclosure mediation bill

A bill requiring lenders and farmers to mediate agreements on possible debt repayment plans before foreclosing on a farm won the approval of the Agricultural and Natural Resources Committee Tuesday, February 4.

Sponsored by Senate Majority Leader Roger Moe, the proposed law, S.F. 1636, places mediation boards throughout the state to help farmers and lenders reach agreements. A three-member farm mediation commission would oversee the mediation process and could issue a postponement order prohibiting the collection of debts. The commission could also permit lenders to proceed with the debt collection.

The bill was amended by Sen. Don Storm (IR-Edina) to require lenders to mediate agreements with owners of "an agriculturally related business" before foreclosing on the business. The bill also permits voluntary mediation.

Moe said the bill will not help every farmer facing foreclosure, but added, "We're attempting to set up a procedure whereby, hopefully, a significant number of people who can be saved will be saved."

The bill was referred to the Judiciary Committee.

Penalties set for injuring pregnant women

A bill establishing penalties for injury to a pregnant woman that result in the death or injury of a fetus through vehicular homicide or the commission of a felony gained the approval of the Judiciary Committee at a hearing Wednesday, February 5. Chief sponsor, Sen. Allan Spear (DFL-Mpls.) said that the proposal was designed to fill a gap in the criminal law illustrated by a 1985 Minnesota Supreme Court decision which held that a defendant could not be prosecuted for vehicular homicide in a case where a fetus was stillborn as a result of an automobile accident. "Clearly, there ought to be a law to cover these situations. There is need to allow for prosecution of such cases," Spear said.

Under the measure, a new category of crime is created; the criminal vehicular operation statute is expanded; penalties are established; and the crime is defined as being against the woman.

Another bill, S.F. 1681, sponsored by Sen. Tad Jude (DFL-Maple Grove), also creates a new category of crime, expands the criminal vehicular operation statute, and establishes penalties. However, S.F. 1681 specifies that the crime is against the unborn child.

Spear argued that S.F. 1591 was designed to avoid the pitfall of a constitutional challenge by specifying that the crime was against the woman and thus would result in easier prosecutions. Jude argued that S.F. 1681 specifies that unborn children are protected under the law and "is more reflective of the values of the people of Minnesota."

After hearing testimony on both measures committee members approved S.F. 1591 on a 9-4 roll call vote. S.F. 1681 was laid on the table on a 8-5 roll call vote.

Senators attend rural economic crisis seminar

Legislators set aside routine session activities Thursday, February 6, in order to attend a conference on Minnesota's rural economy. The seminar, "Minnesota's Rural Economic Crisis: Challenge for the Future," was sponsored by the Office of Senate Counsel and Research and was designed to provide Legislators with a historical perspective on today's rural economy. In addition, speakers outlined current social, educational and economic responses to the crisis and described several possible future scenarios for Minnesota's rural economy.

Committee Capsule

Agriculture and Natural Resources

Farm issues lead '86 agenda

The Senate Agriculture and Natural Resources Committee has been active during the past several weeks reviewing proposals addressing the current rural economic crisis. Chaired by Sen. Gene Merriam (DFL-Coon Rapids), the panel studied bills establishing a mandatory and voluntary farm mediation system; prohibiting and delaying deficiency judgements against property used in agriculture production; creating a legal assistance program for family farmers; and instituting a milk stabilization board.

These issues are scheduled for committee action, Merriam explained, and the early meetings were held to provide public testimony and give members time to study the proposals.

The committee will also review, this session, a proposal to recodify the state's game and fish laws. Sponsored by Merriam, the bill makes no substantive changes in the law but simply clarifies existing language. Another issue of concern to the committee is the federal siting of a nuclear waste repository. Several proposed sites are in Minnesota, and the committee has held informational hearings on the issue.

Milk price stabilization bill gains

A bill creating an independent board to establish stabilized milk prices gained committee approval Wed., Feb. 5.

According to the proposal, S.F. 1595, sponsored by Sen. Collin Peterson (DFL-Detroit Lakes), the milk stabilization board would set prices for milk producers, processors, distributors and retailers. The prices set would be a floor price, but processors, distributors and retailers could charge higher prices.

The bill was referred to the Governmental Operations Committee.

The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), also advanced a bill raising the maximum business and agricultural loan amount from \$100,000 to \$200,000 for loans that must comply with the maximum interest rate limit, which currently is 12 percent. The maximum interest rate is set 4.5 percent above the 90-day commercial paper rate.

Sponsored by Sen. Charles Davis (DFL-Princeton), the bill, S.F. 1616, requires any lender making business or agricultural loans to post a notice indicating the maximum allowable rates. The maximum rates on the loans apply to family farm corporations, and industrial loans and thrifts and regulated lenders will be required to comply with the maximum interest rate provisions for loans up to \$200,000.

The bill also extends the "Minnesota Emergency Farm Operating Loans Act" for another year, but appropriates no additional funds. The act, passed last year, provides for payment of interest on new farm operating loans and encourages lenders to submit troubled loans to the FmHA for debt restructuring.

A bill establishing an "Interstate Compact on Agricultural Grain Marketing" also gained the committee's approval Wednesday. Sponsored by Davis, the proposal, S.F. 1531, requires at least five states to form the compact. If it is formed, a commission would be established to study agricultural grain marketing practices and to make recommendations to Congress and member state legislatures that would preserve and enhance the economic welfare of persons producing and selling grain.

The committee also okayed a bill establishing procedures for a person who has planted a crop to realize its value if the person's land has been foreclosed or sold on execution. The bill, S.F. 1604, is sponsored by Sen. Dennis Frederickson (IR-Morgan).

Economic Development and Commerce

Solon lists concerns

The high cost of insurance tops Economic Development and Commerce Chairman Sam Solon's (DFL-Duluth) list of concerns for this legislative session. "Insurance costs are going up on everything from businesses to individual homes, state-wide and nationally," Solon said. Solon indicated that the committee will devote both time and effort to finding solutions to the problem.

Three bills approved

Three bills were approved at the Tues., Feb. 4, meeting of the Economic Development and Commerce Committee, chaired by Solon.

A bill allowing campgrounds and manufactured home parks that serve refreshments to obtain one license for both food and beverages, as do hotels and restaurants rather than the two licenses now required was unanimously approved.

S.F. 1562, authored by Sen. Darril Wegscheid (DFL-Apple Valley) will allow campgrounds and manufactured home parks that serve food and beverages to obtain either a license for food or for beverage from the Department of Health. Currently, they must get a license for both food and drink from the Department of Agriculture.

Also approved by the committee was S.F. 1349, authored by Randolph Peterson (DFL-Wyoming) which prohibits insurers or HMO from requiring public employers to pay premiums to insurance companies for retired officers or employees.

The third bill approved was S.F. 1612, authored by Wegscheid, will remove a requirement that a domestic insurance company, at the time of incorporation, specify the highest amount of indebtedness or liability to which the corporation will at any time be subject.

According to Wegscheid, the highest level of indebtedness could change as a company grows.

Education

Pehler discusses Education Committee plans

Chairman James Pehler (DFL-St. Cloud) said that this year, the Education Committee's first consideration will be the budget proposals, since they potentially effect every aspect of education in Minnesota. The committee members will be busy modifying and adjusting the governor's proposals, Pehler said.

Committee members will survey different areas of education to see what repercussions cuts might have, Pehler said. Areas the members will be looking at include new programs, with the possibility that they might be delayed; early dismantling of programs already slated to be phased out; putting programs on hold for a year; or targeting some cuts to certain educational aids so others could be maintained, Pehler said.

Unfortunately, the main cuts would have to come from the basic foundation aid portion of education funding, Pehler said. "There isn't any easy solution; nobody wants to cut," he concluded.

Panel hears AVTI governance options

The Area Vocational-Technical Institute (AVTI) system needs reform to meet the changing requirements of the job market, according to a report conducted by the Citizens League's Occupational Education Committee. Jessica Shaten, chair of the league committee, presented the report at the Mon., Feb. 3, meeting of the Education Committee, chaired by Sen James Pehler

(DFL-St. Cloud).

The report outlined four options to the present AVTI structure. Currently, each AVTI is governed by the school board of the K-12 district it falls in. The options included retaining local governance, but with a new board; shifting to a regional board system; adding AVTI control to another state-controlled post-secondary education system; or transferring responsibility for the system entirely to the State Board of Vocational-Technical Education.

The committee also heard testimony on S.F. 1788, authored by Donna Peterson (DFL-Mpls.), S.F. 1728, authored by James Pehler, and S.F. 1739, authored by Fritz Knaak (IR-White Bear Lake).

A change in governance would draw away resources that could better be used to improve education, said Joan Knutson, chair of the White Bear Lake and Special Intermediate School District 916 School Boards. Knutson spoke in support of S.F. 1788. The bill recommends voluntary cooperation between AVTI's in nearby districts to avoid duplication of courses and provide courses that might be needed specifically in a particular community.

The venture capital fund that the bill establishes would provide funds for research into new options for courses, Knutson said. After classes were canceled or consolidated, 50 percent of their funding would go to the fund.

S.F. 1728, which Pehler presented, recommended centralizing the system, with control going to the State Board of Vocational-Technical Education. State control would mean equitable teachers pay for all AVTI teachers, Pehler said, as well as clear lines of responsibility for the system.

S.F. 1739 expanded the idea of intermediate school districts to a state-wide basis. AVTI governance would then be under the intermediate district board.

Education Aids

Nelson explains subcommittee objectives

Devising a way to reduce the foundation aid formula that isn't overly crippling is a top priority of the Education Aids Subcommittee, said Chair Tom Nelson (DFL-Austin). Committee members will spend most of their time hearing testimony from concerned groups and setting the funding levels for the 1986-1987 school year, Nelson said.

While it's highly unlikely that education aids will not be cut at all, Nelson said committee members will look at alternatives to cuts. Two possible considerations might be borrowing money from the school districts or postponing financial obligations until next year, he said.

School districts that have money will probably have to spend it; those that don't may have to cut programs and lay off people, Nelson said.

Panel reviews proposed education cuts

The Education Aids Committee met Mon., Feb. 3, to discuss what effects the governor's proposed budget cuts will have on education.

The bottom line of the education cuts is that there will be less for kids in school, said Dan Loritz, Director of Governmental Relations for the Dept. of Education. However, the only alternatives to education cuts, Loritz said, are asking another part of the budget to take the cuts, shifting funds around, or increasing taxes. The governor's proposals already have education slated for a 2.5 percent cut, which is less than most other recommended cuts.

The governor's main objectives while allocating budget cuts were to stick to last year's budget, avoid short-term borrowing, follow a responsible fiscal policy, maintain the emphasis on education, continue funding to income support programs, and not raise taxes, said Brian Roherty, assistant commissioner for the Dept. of Finance.

Educators speak to panel

The Education Aids Subcommittee met Wed., Feb 5, to hear

testimony about the governor's proposed budget cuts from those in the education community. The subcommittee, chaired by Sen. Tom Nelson (DFL-Austin), will continue the hearings at its Mon., Feb. 10 meeting.

Education in the state is good, said Rose Hermondson, a representative from the Minnesota Federation of Teachers, but "\$100 million in cuts is going to be pretty devastating." Educators had just begun to look at new programs since the last retrenchments, and now they are faced with cutting again, she said.

Hermondson recommended a tax increase, saying that polls indicate the public would support one if the additional funds went to education.

Elections and Ethics

Committee sets goals

Elections by mail and the Humphrey Institute study of the legislature are issues that Sen. Jerome Hughes (DFL-Maplewood), chairman of the Elections and Ethics Committee, predicted the panel will be addressing this session.

Hughes said that "we will be looking at mail-in elections for matters that are of a special nature. For example, if a local town needs the permission of the voters to do something, rather than having everyone come in to vote, they could choose to have a mail election." Also, Hughes said, the Humphrey Institute study of the future and size of the Legislature will be thoroughly discussed by the committee. In addition, Hughes indicated that the committee would also devote time to discussion of a paper on unicameral legislatures.

Employment

Chmielewski lists priorities

Employment Committee Chairman Florian Chmielewski (DFL-Sturgeon Lake) said that the unemployment insurance compensation fund deficit will again be a major topic the committee faces. Lawmakers have for the past two years failed to resolve the issue of the unemployment insurance fund. The deficit is currently \$57 million.

In 1982, the federal government imposed a flat unemployment penalty tax that meant employers must pay roughly an additional \$21 per employee per year in addition to the original sum of \$56 per employee per year. Since that penalty tax increases yearly until the loan is paid in full, employers are currently paying \$77 per employee just because of the penalty. In addition, the state must pay ten percent interest on the principal of the loan.

Eliminating the deficit is necessary to relieve employers of the federally imposed tax. However, if lawmakers increase the employers' unemployment compensation payroll tax, employers will be paying that in addition to the federal tax.

The \$57 million will be paid off by the end of the year, Chmielewski said. However, if the state borrows again within a year of paying off the debt, the penalty tax will begin at a higher rate than the original one.

The problem could be solved by a balanced proposal, Chmielewski said, which would probably involve both cutting unemployment benefits and a change in the taxes.

Energy and Housing

Energy tax credit renewal top priority

Members of the Energy and Housing Committee, chaired by Sen. Conrad Vega (DFL-So. St. Paul) plan to concentrate primarily on housing issues during this short legislative session. However, one of the top issues before the panel is to reinstate the energy tax credit that was repealed last year. Committee members will devote meeting time to working out the provisions for renewal of the

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credit before sending the measure on to the Committee on Taxes and Tax Laws.

In addition, the plight of the homeless will spur committee discussion of housing options for the poor as well as for low and moderate income Minnesotans, said committee staff. In particular, the panel will be examining the role of the state in such situations in light of cuts in federal programs. One option, according to staff is the creation of boarding house type residences.

Finally, according to Vega, committee members anticipate examining how utility energy programs are regulated.

Finance

Willet outlines committee goals

Sen. Gerald Willet (DFL-Park Rapids) summarized the Finance Committee's task for this session in one phrase: "reducing the budget."

Committee members will be reviewing the governor's budget cut proposals for state agencies, health and human services and higher education. Of course, committee members want to make sure that the public retains as many benefits as possible, Willet said. The committee will need detailed information from all three areas to decide the best ways to handle the governor's proposals, he said.

The committee will probably approve cuts relatively close to the governor's recommendation, although there may be some reshuffling, Willet said. The budget cuts must be made, he said without being "outlandishly cruel" to anyone.

Panel hears testimony

Representatives from the Minnesota State Arts Board and the Science Museum of Minnesota spoke about the effects of proposed budget cuts at the Agriculture, Transportation and Semi-States Subcommittee meeting Mon., Feb. 3.

Because they have had reasonable notice of the cuts, said Sam Grabarski, executive director of the Minnesota State Arts Board, the board will be able to accommodate the cuts without too much difficulty. Obviously, they would like to avoid further cuts, he said.

Philip Taylor, Director of the Science Museum of Minnesota, said that the Museum can also absorb the current cuts. However, Taylor said that the Museum could have had several new projects, including a dinosaur exhibit hall, if not for budget cuts.

Mn/DOT budget proposals discussed

Mn/DOT Commissioner Richard Braun explained the governor's proposed budget cuts in his department to the Finance Subcommittee on Agriculture, Transportation and Semi-States, chaired by Sen. Keith Langseth (DFL-Glyndon) at the Wed., Feb. 5 meeting.

The proposal involves canceling \$80 million obtained from the motor vehicle excise tax which was slated to be transferred from the state's General Fund to the Highway User Distribution Fund this biennium. The fund is divided between the state, city and county.

However, the governor has also proposed canceling the four cent per gallon tax exemption currently given to gasoline, Braun said. The four cents would then go into the Highway User Distribution Fund, which Braun said would mean about \$25 million per year. Also according to Braun, the gasoline option would ultimately mean more money for the fund.

Panel looks at department cuts

A letter should be written to all state agencies asking for their alternatives to the governor's budget cuts to their departments, suggested Subcommittee Chairman Carl Kroening (DFL-Mpls.)

during the Tues., Feb. 4 meeting of the Finance Subcommittee on State Departments.

While he said he doesn't want to listen to every problem in every agency, Kroening said that agency representatives should have a chance to express their thoughts about the governor's recommendations.

The cuts to state departments were treated differently than other cuts, explained Brian Roherty, assistant commissioner for the Dept. of Finance. Each department's fixed costs, such as rent and utilities, were subtracted from its budget, and the 3.5 percent was cut from the remainder.

Health and Human Services

Day care, nursing home issues head topics

Bills establishing a day care facility fire code, extending the nursing home compensation rule deadline, providing for child support enforcement and clarifying eligibility for medical assistance and general assistance medical care for purposes of third party recovery are all expected before the Health and Human Services Committee this session, said Chair Linda Berglin (DFL-Mpls.)

In addition, the committee will act on several measures originating with the state agencies that fall under the committee's jurisdiction. Other bills that Berglin considers high priority include a measure to establish an intermediate care facility life safety code; a bill to provide for an earned income savings mechanism for those on general assistance and in chemical dependency programs; and a measure providing for a mental health patient bill of rights.

Committee hears background information.

Background information and recommendations on general assistance, food shelves and health care for young children were offered at the Tues., Feb. 4, Health and Human Services committee, chaired by Sen. Linda Berglin (DFL-Mpls.)

According to Chuck Schultz, Director of Assistance Payment Division, Department of Human Services, there was a gap in the number of people receiving general assistance and the money available to fund the program last year, due to an unexpected increase in the number of people staying on general assistance for a longer period of time. "This didn't show up until April, 1985, too late to do anything about it in last year's session," Schultz said.

Representatives of several food shelf organizations addressed issue of the growing number of people using food shelves, stressing that the demand on food shelves will continue to increase.

Health care for children was also discussed although speaker Luanne Nyberg, Director of the Children's Defense Fund, acknowledged that little could be done this session on the issue.

Nursing home rule deadline extended

The Health and Human Services Committee met Wed., Feb. 5, and approved a bill that will extend the deadline for permanent rules for nursing home reimbursement under the medical assistance program.

S.F. 1579, authored by Sen. Linda Berglin, (DFL-Mpls.) will extend the temporary rule from June 30, 1986, to June 30, 1987. "Making adjustments in a temporary rule is easier than making those in a permanent rule," Berglin said. The extra year will give additional time to work out problems in the system, according to Berglin.

Rural nursing home problems were also discussed by staff members from a Baudette, Minnesota nursing home.

Public testimony was also heard on three day care bills: S.F. 1581, authored by Berglin, prohibits local governments from

establishing special fire code requirements for small family day care homes; S.F. 1656, authored by Sen. Duane Benson, (IR-Lanesboro) exempts certain rural providers of day care from Human Services Dept. day care rules and S.F. 1657, also authored by Benson, allows families to adopt family day care and group family day care regulations.

Diane Hagen, a day care client from Baudette, MN, spoke in favor of easing the restrictions on day care centers in rural areas. "We understand the need for guidelines, but we want the minimum level set," Hagen said. "In rural areas, we know the people caring for our children and feel that we, as parents, can make adequate decisions for our children. The state shouldn't do it for us," she said.

Judiciary

Complex issues top panel's agenda

A full slate of controversial issues will again be before the Judiciary Committee this year said Chairman Allan Spear (DFL-Mpls.). The mandatory farm mediation bill will receive early consideration, Spear said, because "the farm crisis is everyone's top priority."

The bills making it a crime to injure a pregnant woman and making it a crime to cause the death or injury of an unborn child also were scheduled for early committee action, Spear said. Both bills seek to fill a gap in the state's criminal law statutes but controversy arises in the differing approaches taken by the two bills, he said

In addition, Spear noted that the Juvenile Code Subcommittee has worked throughout the interim on a bill to revise the state's juvenile code. The measure has been substantially modified but is still controversial, Spear said.

Any bill arising from the insurance crisis that incorporates modifications to tort liability will also have to come before the Judiciary Committee, Spear said, in addition to being heard in the Economic Development and Commerce Committee.

Panel advances juvenile code bill

The Juvenile Code Subcommittee wrapped up months of hearings Mon., Feb. 3, by forwarding the bill to revise Minnesota's juvenile code on to the full committee. The subcommittee, chaired by Sen. Randolph Peterson (DFL-Wyoming), held hearings throughout the state to gather public testimony on the proposal. S.F. 1646, authored by Sen. Michael Freeman (DFL-Richfield) is the first revision of the juvenile code since 1959 and attempts to insure the rights of juveniles and to reduce the number of out-of-home placements of children.

As amended, the bill eliminates some of the more controversial sections that had been contained in earlier versions including jury trials for juveniles under the age of 18 and the review of juvenile admissions to treatment centers for chemical dependency and mental illness.

Civil remedies for suits against therapist okayed

A bill providing for civil suits against psychotherapists for sexual exploitation of patients or former patients was approved by members of the Civil Law Subcommittee at the Tues., Feb. 4, meeting. The measure, S.F. 1619, authored by Sen. Allan Spear (DFL-Mpls.), sets forth definitions and circumstance under which patients or former patients may bring civil suits against psychotherapists and, in certain circumstances, against the employers of psychotherapists.

Under the bill, the patient could bring suit if the sexual contact occurred during a psychotherapy session, the sexual contact occurred while the patient was emotionally dependent on the psychotherapist or the sexual contact occurred by means of

therapeutic deception. The measure also details the provisions under which an employer may be held liable and limits the admissibility of evidence concerning the plaintiff's sexual history.

Local and Urban Government

Insurance tops list of priorities

Members of the committee, chaired by Sen. Robert Schmitz (DFL-Jordan), will examine the issue of the availability and cost of liability insurance for municipalities. "The liability insurance issue is making it difficult for local governments to adequately insure themselves because of the rising cost of insurance," said a committee staff member.

In addition, the Metro Governance bill, dealing with how the Metropolitan Council interacts with other metro agencies and the total impact of the Council on the seven-county metro area are high on Schmitz's priority list.

Also, the committee will devote time to the privatization bill dealing with private money invested in waste water treatment plants, staff members said.

Local bills gain

A bill to exempt municipalities from competitive bidding requirements when purchasing fossil fuel for municipal power was approved at the Tues., Feb. 4, meeting of the Local and Urban Government Committee.

S.F. 1547, authored by Sen. Robert Schmitz (DFL-Jordan) will allow municipalities to buy fossil fuel by either sealed bids or direct negotiations. At least two bids will have to be obtained when possible, but municipalities will not have to advertise for bids. Currently, municipalities are required to solicit sealed bids by public notice for any contract over \$15,000.

S.F. 1574, authored by Sen. A.W. Diessner (DFL-Afton), will allow counties the discretion of creating a county courthouse building commission. Currently, counties with a population of 100,000 or more are required to establish a courthouse commission when the courthouse is not jointly-owned or used with any city hall.

S.F. 1575, also authored by Diessner, expands the authority of counties to make highway improvements within the boundaries of any city. Current law restricts the improvements to the outside of city boundaries.

S.F. 1587, a third bill authored by Diessner, allowing cities to issue bonds to pay for warning systems also gained the committee's approval.

A fourth Diessner bill, S.F. 1588, will allow the Metro Mosquito Control Commission to issue tax anticipation certificates.

Public Utilities and State Regulated Industries

Changes recommended to PUC

Fred Grimm, Management Analyst for the Dept. of Administration, outlined several department recommendations at the committee's Tues., Feb. 4, meeting that are designed to improve the practices and structure of the Public Utilities Commission (PUC). The department recommendations, along with other proposals concerning practices of the PUC, will come before the committee, which is chaired by Sen. Neil Dieterich (DFL-St. Paul).

One of the more substantial department proposals prohibits a public utilities commissioner after leaving office from accepting employment for two years with a utility under the commission's jurisdiction. That recommendation directly deals with the recent controversy surrounding a PUC commissioner's vote. Last month, the commission dismissed a NSP rate increase when it ruled a commissioner's vote was "tainted" because he and NSP executives were discussing possible future employment while the rate

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increase was under consideration.

Among the other recommendations, the department proposed that the chair be given elevated status and serve at the pleasure of the governor; an expert review panel screen the candidates for the commission and provide a list of candidates from which the governor's appointment would be made; new appointees attend a formal training program prior to taking their oaths of office, and a procedures manual for commissioners be developed; commission staff be increased and reorganized to permit the staff to gain expertise in the utility areas; the commission be financed through a special revenue fund; and efforts be taken to help the commission provide timely rate decisions.

The committee did not take action on any recommendation.

Taxes and Tax Laws

Committee reviews budget cut proposals

An \$84 million reduction in local government aid and property tax relief is part of the governor's proposed cuts to help meet the projected state budget shortfall of \$284 million, explained Finance Commissioner Jay Kiedrowski. Kiedrowski detailed the governor's proposed budget balancing strategy for committee members Tues., Feb. 4.

According to Kiedrowski, the governor's proposals include no tax increases; keeping a budget reserve of \$100 million; delaying the transfer of the motor vehicle excise tax from the general fund to a separate account; increasing tax compliance efforts; and cutting spending. Those cuts include reducing education spending by \$101 million; cutting entitlement programs and state operations by \$99 million; and cutting \$84 million in local government aid and property tax relief.

Kiedrowski explained that if state revenues improve, the governor proposes to use half of the additional revenue to build the budget reserve beyond \$100 million and half to restore budget cuts, beginning with education. If revenues continue to fall, the \$100 million reserve would be used as a cushion, then unallotment would begin, said Kiedrowski.

In addition to these proposals, the governor's budget recommendations include providing taconite tax relief to the iron mining industry and providing \$7 million for farm initiatives.

The governor's proposals will top the committee's agenda this session.

Ag property taxes due date delayed

In an effort to aid Minnesota's farmers, the committee approved a measure delaying the date when the second installment of agricultural property taxes are due. Sponsored by Sen. Keith Langseth (DFL-Glyndon), the taxes will not need to be paid until Nov. 15, 1986. Penalties that would have accrued will not apply to persons who meet the new deadline.

The committee also approved two bills proposed by the Dept. of Revenue that make minor changes in the state's tax laws. S.F. 1692, sponsored by Vice-chairman Steve Novak (DFL-New Brighton), is the department's income tax bill. S.F. 1693, sponsored by Sen. Collin Peterson (DFL-Detroit Lakes), is another department bill that deals with miscellaneous items. Among the proposed changes, the bill eliminates the sunset on tax clearance for business licensing.

Veterans and General Legislation

Lottery proposal possible

Last session, the committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls), approved a measure asking voters in the 1986 general election if the state should legalize a state lottery. That bill, S.F. 1, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), is before the Judiciary Committee. However, proposals that would institute a lottery, once approved by the voters, more quickly could come before the committee, said Erin Roth, administrative aide to the committee.

Currently, the Minnesota constitution prohibits the state from conducting a lottery. For that prohibition to be lifted, the Legislature must pass a law to put the question on the ballot, and Minnesotans would have to vote to amend the constitution to allow a lottery. If the majority of voters agree, the Legislature must then pass enabling legislation to put the lottery in place. Proposals shortening that process would include procedures to institute the lottery, Roth explained.

The committee also will review several issues relating to veterans, said Roth. Those issues include studying the feasibility of establishing veterans outpatient centers and a veterans nursing home in outstate Minnesota.

Preview

The Minnesota Senate Week at a Glance

Monday, February 10, 1986

Governmental Operations, Chair: Donald M. Moe
8:00-10:00 AM Room 15 Capitol

Agenda: Confirmation hearings for: James Hacking, Executive Director, Public Employees Retirement Board. Lani Kawamura, Director, State Planning Agency.

Veterans & General Legislation, Chair: Bob Lessard
8:00-10:00 AM Room 118 Capitol

Agenda: S.F. 1716-Laidig: POW/MIA resolution; S.F. 1694-Merriam: Membership requirements for Board of Arts; S.F. 1665-Frank: Requiring smoke detectors in two-family homes; S.F. 1666-Frank: Requiring smoke detectors in apartment house hallways.

Education, Chair: James Pehler
8:00-10:00 AM Room 118 Capitol

Agenda: Impact of Governor's proposed budget cuts on the Department of Education, University of Minnesota, state university system, community college system, AVTI's, and HECB; 6-M presentation.

Finance Subcommittee on Education, Chair: Gene Waldorf
10:00 AM-12:00 PM Room 120 Capitol

Agenda: Overview hearing on Governor's budget proposal-community college system, AVTI's, Dept. of Education, testimony.

Judiciary, Chair: Allan Spear
10:00 AM-1:00 PM Room 15 Capitol

Agenda: S.F. 1646-Freeman: Juvenile code revision.

Finance Subc. on Agriculture, Transportation & Semi-states

Chair: Keith Langseth

12:00 PM Room 107 Capitol

Agenda: Governor's budget proposals: Public safety.

The Senate will be in session at 2:00 PM

Educations Aids Subcommittee, Chair: Tom Nelson

3:00 PM Room 15 Capitol

Agenda: Reactions to the Governor's budget (cont.); Report on school district fund balances; S.F. XXXX-Peterson, D.C.: Special education from birth to 2 years old; S.F. 1750-Hughes: Education districts.

Legislative Commission to Review Administrative Rules,

Chair: Carl Kroening

6:30 PM Room 118 Capitol

Agenda: Staff report: Dept. of Corrections, Office of Adult Release, Policy and Rules governing Supervised Release/Parole (Minn. Rules, Ch.2940); Notice of complaint received: Environmental Quality Board, Parts 4410.4300 and 4410.4400, Mandatory EAW and EIS categories. Staff information about Research Project on 180-day rule notice requirement in Minn. Statutes 14.12.

Tuesday, February 11, 1986

Economic Development and Commerce, Chair: Sam Solon

8:00 AM-12:00 PM Room 118 Capitol

Agenda: Presentation by Legislative Auditor regarding Commerce Dept. regulation of insurance industry etc. insurance bill; S.F. 1790-Moe, R.D.: Rural economic development provisions.

Public Utilities and State Regulated Industries, Chair: Neil Dieterich

8:00 AM Room 15 Capitol

Agenda: Continuation of review of appointments, procedures and rate regulation by the Public Utilities Commission.

Local and Urban Government, Chair: Robert Schmitz

10:00 AM-12:00 PM Room 15 Capitol

Agenda: S.F. 1704-Berglin: Vital statistics; authorizing Minneapolis and Hennepin County to merge their registration districts; S.F. 1671-Berglin: Minneapolis Convention Center.

Finance Subc. on Agriculture, Transportation & Semi-

States, Chair: Keith Langseth

12:00 PM Room 107 Capitol

Agenda: Department of Transportation: Out state transit; Regional Transit Board

Agriculture & Natural Resources, Chair: Gene Merriam

1:00-3:00 PM Room 112 Capitol

Agenda: S.F. 1660-Frederickson: Permitting redemption of agricultural homestead; S.F. 1559-DeCramer: Changes related to agricultural credit and collateral; changing priority of security interests.

Health and Human Services, Chair: Linda Berglin

1:00 PM Room 15 Capitol

Agenda: Report on proposed budget cuts from the following: Frank Giberson, Dept. of Human Services, Sister Mary Madonna Ashton, Dept. of Health. S.F. 1580-Berglin: ICFMR; S.F. 1581-Berglin: Day care; S.F. 1656-Benson: Day care; S.F. 1657-Benson: Day care. Testimony

Taxes and Tax Laws Subcomm. on Prop. Taxes and Local Gov't Aids, Chair: Collin Peterson

3:00 PM Room 15 Capitol

Agenda: Continuation of discussion regarding the Governor's tax proposal.

Wednesday, February 12, 1986

Education Aids Subcommittee, Chair: Tom Nelson

8:00 AM Room 112 Capitol

Agenda: Discussion of the Governor's recommendation for changes in the metering of state aids; S.F. 1689-Nelson: Technical correction; S.F. XXXX-Hughes: Adult literacy aid and levy; S.F.1620-Purfeerst: Transportation to non-public schools outside the school district; S.F. 1540-Davis: Dept. of Education, library information services; S.F. 1481-Pehler: Requiring the Legislative Reference Library to process materials for the executive departmental libraries.

Veterans and General Legislation, Chair: Bob Lessard

8:00 AM Room 118 Capitol

Agenda: S.F. 1743-Pehler: Providing for special license plates for emergency service volunteers; S.F. 1744-Pehler: Providing for special license plates for Vietnam-era veterans; S.F. 1757-Bertram: Providing for free license plates for former prisoners of war; S.F. XXXX-Lessard: Providing for special license plates for members of the VFW; S.F. 1684-Bertram: Resolution memorializing Congress to designate the Rose as the national floral emblem.

Judiciary, Chair: Allan Spear

10:00 AM-12:00 PM Room 15 Capitol

Agenda: S.F. 1597-Berg: Removing liability of buyers of farm products; S.F. 1619-Spear: Civil remedies for sexual exploitation by psychotherapists.

Transportation, Chair: Clarence Purfeerst

10:00 AM Room 112 Capitol

Agenda: S.F. 421-Stumpf: Requiring mandatory cabooses; S.F. 1546-DeCramer: Providing railroads must first offer adjacent right-of-way to leaseholders before selling it.

Elections and Ethics, Chair: Jerome Hughes

11:30 AM-1:00 PM Room 118 Capitol

Agenda: S.F. XXXX-Hughes: Secretary of State Housekeeping Bill; S.F. 1098-Wegscheid: Ethics in government; S.F. 1151-Frederickson: Ottawa Township change; S.F. XXXX-Hughes: Recodification of election contest laws; S.F. XXXX-Peterson, D.C.: Fair campaign practices.

Finance Subcom. on Agriculture, Transportation and Semi-

States, Chair: Keith Langseth

12:00 PM Room 107 Capitol

Agenda: Governor's budget proposal: Historical Society.

Agriculture & Natural Resources, Chair: Gene Merriam

1:00-3:00 PM Room 112 Capitol

Agenda: S.F. 1613-Wegscheid: Establishing filing requirements, enforcement and priority of veterinarian's lien; S.F. 1610-Wegscheid: Reducing the period that corporations and pension funds may own ag land; restricting use of ag land after acquisition; other amendments to corporate farm laws; S.F.1201-Wegscheid: Prohibiting leases of ag land for fixed amounts.

Health and Human Services, Chair: Linda Berglin

1:00 PM Room 15 Capitol

Agenda: S.F. 1717-Spear: Controlled substances, establishing a multiple prescription system for monitoring; S.F. 1720-Storm: Controlled substances, establishing a multiple prescription system for monitoring; S.F. 1675-Berglin: Authorizing earned income savings G.A. recipients in CD facilities; S.F. XXXX-Berglin: Mental Health

The Senate will be in session at 3:00 PM

Joint Legislative Commission on Long Term Health Care,

Chair: Linda Berglin

5:30 PM Room 15 Capitol

Agenda: Final Report on Lewin Study on Transitional Care. Mike Tripple, Minnesota Department of Health, and Lewin and Associates.

Thursday, February 13, 1986

Economic Development and Commerce, Chair: Sam Solon
8:00-10:00 AM Room 118 Capitol

Agenda: Continuation of S.F. 1593-Luther: Omnibus insurance bill

Public Utilities and State Regulated Industries, Chair: Neil Dieterich

8:00 AM Room 15 Capitol

Agenda: Continuation of review of appointments, procedures and rate regulation by the Public Utilities Commission

Judiciary Subcommittee on Criminal Law, Chair: Eric Petty
12:00 PM Room 15 Capitol

Agenda: S.F. 1770-Freeman: Forfeiture of criminal proceeds.

Education Subcommittee on Post Secondary Higher

Education, Chair: LeRoy Stumpf

12:30 PM Room 118 Capitol

Agenda: AVTI Report-1985 Farm Crisis Intervention Program; HECB report on assessment of farm property for determining financial aid eligibility; S.F. 1468-Sieloff: Vocational Generalist degree.

Legislative Audit Commission, Chair: Randolph Peterson

12:00 PM Room 300 South SOB.

Agenda: Deinstitutionalization of the mentally ill and mentally retarded.

The Senate Will be in session at 2:00 PM

Education Aids Subcommittee, Chair: Tom Nelson

3:00 PM Room 15 Capitol

Agenda: Post Secondary Open Enrollment Options Act. S.F.1771-Nelson: Misc. Amendments; S.F. 1589-Taylor: Expanding the definition of eligible institution; other related bills.

Judiciary Subcommittee on Judicial Administration, Chair:

Ember Reichgott

3:00-5:00 PM Room 118 Capitol

Agenda: Award of attorney fees, court costs to parties prevailing against the state; S.F. 644 Wegscheid; S.F. XXXX-Willet.

Friday, February 14, 1986

Education, Chair: James Pehler

8:00 AM Room 112, Capitol

Agenda: S.F. 1790-Moe, R.D.: Economic/Rural Development; Supplemental Education Grant Program; S.F. 1754-Dicklich: Upper division courses at Arrowhead Community College; S.F. XXX-Hughes: Private Proprietary Task Force recommendations; and S.F. 1734-Pehler: Resolution commending school bus drivers.

Judiciary, Chair: Allan Spear

10:00 AM Room 15, Capitol

Agenda: S.F. 1604-Frederickson: Foreclosed land crops; Bills re-referred from Agriculture and Natural Resources Committee during the Feb. 7 and Feb. 11 meetings; S.F. 1730-Spear: Detaining of shoplifting suspects; S.F. 1751-Reichgott: Child abuse statute corrections; S.F. 1753-Reichgott: Name change residency requirement; and S.F. XXX-Spear: Lien law clarification.

Transportation, Chair: Clarence Purfeerst

10:00 AM Room 112, Capitol

Agenda: S.F. 1664-Freeman: Requiring approval of PCA for expansion at Minneapolis/St. Paul International Airport; and S.F. 1573-Diessner: Setting legal drinking age at 21.

Agriculture and Natural Resources, Chair: Gene Merriam

1:00 PM Room 112, Capitol

Agenda: S.F. 1611-Wegscheid: Requiring lender reviews with ag borrowers, restricting collateral taken, prohibiting after acquired property clauses from attaching to ag production property; S.F. 1617-Davis: Requiring county soil loss ordinances to be adopted, prohibiting removal of conservation practices installed with cost sharing funds, prohibiting burning and tilling road right-of-ways, S.F. 1614-Davis: Requiring data collection and reports on farmers' financial condition and farm ownership, requiring farmers percentage of food retail price to be labeled on food, establishing a program to facilitate buyers and sellers of premium quality ag commodities, investigating premium quality ag markets.

Health and Human Services, Chair: Linda Berglin

1:00 PM Room 15, Capitol

Agenda: S.F. 1782-Petty: Relating to long term care insurance; S.F. XXX-Petty: Mental Health Policy Statement; S.F. 1721-Berglin: Income withholding procedures for child support or maintenance; S.F. 1732-Merriam: Child support and custody provisions.

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Briefly

The Minnesota Senate Week in Review

February 14, 1986

Brief floor sessions held

Senators met Monday, February 10, and again Wednesday, February 12, for brief floor sessions. The purpose of the sessions was primarily to allow for the introduction and referral of bills and the processing of committee reports.

In addition, at the Monday session, the Senate, acting as a Committee of the Whole, gave preliminary approval to two relatively non-controversial measures on the General Orders Calendar. S.F. 1349, authored by Sen. Randolph Peterson (DFL-Wyoming), prohibits insurers or HMO's from requiring public employers to pay premiums to insurance companies for retired officers or employees. The bill allows the retired employee to pay the entire cost of the premium, providing the employee is eligible for coverage. S.F. 1562, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), allows campgrounds and manufactured home parks to obtain one license for both food and beverage rather than the two licenses currently required by law.

Action during the Wednesday session was confined to granting final approval to S.F. 1349 and to the final passage of a bill on the Senate Consent Calendar. Bills on the Consent Calendar are considered non-controversial and do not appear on the General Orders Calendar for action by the Senate acting as a Committee of the Whole. Wednesday, the Senate unanimously approved S.F. 1574, authored by Sen. A.W. Diessner (DFL-Afton), allowing counties discretionary authority in establishing county court-house building commissions.

Panel okays taxing for convention center

A bill giving Minneapolis additional taxing authority to help finance the construction, maintenance and operation of a convention center won the Local and Urban Government Committee's approval Tues., Feb. 11.

According to the bill, S.F. 1671, Minneapolis could raise its sales tax by .5 cents and tax hotels, motels, bars and restaurants within the downtown area an additional three percent on the sale of food, liquor and lodging.

Minneapolis Mayor Don Frazer said a convention center "would be good for the region and good for the state." He said city officials "did not feel it was realistic" to ask the Legislature for a direct state appropriation. "So, we are asking permission to help ourselves," he explained.

The bill, sponsored by Sen. Linda Berglin (DFL-Mpls.), was referred to the tax committee.

Foreclosure mediation bill sent to House

The Senate gave final approval Thursday, Feb. 13, to a bill mandating lenders and farmers to mediate agreements on possible debt repayment plans before foreclosure.

Sponsored by Senate Majority Leader Roger Moe (DFL-Erskine), the proposal, S.F. 1636, places mediation boards throughout the state to help farmers and lenders reach agreements on debt repayments. A three-member farm mediation commission would oversee the mediation process and could issue a postponement order prohibiting the collection of debts. The commission could also permit lenders to proceed with the debt collection.

The bill was successfully amended by Sen. Don Storm (IR-

Edina) to include owners of "an agriculturally related business" in the mediation process.

Moe said the bill is needed because, "Voluntary mediation, as well intended as it might be, is not going to work."

The Senate defeated amendments eliminating mandatory mediation and encouraging lenders and farmers to mediate in "good faith."

Senate television show airs

Senate Journal, a weekly television program hosted by Majority Leader Roger Moe, is scheduled to air on nine television stations throughout the state. The program, produced by the office of Senate Media Services, offers viewers an in-depth look at issues before the Minnesota Senate.

This week's program features an interview with Governor Rudy Perpich and focuses on the governor's legislative proposals for the '86 session. Following the interview, Sen. Fritz Knaak (IR-White Bear Lake) and Sen. Randolph Peterson (DFL-Wyoming) debate the merits of the governor's proposals and offer their suggestions for legislative action.

The 30 minute program will be shown on broadcast, public and cable stations throughout the state. Check local listings for dates and times.

Omnibus Insurance bill considered

A bill designed to correct the current availability and affordability crisis in liability insurance coverage was introduced at the Thurs., Feb. 13, meeting chaired by Sen. Sam Solon (DFL-Duluth). Sen. William Luther (DFL-Brooklyn Park) introduced his Omnibus Insurance bill stating, "In the insurance industry there is now a greater demand than supply . . . In those areas where the insurance industry perceives high risks, there is no incentive and they have made insurance in those areas unavailable or jacked the rates up so that in effect it is unavailable." According to Luther, S.F. 1593 will provide a back-up system for Minnesotans unable to obtain coverage due to prohibitive costs or unavailability of specialized lines of insurance.

Michael Hatch, commissioner of the Department of Commerce, explained the bill section by section, placing emphasis on the most controversial aspects of the bill.

One of the most controversial provisions is the creation of the Minnesota Joint Underwriting Association (MJUA). The MJUA would provide insurance coverage to any person or entity unable to obtain insurance in the private market. Insurers licensed in Minnesota would serve as members of the MJUA. A market assistance program would permit the insurance industry to have the first attempt at finding coverage before insurers could use the JUA, Hatch said.

An extension of the Fair Plan protection from houses to condominiums, cooperative housing and farms is another potentially controversial aspect of the bill, he said.

The bill would also provide the Commissioner of Commerce increased rate review and regulatory powers. Even with increased regulation, Minnesota would have "the weakest regulatory tool" of any state, Hatch said. "We are essentially a stripped state when it comes to regulating rates," he said.

Committee Capsule

Agriculture and Natural Resources

Panel okays deficiency judgement restrictions

A bill establishing a procedure that a lender must go through to obtain a deficiency judgement against property used in agricultural production earned committee support Fri., Feb. 7. The bill, S.F. 1590, also limits the deficiency judgement to the difference of the fair market value of the property and the amount already paid on the mortgage.

Sponsored by Sen. Keith Langseth (DFL-Glyndon), the bill originally proposed to ban deficiency judgements. Since that would affect existing loan contracts, committee members questioned if the action would be constitutional. Thus, Langseth changed his bill to permit a lender to obtain a deficiency judgement. Furthermore, the measure does not apply to judgements against personal property.

Committee members preferred Langseth's proposal to a measure placing a two-year moratorium on deficiency judgements. That bill, S.F. 1594, sponsored by Sen. Charles Berg (IND-Chokio), lost on a 7-7 vote.

Members also approved a bill appropriating \$850,000 to establish a legal assistance program for financially distressed farmers. Sponsored by Vice-chairman Charles Davis (DFL-Princeton), the bill, S.F. 1672, requires the Minnesota Supreme Court to contract with nonprofit organizations to provide the services. Also, a farmer must have a debt-to-asset ratio greater than 40 percent and taxable income of less than \$20,000 to be eligible for the program.

Bill clarifying homestead redemption gains

An owner of farm land that is being foreclosed would be alerted that he can designate a homestead area to be sold and redeemed separately, according to a proposal advanced Tues., Feb. 11, by the committee. Under current law, farmers can designate that homestead area, but the proposal, sponsored by Sen. Dennis Frederickson (IR-Morgan), requires the lender to notify the farmer of that right.

The bill, S.F. 1660, also requires the farmer to designate the homestead area at least five days prior to the sale of the land. Up to 80 acres of the property could be designated homestead, and it must conform to local zoning ordinances and be compact so it does not reduce the value of the remaining property.

The farmer would still have one year to redeem the designated homestead or the remaining farm property or both. Frederickson said the bill could help farmers to at least redeem their homestead.

Proposal gives veterinarians' liens priority

A veterinarian's lien would have priority over other liens and security interests on a farmer's livestock, according to a proposal approved Wed., Feb. 12, by the committee. The bill, S.F. 1613, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), would insure that a veterinarian would get paid first after the livestock is sold.

Dave Locey from the Minnesota Veterinary Medical Association said the bill would help farmers because better care of livestock would result. He explained veterinarians would not deny service, and farmers would avoid treating the animals themselves. Sen. Charles Berg (IND-Chokio) argued the bill is important for other lien holders as well. "If you give them this lien [the veterinarians], you'll have a healthy herd and more collateral," he said.

Opponents to the bill said other lien holders also provide a vital service to the farmer and the livestock. "The emergency [care] of

an animal is no different than the emergency [need] of planting a crop," said Sen. Joe Bertram (DFL-Paynesville).

In other action, the committee defeated a bill, S.F. 1201 (Wegscheid), requiring that agricultural land owned by entities regulated under the corporate farming laws, including financial institutions, be leased for share of the crop only. The bill would have prohibited these organizations from leasing the land for cash.

Economic Development and Commerce

Liability insurance crisis evaluated

Excessive insurance rates and profiteering are not to blame for the availability and affordability crisis which is plaguing some Minnesotans, Elliot Long of the Legislative Auditor's Office told members of the Committee on Economic Development and Commerce Tues., Feb. 11. "Rising claims, diminishing profits and greater perceived risks are the causes of the current crisis," said Long in his presentation of the Insurance Regulation Program Evaluation conducted by the Program Evaluation Division.

Long predicted that the cyclical nature of the insurance industry will restore lower rates overall but legislation is needed to improve availability and affordability of certain types of insurance. Medical malpractice insurance, municipal government liability insurance, day care insurance and other specialized lines of liability insurance are experiencing sharp rate increases and severe declines in availability. Long suggested that the legislature enact legislation to ensure that insurance is available in areas that are vital to the public interest. Legislative options that could be explored are tort reform, assigned risk plans, market assistance plans, surplus lines, self insurance and pooling, and changing the regulatory framework, he said.

S.F. 1790, sponsored by Sen. Roger Moe (DFL-Erskine), combines several proposals for promoting development in rural Minnesota, including the creation of the Greater Minnesota Corporation. The committee voted 7-5 against an amendment to the bill proposed by Sen. Duane Benson (IR-Lanesboro), which would limit the sales tax on capital equipment to 4 percent. Another amendment proposed by Benson would give farmers who rent land from the Department of Natural Resources a refund on the interest paid on loans necessary to pay the DNR a year in advance. Moe supported the amendment which was adopted. The Committee then unanimously approved the bill and re-referred the measure to the Education Committee.

Education

Educators give testimony

Representatives from state educational institutions and organizations presented their ideas on how to implement the governor's proposed budget cuts to the Education Committee meeting Mon., Feb. 14, chaired by Sen. James Pehler (DFL-St. Cloud). Spokesmen from the University of Minnesota, the State University System, the Community College System, the Area Vocational-Technical Institutes (AVTIs), the Higher Education Coordinating Board (HECB), the Dept. of Education, and 6-M gave testimony.

University President Kenneth Keller reiterated the University's desire to meet the governor's proposed cuts by borrowing money. The University's proposal allows for almost \$5 million in immediate cuts. The University would borrow the remaining \$12.6 million, which it would pay back through smaller budget cuts over the next five years. Some programs and colleges at the University would escape the cuts entirely under the proposed plan, said Keller.

When asked by Sen. Randy Peterson (DFL-Wyoming) why the

College of Liberal Arts (CLA) was taking a cut while the Institute of Technology (IT) was not, Keller replied that IT has been underfunded in the past and could not afford budget cuts now and that the University is trying to increase its funding to the amounts of comparable programs at other big ten universities.

Gerald Christenson, chancellor for the Community College System, said that the timing of the cuts was bad because enrollment in community colleges has been rising over the last few years, despite the drop in the number of high school graduates. Many of the people attending community colleges need re-training quickly and cannot afford to go live in a dormitory 150 miles away, Christenson said.

Three major areas will be cut, he said. One-third will be money slated for equipment and furnishings for four or five new buildings; one-third will be in allocations to the schools which vary between campuses, such as program development and handicapped services; and the final third will be taken from direct allocations.

AVTIs are also faced with problems, according to John Ostrem, a representative from the State Board for Vocational-Technical Education. He said that the board is faced with four major problems: after the legislature adjourns, they will have only two payments left for the year to the AVTIs, which won't give them much chance to cut; they were already cutting 15 programs because of dropped enrollment; they are uncertain of future federal funds; and they currently have a shortage of money needed to pay to teachers' retirement funding. Most of the cuts will have to come next year, Ostrem said.

David Longanecker, executive director of the HECB, said that the board would meet the proposed cuts by finding alternative funding for certain programs, delaying starting new aid programs, and by hard cuts in staff.

The needy students will suffer most from the cuts, Longanecker said. They will have to choose between not going to school, asking their parents to contribute more than they might be able to reasonably afford, or borrowing more money and working more, he concluded.

Gene Mammenga from the State University System said that a major portion of the budget cuts would come from deferring projects and a one day pay-back of salary from teachers and middle management.

Dept. of Education representative Curman Gaines said that the department has targeted 24 positions for elimination to meet the proposed cuts. In real terms, Gaines said that this would mean a decrease in department members' ability to provide in-house service programs for teachers and administrators, as well as their ability to provide technical assistance and workshops.

Jean Olson presented a report from 6-M, a coalition of six groups of educators. Olson briefly outlined the six areas of the report, which included recommendations regarding professional standards, student needs, and research and development.

Education Aids

Bill requires services from birth

School districts would be required to provide special instruction and services for handicapped children from ages birth until three, under a bill approved in the Mon., Feb. 10, meeting of the Education Aids Subcommittee. The bill, S.F. 1864, authored by Sen. Donna Peterson (DFL-Mpls.), is similar to a bill enacted last year requiring the districts to provide instructional aid to handicapped children ages 3-21.

The bill should be approved this year, Peterson told the committee, chaired by Sen. Tom Nelson (DFL-Austin), so that districts can combine their efforts to meet the bill's requirements with efforts to meet last year's bill requirements.

To meet the requirements of the bill, school districts may join forces with other districts or with nearby Developmental

Achievement Centers. Services for the children would not be mandated until 1988.

The problem with the new bill, according to Dick Welch, a representative from the Minnesota Developmental Achievement Center Association, is that districts have not yet straightened out problems with planning and implementing last year's bill. The legislature should concentrate on strengthening last year's bill rather than attempt new legislation, he said.

In other action, the committee also briefly discussed S.F. 1750, the education districts bill, authored by Sen. Jerome Hughes (DFL-Maplewood).

Panel considers adult illiteracy

It's a bit ironic, said Sen. Jerome Hughes (DFL-Maplewood), that while education for children in Minnesota is a top priority, education for adults does not seem to be as important. Hughes spoke to the Education Aids Subcommittee, chaired by Sen. Tom Nelson (DFL-Austin), about an adult literacy bill which he authored, S.F. 1870.

The bill, which was approved and added as an amendment to vehicle S.F. 1689, gives school districts the ability to levy taxes in 1986 to pay for adult literacy programs. State aid would be added in 1988. The bill would ultimately mean \$14 million if all districts adopt the plan; a little over half of the money would come from the state, Hughes said.

In other action, the committee laid over S.F. 1620, authored by Sen. Clarence Purfeerst (DFL-Faribault), regarding school bus transportation to nonpublic schools. Under current law, public school buses can only pick up children busing to nonpublic schools if the children live within the district. The bill would allow the buses to pick up children within a reasonable distance of the district boundary. The cost for busing would be paid by either the public or nonpublic school or any combination of the two. A parent from Purfeerst's district told the committee that she presently follows the school bus every morning while she drives her children to school.

The committee also approved S.F. 1481, authored by Sen. James Pehler (DFL-St. Cloud), requiring that a plan be developed regarding the automation needs for state agency libraries.

The meeting began with discussion regarding the governor's proposal to meter state aid to schools. The plan would postpone some spring payments to the schools to help solve an anticipated state cash flow problem in late May and early July.

Elections and Ethics

Bill to update laws approved

Wednesday, Feb. 12, the Senate Ethics and Elections Committee approved the Secretary of State's housekeeping bill S.F. 1838, clarifying, updating and correcting the state laws dealing with elections.

S.F. 1098, proposed by Sen. Darril Wegscheid (DFL-Apple Valley), a measure drafted to broaden the definition of a lobbyist, was laid over for further discussion.

S.F. 1151, proposed by Sen. Dennis Frederickson (IR-Morgan), which would transfer Ottawa township in LeSueur county from the second to the first congressional district, was also laid over for further discussion. Committee Chairman Sen. Jerome Hughes (DFL-Maplewood) expressed concern that by approving the bill the committee would set a precedent for shifting congressional boundaries and that the committee would receive numerous requests to shift other boundaries in the future. Frederickson indicated that this change is unique because Ottawa township is separated from the second district by the Minnesota River and that it is impossible to reach without traveling through parts of the first district.

Testimony was also heard on a bill, S.F. 1839, sponsored by Hughes, to recodify and clarify election contest laws.

Committee Capsule

Employment

Panel okays two bills

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), approved S.F. 1441 as amended and S.F. 1742 during its Tues., Feb. 11, meeting.

S.F. 1441 allows the commissioner of jobs and training to award grants from a pool of funds allocated to the division of vocational rehabilitation. The bill, authored by Sen. Darril Wegscheid (DFL-Apple Valley), provides that the grants go to long-term sheltered workshops for equipment to train severely disabled people in computer and other high-technology applications and to increase sheltered worker productivity. A condition of the grants requires that workshops provide matching funds.

S.F. 1742, authored by Chmielewski, will allow the Dept. of Military Affairs to purchase commercial insurance to cover workers' compensation claims. In the past, according to Thomas Ryan, a representative from the department, the employees have been covered by state insurance with the federal government paying for all awards.

However, the federal government will not allow payment incurred in one fiscal year to be paid in the next fiscal year. Under the bill, a commercial insurance company would pay for awards and the federal government would pay the insurance premiums.

Workers' comp bill discussed

"We're trying to keep this bill noncontroversial," Department of Labor and Industry Commissioner Steve Keefe told the Thurs., Feb. 13, meeting of the Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake). Keefe was referring to S.F. 1903 regarding workers' compensation, authored by Chmielewski.

The bill, which was accompanied by a 132 page amendment, basically just clarifies a few points in the existing law and makes some minor changes, Keefe said. Some parts of the bill may still be amended, he said.

The amendment is lengthy, Keefe said, because it contains all the rules the department currently has for workers' compensation, along with a few minor changes. He said he believes the rules might be more effective if put into law.

Nothing in the bill is really life or death to the department, Keefe concluded.

Energy and Housing

Homeless aid bill approved

A bill creating a housing program through matching grants was approved at the committee's Wed., Feb. 12 meeting. S.F. 1863 authored by Sen. Donna Peterson (DFL-Mpls.) would aid singles with incomes of up to 80 percent of the poverty line who are not eligible for federal programs. Grants would be administered by the Minnesota Housing Finance Agency to match up to 50 percent of private foundation funds for developing singles low-income housing. The bill was re-referred to the Finance Committee.

S.F. 1805, a proposal by Sen. Lawrence Pogemiller (DFL-Mpls.) to repeal a sunset clause on the interest reduction program was amended and approved. The amendment extends the sunset clause to Jan. 1, 1992.

Finance

Panel hears from educators

The Finance Subcommittee on Education met Fri., Feb. 7, to hear testimony from representatives of the University of Minnesota, the State University System, and the Higher Education Coordinating Board (HECB). Each representative reported to the

subcommittee, chaired by Sen. Gene Waldorf (DFL-St. Paul), what his institution thought was the best way to deal with the governor's proposed budget cuts.

The University must borrow money rather than take the cuts, said Stan Kegler, vice president for institutional relations. The problem with state funding to the University, he said, has been that it increases and decreases every year, making it difficult to begin and maintain programs. Budgetary stability is now a key goal of the University, Kegler said.

Kegler presented a plan for the University to cut about \$5 million and borrow more than \$12 million, thereby equalling the governor's proposed cut of over \$17 million.

Under the plan, which the University board of regents has not yet approved, the University would pay back the loan in five annual segments, of over \$3 million each. The payments will come from cuts made over the next five years.

Sen. Glen Taylor (IR-Mankato) asked Kegler if that meant that the University would just tack on an extra \$3 million to its funding request each year. Kegler replied that it was not the intention of the plan.

The proposed budget cuts, according to Gene Mammenga, director of business and government relations for the State University System, are "a problem but not a disaster." To make a \$6.4 million cut, the system would take about \$1 million out of its repair and betterment fund; about \$425,000 from system-wide computing; and about \$500,000 from teaching and middle-management salaries. The rest would have to be taken directly from the campus system, Mammenga said.

Dave Longanecker from the HECB said that the vast majority of any cuts from the board would be taken from student aid, since that composes most of its budget.

Educators speak out on budget

The Finance Subcommittee on Education met Mon., Feb. 10, to hear more about how various education institutions planned to meet the proposed budget cuts. The subcommittee, chaired by Sen. Gene Waldorf (DFL-St. Paul), heard testimony from representatives of the Area Vocational-Technical Institutes (AVTIs), the Community College System, and the Dept. of Education.

John Ostrem, representing the AVTI system, Curman Gaines, from the Dept. of Education, and Gerald Christenson, from the Community College System, spoke about possible effects of the cuts and gave general plans on how their systems would cut.

Public safety cuts discussed

The Finance Subcommittee on Agriculture, Transportation, and Semi-States met Mon., Feb. 10, to hear from representatives of the Dept. of Public Safety and the Crime Victims Reparation Board. The representatives presented the subcommittee, chaired by Sen. Keith Langseth (DFL-Glyndon), with plans to absorb the governor's proposed budget cuts.

Frank Ahrens, fiscal/administrative services director for the Dept. of Public Safety, said that he thinks the cuts can be made without any layoffs. The department has instituted an informal freeze on hiring and on major discretionary purchases.

Fern Sepler-King, director of the Crime Victims Reparation Board, said that the board is currently out of funds and is falling into debt at the rate of about \$100,000 each month. The problem, Sepler-King said, is that the board is processing the applications faster and the amount asked for in the claims has increased.

Since the board is mandated by law to pay reparations equal to provable loss, Sepler-King recommended that the board begin to spend next year's money allotment. Since the federal government reimburses the board for a percentage of the amount spent the previous year, this would mean an increase in federal funds next year.

Mn./DOT reps talk to panel

The governor's proposed cuts to Mn./DOT office of transit could be absorbed, Randy Halvorson, transit director for the department, told the Finance Subcommittee on Agriculture, Transportation, and Semi-States on Tues., Feb. 11. The office has a carryover of about \$2 million from fiscal year 1985 which will go toward deflecting the impact of the cuts, Halvorson said.

Elliot Perovich, chairman of the Regional Transit Board, said that his board does not have a plan to deal with the possible cuts. The possible areas for cuts include work practices and service reductions, he said. The board will try to avoid a fare increase because it would hurt the ridership so much, Perovich said.

Farmer-lender bill approved

The Finance Committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), okayed S.F. 1636, the farmer-lender mediation bill, during its Tues., Feb. 11 meeting. The bill calls for voluntary and mandatory mediation between farmers and their lenders.

The bill was approved after an amendment removed its interest buy-down clause. Author Sen. Roger Moe (DFL-Erskine) said he still believed the clause was a good one, but he was willing to delete it in the interest of advancing the bill.

In other action, the committee adopted a motion to approve the governor's choice of Peter J. Kiedrowski for the Commissioner to the Dept. of Finance after questioning him about the state's budget shortfall.

Sen. Glen Taylor (IR-Mankato) asked Kiedrowski if he knew what errors had occurred in the state's original budget forecast process. The major problem, Kiedrowski replied, was that the national economy did not grow at its predicted rate.

Historical Society testifies

John Wood, the deputy director for the Historical Society, spoke to the Finance Subcommittee on Agriculture, Transportation and Semi-States at their Wed., Feb. 12, meeting. Wood told the subcommittee, chaired by Sen. Keith Langseth (DFL-Glyndon), how the Historical Society would meet the governor's proposed budget cuts.

The group would probably close some of their sights on Mondays, and others throughout the winter months, Wood said. The exhibit program could also be modified, he said, and certain grant applications delayed until the next grant cycle. The society would probably begin to charge admission at certain state-owned sights, he said.

State Department reps give overview

The Finance Subcommittee on State Departments listened to an overview of the effects of the proposed budget cuts on state departments during its Wed., Feb. 12, meeting. Members of the subcommittee, chaired by Sen. Carl Kroening (DFL-Mpls.), addressed questions about the overview to Brian Roherty, an assistant commissioner for the Dept. of Finance.

Roherty explained aspects of the human services deficiency, the capital repairs and betterment fund, and the transportation/semi-state budget. Kroening said that he had asked each state department to respond individually and some representatives will be testifying at the next meeting.

Governmental Operations

Panel okays appointments

Members of the Governmental Operations Committee, chaired by Sen. Don Moe (DFL-St. Paul), met Mon., Feb. 10, to consider the confirmations of two appointees. Committee approval was granted to James Hacking as the executive director of the Public Employees Retirement Association and to Lani Kawamura as director of the State Planning Agency.

Health and Human Services

Rules for day care facilities discussed

The Tues, Feb. 11, meeting of the Health and Human Services Committee began with presentations on the effect of proposed budget cuts on the Dept. of Health and the Dept. of Human Services.

The panel members, chaired by Sen. Linda Berglin (DFL-Mpls.), then gave their approval to one measure and began extensive debate on a second bill. The first measure, S.F. 1580, sponsored by Berglin, requires the adoption of the 1985 Life Safety Code standards for intermediate care facilities for persons with mental retardation. The measure was drafted, Berglin said, as a response to a federal initiative, the "Look Behind" Survey, in order to provide greater flexibility in meeting federal compliance.

The second measure before the committee, S.F. 1581, establishes requirements for the regulation of child day care. Debate on the measure centered on an amendment that broadened the scope of the bill to include all aspects of day care covered under a rule promulgated by the Human Services Department. Because of time limitations further discussion and action on the bill was delayed until the next committee meeting.

Prescription regulation bill fails

The first portion of the Wed., Feb. 12, meeting of the Health and Human Services Committee was devoted to discussion of a measure that would have established a multiple prescription system for monitoring the prescriptions of Schedule II controlled substances. Under the proposal, S.F. 1717, authored by Sen. Allan Spear (DFL-Mpls.), doctors would have been required to use official prescription blanks, distributed by the state, when prescribing Schedule II controlled substances. One copy of the tripart form would have been sent to the Bureau of Criminal Apprehension in order to identify possible cases of drug abuse, over-prescribing or other inappropriate practices involving controlled substances.

Proponents of the measure, from the Bureau of Criminal Apprehension, argued that the measure would aid in apprehending individuals who unlawfully obtain prescription drugs. Opponents, including the Minnesota Medical Association, the Minnesota State Pharmaceutical Association and the Pharmacist Manufacturing Association, argued that the bill placed a cumbersome new layer of regulation upon both doctors and pharmacist. The measure failed to gain the committee's approval on a voice vote.

A second measure debated by the committee dealt with extending the "Patient's Bill of Rights" to out-patients obtaining mental health services. The proposal, sponsored by Berglin, gained the endorsement of committee members. The third measure, also sponsored by Berglin, extended the authorization of earned income saving accounts to general assistance recipients in residential chemical dependency treatment programs. S.F. 1675 was approved by the panel.

The second portion of the meeting, held in the evening, began with the formal approval of S.F. 1919, extending the patients' Bill of Rights to out-patients obtaining mental health services.

Committee members then heard extensive testimony on S.F. 1581. The proposal, sponsored by Berglin, details the requirements for the regulation of child day care providers; prohibits local governments from establishing special fire code requirements for small family day care homes; limits the liability of municipalities for licensing activities; and provides for indemnification of municipalities. Proponents of the measure argued that the bill would provide "a reference point for consistency in building and fire code between municipalities" and that the measure would insure quality day care with the establishment of substantial compliance standards.

Panel members also adopted an amendment requiring the Dept.

Committee Capsule

of Human Services to establish a task force to study major barriers that prevent individual and corporate entrepreneurs from entering the child care field. The amendment specifies that the task force be made up of representatives from counties, the legislature, providers, consumers, advocacy groups and the appropriate state agencies. Further, the task force is directed to focus their attention on issues concerning the availability of liability insurance for providers; the availability of child care information and referral systems; the identification of objectively validated indicators of quality day care; the administration of the federal child care food program; the methods for establishing child/staff ratios; methods for establishing safety standards for day care facilities; and alternative methods of day care regulation that increase the variety of day care available to consumers.

Committee members expect to take final action on the measure at the Fri., Feb. 14, hearing.

Judiciary

Farm mediation bill gains

A bill mandating farmer-lender mediation prior to foreclosure cleared a second legislative hurdle Fri., Feb. 7, when members of the Judiciary Committee approved the measure and forwarded it on to the Senate Finance Committee.

The bill, S.F. 1636, sponsored by Sen. Roger Moe (DFL-Erskine), establishes a mechanism for the mediation of debt agreements between farmers and lenders by establishing mediation boards throughout the state. Under the measure, a three-member farm mediation commission is established to oversee the mediation process. In addition, the bill sets up the regional farm mediation boards to work with individual farmers and creditors to reach an agreement on debt repayment. Committee discussion focused on the mandatory nature of the bill and an amendment, offered by Sen. Randy Kamrath (IR-Canby), which would have provided that the mediation process be voluntary, rather than mandatory. The amendment failed to gain committee approval. Another amendment that removed "agriculturally related businesses" from the definition of "agricultural property" was approved by the panel.

In other action, the committee, chaired by Sen. Allan Spear (DFL-Mpls.), granted approval to four additional bills. S.F. 1592, authored by Sen. Ember Reichgott (DFL-New Hope), makes it a felony to solicit a child under the age of 14 to engage in sexual conduct. The bill differs from current prostitution statutes in that there is no "for hire" requirement; the solicitation is sufficient for prosecution. In addition, the bill specifies that "consent or mistake as to age is not a defense to prosecution."

S.F. 1600, sponsored by Sen. Ron Sieloff (IR-St. Paul), eliminates the limits on the amount of bond to be posted by a clerk of court, prohibits deputy clerks as well as chief clerks from practicing law in the court in which they are employed, and changes the procedure for filing a change of name with the county recorder.

S.F. 1645, authored by Sen. Gene Merriam (DFL-Coon Rapids), makes it a gross misdemeanor to use force or threat of force to intimidate or impede revenue department employees while the employee is engaged in the lawful performance of official duties.

S.F. 857, carried by Sen. Michael Freeman (DFL-Richfield), establishes the conditions for the judicial modification of statutes.

A fourth bill, S.F. 373, authored by Sieloff, dealing with the Uniform Fraudulent Transfer Act, was referred to subcommittee for further discussion.

Panel discusses juvenile code bill

The full Judiciary Committee took up discussion of the juvenile code revision bill, S.F. 1646, at the Mon., Feb. 10, hearing. Debate,

however, was confined to Article 2, the provisions dealing with civil commitment for chemical dependency and mental illness.

Chief author Michael Freeman (DFL-Richfield) outlined the four major policy objectives incorporated in the current language of Article 2. According to Freeman, the measure is designed to insure statutory standards of treatment of mentally ill and/or chemically dependent minors; establish a reporting mechanism; clarify the individual's rights when in treatment for mental illness or chemical dependency; and to provide for independent court review if there is a failure to meet the statutory standards for treatment.

Testimony on the provisions of Article 2 indicated that while several amendments have been incorporated into the bill to address the concerns of treatment professionals, a number of controversial elements remain. Kathleen Moberg, speaking on behalf of the Minnesota Association of Social Service Facilities, argued that private "Rule 5" agencies should be exempt from the bill because of current regulation by state and county agencies. Wayne Raske, of the Dept. of Human Services, listed a number of departmental concerns about specific language contained in the bill. Linda Sandvig, of the Minnesota Hospital Association also expressed a number of concerns along with suggested amendments. Further discussion on the measure is scheduled for Mon., Feb. 17.

Farm products buyers liability eased

Committee members approved two bills at the Wed., Feb. 12, hearing. S.F. 1597, authored by Sen. Charles Berg (IND-Chokio), removes the liability of persons who buy farm products. According to Berg, because of the current agricultural crisis, some buyers of farm products have been sued after paying a farmer who did not then pay a third party holding a security interest in the products. Under the bill, a section of Minnesota law is repealed, thus removing the liability for buyers who purchase farm products, and removing the registration system for livestock buyers, wholesale produce dealers, and crop product buyers.

The second bill gaining committee endorsement provides civil remedies for sexual exploitation by psychotherapists. S.F. 1619, sponsored by Sen. Allan Spear (DFL-Mpls.), parallels, in many respects, the criminal law enacted last year. The bill provides that a patient could bring suit if the sexual contact occurred during a psychotherapy session, the sexual contact occurred while the patient was emotionally dependent on the psychotherapist or the sexual contact occurred by means of therapeutic deception.

Discussion on the bill centered on several amendments relating to the statute of limitations and the extent of an employers' liability. An amendment specifying a statute of limitations of six years was adopted. Two amendments modifying the employers' liability were also adopted. The first specifies that the employer may be held liable only if the employer knew or had reason to know of the exploitation and failed or refused to act resulting in the patient sustaining damages. The second amendment requires prospective employers to inquire, in writing, of former employers if there had been an incident of sexual conduct within the previous five years of employment.

Local and Urban Government

Committee approves four bills

At the Thurs., Feb. 13, meeting, committee members approved a measure, S.F. 1760 sponsored by Keith Langseth (DFL-Glyndon), which would consolidate economic development authorities in Moorhead and Clay County.

A bill transferring certain Minneapolis civil service classified positions to unclassified positions, S.F. 1789 sponsored by Donna Peterson (DFL-Minneapolis), was also approved.

Two bills authored by Florian Chmielewski (DFL-Sturgeon Lake) were also approved. S.F. 1793 would extend the authority to pay for the construction of a library in McGregor to surrounding townships. S.F. 1643 would permit Aitkin County to levy a tax above present limits. The bill was re-referred to the Taxes and Tax Laws Committee.

Public Utilities and State Regulated Industries

Bill bans recorded phone soliciting

Minnesotans would no longer be bothered by a recorded sales pitch delivered over the phone, according to a proposal advanced Tues., Feb. 11, by the committee. The bill, S.F. 1631, prohibits anyone from using for commercial purposes an automatic dialing-announcing phone device.

Sponsored by Sen. Allan Spear (DFL-Mpls.), the bill originally proposed regulating the use of the devices. However, committee members accepted the amendment offered by Sen. Fritz Knaak (IR-White Bear Lake), that institutes the ban.

The bill allows the devices to be used if the person receiving the call has given written permission to the caller. It also does not forbid the use of the machine for medical or emergency reasons.

The committee, chaired by Sen. Neil Dieterich (DFL-St. Paul), okayed a bill requiring persons offering coin telephone service to provide phone service with access to long-distance calls, directory assistance, and emergency and operator service. The proposal, H.F. 1025 (Dieterich), also limits the rate that can be charged for these services.

The third bill advanced by the committee, S.F. 1639 (Chmielewski), removes the residency requirement for distributors and operators of video games of chance.

Panel reviews PUC proposed changes

The committee began reviewing two bills Thurs., Feb. 13, regulating the practices and procedures of the Public Utilities Commission. No action was taken on either measure.

The two bills, S.F. 1869 (Dieterich) and S.F. 1719 (Storm), prohibit a person appointed to the commission from being employed with a company, or its affiliate, that is regulated by the commission one year prior to the beginning of the term. Both bills also prohibit a commissioner from accepting employment with a company that is regulated by the commission. That prohibition is for two years under Dieterich's bill, while Storm proposes a one year restriction.

Storm's proposal places tighter restrictions on who can be appointed to the commission. He proposes that a commissioner be chosen on a nonpartisan basis, which means the candidate could not have held elected office, been appointed to a position within the executive branch, or been an officer in a campaign or a party two years prior to the appointment. Further, Storm proposes that a person appointed to the commission have at least three years of work experience in at least one of the following areas: economics, law, finance, accounting, engineering, physical or natural sciences, natural resources, or environmental studies.

Dieterich's proposal prohibits a commissioner from communicating with any person that is not an employee of the commission regarding a case that is pending. Also, a commissioner may not discuss benefit opportunities with a person that is a party to a case that is pending.

The committee also began reviewing a proposal prohibiting gas and electric utilities from selling, leasing, renting, installing, or repairing products and equipment that depend upon the energy supplied by the utility for operation. The committee took no action on S.F. 1768, sponsored by Sen. Gene Waldorf (DFL-St. Paul).

Taxes and Tax Laws

Subcommittee examines budget cuts

The Subcommittee on Property Taxes and Local Government Aids took a closer look Tues., Feb. 11, at the governor's proposed budget balancing plan and its impact on local units of government. The governor proposed cutting homestead credit by \$51.1 million, agricultural credit by \$8.1 million and local government aid by \$25.2 million.

Dept. of Revenue spokesman John Haynes said the governor's proposal will cause local governments to make a choice between cutting spending or raising taxes to maintain their level of services. "They will have the same set of choices we have," he said.

Representatives of the League of Minnesota Cities said it would be difficult for cities to absorb cuts in the current budget year. They said while cities are being mandated to implement new programs, they are facing dramatic cuts in federal spending, loss of revenue due to a declining tax base and rising costs in existing programs. They further claim the governor's proposed cuts are actually larger due to budget shifts made in previous sessions. According to the league, the governor's proposal, which calls for a 3.5 percent reduction in local aid and credits, actually cuts local government aid by 8.1 percent and homestead credit by 8.78 percent.

Members of the Association of Minnesota Counties said the solution to the revenue shortfall should not require an increase in either state or local taxes. To help prevent increases, the association said a moratorium in implementing new state requirements may be needed. The association also said the actual reduction of committed state funds to any county should not exceed 3.5 percent, and that the impact of the revised projections for AFDC, General Assistance and Work Readiness programs must be included when assessing the effect of a 3.5 percent cut.

Triplett outlines tax evasion problem

The amount of unpaid taxes in the state totals nearly \$200 million as of last December, Revenue Commissioner Tom Triplett told the committee Wed., Feb. 12. Add another \$300 million in lost taxes due to unreported income, and the amount of uncollected taxes in Minnesota totals about \$500 million, Triplett reported.

About 55,000 individuals still owe their state taxes, and nearly 30,700 business are delinquent in their payments, Triplett explained. The average among individuals who are delinquent is \$1,164, while the average for businesses that have not paid is \$3,351.

The \$500 million in uncollected taxes is not a small problem, Triplett said. He explained that the amount equals 9.6 percent of the state's annual tax collections or about \$330 for each household in Minnesota.

To fight the problem, the department has proposed legislation that would increase criminal fraud prosecutions, strengthen audit activities, expand out-of-state corporate audits and improve efficiency within the department. The proposal will be considered by the committee.

Transportation

Caboose bill approved

Two bills involving railroads were approved by the committee Wed., Feb. 12.

Under S.F. 421, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), trains longer than 2,000 feet would be required to have cabooses if they did not use block signals or contain hazardous materials.

Opponents argued that it is not always necessary to use cabooses because mechanical devices can do the same job.

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Operating trains without cabooses would save money and keep freight charges down, railroad representatives contended.

Proponents argued that running trains without cabooses endangers lives. Representatives from the United Transportation Union, Minnesota Brotherhood and other organizations said savings would be outweighed by potential dangers.

The bill was approved and recommended for passage.

A bill requiring railroads to offer right-of-way property to leaseholders before selling it on the open market was also approved. S.F. 1546, sponsored by Sen. Gary DeCramer (DFL-Ghent), also provides a mechanism for negotiating fair market values of the land.

Veterans and General Legislation

Smoke alarms in all duplexes supported

A bill requiring smoke detectors to be installed in each unit of a duplex gained committee support Mon., Feb. 10. Current law only requires duplexes constructed, remodeled or rented after January 1, 1980, to have the detectors. The bill, S.F. 1665, is sponsored by Sen. Don Frank (DFL-Spring Lake Park).

The committee, chaired by Sen. Robert Lessard (DFL-Int'l. Falls), defeated a proposal disallowing art organizations that receive endowment support from receiving the State Arts Board's general support grants. Sen. Gene Merriam (DFL-Coon Rapids), author of the proposal, said, "a large percentage of the grants go to major arts organizations and not enough go out to the artists who really

need it." He explained that private donations would continue to help the large art organizations, and that the work of local artists should be supported by public funds.

Merriam's proposal would also have prohibited a member of the arts board from being an officer, director, or employee of an organization receiving grants from the board. And, the bill required committees reviewing grant applications to assist artists in completing the application forms.

Opponents of the measure argued endowments should not be discouraged. They also claimed the board is very active in supporting local artists and that it provides adequate assistance in grant applications.

Vietnam veterans license plates bill gains

Vietnam veterans could purchase special license plates, according to a bill approved Wed., Feb. 12, by the committee. The bill, S.F. 1744, sponsored by Sen. James Pehler (DFL-St. Cloud), requires the veterans to pay a fee of \$10 for the plate in addition to the regular registration tax.

But former prisoners of war could purchase special license plates without paying the additional \$10 fee, according to another bill advanced by the committee. The measure, S.F. 1757, carried by Vice-chairman Joe Bertram (DFL-Paynesville), originally proposed offering free special license plates to former POW's. But the proposal could have cost the state up to \$45,000, so committee members amended the bill to require payment of the registration tax.

Preview

The Minnesota Senate Week at a Glance

Monday, February 17, 1986

Veterans & General Legislation, Chair: Bob Lessard
8:00-10:00 AM Room 118 Capitol

Agenda: S.F. 1666-Frank: Requiring smoke detectors in hallways of apartment houses, etc.; S.F. 1851-DeCramer: Changing procedures related to the State Archeologist and archaeological sites; S.F. 1792-Chmielewski: Removing restrictions on state agr. society's ability to impose restrictions on performers at state fair.

Judiciary, Chair: Allan Spear
10:00 AM-1:00 PM Room 15 Capitol

Agenda: S.F. 1646-Freeman: Juvenile code revision.

Transportation, Chair Clarence Purfeerst
10:00 AM Room 112 Capitol

Agenda: S.F. 1818-Taylor: Barring traffic citation quotas; S.F. 1841-Frank: Allowing exchange of driver license information with other states; S.F. 1842-Frank: Public safety/eliminating redundant and surplus language.

Finance Subcommittee on Health and Human Services,
Chair: Donald Samuelson

12:00-2:00 PM Room 120 Capitol

Agenda: Continuation of overview from February 14th meeting if not completed. Public testimony.

Rules and Administration Subcommittee on Bill Referral,
Chair: William Luther

1:30 PM Room 237 Capitol

Agenda: S.F. 1533-Kamrath: Resolution memorializing Congress to resolve the American Ag. crisis; S.F. 1672-Davis: Relating to ag; estab. a legal assistance program for family farmers; S.F. 1873-DeCramer: relating to the U of M; approp. money for ag. ext. service; S.F. 1875-Dicklich: relating to the U of M; approp. money for ag. ext. service.

The Senate will be in session at 2:00 PM

Educations Aids Subcommittee, Chair: Tom Nelson
3:00 PM Room 15 Capitol

Agenda: S.F. 1864-Peterson,D.C.: Special education for 0-2 year olds; S.F. 1700-Chmielewski: Excess capital levy for Moose Lake; S.F. 1540-Davis: Dept. of Education; library information services; S.F. 1776-Peterson,D.C.: Payment fees for advanced placement programs; S.F. 1750-Hughes: Education districts; S.F. 760-Dicklich: Authorizing general bonds for I.D.S.706; S.F. 1038-Dicklich: Authorizing bonds for I.D.S.701.

Education Aids, Chair: Tom Nelson
7:00 PM Room 15 Capitol

Agenda: Post Secondary Open Enrollment Act. S.F. 1771-Nelson: Misc. Amendments; S.F. 1589-Taylor: Expanding the definition of eligible institution; Other related bills.

Tuesday, February 18, 1986

Economic Development and Commerce, Chair: Sam Solon
8:00 AM-12:00 PM Room 118 Capitol

Agenda: S.F. 1593-Luther: Continuation of Omnibus Insurance Bill.

Public Utilities and State Regulated Industries, Chair: Neil Dieterich
8:00 AM Room 15 Capitol

Agenda: S.F. 1869-Dieterich: Changing the powers & Responsibilities of chair of Public Utilities Commission; S.F. XXXX-Dieterich: Amendment.

Judiciary Subcommittee on Civil Law, Chair: Randy Peterson
10:00 AM-12:00 PM Room 107 Capitol

Agenda: S.F. 373-Sieloff: Fraudulent transfer of property; S.F. 1714-Sieloff: Prudent person standard for trustees; S.F. 1517-Jude: Restrictive covenants; S.F. 1957-Jude: Visible improvement lien limits.

Local and Urban Government, Chair: Robert Schmitz
10:00 AM-12:00 PM Room 15 Capitol

Agenda: S.F. 1701-Wegscheid: Cemetery maintenance; S.F. 1765-Mehrkens: Red Wing; refund bond deposit; S.F. 1731-Merriam: Anoka County; refund bond deposit; S.F. 1680-Merriam: Anoka County; park ordinances; S.F. 1849-Dahl: Anoka County; Mississippi Regional Park; S.F. 1727-Luther: Tort liability.

Agriculture & Natural Resources, Chair: Gene Merriam
1:00-3:00 PM Room 112 Capitol

Agenda: S.F. 1582-Schmitz: Prohibiting issuance if Moose licenses to previously licensed applicants; S.F. 1659-Benson: Authorizing stocking of fish in certain streams where public access is granted; S.F. 1526-Merriam: Recodification of game and fish laws.

Health and Human Services, Chair: Linda Berglin
1:00 PM Room 15 Capitol

Agenda: Note: All bills not heard on Friday, February 14, 1986, will be added to today's agenda. S.F. 1817-Berglin: Day care insurance; S.F. 1868-Pogemiller: Centralized food assistance program.

Taxes and Tax Laws Subcomm. on Economic Development,

Chair: Lawrence Pogemiller
3:00 PM Room 15 Capitol

Agenda: (TENTATIVE on 2/13/86) discussion Re: bonding and tax increment financing.

Local and Urban Government, Chair: Robert Schmitz
7:00 PM Room 15 Capitol

Agenda: S.F. 1963-Novak: Metropolitan Waste Control Commission; S.F. 1883-Lantry: Special Service District; S.F. 1780-Ramstad: Homeowners' Association road maintenance; S.F. 1913-Wegscheid: Metropolitan governance; S.F. 1548-Davis: Becker Development Fund.

Wednesday, February 19, 1986

Governmental Operations, Chair: Donald Moe
8:00-10:00 AM Room 15 Capitol

Agenda: S.F. 1916-Nelson: State employee contracts ratification; S.F. 985-Merriam: Emergency rules procedure.

Veterans and General Legislation, Chair: Bob Lessard

8:00 AM Room 118 Capitol

Agenda: S.F. 1711-Diessner: Prohibiting theft of dogs or cats for research purposes; S.F. 1852-Berglin: Changing procedures for dealing with certain burial sites; S.F. 1853-Berglin: Authorizing the Indian Affairs Council to accept grants and gifts.

Education, Chair: James Pehler

8:30 AM Room 112 Capitol

Agenda: S.F. 1712-Pehler: Requiring licensed school nurses; S.F. 1798-Pehler: Technical changes to definition of a school; est. task force to make recom. about compulsory attendance laws; S.F. 1696-Olson: Revising definition of school.

Joint House/Senate Subcommittee on Claims. Co-Chair: Gregory Dahl

10:00 AM Room 300-N State Office Building

Agenda: **Morey's Fish Company v. Dept. of Natural Resources.**; H.F. 1459/S.F.164-Dahl: Veterans' bonus claims.

Judiciary, Chair: Allan Spear

10:00 AM-1:00 PM Room 15 Capitol

Agenda: S.F. 1735-Pehler: Probate debt collection by affidavit; S.F. 1613-Wegscheid: Veterinarian's lien; S.F. 1752-Reichgott: Gender neutrality statute revisions; S.F. 1801-Peterson, D.C.: In camera evidentiary hearings in criminal sexual abuses cases; Bills reported from Civil Law 2/18 and Judicial Admin. 2/13.

Transportation, Chair: Clarence Purfeerst

10:00 AM Room 112 Capitol

Agenda: S.F. 1641-Freeman: Drivers licenses/defining buses; S.F. 1641-DeCramer: Fleet registration; S.F. 1690-Johnson, D.E.: Authorizing handicapped to drive 3-wheel vehicles on city streets; S.F. 1910-Johnson, D.E. Willmar turnback.

Rules and Administration, Chair: Roger Moe

12:30 PM Room 15 Capitol

Agenda: Bill Referral Subcommittee report; S.F. 1716-Laidig: POW/MIA resolution.

Agriculture & Natural Resources, Chair: Gene Merriam

1:00-3:00 PM Room 112 Capitol

Agenda: S.F. 1790-Moe, R.D.: Rural economic development provisions.

Health and Human Services, Chair: Linda Berglin

1:00 PM Room 15 Capitol

Agenda: Note: All bills not heard on Tuesday, February 18, 1986, will be added to today's agenda. S.F. 1707-Berglin: Planning services for brain impairment; S.F. 1810-Berglin: AFDC monthly reporting; S.F. 1814-Berglin: Pre-admission screening; S.F. 1924-Berglin: Clinics in schools; S.F. 1717-Spear: Reconsideration of controlled substance establishing a multiple prescription system for monitoring; Note: All bills not heard at this meeting will be heard on Thursday, February 20, 1986, at 3:30 PM in Room 107. Please call Senate Information at 296-0504 or the Hotline 296-8088 for last minute changes in Agenda.

(TENTATIVE) The Senate will be in session at 3:00 p.m.

Finance Subcommittee on State Departments, Chair: Carl Kroening

3:00 PM Room 120 Capitol

Agenda: Budget

Taxes and Tax Laws,gl Chair: Douglas Johnson

3:00 PM Room 15 Capitol

Agenda: Commissioner Thomas Triplett's confirmation; S.F. 1825-Johnson, D.J.: Dept. compliance bill (public testimony); S.F. 1965-Johnson, D.J.: Governor's budget proposal.

Thursday, February 20, 1986

Economic Development and Commerce, Chair: Sam Solon

8:00-10:00 AM Room 118 Capitol

Agenda: S.F. 1616-Davis: Agricultural/business loan usury limits and emergency farm loan operation loan act extension; S.F. 1718-Petty: Permitting credit unions to offer IRA's; S.F. 1703-Wegscheid: Regulating soft drinks; vending machines; S.F. 1642-Waldorf: Regulating electricians.

Judiciary Subcommittee on Civil Law, Chair: Randy Peterson

10:00 AM-12:00 PM Room 118 Capitol

Agenda: S.F. 1706-Diessner: Living will.

Local and Urban Government, Chair: Robert Schmitz

10:00 AM-12:00 PM Room 15 Capitol

Agenda: S.F. 1682-Diessner: Real property; condo plats; S.F. 1794-Laidig: Washington County; sale of property; S.F. 1740-McQuaid: Metro Council to purchase homestead property, highway project; S.F. 1710-Lantry: Provide health care services; St. Paul Ramsey Medical Center.

Finance Subcommittee on Health and Human Service

Chair: Donald Don Samuelson

12:00-2:00 PM Room 120 Capitol

Agenda: Public testimony.

Judiciary Subcommittee on Criminal Law, Chair: Eric Petty

12:00-2:00 PM Room 15 Capitol

Agenda: S.F. 1862-Petty: Closed circuit T.V. testimony for child abuse victim witnesses; S.F. 1770-Freeman: Forfeiture of criminal proceeds.

The Senate Will be in session at 2:00 PM

Finance Subcommittee on State Departments, Chair: Carl

Kroening

3:00 PM Room 120 Capitol

Agenda: Budget.

Legislative Commission on Pensions and Retirement,

Chair: Donald Moe

3:00-5:00 PM Room 112 Capitol

Agenda: Retirement bills.

Health and Human Services, Chair: Linda Berglin

3:30 PM Room 107 Capitol

Agenda: All bills not heard on Wednesday, February 19, 1986, will be added to today's agenda. Please call Senate Information at 296-0504 or the Hotline at 196-8088 for last minute changes in Agenda.

Local and Urban Government, Chair: Robert Schmitz

7:00 PM Room 118 Capitol

Agenda: S.F. 1702-Samuelson: Brainerd; port authority; S.F. 1928-Jude: Brooklyn Park; port authority; S.F. 1669-McQuaid: St. Louis Park; port authority; S.F. 1927-McQuaid: Hopkins; port authority; S.F. XXXX-Reichgott: Economic Development Authority.

Friday, February 21, 1986

Governmental Operations, Chair: Donald Moe

8:00-10:00 AM Room 15 Capitol

Agenda: S.F. 467-Frederickson: Local purchase of sheltered workshop products; S.F. 496-Frederickson: Library notification of surplus documents; S.F. 1850-Waldorf: Fees for state agency services.

Judiciary, Chair: Allan Spear

10:00 AM Room 15, Capitol

Agenda: S.F. 1923-Spear: Repeal of criminal syndicalism law; S.F. 1942-Spear: Best interest standard for guardianship bills reported from Criminal Law 2/20.

Agriculture and Natural Resources, Chair: Gene Merriam

1:00-3:00 PM Room 112, Capitol

Agenda: S.F. 1559-DeCramer: Changes related to agricultural credit and collateral; changing priority of security interests; S.F. 1733-Wegscheid: Clarifying the exemptions to prohibiting against manufacture of food from adulterated milk or cream; S.F. 1829-Bernhagen: Resolution to enact the Mississippi River National Heritage Corridor Act of 1986; S.F. 1578-Anderson: Moving Wadena County from Area One to Area Four for potato promotion.

Health and Human Services, Chair: Linda Berglin

1:00 PM Room 15, Capitol

Agenda: S.F. 1196-Spear: Child care resource and referral; S.F. 1774-Peterson, D.C.: State departments inspections; S.F. 1775-Peterson, D.C.: Ombudsman to Corrections expanded to include Health and Human Services; S.F. 1931-Diessner: Payment of minimum wage modification for persons in treatment facilities; S.F. 1884-Lantry: Pesticide notification-housing; **NOTE:** All bills not heard at this meeting will be heard on Tuesday February 25, 1986 at 1:00 PM in Room 15. Please call Senate Information at 296-0504 or the Hotline at 296-8088 for last minute changes in agenda.

How a bill becomes law

The first step of the lawmaking process is to transform an idea into a specific proposal for a law. The proposal may be for a new law, for changing current law or for repealing a law. The proposal may originate from a variety of sources: individuals, public interest groups, state agencies or businesses.

In order for a bill to be introduced, it must be prepared in the appropriate form. This preparation, called bill drafting, may be done by private attorneys or staff attorneys.

In bicameral legislatures, a bill must pass both bodies and be signed by the governor of the state.

Before a bill can begin to be processed through either of the two houses, it must be given its first formal "reading." The first reading occurs when the bill is introduced, given a file number and assigned to a committee for study.

The committee chairman decides a hearing date for the bill. During the hearing, proponents and opponents give testimony on the merits of the legislation. Any person may testify on any bill.

After weighing all the testimony and thoroughly examining and discussing the pros and cons of the bill, the committee members may take several different courses of action. They may vote to: recommend that the bill be passed and sent directly to the House or Senate floor; approve the bill and send it to another committee for further discussion; send the bill to the floor or another committee without a recommendation for passage; keep it in committee indefinitely or simply defeat it.

Members of the committee can change a bill. These changes are called amendments. The members may recommend that the bill be amended to improve it or to reach a compromise among the bill's proponents and opponents.

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body for discussion and consideration. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least twenty-four hours before being considered for final passage. The bill is given a third reading prior to the vote for final passage. After final passage, the bill is sent to the other body.

In the Legislature, a bill must pass the Senate and the House of Representatives in identical form to become law. If a measure does not go through in the same form, a conference committee is established consisting of both senators and representatives to work out a final version. The compromise version must then be repassed by both bodies.

If a proposal survives all these obstacles, it is sent to the executive office, where it faces another test. The governor may sign the bill into law, veto it, or allow the bill to expire without signing it. A veto may be overridden if both houses repass the bill with a two-thirds majority vote.

Voting

Voting is the most important step in taking part in the political process. A person can vote in Minnesota if he or she is a citizen of the United States, has resided in the state for at least twenty days, and is eighteen years of age on election day. A person must register to vote either before the election or at the polling place. Voters who register at the polling place must have a valid form of ID showing current place of residence or bring a neighbor who is a registered voter in the precinct and who will sign an oath to vouch for them.

To find out where to vote on election day, contact the county auditor or city clerk. Also, newspapers often list polling places.

Contacting legislators

Your involvement in state government does not need to stop at the voting booth. You can contact your legislator to let them know your opinion on a legislative matter. Once you know who your senator or representative is (you may find out by calling the Senate Public Information Office at (612) 296-0504 or House Information

at (612) 296-2146) you may call, write or visit them. Senators welcome constituent visits, but you should call ahead to be sure your senator will be available when you arrive.

Letter writing

You can express your viewpoint in a letter to your legislator. When addressing your letter, use the following salutation:

Formal Address	Salutation
The Honorable John Doe	Dear Senator
Room 00, State Capitol	or
St. Paul, MN 55155	Dear Mr. Doe

Visiting

It is possible to arrange a personal visit with your legislator by calling his or her office and arranging a time with the secretary. Legislators keep busy schedules, so it is important to call in advance and arrange a time. You do not need to be a lobbyist to talk with your legislator. They welcome visits from their constituents.

Branches of government

Government at the state and federal levels consists of three principal branches: the legislative, the executive and the judicial.

The legislative branch is responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level, and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature consists of two bodies: the Senate and the House of Representatives. This two body system is referred to as a bicameral system.

The executive branch administers and executes the laws passed by the legislative branch. The President of the United States is the chief executive at the federal level, and the governor serves as the state's chief executive. They are aided by the officials appointed to head the various agencies and departments and by the other officials elected to the executive branch. For example, the governor is assisted by the lieutenant governor, secretary of state, state treasurer, state auditor, attorney general and the agency heads.

The judicial branch enforces the laws and insures that the interpretation of the law is in defense of the U.S. and state constitutions. The federal and state court systems compose the judicial branch.

The responsibilities of each branch of government differ, and no branch of government is given power over another. This system of "checks and balances" assures that no single group can dominate the workings of government.

Minnesota Legislature

Our state is divided into 67 senate districts, each having a population of about 60,000 people. Each of these districts is divided into an "A" and "B" portion to designate the house of representative districts. The people of Minnesota elect one person from each of the senate and house districts to serve in the Legislature. Therefore, 67 senators and 134 representatives compose the Minnesota Legislature. Senators serve four-year terms and representatives serve two-year terms.

According to Minnesota law, the Legislature may only meet 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either house is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. It adjourns earlier in even numbered years.

MINNESOTA STATE SENATE

Senate Members—1986 Session

DIST.	PARTY	SENATOR	PHONE	ROOM *	DIST.	PARTY	SENATOR	PHONE	ROOM *
22	DFL	Adkins, Betty A.	296-5981	235 Cap.	47	DFL	Luther, William P.	296-8869	205 Cap.
12	IR	Anderson, Don A.	6455	103 SOB	44	IR	McQuaid, Phyllis W.	1279	132B SOB
41	IR	Belanger, William V., Jr.	5975	107 SOB	26	IR	Mehrkens, Lyle G.	8075	127 SOB
32	IR	Benson, Duane D.	3903	109 SOB	49	DFL	Merriam, Gene	4154	G-24 Cap.
11	IND	Berg, Charles A.	5094	115 SOB	65	DFL	Moe, Donald M.	4264	309 Cap.
60	DFL	Berglin, Linda	4261	323 Cap.	2	DFL	Moe, Roger D.	2577	208 Cap.
21	IR	Bernhagen, John	4131	113 SOB	31	DFL	Nelson, Tom A.	4871	301 Cap.
16	DFL	Bertram, Joe	2084	328 Cap.	52	DFL	Novak, Steven G.	4334	203 Cap.
33	IR	Brataas, Nancy	4848	139 SOB	43	IR	Olson, Gen	1282	132C SOB
14	DFL	Chmielewski, Florian	4182	325 Cap.	17	DFL	Pehler, James C.	4241	306 Cap.
50	DFL	Dahl, Gregory L.	5003	G-24 Cap.	10	DFL	Peterson, Collin C.	4135	205 Cap.
18	DFL	Davis, Charles R.	2302	G-24 Cap.	29	IR	Peterson, Darrel L.	3988	141 SOB
27	DFL	DeCramer, Gary M.	6820	303 Cap.	61	DFL	Peterson, Donna C.	4274	G-29 Cap.
5	DFL	Dicklich, Ronald R.	2859	306 Cap.	19	DFL	Peterson, Randolph W.	8018	326 Cap.
56	DFL	Diessner, A. W. "Bill"	8298	325 Cap.	62	DFL	Petty, Eric D.	0760	323 Cap.
63	DFL	Dieterich, Neil	8867	235 Cap.	58	DFL	Pogemiller, Lawrence J.	7809	G-24 Cap.
51	DFL	Frank, Don	2877	G-28 Cap.	25	DFL	Purfeerst, Clarence M.	4167	303 Cap.
30	IR	Frederick, Mel	4123	119 SOB	45	IR	Ramstad, Jim	9251	123 SOB
23	IR	Frederickson, Dennis R.	8138	143 SOB	46	DFL	Reichgott, Ember D.	2889	G-27 Cap.
40	DFL	Freeman, Michael O.	9307	303 Cap.	35	IR	Renneke, Earl W.	4125	117 SOB
8	IR	Gustafson, Jim	4314	132 A SOB	13	DFL	Samuelson, Don	4875	121 Cap.
54	DFL	Hughes, Jerome M.	4183	328 Cap.	36	DFL	Schmitz, Robert J.	7157	235 Cap.
28	IR	Isackson, Doran L.	9305	151 SOB	64	IR	Sieloff, Ron	4310	135 SOB
15	IR	Johnson, Dean E.	3826	105 SOB	7	DFL	Solon, Sam G.	4188	303 Cap.
6	DFL	Johnson, Douglas J.	8881	205 Cap.	59	DFL	Spear, Allan H.	4191	G-27 Cap.
48	DFL	Jude, Tad	4248	235 Cap.	42	IR	Storm, Donald A.	6238	125 SOB
20	IR	Kamrath, Randy P.	1240	133 SOB	1	DFL	Stumpf, LeRoy A.	8660	306 Cap.
53	IR	Knaak, Fritz	1253	149 SOB	24	IR	Taylor, Glen	9457	147 SOB
38	IR	Knutson, Howard A.	4120	121 SOB	39	DFL	Vega, Conrad M.	4101	G-29 Cap.
57	DFL	Kroening, Carl W.	4302	G-24 Cap.	66	DFL	Waldorf, Gene	3809	G-24 Cap.
34	IR	Kronebusch, Patricia Louise	1945	153 SOB	37	DFL	Wegscheid, Darril	8091	309 Cap.
55	IR	Laidig, Gary W.	4351	145 SOB	4	DFL	Willet, Gerald L.	4147	121 Cap.
9	DFL	Langseth, Keith	3205	G-24 Cap.					
67	DFL	Lantry, Marilyn M.	8017	G-24 Cap.					
3	DFL	Lessard, Bob	4136	328 Cap.					

*Capitol or State Office Building, St. Paul, MN 55155

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Briefly

The Minnesota Senate Week in Review February 21, 1986

Fetal injury bill amended

The bill making it a crime to cause death or injury to a fetus by injuring a pregnant woman was substantially amended at the Monday, February 17, session of the Senate.

According to chief author Sen. Allan Spear (DFL-Mpls.), prior to the amendment, S.F. 1591 was the most practical, logical means to fill a gap in Minnesota's criminal law. He argued that because S.F. 1591 specified that the crime was against the woman, the bill would pass tests of constitutionality by remaining neutral on the question of the personhood of the fetus. However, Sen. Tad Jude (DFL-Maple Grove), succeeded in amending the bill to specify that the unborn child would be the victim of the crime. Jude argued that "An important role of legislation is to reflect the morality of the people" and that his amendment best reflected the wishes of the people. Jude's amendment was adopted on a vote of 43-15.

Both versions of the bill set criminal penalties for the death or injury of a fetus resulting from either intentional assault or an unintentional felony. No further action was taken on the bill after the amendment was adopted.

Bill restricting PUC conduct advances

A proposal restricting the conduct and administration of the Public Utilities Commission won the approval of the Public Utilities and State Regulated Industries Committee Thursday, February 20. However, several amendments easing the proposed restrictions were added to the original measure.

Sponsored by Sen. Neil Dieterich (DFL-St. Paul), the bill, S.F. 1869, originally prohibited a commissioner and a commission employee from accepting employment within two years after leaving the job with a company that is regulated by the commission. Committee members argued that was unfair treatment for commissioners and commission employees. The committee adopted an amendment allowing the professional employees to accept employment, but to disclose to the commission when they are discussing job opportunities with a company regulated by the PUC. The committee also reduced to one year the period when a commissioner cannot accept employment from a utility. Sen. Doran Isackson (IR-Storden) said the two-year restriction would result in "getting less qualified people to serve." Dieterich argued against changing the restriction. "They [the commissioners] are to serve as impartial factfinders and ratemakers . . . the test of competence ought not to be the ability to get a job in the future," he said.

The bill also prohibits a commissioner from discussing future job or benefit opportunities with a person that is party to a case pending. And, the commission must establish rules establishing what other discussions are forbidden with a party to a pending rate case.

Furthermore, a person appointed to the commission may not be employed with a company that is regulated by the commission within one year prior to the beginning of the term, according to the approved bill.

Bill revising Juvenile Code gains

The comprehensive juvenile code revision bill cleared the Senate Judiciary Committee after hours of debate Monday, February 17. S.F. 1646, sponsored by Sen. Michael Freeman (DFL-Richfield), is the first comprehensive restructuring of the state's juvenile code since 1959. According to Freeman, the bill is designed to assure juveniles' rights and to cut down on the frequency of out-of-home placement.

However, the bill ran into substantial opposition from other committee members. Article II, dealing with treatment for chemical dependency and mental illness, narrowly escaped being dropped from the bill. The motion to delete Article II, offered by Sen. Fritz Knaak (IR-White Bear Lake), failed to gain adoption on a 7-7 vote. A motion to lay the entire bill on the table, offered by Sen. Ember Reichgott (DFL-New Hope), failed on a vote of 6-8.

Dozens of amendments were offered, however, before the bill was approved on a vote of 8-6. Among those amendments adopted was a provisions to change the time limits on court jurisdiction to one year for misdemeanors and until the age of 19 for felonies. A second major amendment gaining committee approval provides that felony trials for 16-17 year old juveniles be open to the public.

Senate accepts seat belt bill

On a 42-21 vote, the Senate agreed to the House version of the seat belt bill and sent it to the governor for his signature. While the proposal, S.F. 40, requires all Minnesota drivers and front seat passengers to buckle up, it establishes no penalties against those violating the law. Drivers not wearing a seat belt would simply be given a warning ticket.

The Senate passed a seat belt bill last year, but it failed to earn House approval until this session. The House changed the Senate proposal by removing the penalty provision, exempting farmers driving a pick-up truck while working, and establishing an August 1, 1986, effective date. Senate author Sen. Don Frank (DFL-Spring Lake Park) urged senators to accept the House bill, even though it differed from his proposal. "I've been fighting four years to get this bill passed, and I'm not going to take the chance [of having it fail] again," he said. Frank said the bill is useful because it "will try to get people in the habit of wearing a seat belt."

Other persons exempted from the law include a driver backing up a vehicle; a passenger in a seat in which all the seat belts are being used; a person with a written medical exemption, which is approved by a doctor; and a worker who makes frequent stops or deliveries, such as a mailman.

Because the bill fails to meet certain standards, it would not help repeal a federal requirement that all newly-manufactured cars be equipped with airbags or automatically-adjusting seat belts by 1990. Car manufacturers would have to install those safety features unless states comprising two-thirds of the U.S. population enact certain mandatory seat belt laws.

The Senate also passed a resolution asking the governments of the United States and the Socialist Republic of Vietnam to take all possible actions to determine the fate of persons missing in action in Southeast Asia. The resolution, H.F. 1826, is sponsored by Sen. Gary Laidig (IR-Stillwater).

Committee Capsule

Agriculture and Natural Resources

Bill mandates soil loss laws

A bill mandating counties to adopt a soil loss ordinance by July 1, 1988, gained committee support Fri., Feb. 14.

Sponsored by Sen. Charles Davis (DFL-Princeton), the measure, S.F. 1617, requires counties to adopt an ordinance that "substantially complies" with the model ordinance developed by the Dept. of Agriculture. Counties must submit proposals that differ from the model for department review. Furthermore, the department may amend the proposed ordinance, and counties then must adopt those changes.

The bill also prohibits local road authorities from burning or tilling roadside grass beyond eight feet from the road. The prohibition adds to an existing law prohibiting the mowing of roadside ditches before July 31 of any year.

The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), also advanced a bill, S.F. 1614 (Davis), requiring the Dept. of Agriculture to conduct an annual report on the financial condition of Minnesota's farmers. The bill contained a proposal mandating grocery stores to display placards, among general food items, showing the amount of money the farmer earns on the product. However, the committee removed that provision from the bill.

Game and fish laws recodification gains

The committee okayed a bill Tues., Feb. 18, recodifying the state's game and fish laws. Sponsored by Chairman Gene Merriam, the proposal, S.F. 1526, makes no substantive changes, but simply clarifies language in the statutes.

The state's game and fish laws regulate hunting and fishing as well protect the state's wildlife. Merriam's bill does not alter how these laws are enforced, but would help sportsmen and state officials better understand them.

The committee also advanced a measure permitting the Dept. of Natural Resources to stock fish in any stream that flows through private land but has public access. The bill, S.F. 1659, is sponsored by Sen. Duane Benson (IR-Lanesboro).

Panel okays rural development bill

The proposed rural development act won committee approval Wed., Feb. 19, and was sent to the Governmental Operations Committee. Sponsored by Majority Leader Roger Moe (DFL-Erskine), the bill increases efforts to promote economic development in rural Minnesota.

Specifically, the bill, S.F. 1790, expands the authority of the Dept. of Energy and Economic Development (DEED) to spur rural economic development. It also creates six funds to provide loans to rural businesses, and it establishes educational grant programs to assist dislocated rural workers.

The bill also creates the Greater Minnesota Corporation, which would pool public and private investment capital and provide development grants, loans and research services to businesses to help develop new products and services.

Moe said the bill is an attempt to draw various programs into a single rural economic development effort. "It makes sense when you're talking about rural development to put all those [projects] together so the left hand knows what the right hand is doing," he said.

In centralizing development efforts, the proposal transfers the wastewater treatment grants program from the Pollution Control Agency to DEED. This transfer generated considerable committee discussion. Under the program, the grants are used to develop or improve waste water treatment plants, which would increase a

city's sewer capacity—an important development consideration. Explained Sen. Gerald Willet (DFL-Park Rapids), "If you don't have the infrastructure to handle the development, then you won't have the development." But committee chairman Gene Merriam argued that if the PCA administered the program, development would still occur and environmental protection would be insured. Merriam's amendment to keep the program with the PCA failed. Supporters of the transfer argued that sewage treatment significantly impacts the progress of economic development, thus DEED should administer the program.

Economic Development and Commerce

Omnibus insurance bill amended, approved

S.F. 1593, a proposed remedy for the availability and affordability crisis in liability insurance coverage was approved after nearly eight hours of testimony and discussion at the committee's Tuesday and Thursday, Feb. 18 and 20, meetings.

The bill, authored by Sen. William Luther (DFL-Brooklyn Park) would provide a back-up system for Minnesotans unable to obtain liability coverage due to prohibitive costs or unavailability for specialized lines of insurance. It would establish Joint Underwriting Associations (JUAs), extend the protection of the Fair Plan to rural areas and provide the commissioner of commerce with increased rate review and regulatory powers.

Sen. Gary Laidig (IR-Stillwater) proposed an amendment to the bill which would establish assigned risk programs instead of JUA's and would include tort reform. Luther told the committee that he expected tort reform to be added to the bill in the Judiciary Committee - the next stop for the bill. He said he opposed assigned risk plans because single insurers would be burdened with each high-risk policy. With JUAs, the entire insurance industry would share the burden, he said. Laidig's amendment failed.

Tom Newcome of State Farm Insurance Co. told the committee that he opposed the establishment of JUAs because they would, in effect, force all personal line policyholders to subsidize commercial lines. He also opposed the extension of the Fair Plan to liability insurance because liability is not comparable to property insurance coverage which is now protected under the plan. Claims against property insurance are predictable but with liability insurance, "the sky is the limit," he said. Extension of the Fair Plan would cause deficits which policyholders would eventually pay for with increased rates, Newcome said.

Commissioner of Commerce Michael Hatch countered Newcome's testimony stating that a dramshop liability JUA has been in place for one year and so far only one policy has been written through it. Hatch said JUAs would apply pressure on the insurance industry to write policies which are not currently available. He said he does not believe the JUAs will cause deficits.

Sen. Duane Benson (IR-Lanesboro) offered an amendment which would limit the Fair Plan to property insurance. The amendment was adopted.

A second Benson amendment failed. It would have incorporated the tort reform sections of Laidig's amendment into the bill.

Sen. Darril Wegscheid (DFL-Apple Valley) offered an amendment which removed the sections establishing JUA's. Wegscheid said the language was unclear and committee members seemed to be uncertain as to which lines of insurance should have JUAs. The amendment was adopted.

Through an amendment by Sen. Gregory Dahl (DFL-Coon Rapids), the JUA sections of the bill were reinstated and changed to exclude casualty, life, health and property insurers from required JUA membership.

S.F. 1593 was then approved and re-referred to the Judiciary Committee.

In addition to approving the Omnibus Insurance Bill, the committee approved four less controversial bills.

S.F. 1616 authored by Sen. Charles Davis (DFL-Princeton) was approved and re-referred to Finance Committee. The bill extends the Minnesota Emergency Farm Operating Loans Act to June 30, 1987.

S.F. 1703 authored by Sen. Darril Wegscheid (DFL-Apple Valley) was also approved and re-referred to Finance. The bill would authorize the department of agriculture to promulgate rules for regulation of non-alcoholic beverages that are mixed, compounded, or sold for home consumption. It would also terminate state registration of non-alcoholic beverage manufacturers and distributors, increase the annual state inspection fee and limit the local fee for food vending machines.

S.F. 1718 authored by Sen. Eric Petty (DFL-Mpls.) was approved. The bill would grant credit unions and state banks the power to offer self-directed Individual Retirement Accounts (IRAs) and Keough accounts.

S.F. 1642 authored by Sen. Gene Waldorf (DFL-St. Paul) was also approved. The bill would make technical changes in the statutes regarding electricians.

Education

Panel approves ed grants program

Sen. Roger Moe (DFL-Erskine) presented S.F. 1790, which he called the "Rural Development Act of 1986" to the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), at its Fri., Feb. 14, meeting. The bill also contains a supplemental education grant program.

The bill, according to Sen. Gerald Willet (DFL-Park Rapids), would create a small pool of money for supplemental grants to displaced workers in rural Minnesota. Originally, a provision of the grants required applicants to enroll in a non-baccalaureate program in a school within their developmental region. However, an amendment by Sen. Gene Merriam (DFL-Coon Rapids) struck "developmental region," with Merriam suggesting a possible substitute of "geographical region." "Non-baccalaureate program," was also deleted, requiring merely that the applicant enroll in a program designed to train people for employment.

Money for the grants would come out of \$9.3 million appropriated to the rural rehabilitation revolving fund. The bill was approved as amended and referred to the Committee on Agriculture and Natural Resources.

The committee also approved S.F. 1909, authored by Sen. Jerome Hughes (DFL-Maplewood). The bill allows private proprietary schools to include placement information to prospective students beyond the information the law requires.

Panel discusses definition of a school

Since no one can stop home education, the legislature should provide options to public schools, said Sen. Gen Olson (IR-Minnetrista) at the Wed., Feb. 19, meeting of the Education Committee. Olson told the committee, chaired by Sen. James Pehler (DFL-St. Cloud), that that was essentially the purpose of S.F. 1696, which she authored.

The bill, Olson said, tries to look at the end results rather than input to determine what is a school. The bill also provides some new options in the definition of a school; for example, pupils may be taught by "licensed teachers or 'effective' teachers;" schools may use either a licensed teacher or a correspondence program to monitor student progress; or the school may be defined as such if it is affiliated with a church.

Olson said she recommended approval of both S.F. 1696 and S.F. 1798, authored by Pehler. S.F. 1798 establishes a task force to

examine the definition of a school, qualifications of teachers, requirements for schools, reporting requirements, methods of enforcement, and penalties for noncompliance.

The committee discussed S.F. 1712, also authored by Pehler, requiring licensed school nurses. The bill requires that a school board provide at least one full-time nurse for each group of 750 students or for a building enrolling 500 or more students.

Rose Hermondson, a representative from the Minnesota Federation of Teachers, said that she certainly did not want teachers put in the position of making medical decisions. However, Hermondson said, this is just another mandate without any funding. Schools may have to lay off a teacher to hire a nurse, she said.

Education Aids

Uniform policy needed for early credit

Minnesota's advanced placement program allows high school students to take tests which can earn them college credit. Currently, the amount of credit they receive depends upon which post-secondary institution they attend. Each post-secondary institution in the state, said S.F. 1776 author Sen. Donna Peterson (DFL-Mpls.), should develop a clear and uniform policy for awarding credit for the tests.

Since Minnesota high school students' participation is below the national average, a uniform policy may help to interest students in the program, Peterson told the Mon., Feb. 17, meeting of the Education Aids Subcommittee. The subcommittee, chaired by Sen. Tom Nelson (DFL-Austin), approved the bill, which will require the University of Minnesota, the State University System, and the Community College System to each develop their own clear policy on credit given for the tests.

The subcommittee approved an amendment proposed by Sen. Randolph Peterson (DFL-Wyoming) to strike clauses from the bill which would require the state to begin paying for the tests in 1986. This clause, according to Donna Peterson, would have allayed criticism that students taking advantage of the post-secondary options act receive free college credit, while those in the advanced placement program must pay.

The subcommittee also again approved S.F. 1750, the education districts bill authored by Sen. Jerome Hughes (DFL-Maplewood). The bill encourages school districts to combine for purposes of research, transportation, and faculty. The bill as amended has no fiscal implications for this biennium although it provides special aid and levy considerations for next biennium.

As Randolph Peterson explained to Sen. Gene Merriam (DFL-Coon Rapids), the bill merely helps school districts overcome their natural resistance to erosion of the district lines.

However, a representative from the Minnesota School Boards Association gave testimony opposing the bill after it had been approved. The hiring clauses in the bill, the representative said, require that education districts hire teachers working in the district or off the unrequested leave list. Teachers on the unrequested leave list are often the least experienced teachers, rather than the most competent, the representative said.

In other action, the subcommittee approved S.F. 1864, authored by Donna Peterson. The bill, which requires school districts to provide special instruction for handicapped children from birth to two years of age, is similar to a bill passed last year concerning handicapped persons ages 3-21. An amendment added during the meeting gives an Interagency Early Learning Committee the ability to make recommendations to school districts about the most appropriate course of instruction for each individual child. The amendment also further established the county's financial responsibility for the child.

S.F. 1540, authored by Sen. Charles Davis (DFL-Princeton), was also approved. The bill allows the Dept. of Education to charge "reasonable fees" for any library information services it provides.

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The money will be deposited in a special account appropriated to the department to defray the costs of providing the services.

The subcommittee also approved S.F. 1700, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizing an excess capital outlay levy for Moose Lake; S.F. 760 and S.F. 1038, authored by Sen. Ronald Dicklich (DFL-Hibbing), authorizing bonds in Independent School Districts 706 and 701; and S.F. 1970, authored by Nelson, which makes technical changes in transportation aid.

Post-secondary option discussed

Members at the Education Aids Subcommittee discussed seven bills regarding the Post-Secondary Options Enrollment Act during their Mon., Feb. 17, meeting.

S.F. 1771, authored by Chairman Tom Nelson (DFL-Austin), requires that pupils have counseling services to the extent possible before enrollment in the program. The counseling, according to the bill, will help parents and students become more aware of the risks and possible consequences of enrolling in the program. The bill also allows a school board to place teachers on unrequested leave at any time during the school year unless otherwise negotiated.

S.F. 1800, authored by Sen. Keith Lanseth (DFL-Glyndon), requires that a student's application to a post-secondary institution be accompanied by a certificate from the superintendent. The certificate would state that the pupil, the pupil's parents, and education professionals have met and evaluated how well prepared the pupil is for the courses. Also, if the pupil takes a course at a post-secondary institution when a comparable one is offered in his school district, the state will not reimburse the tuition cost.

S.F. 1899, authored by Sen. James Pehler (DFL-St. Cloud), would remove the option that allows pupils to take courses which simultaneously apply for high school and college credit. Under the bill, courses would apply only for one or the other. The bill also sets a Feb. 1 deadline for students and parents to be notified of the program and a March 1 deadline for students to provide written notice of intent to enroll in a post-secondary institution the following school year. Students may petition to take such a course until July 1.

A student currently enrolled in the program testified against the bill to the subcommittee. He said that since he is doing the extra work required for a post-secondary class, he should get post-secondary credit.

Another bill discussed, S.F. 1890, authored by Sen. Donna Peterson (DFL-Mpls.), requires that a pupil attending a post-secondary institution meet high school graduation requirements by the end of 12th grade. Pupils must enroll in enough secondary and post-secondary courses to enable high school graduation by the end of 12th grade. The intent of the bill, Peterson said, is to prevent students from merely taking post-secondary classes, while not working towards high school graduation.

The subcommittee acted only upon S.F. 1856, authored by Sen. LeRoy Stumpf (DFL-Plummer). The bill, which was presented by Rep. Bob McEachern (DFL-St. Michael) and rejected, would have required notification of intent to enroll, counseling, and registration priority for post-secondary students over high school students.

The subcommittee also briefly discussed S.F. 1929, authored by Sen. Don Samuelson (DFL-Brainerd), which provides for reimbursement to school districts that lose money under the post-secondary options act; S.F. 1835, authored by Sen. Randy Kamrath (IR-Canby), prohibiting state tuition reimbursement when pupils take courses for post-secondary credit; and S.F. 1589, authored by Sen. Glen Taylor (IR-Mankato), which slightly expands the definition of an "eligible institution" in the post-secondary option act.

Employment

Hostile takeovers create problems

Murray Harpole, chairman of Pentair Industries, Inc., told the Tues., Feb. 18, meeting of the Employment Committee how his corporation fended off a hostile takeover attempt. The committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake) discussed the implications of hostile takeovers during its meeting.

Defeating the takeover cost his company over \$5 million, Harpole said. In 1980, a known takeover artist approached the company and said he had bought five percent of its stock. Speculators who knew the man had a reputation of taking over companies began to buy the stock, sending the price from \$16 to \$24 a share. The company paid the man \$24 million to buy back the stock he had bought for \$16 million, Harpole said.

Not only did the corporation have to spend over \$4 million to buy back the stock—called "greenmail" money—but it also spent over \$300,000 on legal fees. The company has spent a good deal more since then to improve its defenses against other takeovers, Harpole said.

Answers to the problem at the state level are limited, said Raymond Plank, chairman of Stakeholders in America, a group concerned about corporate takeovers. However, if a state can create an environment which discourages hostile takeovers, it's a real incentive for businesses to settle there, he said.

The committee also approved the governor's appointments of Joseph R. Samargia as Commissioner of the Dept. of Jobs and Training and of Kathryn R. Roberts as Full Productivity and Opportunity Coordinator for the Dept. of Jobs and Training.

Task force report heard

Professor Mario Bognanno reported to the Thurs., Feb. 20, meeting of the Employment Committee on the Governor's Task Force on Unemployment Insurance. The task force, composed of five people, issued both a minority and a majority opinion report to the committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake).

Under the current system, Bognanno pointed out, the unemployment insurance fund will continue to run at a deficit in the future. The plan conceived by the task force proposes both tax increases and benefit cuts, he said. The benefit cuts were guided by concern for national norms, while the tax increases were settled upon by considering tax equity, he said.

The committee also discussed 1903, authored by Chmielewski, regarding workers' compensation. The bill, which Dept. of Labor and Industry Commissioner Steve Keefe called "non-controversial," raised objections from AFL-CIO representative Dan Gustafson. Keefe said that he would have been happy to delete the portion Gustafson objected to, but that he had been unaware of Gustafson's objections.

Gustafson also said that the bill, along with its numerous proposed amendments, was very confusing.

The committee did approve one amendment to the bill, which Keefe said deleted a few portions that had raised some objections.

Gustafson also spoke out against an amendment proposed by Sen. James Pehler (DFL-St. Cloud). The amendment prohibits some workers from receiving workers' compensation if they are working for a Minnesota company but are injured in another state or are residents of another state.

Finance

Officer training cuts discussed

The ten percent surtax on all traffic violations is intended to go in part to police officers' training, according to Mark Shields, executive director from the Peace Officers Standards and Training

(POST) board. Shields spoke to the Thurs., Feb. 13, meeting of the Finance Subcommittee on Agriculture, Transportation, and Semi-States, chaired by Sen. Keith Langseth (DFL-Glyndon).

The surtax goes into the general fund and part is then allocated to the board, which in turn disperses it to local officer training programs, Shields said. However, although the surtax continues to generate funds, the board is being cut, he said. The governor has proposed that the board be cut \$74,000 in both this and next year.

Dave Freeman, representing the Racing Commission, said that the commission needs the additional funds the governor has recommended allocated to them for licensing. The entire integrity of the track depends upon how thoroughly they check out their employees, jockeys, trainers, and owners, he said.

A representative of the Animal Health Board said that he believes the board can absorb the cuts without layoffs by keeping a position vacant and taking money out of another fund.

New vocational degree proposed

The Finance Subcommittee on Post Secondary and Higher Education discussed S.F. 1468, regarding a new generalist degree for Area Vocational-Technical Institute (AVTI) students, during its Thurs., Feb. 13, meeting. Author Ron Sieloff (R-St. Paul) presented the bill to the subcommittee, chaired by Sen. LeRoy Stumpf (DFL-Plummer).

AVTIs need a generalist degree, Sieloff said, because the economy changes so quickly that jobs often become obsolete. Paul Collins, a representative from St. Paul Technical-Vocational Institute, presented a large flow chart explaining how such a plan could work.

The subcommittee also heard an AVTI report on the 1985 Farm Crisis Intervention Program. The program, which was mandated by the legislature last year, helps provide financial planning to farm operators. A representative from the program told the subcommittee that they have had requests for twenty new programs, but that they know they won't be able to get the \$1 million needed to start them.

Report on Medicaid discussed

The Finance Subcommittee on Health and Human Services heard a summary of the attorney general's office report on Medicaid fraud during its Fri., Feb. 14, meeting. The subcommittee, chaired by Sen. Don Samuelson (DFL-Brainerd), then heard testimony disputing the report from Barry Jacobson from the Minnesota Association of Health Care Facilities (MAHCF).

The attorney general's office report, the result of a two-year Medicaid fraud strike force, listed five loopholes in the state's Medicaid program. The loopholes included excessive psychological care for nursing home residents, infrequent auditing of nursing homes and group homes, and "unreasonable profits" some nursing homes are earning for physical therapy and other services. The report also gives recommendations to help solve the problems.

The statement given by Jacobson attempted to refute many of the assertions in the attorney general's office report. While the MAHCF agreed that auditing had been a problem, the report also states that a recent reorganization in the Dept. of Human Services should help alleviate it. The type of physical therapy and billing procedures are mandated by law, the report states. A determination of the need for psychological care is best decided by the attending physician, according to the MAHCF statement.

Many of the allegations of the attorney general's office report are "based on supposition, incomplete information and an apparent lack of understanding of the long-term care reimbursement system," the report states. However, the attorney general's report does identify some areas in which the "Department of Human Services has failed to carry out its responsibilities," according to the MAHCF report.

The subcommittee also heard budget overviews from representatives from the Office of Full Productivity and Opportunity and the Minnesota Job Skills Partnership Board.

Cuts in human services heard

The department is not happy about cutting welfare dollars, Frank Giberson, a representative from the Dept. of Human Services told the Mon., Feb. 17, meeting of the Finance Subcommittee of Health and Human Services. The department wanted to show that the state can be a good partner to the county, Giberson said to the subcommittee, chaired by Sen. Don Samuelson (DFL-Brainerd). Giberson gave an overview of the governor's projected budget cuts and how they would be made.

David Doth, also from the Dept. of Human Services, explained a request for over \$776,000 to make information systems improvements. The request would allow the department to set up a system to automate assistance payments and the food stamp eligibility system. Automation is necessary, Doth said, to avoid a federally imposed continuing food stamp duplicate payment sanction of \$1 million annually. The federal government has shown some willingness to suspend the sanction if a state is trying to automate its system, he said.

The subcommittee also heard a presentation for a request for funds for the work readiness program. Under the program, counties are reimbursed for each person who remains in the program for a given period of time.

Panel hears from health reps

Representatives from various health care groups spoke to the Finance Subcommittee on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), during its Tues., Feb. 18, meeting, about their suggestions for trimming the budget and possible effects of the governor's proposed budget cuts.

Brian Osberg, representing Group Health, said the group had no official position on the governor's recommendation that people on medical assistance be mandated to join a pre-paid health plan. Osberg did point out that the federal government requires that more than one Health Maintenance Organization (HMO) be available in areas where HMOs are mandated.

Bill Conley, from the Mental Health Association of Minnesota, said that the association wants any cuts to be across-the-board in all programs. The association is also concerned that budget cuts might mean further delay of an already-delayed hiring of 175 extra staff people to care for the mentally ill in state hospitals, Conley said.

Director of the Commission on the Economic Status of Women Aviva Breen told the subcommittee that current AFDC levels are not adequate and certainly should not be cut. Decreasing funds to AFDC would be cutting aid to the poorest people in the state, who are women and children, she said.

Dick Welch, representing the Mental Health Advocates Coalition, said that the coalition was against cuts to the chronically mentally ill. They are the people with the most serious problems and the fewest alternatives, he said.

Margaret McPhearson, from the Minnesota Association of Health Care Facilities, said that a cut could mean completely eliminating the very complex case mix phase-in project.

Tom Beer, from the American Federation of State, County, and Municipal Employees (AFSCME), Council Six, said that there's a real problem when there's not enough staff to care for the mentally retarded. The fewer staff people, the more likely staff are to get hurt, Beer said; and the more get hurt, the fewer staff people there are.

All-terrain vehicle bill approved

The Finance Committee approved S.F. 1065, a bill that author

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Randolph Peterson (DFL-Wyoming) said he hopes will increase the number of trails for all-terrain vehicles, as well as improve the quality of those trails.

The bill as amended will basically re-direct a portion of the gas tax that has been allocated to the Highway User's Distribution Fund to the all-terrain vehicles account. Then it will be appropriated to the commissioner of natural resources to be used on programs and trails for all-terrain vehicle drivers. The bill also includes two new registration fees.

People who have been paying the tax on gas used for their all-terrain vehicles have a pretty good case that the money should go to a fund for their vehicles, said Chairman Gerald Willet (DFL-Park Rapids).

In other action, the committee approved, as amended, S.F. 51 on home care licensure, authored by Sen. Linda Berglin (DFL-Mpls.). The bill requires that any organization, unit of government, self-employed individual, or other entity that regularly engages in the delivery of home care services for a fee must be licensed by the commissioner of health. Certain exceptions, such as a relative providing services or an attendant authorized under the Medical Assistance program, are exempt. The bill appropriates \$131,700 from the general fund to the commissioner to be available until June 30, 1987.

Under the bill, the commissioner of health will, in consultation with others involved, adopt rules governing the home care agencies. Until the rules are adopted, the agencies must register with the commissioner and pay a fee.

Registration will help keep track of what agencies exist and what services they provide, Berglin said. The bill will also encourage a voluntary price disclosure system, Berglin said.

The committee also approved S.F. 871, authored by Sen. James Pehler (DFL-St. Cloud). The bill as amended provides that the commissioner of health may enter certain business premises and investigate the possibility of a release of a hazardous substance if he believes it may threaten the community. Under certain conditions, the commissioner may also release that information to individual private citizens.

The bill, which had an appropriation section deleted during the meeting, is basically to make sure that people know of hazardous materials in their community before an accident happens, Pehler said.

The committee re-referred S.F. 1744, also authored by Pehler, to the Transportation Committee. The bill allows specialized license plates for Vietnam veterans.

Panel hears from state departments

Chairman Carl Kroening (DFL-Mpls.) reviewed, with the Finance Subcommittee on State Departments, letters from various state departments during its Wed., Feb. 19, meeting. Department representatives wrote in response to a request that they supply the subcommittee with any alternatives they might have to the governor's recommended budget cuts.

The subcommittee members looked at each letter and asked questions to clarify problems.

Governmental Operations

Panel ratifies labor agreements

The Governmental Operations Committee, chaired by Sen. Don Moe (DFL-St. Paul), met Wed., Feb. 19, and approved a bill endorsing state labor contracts. The measure, S.F. 1916, carried by Sen. Tom Nelson (DFL-Austin), formally ratifies the labor agreements reached by the state and representatives of various state employee unions. In addition, the bill also endorses the commissioner of employee relations' plan for those state employees not represented by a union. Finally, the measure

specifies that for the period between the adjournment of the 1986 session but before the 1987 session of the legislature, the Legislative Commission on Employee Relations may give interim approval to any negotiated agreement, arbitration award, or compensation or salary plan submitted to it under other law.

In other action, the committee began discussion on a bill clarifying provisions of the administrative procedures act relating to emergency rules. The bill, S.F. 985, is sponsored by Sen. Gene Merriam (DFL-Coon Rapids).

Health and Human Services

Day care rule bill advances

The first item of business before members of the Health and Human Services Committee at the Fri., Feb. 14, meeting was the approval of S.F. 1581. The measure, sponsored by Committee Chair Linda Berglin (DFL-Mpls.), establishes the requirements for the regulation of child day care and prohibits local governments from establishing special fire code requirements for small family day care homes. In addition, the bill requires a task force to study the barriers that prevent individuals from entering the day care marketplace.

In other action, the panel also approved a measure, S.F. 1871, requiring the licensing and certification of contractors and individuals involved in the application or removal of asbestos from certain buildings. The bill, sponsored by Sen. Eric Petty (DFL-Mpls.), was amended to include a provision relating to workers' compensation cases involving asbestoses that would require that a neutral physician be named to examine the injured worker in those cases in which two employers cannot agree upon one physician to conduct an examination. The bill was re-referred to the Finance Committee.

A bill providing for a change Medical Assistance and General Assistance medical care reimbursements for treatment of mental illness was also approved and re-referred to the Finance Committee. The measure, S.F. 1654, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), specifies that payments be made upon a negotiated per diem rate rather than be based on the DRG classification system. According to Lantry, the DRG system (diagnostic related groups) cannot adequately assure appropriateness of treatment or predict resource allocation. The negotiated per diem method would provide for more cost effectiveness in the treatment of mental illness, she said.

The final measure approved by committee members, S.F. 1969, provides for a formal mental illness policy statement to be placed in the statutes. The bill, sponsored by Sen. Eric Petty (DFL-Mpls.), parallels language already in statutes regarding a state policy on the rights of the mentally retarded.

Child support clarifications discussed

Three bills clarifying provisions in the child support laws were debated at the Tues., Feb. 18, hearing. All three bills specify that in the determination of support under the child support guidelines an obligor's new spouse's income is not to be included in the calculation of the obligor's net income. In addition, S.F. 1685, authored by Berglin, specifies that the court may order an amount for support above the guidelines amount, without express findings, by agreement of the parties involved. S.F. 1999, authored by Sen. Ember Reichgott (DFL-New Hope), also includes provisions relating to alternative dispute resolution mechanisms and provisions relating to modifications in joint custody and visitation. S.F. 1732, authored by Sen. Gene Merriam (DFL-Coon Rapids), also allows for a presumption of joint custody and requires mediation services in contested custody matters. Committee members delayed action on the bills because of time limitations.

Earlier, committee members did endorse two measures. S.F. 1782 sets forth the minimum standards for supplemental Medicare long term care insurance policies. In addition, the measure, sponsored by Petty, specifies that home health care services be included in the coverage provisions. The bill was re-referred to the Economic Development and Commerce Committee. The second bill, S.F. 1721, changes laws regarding the withholding of child support payments to require employers to send the amount withheld to the county agency within ten days after a payday and sets an order of priority for situations in which there is more than one withholding order for a single employee. The bill, sponsored by Berglin, was amended to include the language of S.F. 2012, which establishes requirements for ordering parents, with support obligations, to provide health and dental plan coverage for minor children. The measure was re-referred to the Judiciary Committee.

Prescription regulation bill reconsidered

The committee voted to reconsider a bill designed to establish a system for monitoring the prescriptions of Schedule II controlled substances. S.F. 1717 authored by Sen. Allan Spear (DFL-Mpls.) was amended and approved by the committee after Sen. A.W. "Bill" Diessner (DFL-Afton) made a motion for reconsideration and offered an amendment to the original bill. Diessner's amendment would require that a cost-benefit analysis of the program be completed by a study group of all involved parties prior to implementation. The amendment was adopted and the bill was re-referred to the Judiciary Committee.

The committee continued testimony on S.F. 1685; S.F. 1999; and S.F. 1732 dealing with child support and custody provisions.

Judiciary

Bills aiding farmers okayed

Three measures aimed at helping Minnesota's beleaguered farmers gained approval at the Fri., Feb. 14, meeting of the Judiciary Committee.

S.F. 1604, authored by Sen. Dennis Frederickson (IR-Morgan), provides for the ownership of crops and establishes a procedure for recovering crop values when a farm has been foreclosed upon before the crops have been harvested. S.F. 1660, also sponsored by Frederickson, allows a farmer who has been foreclosed upon to declare a portion of the property as a homestead and to sell and redeem the homestead separately from the remaining property. S.F. 1590, authored by Sen. Keith Langseth (DFL-Glyndon), limits deficiency judgments against agricultural in-puts and establishes special provisions for the award of deficiency judgments.

In other action, the committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved an additional three measures. S.F. 1753, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides that the statutory time of residence required for a name change be six months as a resident of the state rather than the current one year in a particular county. S.F. 1751, also sponsored by Reichgott, makes numerous technical changes in the statutes caused by the merger of the intrafamilial sexual abuse laws into the criminal sexual conduct laws. S.F. 1939, sponsored by Spear, provides a clarification in the general judgment lien law.

Veterinarian's lien priority okayed

A bill providing for the priority of veterinarian's liens gained the panel's approval after considerable debate. The bill, S.F. 1613, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), specifies that the liens filed for emergency services be given priority over other agricultural liens. According to Wegscheid, the bill embodies a public policy of protecting the health and safety of the general public as well as providing some assurance to veterinarians that

they will be paid for performing emergency services.

In addition, the panel also approved what may be the longest bill ever introduced in the legislature, the revision of statutes for purposes of gender neutrality. The bill, S.F. 1752, sponsored by Sen. Ember Reichgott (DFL-New Hope), removes some 20,000 "he's" and "she's" and replaces them with gender neutral words such as "person."

Four additional bills were advanced by the panel. S.F. 373, sponsored by Sen. Ron Sieloff (IR-St. Paul), replaces the Uniform Fraudulent Conveyance Act, and establishes the conditions for determining fraud in property transfers. S.F. 1714, also sponsored by Sieloff, changes the "standard of care" that applies to trustees and the kinds of investments that may be made with trust property. S.F. 1735, authored by Sen. James Pehler (DFL-St. Cloud), provides for probate debt collections by affidavit and increases the amount of wages that may be paid to a surviving spouse and the amount in the estate eligible for collection. S.F. 1801, authored by Sen. Donna Peterson (DFL-Mpls.), provides for "in camera" evidentiary hearings in criminal sexual abuse cases regarding the complainant's sexual history.

In addition to the three full committee hearings, the Civil Law Subcommittee, the Criminal Law Subcommittee and the Judicial Administration Subcommittee held meetings throughout the week.

Local and Urban Government

Bond deposit refund okayed

Five bills were approved by members of the Local and Urban Government Committee at the first of two meetings held Tues., Feb. 18. The panel, chaired by Sen. Robert Schmitz (DFL-Jordan), approved two bills requiring the Department of Energy and Economic Development to refund the one percent industrial revenue bond deposit that two local units had made. The first measure, S.F. 1765, sponsored by Sen. Lyle Mehrkens (IR-Red Wing) requires the DEED to refund \$60,000 to the city of Red Wing. The second bill, S.F. 1731, authored by Sen. Gene Merriam (DFL-Coon Rapids), requires the refund of \$62,000 to Anoka County. Both bills were re-referred to the Finance Committee.

Committee members also approved a second measure sponsored by Merriam. S.F. 1680 specifies that Anoka County park ordinances supersede any city or town ordinances that apply to county parks. The bill is designed, Merriam said, to clear up confusion in the enforcement of various ordinances at Anoka County parks.

The fourth bill gaining committee endorsement, S.F. 1849, sponsored by Sen. Greg Dahl (DFL-Coon Rapids), also related to Anoka County. Under the measure, the county is designated as one of the operating agencies for the administration of funds earmarked for the Mississippi Regional Park. Currently, the city of Minneapolis and Hennepin County are the only designated operating agencies even though a substantial part of the park is in Anoka County.

Finally, the committee endorsed S.F. 1727. The measure, sponsored by Sen. William Luther (DFL-Brooklyn Park), provides the same immunity from liability to parks and recreation areas as that granted to the state and limits the liability to that which would entitle a trespasser to damages against a private person. The measure was re-referred to the Judiciary Committee.

Metropolitan governance bill approved

A bill designed to improve coordination, clarify roles and facilitate communication between the Metropolitan Council and metropolitan agencies, was approved at the evening meeting, Tues., Feb. 18. Sen. Darril Wegscheid (DFL-Apple Valley), author of S.F. 1913, said the bill sharpens distinctions between the Metropolitan Council and metropolitan agencies but does not alter the cumulative powers of the council. It would help the council

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engage in long-term policy planning and assist the agencies in determining long-term implementation plans, according to Sandra Gardebring, chair of the Metropolitan Council

The bill would also establish new appointment procedures for members of the Metropolitan Council, Regional Transit Board, Minnesota Waste Control Commission, and Metropolitan Parks and Open Spaces commission. Under the bill, the governor would be required to create a nominating committee to prepare a list of nominees for each vacancy. The committee would conduct meetings to consider the candidates and submit the list to the governor. The governor would not be required to appoint one of the listed candidates. No more than two-thirds of the governor's appointees to the Metropolitan Council could belong to the same political party.

Sen. Earl Renneke (IR-LeSueur) offered an amendment which would require the governor to select a nominee from the committee's list. Wegscheid said limiting the governor's powers would violate the constitution. The amendment failed.

The bill was approved and re-referred to Government Operations committee.

In other action, the committee approved S.F. 1963 authored by Sen. Steven Novak (DFL-New Brighton) which would establish uniform rates for Metropolitan Waste Control System services. The bill would also authorize the commission to establish advisory committees to assist the commission.

A bill sponsored by Sen. Marilyn Lantry (DFL-St. Paul), S.F. 1883, was approved and re-referred to Taxes and Tax Laws Committee. The bill would authorize the St. Paul City Council to establish a Special Services District in the Highland Park and Grand Avenue areas of St. Paul contingent upon the business communities' approval. Under the bill, the city council would have the authority to allow business owners to tax themselves for promotion, management, and maintenance services. Presidents of the Grand Avenue and Highland business associations submitted a signed statement in support of the bill. The bill was approved and re-referred to the Tax Committee.

S.F. 1780, authored by Sen. Jim Ramstad (IR-Wayzata) would authorize cities or towns to reimburse homeowner associations for maintaining access roads that are open to the public. The bill was approved.

S.F. 1548, authored by Sen. Charles Davis (DFL-Princeton) was approved and re-referred to the Tax Committee. The bill would authorize the city of Becker to create an economic development fund.

Ramsey County Hospital bill advances

A bill creating a new public benefit corporation structure for St. Paul-Ramsey Medical Center gained the approval of committee members at the first hearing Thurs., Feb. 20. The measure, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), reorganizes the existing St. Paul-Ramsey Medical Center and provides for the administration of the corporation. Under the bill, specific definitions, authority and duties are spelled out in statute. According to Lantry, the bill is necessary because this is the first time such a corporate structure has been established in Minnesota and may well serve as the pattern for future reorganization of other quasi-public entities.

Two measures relating to Washington County also were approved by the panel. The first, S.F. 1682, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), substitutes the words "condominium plats" for the words "condominium floor plans" through out the statutes and clarifies that land surveyors are authorized to sign declarations required under law. The second bill, S.F. 1794, authored by Sen. Gary Laidig (IR-Stillwater), provides for the sale of the county's social service building to the Lakeview Memorial Hospital in Stillwater.

Taxes and Tax Laws

Bill curbs sex discrimination in clubs

In an attempt to discourage golf clubs from discriminating against women, the committee advanced a bill Tues., Feb. 18, removing a club's property tax benefits if women are restricted from using the course. Under current law, golf courses, ski areas, and archery or firearm ranges are taxed on the value of the facility rather than the potential development value of the property. The proposal, S.F. 1950, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), would establish a new qualification for the "Minnesota Open Space Property Tax Law."

To qualify for the tax break, the facilities may not restrict use based on sex. Furthermore, private clubs that maintain the facility could not restrict membership based on sex. The bill permits the facilities to establish an all-male and an all-female day per week and one all-male and an all-female weekend per month. Also, the requirement does not apply to special events, such as invitational tours.

Naomi Dowma, member of the North Oaks County Club, said women are not allowed to use the course as often as men, but they pay the same dues for membership. "Twenty hours [for men during the weekend] as opposed to six hours [for women] is not very equal," she said.

Merriam said there is no good reason for a club to discriminate against women because golf times should be based upon the golf handicap. He further argued that the state should not provide a tax benefit to those that do: "We all have a right to associate wherever we please . . . and if they want to discriminate, they have that right. But don't ask me to pay for it."

The committee advanced a bill delaying the due date for property taxes on manufactured homes that are taxed as personal property. The measure, S.F. 1962, sponsored by Vice-chairman Steven Novak (DFL-New Brighton), moves the date from August 31 to October 15.

Two other bills providing local tax authority also won committee approval. S.F. 1643 (Chmielewski) permits Aitkin County to levy a tax for agricultural, tourism and economic development. The second proposal, S.F. 1793 (Chmielewski), allows the city of McGregor to enter into agreements with other cities and Aitkin County for construction of a library.

Liquor wholesalers dislike proposal

Representatives of liquor wholesalers voiced their opposition Wed., Feb. 19, to a provision in the governor's proposed tax compliance bill. That provision would establish a 14.6 percent sales tax on the wholesale of liquor and eliminate the tax on retail sales. The intent of the proposal is to aid the state in collecting liquor taxes.

About \$8 million in due liquor taxes are not paid, explained Dept. of Revenue Commissioner Tom Triplett. And on-sale liquor establishments are generally the most delinquent in tax payments, he said. By shifting the tax incidence to the wholesalers, the department feels tax collections would be easier.

But that isn't fair, claimed the wholesalers. It puts them in the role of tax collector and would raise the cost of liquor, they said. Sen. Ron Steloff (IR-St. Paul) said many bars are delinquent in tax payments because they do not have the revenue to pay. Making the bar owner pay a higher wholesale price will not help state tax collections, he claimed. "You're going to accelerate the problem because you're depriving them of the cash to operate" he said.

The committee took no action on the governor's proposed tax compliance bill, which increases the state's tax collection efforts.

Transportation

Airport noise problem addressed

Reducing noise pollution at the Minneapolis-St. Paul International Airport was a stated goal of all speakers testifying at the committee's Fri., Feb. 14, meeting. The four proponents and single opponent of S.F. 1664 agreed that noise pollution at the airport must be reduced but they disagreed on which measures were necessary for achieving that goal.

The bill, sponsored by Sen. Michael Freeman (DFL-Richfield), would require the Metropolitan Airports Commission (MAC) to file an annual noise abatement report with the Pollution Control Agency (PCA). Capital projects resulting in an increase of passengers and aircraft operations would be restricted unless the MAC's most recent report was approved by the PCA.

Proponents said the legislation is necessary to pressure the MAC into reducing noise levels. The opponent, Jeff Hamel, executive director of MAC, said the legislation could have adverse effects on the MAC's attempts to reduce noise pollution. He blamed federal deregulation of the air transport industry for compounding the noise problems. Hamel also pointed out that the MAC is now directly accountable to the Legislature but under the bill it would be accountable to the PCA. The PCA is primarily concerned with environmental issues whereas the Legislature can take environmental and economic issues into consideration when dealing with the MAC, Hamel said. He also said the bill raised questions of legality and could interfere with Federal Aviation Agency (FAA) regulations.

The bill was laid over for further discussion.

Traffic citation quotas discussed

The State Patrol would be prohibited from requiring troopers to issue a certain number of traffic citations on a quota basis under S.F. 1818, which was approved at the committee's Mon., Feb. 17 meeting.

The State Highway Patrol does not currently use a quota system but the bill's author, Sen. Glen Taylor (IR-Mankato), said the State Patrol's evaluation methods place a higher priority on issuing citations than on ensuring the public's safety.

Fred Peterson, president of the State Troopers Association, agreed with Taylor. By evaluating troopers according to the number of tickets issued, the State Patrol puts subtle pressure on troopers to issue a certain number of tickets. This can undermine public safety as troopers are less likely to use other methods such as verbal warnings or visual deterrents which are often more effective than issuing citations, he said.

Lt. Colonel Glen Gramse of the State Highway Patrol said a direct relationship exists between issuing citations and improving public safety. The number of citations issued is just one of the measures used in evaluating job performance, he said. Gramse said Civil Service laws make it difficult to discipline troopers who fail to do their jobs. Last year about 12 troopers did not write any tickets, but they are still working for the Patrol. "I don't think anyone can sit here and tell me that they're doing their jobs," Gramse said, "With this legislation it makes it even more difficult to get rid of those who aren't doing their jobs."

The bill was amended to remove phrases which prohibited the State Patrol from suggesting directly or indirectly that a trooper should issue a certain number of tickets. The bill was approved as amended.

In other action, the committee approved two bills authored by Sen. Don Frank (DFL-Spring Lake Park). S.F. 1841 would authorize Minnesota to join other states in a driver's license compact to share information about drivers who violate traffic laws. S.F. 1842 would eliminate redundant language in public safety statutes.

Noise abatement bill approved

The Metropolitan Airport Commission (MAC) would be required to implement a number of noise reduction strategies, under a new version of S.F. 1664 proposed by Sen. Michael Freeman (DFL-Richfield).

The commission would be required to submit a noise abatement plan to the Legislature which would contain annual goals for aircraft noise reduction. The report would include a five-year plan describing and analyzing the noise impact of proposed expansions. It would include comments by the Pollution Control Agency and the Metropolitan Council.

In addition, the MAC would be required to establish differential landing fees based on noise levels of each aircraft with lower fees for quieter planes. It would also require that quieter aircraft receive preferential allocation of ground facilities. Finally, the bill would require the MAC to implement a noise budget to prevent increases above the aggregate noise level in 1984. Freeman said his amendment implements some of the recommendations made by the governor's task force.

Jeff Hamel, executive director of the MAC opposed the bill stating that differential landing fees and preferential allocation of ground facilities are discriminatory measures and would probably not be approved by the FAA. He said the measure would discriminate against smaller airlines which could not afford to immediately decrease the noise levels of their aircraft. Hamel said noise budget programs have yet to be successfully implemented in other states because of the legal ramifications. He urged committee members to afford the MAC more time to implement its own noise abatement program before enacting the legislation. "This is an extremely complicated national problem . . . more complicated than this bill can address," he said.

The amendment was adopted, the bill was approved and re-referred to the Agriculture and Natural Resources Committee.

In other action, the committee approved S.F. 1641, authored by Sen. Gary DeCramer (DFL-Ghent); which would create a new registration category for owner of 1,000 or more vehicles. Vehicles in the new category would be issued a distinctive license plate rather than annual license tabs. Owners would continue to pay the same annual registration fees. Don Rundquist of Northwestern Bell said the bill would save his company and the state a considerable amount of time and money by reducing paperwork.

S.F. 1690, authored by Dean Johnson (IR-Willmar), which would authorize municipalities to allow handicapped people to drive three-wheel vehicles on city streets, was also approved.

A second bill sponsored by Johnson, S.F. 1910, providing a turnback of two segments of a trunk highway to the city of Willmar, was also approved.

Veterans and General Legislation

Citizens League supports lottery

The Citizens League would support a lottery if its primary purpose is recreation and not a revenue tool for some specific program, according to a report presented to the committee Fri., Feb. 14.

"If the proposition cannot develop legislative support without attachment to some special purpose, then let's not have a lottery," the report states. But if the lottery is introduced as recreation, the league feels it would be an acceptable addition to gambling in Minnesota.

The league also argues that the lottery should be operated privately, because it would minimize the role of government in promoting lottery sales and allow the state to regulate the game more effectively. Furthermore, any state revenue collected from a lottery should be dedicated to the general fund, the league contends.

Last year, the committee approved a bill asking voters in the 1986 general election if the state should permit a state lottery. The bill, S.F. 1 (Purfeerst), is before the Judiciary Committee. However, proposals instituting the lottery more quickly or dedicating the funds to a special purpose could come before the committee.

Indian Affairs Council review authority okayed

The committee okayed a bill Mon., Feb. 17, allowing the Indian Affairs Council to review construction plans for projects on public lands that also are of significance to Indian history or religion.

The bill does not give the council the power to veto a project, said Sen. Gary DeCramer (DFL-Ghent), author of the proposal. But it affords them the opportunity to recommend alternative action, he added. The measure, S.F. 1851, also requires the Minnesota Historical Society Board to consult with the council before choosing a state archaeologist.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), okayed two other bills Monday. S.F. 1666 (Frank) requires smoke detectors or fire alarms to be installed in apartment hallways; and S.F. 1792 (Chmielewski) allows the State Agricultural Society to impose restrictions when contracting with entertainers for the state fair.

Pet stealing penalty toughened.

Anyone stealing a dog or cat for use in research could be charged with a gross misdemeanor penalty, under a bill approved Wed., Feb. 19, by the committee. Currently, the penalty for stealing a dog or cat, for any reason, is a misdemeanor.

The proposal would also license persons who provide live dogs or cats to institutions for research, and facilities keeping cats would be licensed as a kennel. A kennel or a dealer would lose the license if found guilty of providing a stolen cat or dog for research.

The bill, S.F. 1711, sponsored by Sen. Bill Diessner (DFL-Afton), was referred to the Judiciary Committee.

A bill aiding the state archaeologist in authenticating burial sites in the state also won committee approval. Sponsored by Sen. Linda Berglin (DFL-Mpls.), the measure, S.F. 1852, prohibits anyone from denying the state archaeologist entry onto any property to authenticate the remains. The state archaeologist would also verify all burial sites that appear to be over 50 years old. Current law applies only to Indian burial grounds dating prior to 1886. Furthermore, descendants of the persons buried on the site could conduct religious ceremonies if they obtain written permission from the property owner.

The bill increases the penalty from a gross misdemeanor to a felony for intentionally destroying or removing human remains. The state archaeologist may post a sign declaring protection of an authenticated non-Indian burial site. The Indian Affairs Council would post protection signs for Indian burial sites.

The bill also approved a bill, S.F. 1853 (Berglin), permitting the Indian Affairs Council to obtain and spend grants and gifts and to contract with other organizations.

Floor Action

Senate moves bills on General Orders

In other action Mon., Feb. 17, senators gave final approval to a bill on the Consent Calendar and granted preliminary approval to seven measures on the General Orders Calendar. The measure gaining final passage, S.F. 1600, sponsored by Sen. Ron Steloff (IR-St. Paul), alters the responsibility for the procedure to be followed when filing a name change with the county recorder, eliminates the limits on the amount of bond to be posted by the clerk of court, and prohibits employee of the clerk of court's office from practicing law in the court in which they are employed.

The bills gaining preliminary passage Monday also won final approval during the Thursday floor session. The proposals include: S.F. 1612, authored by Sen. Darril Wegscheid (DFL-Apple Valley), changing certain incorporation requirements for domestic insurance corporations and certain investment requirements for life insurance companies; S.F. 1587, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), permitting home rule charter and statutory cities to incur debt for warning systems; S.F. 641, sponsored by Sen. Keith Langseth (DFL-Glyndon), changing the date, from Oct. 15 to Nov. 15, by which the second installment of property taxes on agricultural property must be paid; S.F. 1319, authored by Sen. Marilyn Lantry (DFL-St. Paul), removing liability of motor vehicle lessors for unpaid parking violations committed by operators of leased or rented vehicles; S.F. 1531, sponsored by Sen. Charles Davis (DFL-Princeton), ratifying the Interstate Compact on Agricultural Grain Marketing; S.F. 1645, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), making it a gross misdemeanor to use force or the threat of force against revenue department employees; and S.F. 1597, authored by Sen. Charles Berg (IND-Chokio), removing the liability of persons who buy farm products.

In addition to approving the seat-belt bill Thurs., Feb. 20, the Senate gave final approval to S.F. 1575 (Diessner) permitting counties to make certain improvements anywhere within their territory; and H.F. 1699 (Wegscheid) requiring operators of campgrounds and manufactured home parks to procure a license.

Preview

The Minnesota Senate Week at a Glance

Monday, February 24, 1986

Governmental Operations, Chair: Donald Moe

8:00-10:00 AM Room 15 Capitol

Agenda: S.F. 2033-Luther: Defining duties and terms of office of members of World Trade Center Board; S.F. 1946-Luther: Altering the responsibility for establishing salary of state court administrator and district court administrator; S.F. 1595-Peterson, C.C.: Milk marketing and stabilization bill.

Veterans & General Legislation, Chair: Bob Lessard

8:00-10:00 AM Room 118 Capitol

Agenda: S.F. 1880-Samuelson: establishing a veterans' cemetery; S.F. 1941-Dahl: Vets Affairs Dept. facility use; H.F. 1871-Bertram: veterans tuition and compensation provisions.

Education, Chair: James Pehler

8:30 AM Room 112 Capitol

Agenda: S.F. 1734-Pehler: Resolution commending school bus drivers; S.F. 2010-Pehler: Performance based research sites; S.F. 1754-Dicklich: Upper division courses at Arrowhead Comm. College; S.F. 1698-Stumpf: Joining Rural Education Association.

Judiciary, Chair: Allan Spear

10:00 AM-2:00 PM Room 15 Capitol

Agenda: S.F. 1-Purfeerst: Lottery (at 10:00 AM-45 minutes); S.F. 1848-Willet: Court admin. hearing costs for small businesses prevailing against the state (at 11:30); S.F. 1914-Petty: Aggregation of theft of services violations; S.F. 2094-Petty: Nonprofit corporation mergers; S.F. 1974-Merriam: Augmented estate; S.F. 1975-Reichgott: Venue for recovery of personal property; S.F. 2019-Reichgott: Credit discrimination; S.F. 2017-Peterson, R.W.: Rewards for information leading to collection of hazardous waste fines; S.F. 2087-Peterson, R.W.: County/city attorney jurisdiction; S.F. 2056-Ramstad: Conciliation Court worthless check venue; bills reported from Privacy Subcommittee 2/21; bills left over from Judiciary Committee 2/21.

Transportation, Chair Clarence Purfeerst

10:00 AM Room 112 Capitol

Agenda: S.F. 1867-Pogemiller: Requiring physicians report for driver license applicants who are subject to periods of unconsciousness; S.F. 1809-Freeman: Relating to driver licensing/defining buses; S.F. 1744-Pehler: Special license plates for Vietnam era vets; S.F. 1894-Belanger: Exchange transportation facilities for public benefit.

The Senate will be in session at 2:00 PM

Tuesday, February 25, 1986

Economic Development and Commerce, Chair: Sam Solon

8:00 AM-12:00 PM Room 118 Capitol

Agenda: To be announced

Public Utilities and State Regulated Industries, Chair: Neil

Dieterich

8:30 AM Room 15 Capitol

Agenda: S.F. 2026-Dieterich: Charitable gambling; providing exemption from regulation to organizations conducting certain raffles. (Dieterich amendment)

Employment, Chair: Florian Chmielewski

10:00 AM Room 112 Capitol

Agenda: S.F. 1903-Chmielewski: Workers' comp.; S.F. 2114-Chmielewski: Unemployment insurance; S.F. 1808-Peterson, D.C.: Labor.

Judiciary Subcommittee on Civil Law, Chair: Randolph

Peterson

10:00 AM-12:00 PM Room 107 Capitol

Agenda: S.F. 1960-Reichgott: Psychologist liability for client violence; S.F. 1706-Diessner: Living will.

Local and Urban Government, Chair: Robert Schmitz

10:00 AM-12:00 PM Room 15 Capitol

Agenda: S.F. 2090-Adkins: County law recodification; S.F. 1967-Peterson, C.C.: Solid waste management; S.F. 1860-Bertram: County registrars; vital statistics; S.F. 1922-Bernhagen: Litchfield; municipal power agency funds; S.F. 2040-Bernhagen: Litchfield; reduction of original assessed value of a tax increment financing; S.F. 1797-Adkins: Town powers.

Agriculture & Natural Resources, Chair: Gene Merriam

1:00-3:00 PM Room 112 Capitol

Agenda: S.F. 1873-DeCramer: Appropriating money for U of M Ag Extension service and experiment station projects; S.F. 1935-Wegscheid: Surplus state land to City of Hastings; S.F. 1949-Merriam: Requiring public access restrictions to be same as lake use; S.F. 1948-Merriam: Authorizing watershed management organizations to est. taxing districts.

Health and Human Services, Chair: Linda Berglin

1:00 PM Room 15 Capitol

Agenda: S.F. 1965-Samuelson: CSSA; S.F. 1980-Peterson, R.W.: Payment of adoption subsidies; S.F. 1954-Dicklich: Unitary process for human services programs. All bills not heard today will be heard on Wednesday, Feb. 26 at 1:00 PM in Room 15 Capitol.

Finance Subcommittee on State Departments, Chair: Carl

Kroening

3:00 PM Room 120 Capitol

Agenda: State departments budgets.

Local and Urban Government, Chair: Robert Schmitz

7:00 PM Room 15 Capitol

Agenda: S.F. 1847-Pogemiller: Relating to government obligations bonds; S.F. 1701-Wegscheid: Cemetery maintenance; S.F. 2011-Wegscheid; Hastings; refunds of deposits; S.F. 1936-Kamrath: Self-insuring insurance pools; S.F. 1621-Frederickson: Public indebtedness; S.F. 1956-Ramstad: City capitol improvements reserve funds; S.F. 1940-Dicklich: Regulating payment of severance pay.

Judiciary, Chair: Allan Spear

7:30 PM Room 112 Capitol

Agenda: Child support and child custody bills.

Wednesday, February 26, 1986

Governmental Operations, Chair: Donald Moe

8:00-10:00 AM Room 15 Capitol

Agenda: S.F. 1913-Wegscheid: Metropolitan Council bill; S.F. 1869-Dieterich: PUC ethics bill; S.F. XXXX-Moe, D.M.: Metropolitan licensing of taxicabs.

Veterans and General Legislation, Chair: Bob Lessard

8:00 AM Room 118 Capitol

Agenda: S.F. 1781-Ramstad: re State Agr. Society, prohibiting certain contract provisions; S.F. 2018-Willet: Renaming a state historic site and establishing new boundaries; S.F. 2111-Lantry: Creating Labor Interpretive Center.

Judiciary, Chair: Allan Spear

10:00 AM-1:00 PM Room 15 Capitol

Agenda: Tort law changes.

Transportation, Chair: Clarence Purfeerst

10:00 AM Room 112 Capitol

Agenda: To be announced.

Elections and Ethics, Chair: Jerome Hughes

11:30 AM-1:00 PM Room 118 Capitol

Agenda: Confirmation of A.J. (Tony) Eckstein, Ethical Practices Board.
S.F. 1839-Hughes: Chapter 209A; S.F. 1840-Peterson D.C.: Chapter 210A; S.F. 2032-Luther: Punch card ballots; S.F. 1668-Peterson, C.C.: Tax credit for contribution; S.F. 1858-Berg: Regulating lobbyists; S.F. 260-Benson: Amendment to Minn Constitution; S.F. 440-Anderson: Congressional resolution; S.F. 939-Merriam: Unicameral; S.F. 1893-Mehrkens: Unicameral; S.F. 1151: Ottawa township; S.F. 1985-Kroening: Election day for Park Board in Minneapolis.

Agriculture & Natural Resources, Chair: Gene Merriam

1:00-3:00 PM Room 112 Capitol

Agenda: S.F. 2023-Dicklich: Providing for a procedure to sell state leased lands; max. lease rates; S.F. 2086-Johnson, D.J.: Conveyance of tax forfeited lands in St. Louis County; S.F. 1821-Pehler: Transferring certain duties of PCA to the Waste Management Board.

Health and Human Services, Chair: Linda Berglin

Chair: Donald Moe
Agenda: Continuation of bills not heard on Tuesday, Feb. 25. S.F. 1403-Frank: Exempting certain nursing homes from taxation; S.F. 1878-Berglin: Eligibility for Medical Assistance and General Assistance care. All bills not heard today will be heard on Thursday, Feb. 27 at 6:00 PM in Room 107 Capitol.

(Tentative) The Senate will be in session at 3:00 PM.

Finance Subcommittee on State Departments, Chair: Carl Kroening

3:00 PM Room 120 Capitol

Agenda: State departments budgets.

Legislative Commission on Pensions and Retirement,

Chair: Donald Moe

6:00-9:00 PM Room 15 Capitol

Agenda: Retirement bills.

Agriculture and Natural Resources, Chair: Gene Merriam

7:00 PM Room 112 Capitol

Agenda: S.F. 2091-Davis: Ag. debt restructuring; bonding; S.F. 2104-DeCramer: Changes in drainage laws; S.F. 1945-Merriam: Providing that mosquito research and management activities are not ecologically disruptive; S.F. 1610-Wegscheid: Changes in corp. farm laws.

Thursday, February 27, 1986

Economic Development and Commerce, Chair: Sam Solon

8:00 AM-12:00 PM Room 118 Capitol

Agenda: To be announced

Employment, Chair: Florian Chmielewski

10:00 AM Room 112 Capitol

Agenda: To be announced.

Local and Urban Government, Chair: Robert Schmitz

10:00 AM-12:00 PM Room 15 Capitol

Agenda: S.F. 1725-Moe, R.D.: East Grand Forks; port authority; S.F. 1984-Moe, R.D.: Counties to est. public work reserve funds; S.F. 1998-Moe, R.D.: McIntosh; issue bonds; S.F. 1966-Pehler: St. Cloud; convention center facility; S.F. 1955-Jude: Special assessments; S.F. 1994-Jude: Medina; utility construction.

Judiciary, Chair: Allan Spear

12:00-2:00 PM and following session, Room 15 Capitol

Agenda: Tort law changes - continued.

The Senate will be in session at 2:00 PM

Legislative Commission on Pensions and Retirement,

Chair: Donald Moe
3:00-5:00 PM Room 112 Capitol

Agenda: Retirement bills.

Health and Human Services, Chair: Linda Berglin

6:00 PM Room 107 Capitol

Agenda: Continuation of bills not heard Wednesday, Feb. 26. S.F. 2079-Pogemiller: Service for blind and visually handicapped in Dept. of Jobs and Training; S.F. 2115-Schmitz: Permitting sale of old Shakopee correctional facility to local governmental units. All bills not heard today will be heard on Friday, Feb. 28 at 1:00 PM in Room 15 Capitol.

Local and Urban Government, Chair: Robert Schmitz

7:00 PM Room 118 Capitol

Agenda: To be announced.

Friday, February 28, 1986

Governmental Operations, Chair: Donald Moe

8:00-10:00 AM Room 15 Capitol

Agenda: To be announced

Economic Development and Commerce, Chair: Sam Solon

10:00 AM-1:00 PM Room 118

Agenda: To be announced.

Judiciary, Chair: Allan Spear

10:00 AM-1:00 PM and 3:00-6:00 PM, if needed Room 15, Capitol

Agenda: Bills left over from previous Judiciary meetings; bills reported from Civil Law Subcommittee 2/25; bills re-referred from other committees; S.F. 2041-Pogemiller: Judicial selection; S.F. XXXX-Reichgott: Immunity from liability for welfare employees complying with child abuse parental notification law.

Health and Human Services, Chair: Linda Berglin

1:00 PM Room 15, Capitol

Agenda: Continuation of bills not heard on Thursday, Feb. 27. Remainder of agenda to be announced

Judiciary, Chair: Allan Spear

3:00-6:00 PM Room 15 Capitol

Agenda: See 10:00AM-1:00PM listing.

Governmental Operations, Chair: Donald Moe

6:00 PM Room 15 Capitol

Agenda: Continuation of morning's agenda.

NOTE:

Due to the fact that Friday, February 28, is the first committee deadline, some committees were unable to have agendas prepared at press time; however, meeting rooms were scheduled. For daily updated information, call the Senate Hotline at 296-8088.

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Briefly

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February 28, 1986

The Minnesota Senate Week in Review

Tax panel okays convention center bill

Minneapolis would have additional taxing authority to help finance the construction and operation of a convention center, according to a bill advanced Wednesday, February 26, by the Taxes and Tax Laws Committee.

The proposal, S.F. 1671, sponsored by Sen. Linda Berglin (DFL-Mpls.), allows Minneapolis to raise its sales tax by one-half of one percent on items subject to the state's sales tax. The city may also increase by three percent the sales tax on liquor and food sold at bars and restaurants within a designated "downtown area." Minneapolis hotels and motels with more than 50 rooms could also be required to pay an additional three percent sales tax on lodging.

The proposed convention center, which would cost about \$150 million, would be located at the existing Minneapolis auditorium and convention center site. The city would issue general and limited obligation bonds to help finance the project. The bill requires no state appropriation.

Senate passes education funding bill

The proposed education funding bill, which represents what Sen. Tom Nelson (DFL-Austin) called "the priorities of this Senate," won final Senate approval Thursday, February 27. The bill contains no cuts in education funding and will not increase local property taxes, Nelson claimed.

The bill, H.F. 810, increases the capital expenditure allowance by \$10 and combines basic and special purpose capital expenditure aids. The bill also raises the levy and aid formula for community education for the levy that will be certified in fall 1986 for fiscal year 1988. The new formula is \$5.65 per capita with a minimum guarantee of \$7,540 per district. The new foundation aid formula for fiscal year 1988 is set at \$1,700 per pupil unit. The basic maintenance levy for taxes payable in 1987 is set at a rate that raises \$685 million.

On a 24-38 vote, the Senate rejected an amendment offered by Minority Leader Glen Taylor (IR-Mankato) that attempted to restore funding for Mastery Learning Programs by removing state funding for School of the Arts. Taylor said the learning programs would benefit more students than would benefit from the State Arts Schools. Nelson, however, argued that the program would still be in existence, but only ten demonstration sites would be eliminated.

Lottery bill pulled from Judiciary

The lottery bill gained new life Thursday, February 27, when the Rules and Administration Committee voted 14-9 to recall the bill from the Judiciary Committee. Sen. Clarence Purfeerst (DFL-Faribault), sponsor of the lottery measure, requested the action because the bill did not have the majority support of the Judiciary Committee.

Purfeerst said he would like the measure to remain alive this session so other senators could vote on the issue. The bill, H.F. 1, was referred to the rules committee for future consideration.

Consumer protection bills advance

Used car salesmen would be required to conduct thorough inspections and provide prospective buyers with accurate information about the condition of the cars, under a bill approved

Thursday, February 27, by the Economic Development and Commerce Committee

Sen. Gregory Dahl (DFL-Coon Rapids) authored S.F. 958, which requires sellers to place disclosure labels on the cars. The labels must include mechanical and structural defects and explain the basic terms of the warranty. If a car is being sold on an "As Is" basis, the label must specify that the purchaser is buying the car at his own risk and is solely responsible for repairs.

Consumers leasing rental cars would be provided with more protection under another bill presented by Dahl and approved by the committee. S.F. 2179 would extend the "lemon law" protection of new cars to include leased cars.

In support of both bills, Attorney General Hubert Humphrey III said the legislation would increase consumer protection and enhance Minnesota's reputation as a fair and honest state.

The committee also approved a bill that would protect homebuyers from unexpected costs. Sen. Michael Freeman (DFL-Richfield) presented S.F. 981, which prohibits lenders from requiring homebuyers to deposit an amount in an escrow account which exceeds that required by the Real Estate Procedures Act. The bill was passed by the Senate last year but it was not considered by the House of Representatives.

Contribution limit bill clears panel

A bill, sponsored by Sen. Charles Berg (IND-Chokio), that prohibits lobbyists from donating to state legislative candidates during the legislative session was approved by the Elections and Ethics Committee Thursday, February 27.

Sen. William Luther (DFL-Brooklyn Park) successfully amended the bill to extend the restrictions to Minnesota's Congressional delegation. Another Luther amendment would place a limit of \$750 on campaign contributions from any political committee, political fund, individual or association. The bill, S.F. 1858, was sent to the Senate floor.

Health clinics in schools bill gains

A bill providing for the establishment of comprehensive school-based health clinics was approved at the Tuesday, February 25, meeting of the Health and Human Services Committee. According to Chair Linda Berglin, the bill's chief author, the measure is designed to provide young people with access to quality health care in the schools. S.F. 1924 provides that the school clinic projects may be operated by school districts alone or in conjunction with any public or private nonprofit entity. Further, the bill provides that any public or private nonprofit entity, in cooperation with the school district may operate the clinic.

The measure also spells out the scope of services the clinics are to provide. Among the services provided under the bill, are comprehensive health exams, follow-up care for teenagers' routine health problems, nutrition counseling, pregnancy testing, prenatal and postpartum care, treatment of sexually transmitted disease, adolescent mental health care services, chemical dependency evaluation and treatment and educational programs relating to family life and parenting responsibilities. Amendments offered by Berglin and by Sen. Gene Waldorf (DFL-St. Paul), clarify that the services provided by the clinics do not include the performance of abortions, abortion referral or the dispensing of contraceptive devices.

Committee Capsule

Agriculture and Natural Resources

Bill promotes ag input financing

A bill giving lenders an incentive to provide farmers with financing for agricultural inputs earned committee approval Fri., Feb. 21. Under the proposal, lenders providing credit to help farmers plant their crops or raise livestock would be given a priority interest in the proceeds of the product.

The bill, S.F. 1559, sponsored by Sen. Gary DeCramer (DFL-Ghent), changes the existing procedure for determining a security interest in agricultural products. Currently, lenders providing credit for the inputs file a security interest in the proceeds of the new product. That security interest, then, competes with prior liens filed on the farmers debt. The procedure is unjust and is inconsistent with other financing procedures, claimed Professor Gerald Torres, University of Minnesota Law School. "It is unjust to allow someone with old debt to suck up the value that somebody else provides," he said.

Torres explained that the bill still binds the farmer to the other security interests, but the lender providing the new credit gets paid first. This would "create an incentive for people to provide new value so crops will continue to be produced," he said.

The committee adopted an amendment, offered by Sen. Charles Berg (IND-Chokio), that also gives a landlord lien priority over other liens or security interests in the agricultural products.

In other action, the committee advanced a resolution Friday asking Congress to enact the Mississippi River National Heritage Corridor Act. Sponsored by Sen. John Bernhagen (IR-Hutchinson), the proposal encourages federal action to enhance the cultural, recreational and economic growth of the Mississippi River corridor.

Two other proposals won committee approval Friday. S.F. 1733 (Wegscheid) clarifies the exemptions to the law prohibiting the manufacturing of food from adulterated milk; and S.F. 1578 (Anderson) places Wadena County in a different potato promotion district.

Funds extended for farm service programs

The Senate Agriculture and Natural Resources Committee renewed its efforts in aiding Minnesota's farmers by approving a bill Tues., Feb. 25, appropriating nearly \$4.2 million for various farm service and research programs.

Under the bill, sponsored by Sen. Gary DeCramer (DFL-Ghent), the University of Minnesota's agricultural extension service projects would get a \$1.5 million boost. The money would increase efforts in several areas, including stress management education, farm financial management, community economic development education and forests products marketing.

The bill, S.F. 1873, also appropriates about \$1.3 million for research on various agricultural methods that are directed towards aiding the family farm operation; \$1 million to the state board of vocational technical education for creating additional farm business management programs and economic crisis workshops and to reduce tuition costs for the programs; and \$356,200 for the farm advocate program.

The committee also approved a bill Tuesday bailing out the state's family farm security program, which provides state-guaranteed loans to beginning farmers. The bill, S.F. 1959, authorizes the sale of \$20 million in general obligation bonds to pay for family farm security loan guarantees on defaulted loans. Sponsored by Chairman Gene Merriam, the bill also appropriates \$3.2 million for family farm security program expenses and places a moratorium on new program guarantees for the remainder of the biennium.

Local units of government must allow the same types and sizes

of boats and motors to enter a lake through a public access as allowed on the lake through a private access, under another bill advanced by the committee. According to Merriam, the bill's author, Square Lake has a limited motor size restriction for its public access, but larger motors are permitted on the lake. It's not fair for persons using the public access to be further restricted than those who use a private access, he said. The bill, however, would not affect existing contracts between the state and local governments concerning public access limitations. Thus, until the contract expires, homeowners living on Christmas Lake will be able to use large boats than those who will use the public access.

Two additional bills won committee approval Tuesday: S.F. 1948 (Merriam) allowing watershed management organizations to establish taxing districts within their own minor watershed units; and S.F. 1935 (Wegscheid) extending the deadline for the sale of state land to the city of Hastings.

Procedure set for selling leased lands

A process enabling persons leasing state-owned lakeshore land to buy the property gained committee support Wed., Feb. 26. However, no sale would occur until the Dept. of Natural Resources has completed an inventory of the sites and recommends which lots should be sold.

The bill, S.F. 2023, sponsored by Sen. Ron Dicklich (DFL-Hibbing), requires the lessee and other interested parties to bid for the property. The successful bidder must make a 15 percent downpayment at the time of the sale. If the lessee does not win the bid, the successful bidder must also pay the lessee, at the time of the sale, the appraised value of the property's improvements.

The committee also advanced a bill allowing the Dept. of Finance to sell revenue bonds to assist counties in helping financially troubled farmers. According to the proposal, S.F. 2091, sponsored by Vice-chairman Charles Davis (DFL-Princeton), counties may choose to use the bond proceeds to give farmers loans for restructuring and refinancing existing debt. Counties would repay the loans from property tax revenue or instituting an optional sales tax. Farmers eligible for the loans must have an debt-to-asset ratio greater than 50 percent.

The bill, referred to as the "Rural Economy Adjustment Act," also permits counties to purchase easements—land that would aid soil, water or wildlife conservation—from the farmers. Thus, farmers could partially liquidate assets without being forced off the land.

Economic Development and Commerce

Panel advances credit card bill

Minnesota's financial institutions would be allowed to offer credit cards with an annual fee of up to \$45 and annual interest rates of up to 18 percent under a bill which was approved by the committee Tues. Feb. 25. Sen. Randy Peterson (DFL-Wyoming) authored S.F. 1823 which applies to any savings associations or federally chartered savings and loan association.

Sen. James Pehler (DFL-St. Cloud), presented S.F. 1977, which would increase the compensation rate from \$35 per day to \$100 per day for members of the board of barbers. Pehler explained that the per diem increase is needed because it has not been increased since 1966. The bill was approved and re-referred to the Finance Committee.

The committee also approved two other measures. S.F. 1889 (Dicklich) changing the recipient of a grant for an invention support system and S.F. 2062 (McQuaid) modifying the membership of the Board of Architecture were also approved.

Committee defeats banking bill

In other action Thursday, the committee defeated a bill that would have increased the number of detached facilities of banks from two to five. S.F. 1567, authored by Sen. William Luther (DFL-Brooklyn Park) would also have allowed banks to expand outside of a 25 mile radius if mergers were used in acquiring additional facilities.

Sen. Roger Moe (DFL-Erskine) presented S.F. 1886, which would allow a state bank in Hendrum to build a detached banking facility in Moorhead, which is outside of the permissible 25 mile radius.

Dahl presented S.F. 1833, which would give consumers more flexibility in buying homeowners insurance coverage. The committee approved the bill.

Sen. Darrill Wegscheid (DFL-Apple Valley) presented S.F. 1567 permitting certain groups to join existing credit unions. The bill was laid over for further discussion.

Education

Post-secondary bill revamped

"The post-secondary enrollment act has created more excitement, apprehension, and bills than almost anything else in education . . ." said Sen. Tom Nelson (DFL-Austin) to the Thurs., Feb. 20, meeting of the Education Committee. The committee, chaired by Sen. James Pehler (DFL-St. Cloud), approved an amended version of S.F. 1771, regarding the Post-Secondary Options Enrollment Act. The committee deleted clauses indicating that the state would reimburse tuition costs only if students took the post-secondary classes for secondary credit.

The clauses amended out provided that students could petition post-secondary institutions after completing high school to receive credit for classes taken under the act. Sen. Glen Taylor (IR-Mankato) said that the provision merely meant that pupils would make sure before enrolling for a post-secondary course that it would later apply for post-secondary credit. It simply inconveniences people, he said.

S.F. 1771 as approved requires, to the extent possible, counseling for parents and pupils about possible consequences of the program before enrollment; a task force to examine issues regarding comparable high school and post-secondary courses; sets deadlines for school districts to disseminate information to pupils about the program; and limits the number of semesters or quarters a student is eligible for the program.

The committee also discussed S.F. 2021, authored by Sen. Gary DeCramer (DFL-Ghent), which creates a faculty advisory council to advise the Higher Education Coordinating Board (HECB).

Research sites in education approved

School districts would be able to petition the Legislature to suspend certain mandates under a bill approved by the Education Committee Mon., Feb. 24.

S.F. 2010, authored by Chairman James Pehler (DFL-St. Cloud), allows the board to establish research sites composed of part of a district, an entire district, or a group of districts. The research sites could then request the board to petition the legislature to suspend certain educational mandates.

The bill basically allows districts to review rules that they believe limit their effectiveness, according to a representative from the State Board of Education. For example, some schools find certain course hour requirements restrictive, he said.

The sites would be designated for research in performance-based education, which evaluates the performance of students, leadership, staff, and the coordination between the three, said Dwight Lindbloom, an assistant commissioner from the Dept. of Education.

In other action, the committee approved S.F. 1698, authored by Sen. LeRoy Stumpf (DFL-Plummer). The bill says that the state will

reimburse some school boards for fees required to join an association of school districts.

The committee also adopted and referred to the Rules Committee a resolution commending school bus drivers.

Panel approves funding bill

The Education Committee approved S.F. 1689, an omnibus education budget bill which contains no budget cuts for education at its Tues., Feb. 25, meeting. The committee, chaired by Sen. James Pehler (DFL-St. Cloud), debated a few proposed amendments but approved the bill with little discussion.

The bill increases the capital expenditure allowance by \$10 and combines basic and special purpose capital expenditure aids. The bill also raises the levy and aid formula for community education for the levy that will be certified in fall 1986 for fiscal year 1988. The new formula is \$5.65 per capita with a minimum guarantee of \$7,540 per district. The new foundation aid formula for fiscal year 1988 is set at \$1,700 per pupil unit. The bill transfers some appropriations.

The committee approved an amendment offered by Sen. Tom Nelson (DFL-Austin) to change the basic maintenance levy for taxes payable in 1987 at a mill rate that raises \$702 million to one that raises \$685 million. Nelson said there had been some concern that that amended portion might increase property taxes.

Ed omnibus bill okayed

S.F. 1970, the education omnibus bill, was approved by the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), at its Wed., Feb. 26, meeting. The committee deleted controversial clauses giving school boards the ability to immediately discharge a superintendent.

Under the bill, school districts are mandated to provide special services and instruction for handicapped children age 0-3. Districts are also required, under some conditions, to contract with developmental achievement centers to provide the special services. Currently, districts are responsible for service to handicapped persons age 3-21.

The bill encourages school districts to form education districts, facilitating cooperation and coordination. Mandatory planning requirements and criteria for forming an education district are given.

An equalized aid and levy for adult literacy programs, beginning with the 1987-88 school year, and an aid and levy for summer education improvement, to begin in the summer of 1987, are also included in the bill.

The bill mandates the boards of each public collegiate system develop a clear and uniform policy for awarding credit for students participating in Advanced Placement Program examinations.

The bill provides for special bonding for some districts, and allows the board of teaching and the Academic Excellence Foundation to carry forward some funds from fiscal year 1986 to 1987.

The committee also approved an amendment sponsored by Sen. Randolph Peterson (DFL-Wyoming), which requires the board of teaching to grant provisional licenses in some circumstances for two years in fields which have a lack of licensed teachers. Another amendment, regarding the hiring of teachers in districts which are exchanging students, was also approved.

Education Aids

Post-secondary option discussed

Students would not be able to receive simultaneous secondary and post-secondary credit for classes taken under the Post-Secondary Options Enrollment Act, according to an amended version of S.F. 1771, authored by Sen. Tom Nelson (DFL-Austin). The Education Aids Subcommittee, chaired by Nelson, approved

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the bill during its Thurs., Feb. 21, meeting.

Under the bill, the state will reimburse tuition costs for courses taken at post-secondary institutions only if they are taken for secondary credit. After graduation, the student may petition for post-secondary credit for the courses.

S.F. 1771 also requires that students and parents receive counseling, to the extent possible, about the program before enrollment; that post-secondary students receive registration priority; and that a task force to study the act be established.

In other action, the subcommittee approved three amendments to the omnibus education bill, S.F. 1970. An amendment, sponsored by Sen. Bob Lessard (DFL-Int'l Falls), raises the amount of preparation time eligible for secondary vocational aid when the teaching assignment is five contact hours. Another amendment, introduced by Sen. James Pehler (DFL-St. Cloud), allows the board of the Academic Excellence Foundation to use some of its budget appropriation for an expense allowance. Another amendment allows money appropriated for 1986 to the board of teaching for teacher examinations to be carried over into 1987.

An amendment discussed and laid over permitted secondary vocational aid to be withheld from institutions that do not meet certain requirements.

Omnibus bill approved

The Education Aids Subcommittee met for the final time this year on Mon., Feb. 24, and approved omnibus education bill S.F. 1970 and omnibus budget bill S.F. 1689. Under S.F. 1689, education funding would increase slightly next year, representing what Chairman Tom Nelson (DFL-Austin) called "the priorities of this Senate."

S.F. 1970 incorporates nine bills already approved by the subcommittee. Among those included was S.F. 1864, authored by Sen. Donna Peterson (DFL-Mpls.) This portion of the omnibus bill requires school districts to provide special instruction and services for handicapped persons age 0-3. Currently, districts are required to provide such services for handicapped persons from age 3-21. If recommended by an appointed interagency learning committee, the district must contract with a Developmental Achievement Center to serve individual children for up to two years.

S.F. 1970 also establishes education districts to increase opportunities for learning by "facilitating cooperation and coordination among school districts . . ." Each education district must provide coordination to programs for handicapped and gifted pupils, research functions within the district, and methods to meet needs for pupil health services and library services. School districts in an education district will be eligible for special funding.

The bill also establishes an equalized aid and levy for adult literacy programs, beginning with the 1987-88 school year. The purpose of the program, according to the bill, is to provide help for adults who are without the necessary skills needed to be self-sufficient and participate fully in society.

Public collegiate systems are mandated in the bill to establish a clear and uniform policy for awarding post-secondary credit for Advanced Placement Program examinations. The policies must be reported to the Legislature by Feb. 1, 1987.

Other portions of the bill require the commissioner of education to develop a plan for automation of the state agency libraries, and allow the Dept. of Education Library Services to charge reasonable fees for providing services.

The subcommittee approved an amendment to the omnibus bill allowing school boards to immediately discharge superintendents. Currently, said Sen. Ron Dicklich (DFL-Hibbing), some school boards are in the position of having to pay off a superintendent for the remainder of his contract, even if the administration has decided to dismiss the superintendent.

The subcommittee also approved amendments requiring a petition signed by more than ten percent of the residents of a school district for an election to reduce a referendum levy if the

district has already had such an election; reinstating aid and levy for summer educational improvement programs; suspending the requirements regarding severance pay to school district employees when the form of payment is accumulated sick leave used to pay employee contributions toward premiums for group insurance policies; and requiring that certain teachers be considered first for employment in some situations when school districts have combined to provide secondary instruction.

S.F. 1970 also allows for some changes in issuing bonds and receiving revenue in school districts 706 and 701 and authorizes a levy in school district 97.

S.F. 1689, the education budget bill, increases the capital expenditure aid allowance and combines basic and special purpose capital expenditure aids. The new formula in the bill is \$135 per pupil unit minus nine mills. The new community education levy and aid formula to be certified in fall 1986 for fiscal year 1988 is \$5.65 per capita with a minimum guarantee of \$7,540 per district. The bill also transfers some appropriations.

The subcommittee also approved S.F. 2164, which author Pehler said should reduce the number of high school drop-outs. The bill requires that the state board of education select five exemplary programs that serve pupils who have not been successful in tradition school programs.

Elections and Ethics

Recall measure wins approval

A bill providing a method for the removal of elected county officials by a recall election initiated by a voter petition was also approved at the Thurs., Feb. 27 meeting. S.F. 2116, authored by Sen. William Luther (DFL-Brooklyn Park), requires a public hearing into the allegations of the petition. The hearing would determine whether the official's misconduct was intentional. If the chief justice found the official's neglect of his duties or misconduct were unintentional, a recall election would not be called.

Four additional measures were approved by the panel, chaired by Sen. Jerome Hughes (DFL-Maplewood). S.F. 2069, authored by Hughes, allows precinct caucuses to be postponed in case of inclement weather. S.F. 1985, proposed by Sen. Carl Kroening (DFL-Mpls.), would establish a single election day for the Minneapolis Park and Recreation Board. S.F. 1839, also sponsored by Hughes, recodifies and clarifies laws on election contests. S.F. 2032, sponsored by Luther, changes punch card ballot procedures.

Two measures were discussed but laid over for further action. S.F. 939, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides for the establishment of a unicameral legislature. S.F. 1668, sponsored by Sen. Collin Peterson (DFL-Detroit Lakes) would increase the limit of tax credit for individuals contributing to political campaigns.

The committee also approved a motion to confirm the governor's appointment of A.J. Eckstein to the State Ethical Practices Board at a meeting Wed., Feb. 26.

Employment

Workers' comp bill approved

The Employment Committee approved S.F. 1903, the workers' compensation bill which Dept. of Labor and Industry Commissioner Steve Keefe labeled "noncontroversial," at the Tues., Feb. 25, meeting. The bill, Keefe has said, basically clarifies the existing law and makes a few minor changes.

The committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), approved an amendment proposed by Sen. James Pehler (DFL-St. Cloud), exempting from workers' compensation benefits some persons who are hired by Minnesota businesses, but work and are injured in other states.

The committee also approved four amendments proposed by Sen. Carl Kroening (DFL-Mpls.). The amendments, which Sen. Nancy Brataas (IR-Rochester) said had not been sufficiently discussed, place all employers under an experience rating plan if their annual premium is at least \$1,000; require auditing of data involving premiums, wages, and losses; give people the right to question data used for insurance rate increases; and make it easier for small businesses to start group self-insurance plans.

Another approved amendment requires that an application of intervention must be served and filed within 30 days after a person wishing to intervene has been notified that there is a claim or a request for mediation. The amendment also increases to \$1,000 the amount that a household worker must be paid before he is eligible for workers' compensation.

Sen. Bill Diessner (DFL-Afton) proposed two amendments which the committee approved. The first increases the time a compensation judge has to decide cases from 30 to 60 days. The second amendment establishes an independent medical services review board. Currently, a similar board is under the supervision of the commissioner of the Dept. of Labor and Industry.

Chmielewski tabled a controversial amendment which would have exempted professional athletes from receiving temporary partial disability compensation under some circumstances.

S.F. 1808, authored by Sen. Donna Peterson (DFL-Mpls.), which contains technical amendments and regulates grants to area labor-management committees, was also approved.

Panel discusses unemployment comp

The Employment Committee discussed and amended S.F. 2114, the unemployment compensation bill, during its Thurs., Feb. 27, meeting. The bill, said Chairman Florian Chmielewski (DFL-Sturgeon Lake), basically follows the recommendations made by a recent task force on unemployment insurance.

The bill imposes a two year freeze on the current maximum weekly benefit of \$228; provides a minimum payment for the "waiting week;" and imposes a quarterly data reporting system.

A bill must be passed this year, Chmielewski said, or the system, which should be out of debt within the year, may have to again borrow money from the federal government. Money borrowed is subject to a flat unemployment penalty tax, which all employers must pay.

Dan Gustafson, representing the AFL-CIO, said that the bill is unfair because it cuts workers' benefits. Chmielewski said that the part Gustafson was referring to had been basically amended out of the bill.

Francis Fitzgerald, from the Minnesota Association of Commerce and Industry (MACT), said that the bill was unfair to business because it focuses mostly on tax increases.

Finance

Committee okays ed budget bill

The Finance Committee approved both H.F. 810, the education budget bill, and S.F. 1790, the Rural Economic Development bill, during its Wed., Feb. 26, meeting. The committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), also heard extensive public testimony on the proposed cuts to the Dept. of Energy and Economic Development (DEED), the Housing Finance Agency, and the Dept. of Natural Resources (DNR). Former Vikings' coach Bud Grant spoke to the committee supporting the Reinvest in Minnesota program.

The \$9.3 million needed to fund the Rural Economic Development bill will come from the Rural Rehabilitation Fund, said author Roger Moe (DFL-Erskine). The bill appropriates \$740,000 to the commissioner of natural resources to stimulate mineral exploration; \$2 million to the commissioner to implement a forestry management plan; and over \$5 million to the community development division of DEED.

H.F. 810, which contains no budget cuts for education, was approved with very little discussion. The bill increases the capital expenditure aid allowance and combines basic and special purpose capital expenditure aids. The new formula is \$135 per pupil unit minus nine mills. The bill sets the levy and aid formula for community education for the levy to be certified in fall 1986 for fiscal year 1988 at \$5.65 per capita with a minimum guarantee of \$7,540 per district. The new foundation aid formula allowance for fiscal year 1988 is \$1,700 per pupil unit. The bill is also "property tax neutral," said author Tom Nelson (DFL-Austin).

Many representatives, including the mayor of Little Falls, spoke in defense of DEED. The representatives said that DEED employees had been very attentive in listening to their concerns and helping to stimulate business in different areas.

Individuals also spoke on behalf of the Housing Finance Agency and the DNR. Grant compared the proposed reorganization of the DNR, which would de-centralize authority in the department, to having too many coaches for a football team.

Panel hears about proposed cuts

Randy Halvorson, the transit director for Mn./DOT, and Elliot Perovich, chairman of the Regional Transit Board, spoke at the Finance Subcommittee of Agriculture, Transportation, and Semi-States, on Thurs., Feb. 20. Both told the subcommittee, chaired by Sen. Keith Langseth (DFL-Glyndon), about the effects that recently proposed budget cuts would have on transit in the metropolitan and out-state area.

Both Halvorson and Perovich said that funding cuts may mean a fare increase. The falling price of gasoline combined with a fare increase could mean a serious ridership drop, according to their testimony.

Human service cuts discussed

The Finance Subcommittee on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), heard public testimony on the recommended cuts to the Departments of Health and Human Services during its Thurs., Feb. 20, Fri., Feb. 21, and Mon., Feb. 24, meetings.

Anyone affected by the cuts was invited to testify. The subcommittee heard from more than 25 persons representing various associations, programs, and groups.

Budget cuts proposals reviewed in meeting

Mark Dayton, commissioner of the Dept. of Energy and Economic Development (DEED), spoke at the Thurs., Feb. 20, meeting of the Finance Subcommittee on State Departments about recent budget recommendations regarding the department. The recommendations abolish most of the department, except for the office of tourism. According to Dayton, such action would hurt both Minnesota's business climate and way of life.

The subcommittee, chaired by Sen. Carl Kroening (DFL-Mpls.), also heard testimony from Jim Solem from the Housing Finance Agency. Solem reviewed the programs that the agency oversees and possible effects of cuts. Much of the money appropriated to the agency goes to programs to help house people with an annual income of less than \$4,000, Solem said.

A representative from the Dept. of Natural Resources said that cuts could mean laying off about 250 employees.

Transit reps talk to panel

Recent budget cut recommendations run contrary to the mandated duty of the Regional Transit Board, said board chairman Elliot Perovich, at the Fri., Feb. 21, meeting of the Finance Subcommittee on State Departments. The board was established, Perovich said, to study transportation service needs in the metropolitan area and offer possible improvements. If certain

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recommendations for cuts are approved, the board will not have the resources to carry out its mandate, Perovich said to the subcommittee, chaired by Sen. Carl Kroening (DFL-Mpls.).

Another problem with such proposals, Perovich said, is that they direct the board to examine certain areas as possibilities to absorb the budget cuts. Board members would prefer to decide for themselves where the cuts could most easily be made, he said.

Arnie Entzel, the president of the Amalgamated Transit Union, Local 1005, said that many people today are "captive" bus riders. If bus service is cut, these people may lose their jobs because they will have no transportation to work, Entzel said.

The subcommittee also heard a budget request for additional funding for a weigh station in St. Croix. A representative from Mn./DOT said that the station cannot be built according to plan without an additional \$2 million.

Panel examines education department cuts

The Finance Subcommittee on Education approved many of the governor's recommended budget cuts to the Dept. of Education and the Higher Education Coordinating Board (HECB), during its Fri., Feb. 21, meeting. The subcommittee, chaired by Sen. Gene Waldorf (DFL-St. Paul), also discussed proposed budget cuts to the Area Vocation-Technical Institutes (AVTI) System.

The subcommittee approved a motion by Sen. Tom Nelson (DFL-Austin) to amend the governor's proposed cuts to the Dept. of Education. Nelson recommended that nine basic skills positions be abolished and the money re-directed. Certain areas could escape cuts entirely.

Although the HECB representative said that the board has an unexpected extra \$1.9 million, the subcommittee still adopted most of the governor's proposals, which will cut financial aid to students for next year.

Joe Graba, from the AVTI system, said that members of the system would prefer to decide for themselves where the cuts should be made.

Small businesses hurt by cutting program

Proposals to eliminate the Minnesota Export Finance Authority would hurt small and medium-sized businesses, said Bill Dietrich, director of the Minnesota Trade Office in Agriculture. Dietrich testified at the Mon., Feb. 21, meeting of the Finance Subcommittee on Agriculture, Transportation, and Semi-States, chaired by Sen. Keith Lanseth (DFL-Glyndon).

The program generates export sales because it guarantees portions of loans requested to export goods, Dietrich said. Abolishment of the program would be a "gross legislative oversight," he said.

The subcommittee also heard testimony from Mn./DOT representative Bob McDonald. Some budget cut proposals could eliminate over 100 positions, McDonald said. The cuts come at a bad time, he said, because federal funds may soon be reduced, and department members would like to prepare project plans so that they can apply for federal funding while it lasts.

State department reps talk to panel

The Finance Subcommittee on State Departments heard public testimony on proposed budget cuts during its Tues., Feb. 25, meeting. Representatives from the Dept. of Natural Resources (DNR), the Housing Finance Agency, and the Pay Equity Program spoke to the subcommittee, chaired by Sen. Carl Kroening (DFL-Mpls.).

Woodland owners and forestry representatives spoke in opposition to the proposal to de-centralize the DNR. Under the proposal, the department would have six regional directors appointed by the governor. The possibility that these directors could change as often as a new governor is elected could seriously

hurt long-term planning, the representatives said.

Representatives for the Housing Finance Agency also professed opposition to the recommendations, which they said would basically mean less funds for the poor and the elderly.

Individuals spoke out against the proposed budget cuts to the Pay Equity Program. "A partial commitment to equity is not equity at all," according to a letter from the League of Women Voters of Minnesota.

Panel cuts more than governor's proposes

The Finance Subcommittee on Agriculture, Transportation, and Semi-States approved budget cuts which totaled over \$4 million more than the governor's recommended cuts during its Wed., Feb. 26, meeting. The subcommittee, chaired by Sen. Keith Langseth (DFL-Glyndon), will present more of their budget recommendations at a Thurs., Feb. 27, meeting.

Most of the cuts approved at the meeting were consistent with the governor's recommendations. More than \$1.5 million of the additional \$4 million recommended would come out of part of the Mn./DOT budget. About \$1 million more would be cut from the Minnesota Export Finance Authority, still leaving the program \$1 million. The rest would be cut from the motor vehicle transfer fund.

Governmental Operations

Rural Economic Development bill gains

A bill to encourage investment in rural Minnesota was approved and re-referred to the Finance Committee by members of the Governmental Operations Committee, Fri., Feb. 21. The bill, S.F. 1790, sets forth provisions for establishing a Greater Minnesota Corporation to pool public and private investment capital and provide development grants, loans and research services to help businesses develop new products and services. In addition the bill, sponsored by Sen. Roger Moe (DFL-Erskine), expands the authority of the Dept. of Energy and Economic Development to encourage investment in rural Minnesota. The measure also sets up six funds to provide loans to rural businesses and establishes educational grant programs to aid dislocated rural workers.

In other action, the panel, chaired by Sen. Don Moe (DFL-St. Paul), approved three additional bills. S.F. 467, authored by Sen. Dennis Frederickson (IR-Morgan), allows municipalities to contract to buy products from sheltered workshops without getting competitive bids. S.F. 496, also sponsored by Frederickson, requires the commissioner of administration to make available documents the department receives, does not need and would otherwise discard to educational institution libraries and public libraries. The final bill gaining the committee's approval clarifies provisions which specify when an agency may or may not adopt emergency rules.

Panel members also began discussion of S.F. 1850, regulating fees for state agency services. No action was taken on the measure, sponsored by Sen. Gene Waldorf (DFL-St. Paul), because of time constraints.

Milk marketing bill fails

The bulk of the Mon., Feb. 24, committee meeting was given over to discussion of a bill creating a Milk Stabilization Board and providing a milk marketing and price stabilization plan. The bill, S.F. 1595, creates a seven member board with the authority to divide the state into dairy marketing areas and set minimum and maximum prices for Class I and II dairy products bought and sold in each area. Dairy processors, distributors, marketers, and retailers would be required to obtain a dairy license under the bill. Further, the bill, sponsored by Sen. Collin Peterson (DFL-Detroit Lakes), transfers the enforcement of the unfair dairy practices act from the Dept. of Agriculture to the new board and expands that enforcement to include injunctive relief and and revocation or

suspension of dairy licenses. After considerable discussion the bill failed to gain the panel's approval on a 5-5 roll call vote.

The panel did approve two bills sponsored by Sen. William Luther (DFL-Brooklyn Park). S.F. 2033 defines the duties and terms of office of the members of the World Trade Center Board and changes the term "executive director" to "president." S.F. 1946, transfers the authority to set salary ranges for court administrators to the Minnesota Supreme Court and specifies that the top salary limit be set at 95 percent of the salary of the district court judge.

PUC ethics bill advances

A bill defining and clarifying ethics for commissioners and employees of the Public Utilities Commission was approved at the Wed., Feb. 26, meeting of the committee. The measure, S.F. 1869, authored by Sen. Neil Dieterich (DFL-St. Paul), specifies that one commissioner must be from outside the seven county metropolitan area, that the governor select one commissioner to serve as the chair of the commission and that the term of chair be concurrent with that of the governor. In addition, the bill clarifies conflict of interest provisions by prohibiting a commissioner from accepting employment for one year with a utility regulated by the commission. The bill also contains provisions relating to financial disclosure and to the reporting of discussions of prospective employment with a regulated utility.

Committee members also approved S.F. 1850, the bill regulating fees for state agency services. The measure, sponsored by Sen. Gene Waldorf (DFL-St. Paul), provides that agency fees and fee adjustments are not to exceed amounts set by statute. Further, in those cases where fees are not set by statute, the fees are to be established or adjusted to recover the portion of the agency's cost of providing the service that is of primary benefit to the person paying the fee.

In other action, the panel voted to reconsider the vote whereby the Milk Stabilization Board bill was defeated. The bill, S.F. 1595, is thus back before the committee and may be voted upon again. Finally, panel members began discussion on the Metropolitan Governance bill, S.F. 1913. The measure, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), clarifies the role of the Metropolitan Council and the roles of the various metropolitan commissions. The bill was laid over for further discussion because of time constraints.

Health and Human Services

Child support bills considered

Three bills clarifying the determination of child support under the child support guidelines were discussed, amended and approved by members of the Health and Human Services Committee at the Thurs., Feb. 20, hearing. Language from S.F. 1999, authored by Sen. Ember Reichgott (DFL-New Hope), was incorporated into another bill, S.F. 1685, authored by Committee Chair Linda Berglin (DFL-Mpls.). As originally presented to the committee, S.F. 1685 clarified that in the determination of support under the child support guidelines an obligor's new spouse's income is not to be included in the calculation of the obligor's net income and that the court could order an amount for support above the guidelines if the parties agreed. S.F. 1999 contained language broadening the alternatives to dispute resolution and provisions requiring notice be given to the non-custodial parent of the parent's right to information about the child. After incorporation of S.F. 1999 into S.F. 1685, both authors agreed that Reichgott would assume chief authorship of S.F. 1685. The bill was then approved and re-referred to the Judiciary Committee. The third measure dealing with the child support issue, S.F. 1732, authored by Sen. Gene Merriam (DFL-Coon Rapids), also contained language clarifying the determination of support and provided for a rebuttable presumption of joint custody determinations. The bill was also approved and re-referred to the

Judiciary Committee.

Three additional bills were acted upon by the committee. S.F. 1868, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), establishes demonstration projects to centralize the application for all food assistance programs and to promote the full participation in those programs by eligible persons. The measure was approved and re-referred to the Finance Committee. S.F. 1817, sponsored by Berglin, authorizes the adoption of an assigned risk insurance plan for licensed day care providers. The bill was approved and re-referred to Judiciary. S.F. 1814, also sponsored by Berglin, modifies the preadmission screening program and establishes the requirements for medical assistance rate appeals procedures for intermediate care facilities. In addition, committee members adopted an amendment to create a task force on long term health care planning. The bill was approved and re-referred by the Finance Committee.

Child care information bill approved

A statewide network of child care resource programs and referral services would be established under S.F. 1196 authored by Sen. Allan Spear (DFL-Mpls.) The bill was approved by the committee, chaired by Sen. Linda Berglin (DFL-Mpls.), at the Fri., Feb. 21, meeting.

Parents would be provided with information on community child care resources while providers of child care programs could receive technical aid, staff development assistance and referrals. Federal government funds would cover 75 percent of the cost and the state would finance the remainder.

Another bill approved by the committee, S.F. 1707, would establish an information center for caregivers of the mentally impaired. The bill, authored by Berglin, would require the Community Health Services Plan to include an evaluation of services available to the brain-impaired. In addition, it would provide a continuation of the task force study on the needs of the brain-impaired.

Sen. A.W. "Bill" Diessner (DFL-Afton) proposed S.F. 1931 which would modify minimum wage requirements for mentally or physically handicapped people participating in state facilities' work programs. Exemption from the minimum wage requirement would allow a greater number of clients to participate in the programs.

The committee approved S.F. 1810, authored by Berglin, which would reduce late filing penalties for recipients of aid to families with dependent children.

S.F. 1775, authored by Sen. Donna Peterson (DFL-Mpls.), would expand the authority of the ombudsman of the Department of Corrections to include the Department of Human Services. S.F. 1774, also sponsored by Peterson, was laid over for further discussion. The bill would clarify the statutes authorizing the Departments of Health and of Human Services to impose fines on hospitals that fail to meet state standards of licensure.

The committee began testimony on S.F. 1924, sponsored by Berglin, which would require the commissioners of health and of human services to develop school-based health clinics for adolescents.

CSSA modifications approved.

Four additional bills were also acted upon favorably by the committee during the Tues., Feb. 25 hearing. S.F. 1965, sponsored by Sen. Don Samuelson (DFL-Brainerd), clarifies the allocation of funds and expands the responsibilities of county boards under the Community Social Services Act. Hennepin County Commissioner Mark Andrew testified in favor of the bill remarking that the bill was a rare instance of cooperation of all parties involved.

S.F. 1884, authored by Sen. Marilyn Lantry (DFL-St. Paul), requires owners of residential rental premises to provide each tenant with written notification prior to the use of any pesticide in the tenant's unit. S.F. 1965, sponsored by Sen. Don Samuelson

Committee Capsule

(DFL-Brainerd), clarifies the allocation of funds and expands the responsibilities of county boards under the Community Social Services Act. S.F. 1980, authored by Sen. Randolph Peterson (DFL-Wyoming), provides that benefits from other programs must be exhausted before the payment of adoption subsidies by the Dept. of Human Services. S.F. 2047, carried by Sen. Eric Petty (DFL-Mpls.), removes the limitation on negotiated rate payments for adult foster care arrangements. Finally, the panel began discussion of a bill, S.F. 2155, authored by Berglin, establishing computer systems for human services programs to aid in the determination and recovery of overpayments.

Committee approves three bills

The committee approved three bills and continued discussion on a fourth at its Wed., Feb. 26, meeting.

S.F. 1774 would modify the powers of the commissioner of health and the commissioner of human services to inspect and fine facilities licensed by the two departments. The bill, authored by Sen. Donna Peterson (DFL-Mpls.), was approved.

Sen. Don Frank (DFL-Spring Lake Park) sponsored a bill, S.F. 1403, which would exempt certain non-profit nursing homes from taxation.

Chair of the committee, Sen. Linda Berglin (DFL-Mpls.), proposed S.F. 1878 which would change statutes governing eligibility for medical assistance programs and strengthen the state's ability to obtain estate and health insurance information about recipients. It would also increase the state's power to recover money from the estates of former clients. Many of the changes provided for in the bill are necessary to bring state laws into conformance with federal regulation.

Finally, the committee continued discussing S.F. 2155, sponsored by Berglin, provides for further departmental computerization in order to aid in the recovery of overpayments to both medical assistance recipients and providers. Discussion on the bill will continue at a future meeting.

Judiciary

Legal aid for farmers okayed

A bill establishing a legal assistance program for family farmers was one of eight bills approved at the Fri., Feb. 21, meeting of the Judiciary Committee. Under the measure, S.F. 1672, authored by Sen. Charles Davis (DFL-Princeton), funds are appropriated to the Supreme Court to contract with not-for-profit organizations for legal assistance to farmers. Further, the bill details eligibility requirements for farmers by specifying that the individual must be a resident of the state who is a farmer, or a member of a family farm corporation, representing a farm business that has a debt to asset ratio greater than 40 percent, who earned less than \$20,000 in taxable income and is unable to afford legal assistance. The measure further specifies the kinds of services the legal assistance program is to provide. The bill was approved and re-referred to the Finance Committee.

The committee, chaired by Sen. Allan Spear (DFL-Mpls.) approved an additional seven bills. S.F. 1934, authored by Sen. Linda Berglin (DFL-Mpls.), provides that a surviving spouse benefit may be awarded to certain former spouses. Under the bill, if a current or former public employee's marriage is dissolved before the employee retires, the court may order the employee to provide a surviving spouse benefit, upon retirement, in addition to any other pension rights the court might award. The bill would apply to public employees and would apply to marriage dissolution commenced on or after the effective date.

S.F. 1897, authored by Sen. Randolph Peterson (DFL-Wyoming), allows 20 days, rather than 10 days, for an individual to remove a conciliation court case to the county court and allows an individual seeking removal to make service on the opposing party by mail. S.F. 1930, sponsored by Sen. William Luther (DFL-

Brooklyn Park), reenacts various time periods repealed last session relating to the cancellation of contracts for deed depending on when the contract was executed. S.F. 2016, authored by Sen. Eric Petty (DFL-Mpls.), deletes language enacted last session dealing with the definition of a "trade secret."

S.F. 1942, sponsored by Spear, establishes a standard for best interest of a ward or conservatee in guardianship or conservatorship proceedings and requires findings by the court regarding best interests. S.F. 1730, also sponsored by Spear, modifies the circumstances justifying the detention of shoplifting suspects to allow a merchant or merchant's employee to detain a person, for no more than one hour, in order to require the person to provide identification or to verify identification, to inquire if the person possesses unpurchased merchandise and to recover the merchandise, to inform a peace officer or to institute criminal proceedings. The person may be detained for more than one hour if the merchant or employee is waiting to surrender the person to a police officer or, if the person is a minor, the merchant or employee is waiting to surrender the person to a peace officer or the parent or guardian. S.F. 1923, authored by Spear, repeals the crime of "criminal syndicalism" which is defined as "the doctrine which advocates crime, malicious damage or injury to the property of an employer, violence, or other unlawful methods of terrorism as a means of accomplishing industrial or political ends."

Equal access to justice act approved

A bill allowing small businesses to recover court and administrative hearing costs in civil suits and contested case proceedings against the state, if the business prevails was approved by the panel at the Mon., Feb. 24, hearing. The bill is designed, according to chief author Sen. Gerald Willet (DFL-Park Rapids), to provide recourse to small businesses which win cases against the state. In addition, Willet indicated that the measure also was intended to afford protection for the states environmental and conservation laws by assuring small businesses that they will be compensated for fees and expenses if they win court cases against the state. Most cases involving small businesses do involve the state's environmental laws, said Willet.

Committee members also endorsed several measures that had been thoroughly examined by the Privacy Subcommittee. S.F. 1755, authored by Sen. Donna Peterson (DFL-Mpls.), provides for the classification of human rights mediation data and details the provisions regarding access to human rights mediation data. S.F. 2039, authored by Sen. Linda Berglin (DFL-Mpls.) expands the powers of the attorney general to obtain information and to investigate and prosecute for fraud in the medical assistance program. S.F. 1961, authored by Sen. Randolph Peterson (DFL-Wyoming), is the Omnibus Date Practices Act for this session and makes a number of changes in the statutes dealing with data privacy.

Seven additional bills were approved by the committee. S.F. 1914, authored by Sen. Eric Petty (DFL-Mpls.), allows violations involving theft of services to be aggregated for purposes of criminal prosecution. S.F. 1974, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides for the exclusion of the homestead from the augmented estate and the inclusion of certain insurance benefits in the augmented estate for purposes of computing the value of an estate in intestate succession cases. S.F. 1975, authored by Sen. Ember Reichgott (DFL-New Hope), modifies venue in actions to recover possession of personal property by eliminating a phrase permitting venue to be in the county in which the claimant resides and specifying that venue is in the county in which the property is located.

S.F. 2017, authored by Sen. Randolph Peterson, provides for rewards for information leading to the arrest and conviction of persons committing hazardous waste violations. S.F. 2087, also sponsored by Peterson, clarifies the jurisdiction for prosecution for certain offenses. S.F. 2019, authored by Reichgott, specifies that it

is an unfair discriminatory practice to discriminate in the extension of personal or commercial credit, or in the requirements of obtaining credit because of sex or marital status. S.F. 2094, authored by Petty, provides for the succession of fiduciary capacity in mergers and consolidations of nonprofit corporations and provides for separate entities to hold church employee benefit plans. The latter bill is necessary in order to facilitate the proposed merger actions of the Lutheran Church.

Child support measures debated

Committee members met until the wee hours, Tues., Feb. 25, in order to hear testimony on two measures dealing with child support. S.F. 1685, authored by Sen. Ember Reichgott (DFL-New Hope), broadens alternatives to dispute resolution and provides that the court order custody in accordance with the agreement of the parties, if an agreement has been reached unless it makes findings of fact that to do so would not be in the best interest of the child. In addition, the bill specifies the rights of the parties and requires that the non-custodial parent be informed of significant occurrences in the child's life. The measure also clarifies language dealing with departures above and below the child support guidelines of factors to take into consideration when setting support payment amounts, establishes procedures for terminating income withholding orders in cases where the obligation for support ends, and clarifies that the court is to consider the financial circumstances of each party, rather than each party's spouse, in determining modifications of support orders.

S.F. 1732, authored by Sen. Gene Merriam (DFL-Coon Rapids), establishes a rebuttable presumption that joint legal custody is in the best interest of the child. In addition, the bill requires mandatory mediation in any contested custody case. According to Merriam, the bill would ease the adversarial conditions that are often present in marriage dissolution proceedings. In addition, the bill also provides that the mediator would have the authority to exclude counsel from participation and could make recommendations to the court as to the custody of the child. Finally, the bill also contains language clarifying deviations from the child support guidelines and clarifying that new spouse's income is not to be considered in modification of support orders.

Both bills received extensive testimony, but because of the lateness of the hour, both measures were laid over in order to allow time to draft amendments.

Earlier, the committee granted approval to two bills. S.F. 1721, authored by Sen. Linda Berglin (DFL-Mpls.), deals with health and dental coverage inclusion as child support. The bill requires that unless an obligee has health and dental group insurance available at a less expensive rate, the court shall order the obligor to name the child as a beneficiary on any health and dental plan that is available to the obligor on a group basis. Further, the bill establishes an enforcement mechanism, provides for employers withholding under certain conditions and modifies provisions dealing with priority in cases where more than one withholding order is in effect.

S.F. 2102, authored by Sen. Eric Petty, (DFL-Mpls.), provides for the appointment for guardians ad litem in child custody proceedings. The measure requires the appointment in proceedings in which custody or visitation of a child is an issue, if the court has reason to believe that the child is a victim of physical or sexual abuse or neglect perpetrated by a party to the proceedings. Further, the bill directs the guardian ad litem to represent the interests of the child and advise the court with respect to custody, support and visitation.

Insurance bills discussed

The crisis in the affordability and availability of liability insurance was the focal point of discussion at two meetings of the Judiciary Committee. The panel devoted the entire Wed., Feb. 26

hearing and the first meeting Thurs., Feb. 27, to explanations and testimony on several bills dealing with the issue. S.F. 1593, authored by Sen. William Luther (DFL-Brooklyn Park), makes numerous changes to the tort liability statutes and creates the Minnesota Joint Underwriting Association to provide insurance to persons unable to obtain professional liability insurance because of lack of competition in the marketplace or excessive premium rates. S.F. 1670, authored by Sen. Eric Petty (DFL-Mpls.) makes numerous changes in medical malpractice insurance laws. S.F. 1687, sponsored by Sen. Randy Kamrath (IR-Canby), dealing with general tort liability limits the amount of damages that may be recovered for noneconomic losses such as emotional distress, to \$250,000 in civil cases, provides that punitive damages may not be recovered in civil actions, limits the amount an attorney may collect as a contingency fee, and eliminates joint liability in cases involving more than one defendant.

S.F. 1727, also sponsored by Luther, provides immunity to municipalities for claims that occur as a result of the use of parks and recreations areas and limits the liability of a municipality to that which would entitle a trespasser to damages against a private person. S.F. 1817, authored by Sen. Linda Berglin (DFL-Mpls.), authorizes the commissioner of commerce to adopt an assigned risk plan for licensed day care providers, provides for the regulation of the plan and provides for state indemnification of foster parents.

Action on all five bills was scheduled to be completed at the second meeting of the committee Thurs., Feb. 27.

Local and Urban Governments Proposed Mega-mall site bill advances

Bloomington's 86-acre proposed mega-mall site would be exempt from the fiscal disparities pool, under S.F. 1968, which sponsor Michael Freeman (DFL-Richfield) presented to the committee Tues., Feb. 25. With the exemption, Bloomington plans to spend up to \$60 million of additional revenue for highway improvements near the site necessary to make it suitable for development. The taxes would normally go into a statewide tax-sharing pool for highway improvements.

The bill would allow Bloomington to impose a one percent retail sales tax on the former Metropolitan Stadium site and increase citywide liquor and lodging taxes up to five percent. The funds would be used to finance improvements necessary to attract developers to the site.

The bill was approved and re-referred to the Taxes and Tax Laws Committee.

The committee, chaired by Sen. Robert Schmitz (DFL-Jordan), approved 10 other bills during its morning and evening meetings Tues., Feb. 25.

S.F. 1797 (Adkins) authorizes towns to provide household waste disposal services and to enter into contracts with other governmental entities to sell or dispose of equipment or property.

S.F. 2090 (Adkins) removes restrictions from county commissioners holding an appointed office or having interest in contracts made by the county board. The bill also authorizes counties to make advance payments for certain services and to initiate a referendum to consolidate the county auditor and treasurer offices. The bill also provides exemptions from the Data Privacy Act for county software programs.

S.F. 1767 (C.C. Peterson) authorizes Becker, Grant, Hubbard, Otter Tail, Stevens, Todd, Traverse, Wadena, and Wilkin counties to enter into a joint powers agreement to dispose of solid waste.

S.F. 1922 (Bernhagen) authorizes Litchfield's municipal power agency to use excess utility funds to provide low-interest loans to public or private entities. The measure is directed toward aiding the city's efforts to help Litchfield Precision Components rebuild and remain in the city after a disastrous fire.

S.F. 1860 (Bertram) authorizes the county board to designate a

department head other than the clerk of district court as the county registrar of vital statistics.

S.F. 1847 (Pogemiller) provides a method of determining compliance with the volume cap limitations of proposed federal tax law. The measure was approved and re-referred to Taxes and Tax Laws Committee.

S.F. 2011 (Wegscheid) requires the Dept. of Energy and Economic Development to refund a \$60,000 industrial development bond allocation deposit to Hastings.

S.F. 1701 (Wegscheid) authorizes towns to accept money or assistance in maintaining or establishing cemeteries.

S.F. 1936 (Kamrath) provides tort liability immunity to municipalities in some instances, prohibits the award of punitive damages in civil actions, limits the amount of damages that can be collected in civil actions and provides other tort reform measures. The bill was approved and re-referred to the Judiciary Committee.

S.F. 1940 (Dicklich) regulates the payment of severance pay to local government employees. The bill was approved.

Public works reserve bills gain

Two measures providing for the establishment of public works reserve funds were approved and forwarded on to the Committee on Taxes and Tax Laws at the first meeting of the Local and Urban Government Committee Thurs., Feb. 27. The panel approved S.F. 1984, authored by Sen. Roger Moe (DFL-Erskine), authorizing counties to establish the funds for specific future capital improvements. S.F. 1956, authored by Sen. Jim Ramstad (IR-Plymouth), authorizes cities to establish the funds for future capital improvements and specifies that the use of the fund be in conformance with the city's comprehensive plan or capital improvement program.

In addition, the panel approved S.F. 1725, authored by Moe, providing for the establishment of a Port Authority for the city of East Grand Forks, and S.F. 1998, also sponsored by Moe, authorizing the city of McIntosh to issue bonds in order to build a fire hall-police station-library complex. Both bills were re-referred to the Tax Committee.

A measure, S.F. 1966, authorizing the city of St. Cloud to impose sales taxes of up to one percent on restaurant food sales and on-sale liquor sales, as well as a lodging tax, for the construction, operation and maintenance of a convention center complex also gained committee approval. The bill, sponsored by Sen. James Pehler (DFL-St. Cloud) was then forwarded to the Tax Committee.

Two bills sponsored by Sen. Tad Jude (DFL-Maple Grove) were also approved. S.F. 1955 provides for the notice of special assessments and provides a procedure for appeal by affected persons. S.F. 1994 authorizes the city of Medina to enter into agreement with a public utility in order to construct a natural gas pipeline.

Public Utilities and State Regulated Industries

Bill clarifies gambling laws

A bill making general changes to the state's charitable gambling laws earned committee support Tues., Feb. 25, but members removed a controversial provision that would have disallowed charitable gambling in bars.

Under current law, non-profit organizations can conduct games-of-chance in bars if the local unit of government allows it. The bill, S.F. 2026, sponsored by Chairman Neil Dieterich (DFL-St. Paul), removed that provision, but permitted clubs selling liquor to conduct gambling. Representatives of several non-profit organizations opposed the change. "If you take [gambling] out of the retail bars, we won't be able to sell [chances]. We won't [raise] money," said Kathy Ross, spokesperson for the Braille Sports Foundation.

Changes to the law that were approved include exempting organizations not licensed by the board from the state sales tax; permitting gambling proceeds to pay for specified costs, such as legal fees, accounting services, and gambling insurance fees; exempting from regulation organizations conducting only one gambling event a year, but requiring them to file a report concerning the event with the board; and creating a tax amnesty program for charitable organizations who have not paid due taxes.

Liquor bills gain

The committee, chaired by Sen. Neil Dieterich (DFL-St. Paul), okayed a bill Thurs., Feb. 27, allowing cities to issue temporary licenses to allow vintages and brands of wine not commonly offered by wholesalers to be sold at an auction.

The bill, S.F. 1879, sponsored by Sen. Allan Spear (DFL-Mpls.), permits the auction to be held for three consecutive days. Also, no more than 600 case of wine could be sold.

Three local liquor provisions also won committee approval Thursday: S.F. 2100 (Dicklich) removes the limit on seasonal on-sale licenses that can be issued by St. Louis County; S.F. 1912 (Knaak) permits the city of Vadnais Heights to issue five additional on-sale liquor licenses; and S.F. 2006 (Brataas) allows the city of Rochester to issue an on-sale liquor license to a person operating a concession at the Mayo Civic Auditorium.

Transportation

Veterans license plate bill approved

The first bill on the committee's agenda Fri., Feb. 21, was withdrawn before the members even considered it. Sen. Lawrence Pogemiller (DFL-Mpls.), author of S.F. 1894, said the Department of Public Safety withdrew its proposal after an advisory panel considered new evidence. Pogemiller praised the department for reacting responsibly to new information brought forward by advocates.

The bill would have required epileptics and others subject to periods of unconsciousness to submit physicians reports when applying for drivers' licenses.

Sen. James Pehler (DFL-St. Cloud) sponsored S.F. 1744, which would allow Vietnam veterans to purchase special license plates. The committee approved and re-referred the bill to the Finance Committee.

S.F. 1894, authored by Sen. William Belanger (IR-Bloomington), was also approved and re-referred to Finance. The bill allows the Department of Transportation to exchange property under certain conditions. Property can be exchanged if it is not being put to its "highest and best" use. The exchange must promote development in the area and provide a significant economic benefit to the state. It cannot reduce the services or significantly increase the costs of the department.

Proof of insurance required under bill

Drivers would be required to carry an identification card or another form of verification of automobile insurance coverage under a bill which was approved by the committee Wed., Feb. 26.

Sen. Ember Reichgott (DFL-New Hope) presented S.F. 1387 which is directed at reducing the number of people who drive without insurance coverage. Those who do not have proof of insurance coverage in their possession will have 48 hours to provide it before their licenses are suspended.

Sen. Gene Waldorf (DFL-St. Paul) presented S.F. 1990, which would require drivers convicted of certain alcohol and drug-related crimes to increase their automobile liability insurance coverage for two years one year after their licenses are reinstated.

The committee also approved S.F. 2035 and recommended that it be placed on the Consent Calendar. The bill, authored by Sen. Gary Laidig (IR-Stillwater), would create a special registration

category for military vehicles.

A motion to confirm the Governor's appointment of Roger Laufenburger as chairman of the Transportation Regulation Board was approved.

Veterans and General Legislation

Proposal adds a veterans' cemetery

The Dept. of Veterans Affairs would choose a site for another veterans' cemetery, according to a bill advanced by the committee Mon., Feb. 24. The proposal, S.F. 1880, does not provide funds for purchasing the site, but requires the department to include costs for the cemetery in its next budget.

Sponsored by Sen. Don Samuelson (DFL-Brainerd), the bill allows veterans, their spouses and their children under 18 years of age to be eligible for burial at the cemetery. No plot fee would be charged for those eligible for burial, but a fee covering the costs of interment of family members would be charged.

The panel also advanced a bill allowing the Dept. of Veterans Affairs to charge other organizations for use of department facilities. Carried by Sen. Greg Dahl (DFL-Lino Lakes), the bill, S.F. 1941, places the revenue from the rental into a special fund, which would solely be for veterans use.

The committee also advance a bill clarifying that only Vietnam veterans who received honorable discharges are eligible for tuition exemption while attending an area vocational technical institute.

The measure, H.F. 1871, sponsored by Sen. Joseph Bertram (DFL-Paynesville), also permits the Dept. of Veterans Affairs to pay residents or patients in the state veterans' homes for work performed at the home. The hourly compensation would be less than minimum wage.

Panel authorizes labor center

A bill enabling an ad-hoc task force to assist the Minnesota Historical Society in establishing a labor interpretative center gained committee support Wed., Feb. 26. The bill, S.F. 2111, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), does not appropriate money for building a center nor give additional funds to the task force.

Former AFL-CIO president Dave Roe estimated that the center would cost about \$8 million, and said the task force will ask the Legislature for money during another session. Roe explained that the center would help enrich Minnesotans' knowledge of the labor movement and its contributions to the state. The bill also establishes the labor interpretative center as part of the Minnesota Historical Society.

The committee advanced two other proposals Wednesday: S.F. 502 (Lessard) permits Grand Rapids to create a central school commission, which would be responsible for the operation of the Central School buildings; and S.F. 2018 (Willet) renames the Battle Point Historical Site the Battle Point Site and clarifies its boundaries.

Preview

The Minnesota Senate Week at a Glance

Monday, March 3, 1986

Governmental Operations, Chair: Donald Moe

8:00-10:00 AM Room 15 Capitol

Agenda: To be announced

Economic Development and Commerce, Chair: Sam Solon

8:00-10:00 AM Room 118 Capitol

Agenda: H.F. 1773 (S.F. 1705-Freeman): Smokeless tobacco regulation; H.F. 1897 (S.F. 1806-Dahl): Prohibiting elimination of service bays of motor fuel franchises; H.F. 1984 (S.F. 1854-Peterson, R.W.): Securities regulations; assignment of real property loans, real estate brokers, etc.

Education, Chair: James Pehler

8:30 AM Room 112 Capitol

Agenda: Pending House Action. S.F. 1798-Pehler: Definition of a school; S.F. 1696-Olson: Definition of a school.

Finance Subcommittee on Education, Chair: Gene Waldorf

10:00 AM-12:00 PM Room 120 Capitol

Agenda: Review bill.

Judiciary Sub. on Judicial Administration, Chair: Ember Reichgott

10:00 AM-12:00 PM Room 15 Capitol

Agenda: S.F. 1677-DeCramer: Repeal of Supreme Court's authority to shift judicial vacancies; S.F. 1953-Peterson, D.C.: Crime victim rights.

Transportation, Chair: Clarence Purfeerst

10:00 AM Room 112 Capitol

Agenda: S.F. 1473-Jude: Advertising on phone booths; S.F. 2051-Peterson, D.C.: Transfer of highways between DOT and Hennepin County; S.F. 2143-DeCramer: Clarifying procedures in contested matters before TRB; S.F. 2144-DeCramer: Permitting TRB to approve rate changes and applications for track abandonments; S.F. 2146-DeCramer: Permitting TRB to grant clearance variances without hearings.

Finance Subcommittee on Agriculture, Transportation, and Semi-States, Chair: Keith Langseth

12:00 PM Room 107 Capitol

Agenda: Semi-States Bill finalization.

Judiciary Subcommittee on Criminal Law, Chair: Eric Petty

12:00-2:00 PM Room 15 Capitol

Agenda: S.F. 2098-Jude: DWI repeat offenders; S.F. 1648-Belanger: Machine gun dealers; H.F. 654 (S.F. 663-Jude): Sentence for first-time illegal drug sales.

The Senate will be in session at 2:00 PM

Finance Subcommittee on State Departments, Chair: Carl Kroening

Following Session Room 112 Capitol

Agenda: Allocations.

Taxes and Tax Laws, Chair: Douglas Johnson

Following Session Room 15 Capitol

Agenda: S.F. 1865-Johnson, D.J.: Senate tax proposal.

Tuesday, March 4, 1986

Economic Development and Commerce, Chair: Sam Solon
8:00-10:00 AM Room 118 Capitol

Agenda: H.F. 1773 (S.F. 1705-Freeman): Smokeless tobacco regulation; H.F. 1897 (S.F. 1806-Dahl): Prohibiting elimination of service bays of motor fuel franchises; H.F. 1984 (S.F. 1854-Peterson, R.W.): Securities regulation; assignment of real property loans, real estate brokers, etc.

Judiciary Subcommittee on Criminal Law, Chair: Eric Petty
10:00 AM-12:00 PM Room 107 Capitol

Agenda: S.F. 2007-Reichgott: Juvenile prostitution; S.F. 1770-Freeman: Forfeiture.

Local and Urban Government, Chair: Robert Schmitz

10:00 AM-12:00 PM Room 15 Capitol

Agenda: To be announced

The Senate will be in session at 12:00 PM

Health and Human Services, Chair: Linda Berglin

3:00 PM Room 107

Agenda: To be announced

The Senate will be in session at 7:00 PM

Wednesday, March 5, 1986

Governmental Operations, Chair: Donald Moe

8:00-10:00 AM Room 15 Capitol

Agenda: To be announced.

Education, Chair: James Pehler

8:30 AM Room 112 Capitol

Agenda: S.F. 2029-Merriam: Relating to state high school league.

Judiciary, Chair: Allan Spear

10:00 AM-1:00 PM Room 15 Capitol

Agenda: S.F. 1517-Jude: Restrictive covenants; S.F. 1857-Solon: Clerk of court fees, name; S.F. 1862-Petty: Closed-circuit TV testimony in child sex abuse trials; S.F. 1971-Pogemiller: Deprivation of parental rights; S.F. 1993-Jude: Revisor's bill; H.F.2230/S.F. 2065-Pogemiller: DWI partial breath samples; S.F. 2081-Peterson, R.W.: Limited partnerships; S.F. 2122-Luther: Corporate take-over amendments; H.F.839/S.F. 810-Merriam: Escape from commitment custody after successful insanity defense.

The Senate will be in session at 1:00 PM

(Tentative) Health and Human Services, Chair: Linda Berglin
5:30 PM Room 107 Capitol

Agenda: To be announced

Thursday, March 6, 1986

Legislative Audit Commission, Chair: Randolph W. Peterson
8:30-10:00 AM Room 107 Capitol

Agenda: Proposed budget cuts to Legislative Auditor's office; Audit jurisdiction of metropolitan agencies; General status report on program evaluation and financial audit activities.

Local and Urban Government, Chair: Robert Schmitz

10:00 AM-12:00 PM Room 15 Capitol

Agenda: To be announced.

Judiciary, Chair: Allan Spear

12:00-2:00 PM Room 15 Capitol

Agenda: Bills from Monday and Tuesday subcommittees.

The Senate will be in session at 2:00 PM

(Tentative) Health and Human Services, Chair: Linda Berglin

5:30 PM Room 107 Capitol

Agenda: To be announced

Friday, March 7, 1986

A floor session for the Minnesota Senate had not been scheduled at press time.

Governmental Operations, Chair: Donald Moe

8:00-10:00 AM Room 15 Capitol

Agenda: To be announced

Judiciary, Chair: Allan Spear

10:00 AM-1:00 PM Room 15, Capitol

Agenda: Bills left over from Wednesday and Thursday full committees meetings.

NOTE:

Saturday, March 8, 1986 is the second committee deadline. Some committees were unable to have meetings scheduled at press time. For daily updated information, call the Senate Hotline at 296-8088.

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86 March 7

Briefly

The Minnesota Senate Week in Review

March 7, 1986

Tax bill sent to Senate floor

The Senate tax bill won the approval of the Taxes and Tax Laws Committee Tuesday, March 4, and was sent to the Senate for final action. The bill, H.F. 1815, raises about \$204 million to help address the anticipated \$734 million state budget shortfall.

The proposal, sponsored by Committee Chairman Douglas Johnson (DFL-Cook), delays state payment of school aids to save \$91 million. Increased efforts by the Dept. of Revenue to collect due taxes from delinquent taxpayers is expected to raise another \$31 million. And, the bill delays the transfer of \$81 million in motor vehicle excise taxes from the general fund to the designated highway fund. The proposal also increases property tax relief by five percent in 1987.

Johnson said the bill would not raise property taxes or require cuts in state education. He added that the bill is "carefully crafted so we don't have to go into short-term borrowing."

The committee adopted an amendment offered by Sen. Charles Davis (DFL-Princeton) that excludes farmers from paying income taxes on income gained upon foreclosure of a mortgage on real or personal property used in farming. Furthermore, farmers deeding back the property in lieu of foreclosure also are exempted from paying taxes on the income. The provisions are retroactive to 1982. Another amendment adopted, offered by Sen. Collin Peterson (DFL-Detroit Lakes), reduces the tax credit per gallon of ethanol from four to two cents.

The bill originally proposed replacing the retail tax on liquor with a 14.6 percent wholesale liquor tax. However, Johnson successfully removed that proposal and substituted provisions accelerating other tax payments.

Senate passes lottery bill

Minnesotans will have the chance to decide if the Legislature should permit a state operated lottery, according to a bill passed by the Senate on a close 34-33 vote. The bill, S.F. 1, requires that the proceeds from the sales of lottery tickets be deposited in the state general fund.

Minnesota's constitution currently prohibits a lottery. If the bill wins House approval and is signed into law, voters in the 1986 general election will decide if that prohibition should be repealed.

Sen. Clarence Purfeerst (DFL-Faribault), sponsor of the proposal, said the people should have the opportunity to decide if they want a lottery. He argued that putting the question on the ballot would allow voters to debate the issue.

Opponents argued that the state should not be in the business of promoting a lottery. "It will foster a belief that you can get something for nothing," said Sen. Allan Spear (DFL-Mpls.).

The Senate rejected an amendment requiring revenue from lottery ticket sales to be deposited into a rural economic development fund. Also, attempts to add to the bill a proposed constitutional amendment permitting elected officials to be recalled by voters and a proposed constitutional change limiting state spending were unsuccessful.

Finance bill revamped and approved

The Finance Committee approved only three of the four subcommittee reports Wednesday, March 5, so the Omnibus Finance Bill remained with the committee until the final section, involving health and human services, was approved Thursday,

March 6.

Wednesday an amendment proposed by Sen. Gene Waldorf (DFL-St. Paul) and approved by the committee reduced projected savings by about \$1.7 million, meaning that the budget would fall about \$815,000 short. The amendment disallows increases in depreciation and interest expenses which effect rates when group homes for the mentally retarded change hands.

When committee members met again Thurs., Mar. 6, they approved an amended version of the health and human services sections of the bill. The amendments added a sufficient increase in money to offset Waldorf's amendment.

The proposed Senate bill discussed by the committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), would provide a budgetary balance of about \$757 million to cover the estimated shortfall of \$756 million. The state departments budget, through new revenue and reduced appropriations, provides about \$85 million to the general fund, about \$39 million more than the governor's recommended cuts, said Sen. Carl Kroening (DFL-Mpls.), chairman of the state departments subcommittee.

The major changes in the Finance Subcommittee on State Departments report to the Finance Committee were a more than \$9 million cut from the Dept. of Energy and Economics (DEED), which will still preserve the department; cuts of \$26 million for debt service; a cut from the Housing Finance Authority of \$3.9 million more than the governor's recommendation; and a cut from repairs and betterments of \$6 million more than the governor's recommendation.

The subcommittee report, Kroening said, also recommends combining the Dept. of Finance, the Dept. of Administration, and the State Planning Agency into the Dept. of Management and Budget.

The section of the bill involving agriculture, transportation, and semi-states reduces those budgets about \$4 million more than recommended by the governor, Sen. Keith Langseth (DFL-Glyndon), chairman of the subcommittee, said. The major changes from the governor's package are a \$1.5 million reduction in transit; a \$1.2 million reduction from the Export Finance Authority loan guarantee fund; and \$1.4 million from the Motor Vehicle Transfer fund from a program for junkyard abatement. The total reductions, plus additional revenue items are about \$92 million, including \$106 million saved from the suspension of the Motor Vehicle Excise Tax Transfer.

The reductions for education recommended to the Finance Committee totaled about \$37 million. The major cuts are about \$2 million to the Dept. of Education; almost \$4 million from the Higher Education Coordinating Board (HECB); \$6 million from the Area Vocational-Technical Institutes (AVTI) System; about \$3 million from the Community College System; over \$5 million from the State University System; \$16 million from the University of Minnesota; and \$50,000 from Mayo.

The proposal regarding health and human services cuts about \$37 million including funding an income maintenance forecast. The major cuts are about \$4 million from jobs and training; about \$4 million from corrections; and over \$1 million from health.

One major cut was a delay of a one percent increase in General Assistance (GA) and Aid to Families with Dependent Children (AFDC) payments. The bill would reduce the fees to physicians providing care to people on Medical Assistance (MA) and General Assistance Medical Care (GAMC) until May 1, 1987.

Committee Capsule

Agriculture and Natural Resources

Bills discourage nuclear repository

Two bills attempting to discourage the federal siting of a nuclear waste repository in Minnesota won committee approval Fri., Mar. 28. The first bill, S.F. 2159, prohibits the construction of the facility without legislative approval. The second bill, S.F. 2178, prohibits the creation of any hazardous waste disposal system that would "reasonably be expected to cause" pollution to the state's water supply.

The U.S. Dept. of Energy has listed eight potential disposal sites in Minnesota. According to Sen. Collin Peterson (DFL-Detroit Lakes), author of S.F. 2159, the sites will not be selected until the 1990's, but the state must take action sooner. "I think it is incumbent upon us to do all that is possible to stop this process," he said.

Peterson's proposal originally required nuclear power companies in Minnesota to provide a report on the economic costs relating to nuclear power generation and disposal. The intent of the provision, based upon a U.S. Supreme Court ruling, was to allow the Legislature to veto construction of a disposal plant if it found disposal costs to be high. But members removed the provision, claiming it would burden the power companies. Said Sen. Dennis Frederickson (R-Morgan), "You're giving the utilities an impossible task by having them determine the costs of nuclear power."

Peterson's bill also contains a "notice of disapproval," which states Minnesota's objection to a nuclear waste repository site.

The second proposal, sponsored by Sen. Charles Davis (DFL-Princeton), requires U.S. officials to prove that a disposal facility would not pollute groundwater or drinking water. Davis said the bill would provide "the best legal standing solution" to prevent a facility from being built.

A bill depositing state revenue in rural banks to encourage them to provide farmers with operating loans also won committee approval Friday. According to the bill, S.F. 1749, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), the state could deposit funds in rural lending institutions and receive a lower rate of return on the interest. If lending institutions accept the deposits, they are required to provide farmers with loans at lower interest rates. Furthermore, the lending institutions must make the same number of farm operating loans it provided the previous year.

The amount of money put into the program will be determined by the Finance Committee.

The committee defeated a proposal, S.F. 1664, requiring the Metropolitan Airports Commission to prepare a report on possible noise reduction measures for the Minneapolis-St. Paul International Airport. Sen. Michael Freeman (DFL-Richfield) said the report would help move noise abatement efforts forward, because "one of our biggest problems is lack of information." He said the information would enable agreements to be reached between the commission and the FAA.

Jeffrey Hammel, Executive Director of the Metropolitan Airports Commission, said the commission is already securing the information requested in the bill. "We have not been sitting on our hands," he said, and he added that the bill would do little to resolve the noise problem.

The following measures also won approval Friday: S.F. 1925 (Laidig) requiring licensure and restrictions for persons breeding and propagating raptors; S.F. 2215 (Peterson, C.C.) limiting the amount of money in the game and fish dedicated funds that can be used for administrative functions; S.F. 1610 (Wegscheid) classifying financial institutions and insurance companies as corporations under the corporate farming law, and requiring

corporations to dispose of acquired agricultural land after five years; S.F. 2104 (DeCramer) changing the method for drainage assessments and proceedings; S.F. 1745 (Bertram) allowing the sale of land in Stearns County; and S.F. 2173 (Laidig) permitting land exchange in Washington County.

Panel okays voluntary siting process

A new approach for siting a hazardous waste "stabilization and containment" facility in Minnesota won committee approval Wed., Mar. 5. That approach, offered by Chairman Gene Merriam (DFL-Coon Rapids), permits the Waste Management Board (WMB) to enter into contracts with counties volunteering to quarter the facility. The contract would include incentives agreed upon by the county, WMB and the Legislature. Furthermore, the offered site must be environmentally sound.

Counties offering sites that are suitable for the facility would receive a \$50,000 annual increase in local government aids. If a contract is agreed upon, the county would get \$150,000 per year for two years in additional local government aids plus the benefits contained in the contract.

Efforts to construct a hazardous waste disposal facility began in 1980, when the legislature enacted procedures for choosing a site. As a result of that process, four candidate sites were chosen. A facility was to be built on one of those sites, but the Legislature suspended further action because lawmakers questioned the proper design of a facility and the need for its immediate construction. Merriam said he is still uncertain how soon the state should have a site. But, he added, "I think it's important that we find a facility in the not too distant future."

If the voluntary process fails, the WMB would not be able to resume procedures for siting a facility at one of the four candidate sites. However, Merriam said he is "fairly comfortable" that the voluntary process will work.

In other action Wednesday, the committee advanced a bill easing the procedure for landowners to establish a lake improvement district. Under the measure, S.F. 1599, sponsored by Sen. Collin Peterson (DFL-Detroit Lakes), only 26 percent of the landowners within the proposed district are required to sign a formation petition. Furthermore, persons living outside Minnesota but who own property within the proposed district are allowed to participate in the formation and termination process. The bill also permits counties to establish joint authority for bodies of water not wholly contained within a county. The Dept. of Natural Resources and a joint county authority are required to comply with the order establishment process; and cities will have the ability to delegate authority to lake improvement districts established by a county.

Two other measures won committee approval Wednesday. S.F. 2186 (Novak) clarifies that the person who deposits regulated substances in an underground storage tank informs the owner or operator of the notification requirement. S.F. 1978 (Davis) oversees the Pollution Control Agency's handling of waste water treatment plant construction grants and loans.

Economic Development and Commerce

Ten bills beat deadline

As the committee members rushed to meet the first committee deadline, they approved ten bills during a marathon meeting Fri., Feb. 28.

Among the endorsed bills was S.F. 1932, a resolution sponsored by Sen. Conrad Vega (DFL-So. St. Paul). It requests Congress and the President to adopt legislation forbidding state and local governments to grant financial incentives in order to entice

corporations to locate in one state or city as opposed to another.

A bill which establishes a venture capital fund to attract private venture investors and assist small businesses was also approved. S.F. 1866, authored by Sen. Gregory Dahl (DFL-Coon Rapids), was re-referred to the Finance Committee.

Three measures relating to insurance were approved by the committee. S.F. 1905 (Dahl) prohibits discrimination in auto insurance based on marital dissolution. S.F. 1387 (Reichgott) requires drivers to carry proof of automobile insurance. S.F. 1990 (Waldorf) requires increased insurance coverage upon conviction of certain alcohol and drug-related crimes.

The committee also approved: S.F. 1904 (Dahl) prohibiting merchants from charging surcharges on credit card sales; S.F. 2078 (Solon) establishing a trust fund for the purpose of indemnifying nonprofit beneficiary organizations; S.F. 2237 (Diessner) creating the District 56 Development Association; S.F. 2075 (Ramstad) allowing realtors to pay time-share fees of up to \$250; S.F. 2179 (Dahl) extending the "new car lemon law" to farm equipment.

Smokeless tobacco curbs endorsed

Distributors would be prohibited from promoting smokeless tobacco through free samples under H.F. 1773. The bill was presented by Sen. Michael Freeman (DFL-Richfield) at the Tues., Mar. 4, meeting. The measure also requires distributors to ask for age verification before distributing free cigarettes or other smokable tobacco products. Violators would be fined up to \$5,000.

Sen. Duane Benson (IR-Lanesboro) asked why the bill was more stringent on smokeless tobacco distribution than it was on the distribution of other tobacco products. Freeman explained that federal laws preempt the state's efforts to restrict the promotional distribution of smokable tobacco products. An amendment to restrict the free distribution of smokeable tobacco products in certain public places was defeated. The committee, chaired by Sen. Sam Solon (DFL-Duluth), approved the bill and sent it to the Senate floor.

A bill which increases the authority of the commissioner of commerce to suspend or revoke real estate broker and salesperson licenses was also approved. H.F. 1984 extends the commissioner's authority to revoke or suspend licenses of incompetent, untrustworthy or financially irresponsible realtors.

The bill, sponsored by Sen. Randy Peterson (DFL-Wyoming), also expands the definition of real estate brokers and institutes minor changes in educational requirements for realtors. The measure requires all lenders to return abstracts to buyers before Aug. 1, 1987, and requires future lenders to give buyers the abstract at the time of closing. The committee sent the bill to the Senate floor.

In the final minutes of the committee's final meeting of before the deadline, members approved two other measures. H.F. 1897 (Dahl) extends the sunset clause on the law which prohibits gas station franchisers from eliminating service bays without the consent of the franchisees. S.F. 193 (Chmielewski) repeals the laws regulating entertainment agencies.

Education

Panel okays selling state lands

The Commissioner of the Dept. of Natural Resources (DNR) will be able to sell some state-owned leased lakeshore property, under S.F. 2023, approved by the Education Committee Fri., Feb. 28. Money from the sales will go to the permanent school fund.

The DNR is currently working on a study to assess the value of the properties, said Chairman James Pehler (DFL-St. Cloud). The study will help determine which lands should be sold.

The committee also approved S.F. 1754, authored by Sen. Ronald Dicklich (DFL-Hibbing), mandating the State University

Board, in cooperation with the State Board for Community Colleges and the Board of Regents of the University of Minnesota, to develop a plan for upper division courses at Arrowhead Community College. Although Arrowhead Community College currently offers some upper division courses, additional courses are needed so that displaced workers can complete more of their education at the community college, Dicklich said. They could then attend another institution to finish their degree or program, he said.

S.F. 1861, which the committee approved and referred to Finance Committee, authorizes \$40,000 to research and plan a telecommunications system between Brownton, Glencoe, Hutchinson, Silver Lake, and Stewart school districts.

The committee discussed and laid over two bills relating to revenue for school districts. S.F. 1697, authored by Sen. Randolph Peterson (DFL-Wyoming), requires that the commissioner of the Dept. of Education compute the state average foundation and tier revenue for each school year. Districts that are below the state average are eligible for equity revenue under the bill. S.F. 1290, authored by Sen. LeRoy Stumpf (DFL-Plummer), addresses the same problem but attempts to funnel out revenue inequities through using the tier system.

The committee also approved S.F. 2204, authored by Sen. Joe Bertram (DFL-Paynesville), authorizing the Cold Spring school district to make an equal levy for debt service over the next five years.

School definitions discussed

After an era of concern that parents were too removed from their children's education, it seems that the state is now trying to tell them not to get further involved, said Sen. Gen Olson (IR-Minnestrata), during the Mon., Mar. 3, Education Committee meeting. Olson spoke about S.F. 1696, which revises the definition of a school. The committee, chaired by Sen. James Pehler (DFL-St. Cloud), did not approve the bill.

The bill recognizes the "right and responsibility of parents to provide a basic education for their children," and provides definitions of a school. Options to help define a "school" include: they may have licensed teachers or "effective" teachers; may be accredited by certain state, regional, or national accrediting organization; or they may be operated by or affiliated with a federally recognized church.

S.F. 1696 also provides definitions of testing or accomplishment requirements students must meet, and establishes a task force to study issues relating to the compulsory attendance laws.

The committee approved S.F. 1798, authored by Pehler, which mandates the State Board of Education to create a task force similar to the one proposed in S.F. 1696. The task force report must be made to the committee by Feb. 1, 1987. The bill was amended to relieve parents who choose alternative methods of education of the responsibility of reporting to a superintendent until July 1, 1987.

Panel discusses high school league

The basic premise of much legislation is that children and their parents have the right to make decisions affecting the children's lives with minimal interference from the state, said Sen. Gene Merriam (DFL-Coon Rapids) at the Education Committee meeting Wed., Mar. 5. The Minnesota State High School League (MSHSL), by regulating participation in non-school athletics, interferes too much, he said.

Merriam was defending S.F. 2029, a bill which he said does two important things: establishes a due process procedure for dealing with individuals who wish to appeal a league action or decision, and provides for the de-regulation of non-school activities. The committee, chaired by Sen. James Pehler (DFL-St. Cloud),

Committee Capsule

approved the bill.

The committee also approved S.F. 2233, authored by Sen. LeRoy Stumpf (DFL-Plummer), which adds a post-secondary vocational technical education representation to two already-existing advisory councils.

S.F. 2289, which requires the state board of education to study its school desegregation rules and recommend changes was laid on the table because the board had agreed to do the study without legislative direction, author Donna Peterson (DFL-Mpls.) said.

Elections and Ethics

Unicameral bill to be studied

A bill which would allow the voters to decide whether the Minnesota Legislature should be consolidated into a single body or remain in two was considered by the committee Thurs., March 6.

The bill, authored by Sen. Lyle Mehrkens (IR-Red Wing), proposes an amendment to the Minnesota Constitution which would abolish the Senate and House of Representatives and create a single body called the Legislature. The one-house Legislature would consist of 130 members serving four year staggered terms.

"Introducing this bill is a little bit akin to being in combat and calling in artillery on yourself," Mehrkens said.

The bicameral system impedes progress, according to Mehrkens. He said a unicameral legislature would be more in touch with the present day society than the bicameral system is.

The committee, chaired by Sen. Jerome Hughes (DFL-Maplewood) laid the bill over for further study.

A bill presented by Sen. Donna Peterson (DFL-Mpls.) would permit a new type of voting system to be used in elections. S.F. 2245 allows the use of electronic optical scan voting devices. Voters would fill out computer cards and insert them into optical scanning devices. The committee approved the measure.

Employment

Tip-pooling bill approved

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met briefly on Thurs., Mar. 6, and approved S.F. 2231. The bill allows an employer to help his employees "pool" tips. Currently, employers are not allowed to be involved in any way, even if employees request help.

Energy and Housing

Cogenerator bill stirs up debate

The question of whether the committee should intervene in a dispute between NSP and Hennepin County lead to an intense debate at the Fri., Feb. 28 meeting. Hennepin County plans to build a cogenerator plant which would burn the county's waste and generate energy to be sold to NSP. A dispute arose between NSP and Hennepin County over what penalty fee the county would pay if the plant did not generate the proper amount of energy for the number of years agreed upon.

Senator Don Frank (DFL-Spring Lake Park) told the author of S.F. 2246, Sen. Gregory Dahl (DFL-Coon Rapids), that it was inappropriate to bring the bill to the Legislature. Frank argued that the dispute should be solved through the Public Utilities Commission.

Hennepin County Commissioner John Derus said "We would prefer to go through the proper channels but we feel that it would take us two years." The county must have a contract signed with a utility company by Nov. 10, 1986 or it will lose its authority to levy general obligation bonds to finance the project. In addition the

county must meet a state deadline to start burning its waste.

Sen. Frank told committee members that it was unfair to by-pass the PUC and decide an issue which they don't have the technological knowledge to understand.

The debate lead to a direct dialogue between Sen. Carl Kroening (DFL-Mpls.) and Sen. Frank.

"We have a law that Hennepin County hasn't followed," Frank said.

"We change those everyday around here," Kroening retorted. "But not for the purpose of Hennepin County," Frank countered.

Sen. Randy Kamrath (IR-Canby) tried to appease both sides by offering an amendment which would require the PUC to resolve the dispute by July 1, 1986 if a petition was filed before April 15.

"I agree wholeheartedly with Senator Frank that we should not be usurping the power of the commission . . . but I do think we should recognize the urgency," Kamrath said.

The committee voted down the Kamrath amendment 5-7.

The bill was sent to the Senate floor.

Committee members also endorsed a bill authorizing Hennepin county to create a Housing Redevelopment Authority. The bill, S.F. 2238 was authored by Sen. Ember Reichgott (DFL-New Hope) bill.

Finance

Panel discusses budget cuts

The Finance Subcommittee on Agriculture, Transportation, and Semi-States, met Thurs., Feb. 27, to continue discussing their recommendations for budget cuts.

The subcommittee gave recommendations for the Dept. of Agriculture and Mn./DOT, among other things. Many of their proposals were in concurrence with the governor's proposed budget cuts.

The subcommittee also heard testimony from two representatives from the state Humane Society. The subcommittee has recommended that the Humane Society be abolished because members believe the society is inoperative. It isn't fair for the taxpayers to pay for a service they are not getting, said Sen. Gerald Willet (DFL-Park Rapids).

Education cuts proposed

The Finance Subcommittee on Education met Fri., Feb. 28, to discuss their budget cut recommendations for the Higher Education Coordinating Board (HECB), the Area Vocational-Technical Institutes (AVTI) system, the Community College System, the State University System, and the University of Minnesota.

Sen. Ronald Dicklich (DFL-Hibbing) recommended that the subcommittee comply with the requests of the AVTI system, the Community College System, and the State University System to allow each system to determine where the cuts could best be absorbed.

The subcommittee also proposed leaving three divisions under the HECB untouched: the half-time grants program, and both the full-time and part-time parent share program.

Total subcommittee budget cut recommendations were lower than the governor's proposed cuts for the AVTI system, the Community College System, the State University System, and the University of Minnesota.

Cuts to state departments reviewed

The Finance Subcommittee on State Departments met twice on Mon., Mar. 3, to hear testimony and discuss budget cuts to state departments. The subcommittee, chaired by Sen. Carl Kroening

(DFL-Mpls.), made recommendations that cut about \$35 million more than the governor's proposed cuts.

The proposed cuts reduce the biennial budget balance by about \$85 million while maintaining the same number of total positions. The reduction, according to Sen. Gerald Willet (DFL-Park Rapids), stems from both cuts in the budget and increases in revenue.

The subcommittee also proposed: realigning the departments of Finance, Administration, and State Planning into the Dept. of Management and Budget; transferring regional planning grants to the Dept. of Energy and Economic Development (DEED) from State Planning to emphasize rural economic development; and restoring \$125,000 from the governor's proposal to parks to keep all state parks open.

Education draft approved

The Finance Subcommittee on Education approved a draft for a bill making cuts in the Dept. of Education, the Higher Education Coordinating Board, the Area Vocational-Technical Institutes (AVTI) System, the Community College System, the State University System, and the University of Minnesota during its Mon., Mar. 3, meeting. The subcommittee, chaired by Sen. Gene Waldorf (DFL-St. Paul), also approved two bills which will be amended onto the final bill.

Many of the subcommittee's proposals are in concurrence with the governor's. However, the subcommittee recommendation cuts nine basic skills positions, totaling about \$436,000, so that some other areas can escape cuts entirely.

The proposal also used an unexpected extra \$1.9 million in the HECB budget to eliminate cuts in the half-time grants program and the part-time and full-time parent share program.

The subcommittee also complied with the wishes of the AVTI System, the Community College System, and the State University System, by merely presenting them with the total amount of dollars they must cut and allowing each system to decide where the cuts could best be made.

In other action, the subcommittee approved S.F. 2000, which appropriates \$100,000 to establish a task force to study the feasibility of a new community college. Another approved bill authorizes investigation into the possibility of a student dormitory at Vermilion Community College.

Transportation draft adopted

The Finance Subcommittee on Agriculture, Transportation, and Semi-States approved a draft for a bill during its Mon., Mar. 3, meeting. The bill was referred to the full Finance Committee. The subcommittee, chaired by Sen. Keith Lanseth (DFL-Glyndon), also heard testimony from representatives of the State Humane Society and the Crime Victims Reparation Board.

Judy Hughes, a former president of the State Humane Society Board, presented a report called "The Minnesota Humane Society is Asleep." Hughes recommended abolishing the society so that a privately-controlled organization could take its place.

The subcommittee also approved an amendment proposed by Sen. Marilyn Lantry (DFL-St. Paul) to H.F. 1863. The amendment creates a special account for crime victims reparations.

Human services cuts proposed

The Finance Subcommittee on Health and Human Services reviewed its proposed budget cuts Tues., Mar. 4. The subcommittee's recommendations total about \$15 million more than the governor's proposed cuts.

The major cuts in the proposal, said Chairman Don Samuelson (DFL-Brainerd), are about \$65 million from the Dept. of Human Services (not including the income maintenance forecast); \$3.9

million from jobs and training; \$4.2 million from corrections; and 1.2 million from health.

Committee reviews agriculture bills

The Finance Subcommittee on Agriculture, Transportation, and Semi-States discussed the Omnibus Agriculture Bill and S.F. 1959, the family farm security bill, during its Tues., Mar. 4, meeting. The subcommittee, chaired by Sen. Keith Langseth (DFL-Glyndon), did not take action on either bill.

The Agriculture Omnibus Bill combines 14 previously approved bills. S.F. 1959, authored by Sen. Gene Merriam (DFL-Coon Rapids), authorizes the issuance of general obligation bonds to finance some payments to be made by the state on family farm loan guarantees.

Human services bill approved

The Finance Subcommittee on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), approved their draft for a bill Tues., Mar. 4. The draft as amended will be referred to the full Finance Committee.

The subcommittee also approved S.F. 51, authored by Sen. Linda Berglin (DFL-Mpls.), and amended it to their draft. The bill requires licensing for some home health care providers.

Draft for budget bill approved

The Finance Subcommittee on State Departments amended its draft before sending it to full Finance Committee during its Tues., Mar. 4, meeting. Amendments approved by the subcommittee, chaired by Sen. Carl Kroening (DFL-Mpls.), included one to freeze salaries of some managers of the Metropolitan Council.

Subcommittee approves agriculture bills

The Finance Subcommittee on Agriculture, Transportation, and Semi-States approved the Omnibus Agriculture Bill and S.F. 1959, the Family Farm Security Bill, during its Thurs., Mar. 6, meeting. The subcommittee, chaired by Sen. Keith Langseth (DFL-Glyndon), referred the bills to the Finance Committee.

The subcommittee struck the appropriations clause from the omnibus bill and amended on a clause appropriating \$11 million in new money. S.F. 1959, authored by Sen. Gene Merriam (DFL-Coon Rapids), involves issuing general obligation bonds to finance some payments to be made by the state on family farm loan guarantees.

Governmental Operations

Police and fire fund measure okayed

A bill standardizing the audit requirements and clarifying the duties of Police and Firefighters Relief Associations was approved by members of the Governmental Operations Committee, Fri., Feb. 28. The measure, S.F. 2112, authored by Committee Chair Don Moe (DFL-St. Paul), also provides for greater oversight of the relief associations by municipalities by requiring each board to have at least two voting members appointed by the municipality, requiring the relief association to report annually to the municipality, and requiring that an official of the municipality must co-sign checks or authorizations for a third party to administer the business of the association. In addition, the state auditor is given the responsibility of auditing all relief associations or contracting with an independent auditor to perform the audit. Finally, the bill specifies that the investment authority of the relief associations is tied to the investment authority of the State Board of Investment, with a few exceptions and that the officers and trustees of relief associations are held to the same standard of care as that of the State Board of Investment.

Committee Capsule

In other action, committee members endorsed S.F. 1595, the bill creating a Milk Stabilization Board. The measure, authored by Sen. Collin Peterson (DFL-Detroit Lakes), had failed to gain committee approval at an earlier hearing but a motion to reconsider made Wed., Feb. 26, brought the bill back before the committee for another vote.

Three additional bills were also forwarded on by the panel. S.F. 2085, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides a statutory reference for the membership terms, removal and filling of vacancies on the Juvenile Justice Advisory Committee. S.F. 1796, authored by Moe, expands the investment options available within the State Investment Board Supplemental Investment Fund. S.F. 2257, authored by Sen. William Luther (DFL-Brooklyn Park), transfers the operation and management of the Minnesota Zoological Garden to a public, nonprofit corporation and provides for the transfer of the powers, duties, obligations and property of the current Zoo Board to the Dept. of Administration.

Metropolitan Governance bill advances

The Metropolitan Governance bill, S.F. 1913, was approved by the committee Mon., Mar. 3, and forwarded on to the Senate floor. The measure clarifies the role of the Metropolitan Council and the relationship of other metro agencies to the Council. Most of the discussion, however, revolved around an amendment establishing metro area-wide regulation of taxi cabs. The amendment, sponsored by Moe, abolishes the current system of municipal regulation and provides for metro-wide regulation under the Regional Transit Board. The regulation of taxies would be by a semi-autonomous board charged with the licensing of cabs and drivers and with the oversight of taxi fares. The amendment was the product of discussions by a governor's commission and the taxi industry. All parties were in support of the amendment, which the committee adopted.

The panel also approved S.F. 2137, authored by Sen. Lawrence Pogemiller, providing for the use, administration and disposal of certain fees and property within the jurisdiction of the Dept. of Administration. The measure changes the formal bid limit from \$5,000 to \$15,000; provides for "life cycle costing" in purchasing when appropriate; allows the department to sell surplus property to non-profit organizations; and provides for information systems and telecommunications systems sales to local units of governments.

Health and Human Services

M.A. overpayment recovery enhanced

A bill allowing the state more authority and flexibility in the discovery and recovery of medical assistance overpayments to vendors was approved by members of the Health and Human Services Committee, Thurs., Feb. 27. The bill, S.F. 2155, authored by Committee Chair Linda Berglin (DFL-Mpls.), also includes language providing for the establishment of administrative and computer systems improvements to aid in the management of the food stamp and income maintenance programs, collections of child support payments, administration of medical assistance and administration of general assistance medical care.

According to Frank Giberson, Deputy Commissioner of Human Services, much of the funding for computer systems improvements would be from federal matching funds. Thus, under the bill, a revolving fund would be established to clearly delineate the usage of state and federal funds. In addition, the bill requires that the nonfederal share of developing, operating, and maintaining the computer systems be distributed among the participating local social services agencies in an equitable manner.

Much of the debate on the measure centered around provisions

relating to determinations of medically necessary treatments and provisions dealing with increases in payments due to the sale of a facility in a "related-party transaction."

The bill also contains provisions concerning recovery of assistance that has been incorrectly paid to a recipient. The measure further specifies that a county agency may retain one-half of the amount recovered when the recovery is directly attributable to county's collection efforts.

In other action, the panel endorsed nine additional measures in order to finish work on bills assigned to the committee before the first deadline. S.F. 677, authored by Sen. Jim Ramstad (IR-Wayzata), allows the commissioner of human services to lease any portion or unit of Oak Terrace Nursing Home in order to provide food and shelter for the homeless. S.F. 2082, sponsored by Sen. James Pehler (DFL-St. Cloud), excludes "latch key" programs from family or group family day care home licensing requirements. S.F. 2115, carried by Sen. Robert Schmitz (DFL-Jordan), permits the sale of the old Shakopee correctional facility to local governmental units. S.F. 2079, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), creates a service for the blind and visually handicapped in the Department of Jobs and Training to aid the blind and visually handicapped in obtaining vocational training and employment.

S.F. 2038, authored by Berglin, requires recipients of general assistance to register with local agencies for adult literacy training as a condition for continued assistance if they have been determined functionally illiterate. Upon reaching a level of literacy that would allow successful participation in job training programs, the bill specifies that the individual register and cooperate with the work readiness program in order to continue receiving assistance.

S.F. 2171, authored by Sen. Duane Benson (IR-Lanesboro), provides licensing exemptions for certain air ambulance services and allows certified first responders to drive certain basic life support transportation service vehicles. S.F. 2147, also sponsored by Benson, includes "transportation involving the use of a stretcher" in the definition of life support transportation service for licensing purposes.

S.F. 2161, authored by Sen. Ron Dicklich (DFL-Hibbing), requires employers to make a reasonable attempt to provide training opportunities for technically qualified individuals who may be exposed to hazardous substances, harmful physical agents or infectious agents. S.F. 912, authored by Berglin, provides for a state hospital revolving fund for chemical dependency and creates a consolidated fund for payment of chemical dependency treatment.

Committee approves cancer surveillance bill

A bill which establishes a statewide cancer surveillance system was endorsed by the committee at the Wed., March 5, meeting. Sen. Steven Novak (DFL-New Brighton) authored S.F. 1964, which creates a system to monitor trends of cancer, detect potential public health problems, predict risks and assist in investigating cancer clusters. The system would also promote cancer research, disseminate information, address public concerns about cancer and inform health professionals and citizens about risks, early detection, and treatment of the disease.

The bill appropriates \$1 million from the general fund to the commissioner of Health to establish the system. Committee members approved the bill and re-referred it to the Finance Committee.

Sen. Marilyn Lantry (DFL-St. Paul) presented S.F. 1395, requiring the state planning agency to study mental health and methods of unifying mental health licensing functions. The bill also gained the committee's approval.

Chiropractors would be subject to stricter regulations under S.F. 2151, authored by Novak and approved by the committee. The bill bans false or misleading advertising and prohibits what is known as "NOPE" —no out-of-pocket expenses. Witnesses testified that some chiropractors assure patients that their treatment will not exceed their insurance coverage so the patients will not have to pay anything out of their own pockets. This practice leads to inflated charges to insurance companies and increased health costs, according to witnesses testifying before the committee.

Two chiropractors told committee members that they believe the bill is unfair and violates chiropractors constitutional rights of free speech and press. They also complained that the bill was rushed through the process without proper notice to the profession. Committee members voted to approve the bill and referred it to the Finance Committee.

Judiciary

Omnibus insurance bill approved

Judiciary Committee members, chaired by Sen. Allan Spear, endorsed a major insurance package at the Thurs., Feb. 27, committee hearing. The bill, S.F. 1593, authored by Sen. William Luther (DFL-Brooklyn Park), is designed to alleviate the current crisis in the availability and affordability of liability insurance in Minnesota. After extensive discussion, the amendment was amended to include portions of several other insurance bills. Portions of bills dealing with medical malpractice insurance, day care tort liability, local recreation area tort liability and punitive damage procedures were all included in the omnibus bill.

The measure provides for the establishment of a Joint Underwriting Association to provide insurance to persons unable to obtain professional liability insurance because of lack of competition in the marketplace or excessive premium rates.

Presumption of joint custody gains

Two bills dealing with child support and child custody provisions were debated extensively at the second meeting of the Judiciary Committee, Fri., Feb. 21. S.F. 1685, authored by Sen. Ember Reichgott (DFL-New Hope), and S.F. 1732, authored by Sen. Gene Merriam (DFL-Coon Rapids), both clarified factors to be taken into consideration when the courts consider modifications to child support orders; however, each bill contained other provisions. On a motion from Sen. Ron Sieloff (R-St. Paul), S.F. 1685 was laid over indefinitely and committee members worked from the language contained in S.F. 1732.

S.F. 1732 establishes a rebuttable presumption that joint legal custody is in the best interest of the child and requires mandatory mediation in any contested custody case. However, an amendment, offered by Merriam, provides an exception to mandatory mediation if the court determines that there is probable cause that one of the parties, or a child of a party, has been physically or sexually abused by the other party. Another amendment, offered by Sen. Eric Petty (DFL-Mpls.), specifies that the mediator would not be the person doing the custody investigations. A second amendment, offered by Petty, specifies that if joint legal custody is awarded over the objections of either party, the custody order is to include a plan for implementing the order and that the court may require the department of court services or the county welfare agency to assist the parties in formulating a plan for implementing the order. A third amendment, offered by Petty, makes changes to the child support guidelines.

A series of amendments offered by Sieloff were also adopted. One of the amendments clarifies the conditions the court must consider in deviating from the guidelines. A second amendment allows the court to consider an obligor's debts and previous

support orders. A third amendment establishes an effective date of Aug. 1, 1986, and clarifies that the provisions would apply to all actions filed before or after that date. The bill was approved and sent on to the Senate floor.

Earlier in the day, the committee, chaired by Sen. Allan Spear (DFL-Mpls.), took action on a number of other bills.

S.F. 2041, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for the filling of judicial vacancies by establishing a committee to evaluate candidates and recommend nominees to the governor. The bill was amended to include portions of the court unification bill, S.F.690, authored by Sen. Gene Merriam (DFL-Coon Rapids), abolishing county and probate courts and transferring those cases to the district courts.

S.F. 1559, authored by Sen. Gary DeCramer (DFL-Ghent), establishes a priority of interests for security interest in agricultural inputs that become part of crop and livestock. The bill received extensive discussion before gaining committee approval and being forwarded to the full Senate. S.F. 1711, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), prohibits the theft of dogs or cats for research purposes and prescribing a gross misdemeanor penalty. S.F. 1706, also sponsored by Diessner, provides for a declaration by competent adults that life-sustaining treatment be withheld or withdrawn under certain circumstances, adopts provisions of the Uniform Rights of the Terminally Ill Act and provides for creation of a durable power of attorney for health care.

S.F. 1852, authored by Sen. Linda Berglin (DFL-Mpls.), makes it a felony to knowingly destroy, mutilate or remove human remains from cemeteries or burial grounds. S.F. 1960, sponsored by Sen. Ember Reichgott (DFL-New Hope), limits the civil liability of a psychologist for the violent acts of patients. S.F. 2135, also sponsored by Reichgott, provides immunity from liability for welfare employees complying with the child abuse parental notification law enacted last year.

Panel endorses eight bills

A total of eight bills were approved Wed., Mar. 5, as members began wrapping up committee business in anticipation of the second deadline.

S.F. 1953, authored by Sen. Donna Peterson (DFL-Mpls.), clarifies several provisions of the laws dealing with crime victims rights and the Crime Victims Reparations Board. As amended by the author, the bill specifies that court may not waive the assessment or surcharge in criminal cases unless the court makes written findings that the convicted person is indigent or that the surcharge would create undue hardship. Further, the measure specifies that the assessment may be use to aid all programs established to aid victims. The bill also provides that victims may not be required to state their home or employment address in open court. The bill also clarifies that crimes anywhere within the geographical boundaries of the state, including Indian Reservations, are covered under the Crime Victims Reparations Act.

H.F. 839, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), prohibits escape from a facility by a person who has been committed to the facility after having been found not guilty of a crime by reason of mental illness or mental deficiency. H.F. 1772, carried by Sen. Sam Solon (DFL-Duluth), increases various court fees in all counties except Hennepin and Ramsey and clarifies existing fee statutes. S.F. 1862, authored by Sen. Eric Petty (DFL-Mpls.), allows certain videotaped statements to be admissible as evidence in court cases involving physical or sexual abuse against a child.

S.F. 2279, authored by Sen. Tad Jude (DFL-Maple Grove), specifies that pledges to make a voluntary contribution made to adoption services corporations by an adoption applicant are voidable at the option of the person pledging. S.F. 1993, also carried by Jude, is the revisor's bill removing obsolete, extraneous

Committee Capsule

and erroneous language from the statutes. H.F. 2317, carried by Sen. Don Anderson (IR-Wadena), provides for the resignation of foreign corporate agents.

Penalties increased for repeat DWI's

Committee members met Thurs., Mar. 6, and approved an additional five measures. Among the bills gaining approval was a measure increasing the penalties for repeat DWI offenders. S.F. 2098 specifies that if a person's license is revoked pursuant to a third violation within five years or a fourth violation within ten years, the license plates shall be impounded and destroyed by the court. Under the measure, sponsored by Sen. Tad Jude (DFL-Maple Grove), the court may authorize the issuance of special plates if the person has a limited license in order to drive to work or if a member of the person's household has a valid driver's license. However, a \$100 fee is required for each vehicle with the special plates. In addition, the bill specifies a minimum of 30 days imprisonment and/or a minimum fine of \$1,000, along with attendance at a chemical dependency program, for persons committing three violations within ten years. The bill was also amended to incorporate the language of H.F. 2230. The measure, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides that partial breath samples may be offered in evidence in all categories of DWI offenses.

Other bills approved by the committee included: S.F. 1517 (Jude) reinstating old law by providing that restrictive covenants affecting the title to real property are effective for 30 years and excluding property in North Oaks from the provisions of the bill; S.F. 1648 (Belanger) permitting certain federally licensed dealers and manufacturers to own or possess machine guns and short-barrel shotguns under specific conditions; S.F. 2081 (Peterson, R.W.) revising various provisions in the Uniform Limited Partnership Act; and S.F. 2122 (Luther) making technical changes to Minnesota's corporate take-over law.

Local and Urban Government

State funds for port authorities debated

At the Thurs., Feb. 27, meeting, Sen. Donald Storm (IR-Edina) presented S.F. 2044, prohibiting the use of state money or credit to pay or guarantee port authority debts. The committee, chaired by Sen. Robert Schmitz (DFL-Jordan), re-referred the bill to the Economic Development and Commerce Committee without approval.

A bill authorizing municipalities to enforce energy efficiency standards for rental buildings was approved. Sen. Don Frank (DFL-Spring Lake Park), author of S.F. 2132, said the bill allows local governments to enforce conservation standards since the Department of Energy and Economic Development has been unable to do so as a result of last year's budget cuts.

Sen. Gerald Willet (DFL-Park Rapids) presented S.F. 2160 requiring abandoned property to be transferred to the counties rather than the state's general fund. The committee approved the measure.

Sen. Darril Wegscheid (DFL-Apple Valley) presented a bill authorizing municipalities to enter repurchase agreements and reverse repurchase agreements with certain securities brokers and dealers. S.F. 2057 was approved.

Sen. Randy Peterson (DFL-Wyoming) authored S.F. 2105 allowing the cities of Lindstrom and Cambridge to establish special service districts. The bill was approved and re-referred to the Taxes and Tax Laws Committee.

The Committee approved four bills authorizing the issuance of general obligation bonds: S.F. 2223 (Bertram) allowing Bowlus to issue \$20,000 for a fire station; S.F. 2127 (Renneke) allowing

Cologne to issue \$350,000 for a fire station and city hall; S.F. 2150 (Wegscheid) allowing Dakota County to issue \$15,000 for a library; and S.F. 2205 (Diessner) allowing Washington County to issue temporary bonds in anticipation of federal or state funds for the water system.

Before adjourning the final meeting before the first committee deadline, members approved seven other measures. The committee approved: S.F. 2203 (Storm) allowing municipalities to charge a higher interest rate on special assessments; S.F. 2163 (Dicklich) allowing St. Louis county to appoint a county administrator without a referendum; S.F. 2066 (Kamrath) authorizing Redwood Falls to exercise development and redevelopment powers; S.F. 2209 (Brataas) allowing the Olmsted County board to increase the size of its contingent fund; S.F. 2199 (Wegscheid) appropriating money from the state's general fund to reimburse Farmington for excess charges; S.F. 2262 (Kronebusch) authorizing Winona County to sell certain real estate to a county agricultural society without complying with the competitive bidding requirements; S.F. 2255 (Chmielewski) allowing Cloquet to establish a port authority commission.

Private waste water system bill approved

The committee approved S.F. 2166 despite the author's reservations about the bill. The bill authorizes municipalities to contract with private vendors for furnishing capital intensive public services such as waste water treatment. In presenting the legislation, Sen. Gene Merriam (DFL-Coon Rapids) said he supports the concept of the bill but would like the committee to take more time to study it.

"The House has spent a lot of time on the issue but the Senate hasn't had the chance to," Merriam said. Sponsors of the House bill (H.F. 1869) asked him to carry the bill in the Senate only two weeks ago. Merriam said he felt that was not sufficient time to study a bill with the serious ramifications the privatization of municipal services could cause.

Richard Martin of Briggs and Morgan law firm, testified that the benefits of the privatization of municipal services outweigh the risks. Martin, who assisted in drafting the bill, told the committee that the private market can deliver some services at lower costs than municipalities. Private firms can also implement some projects more efficiently and more quickly than municipalities. Through privatization of certain public services, municipalities would be protected from certain risks, he said.

One aspect of the bill which Merriam said concerns him most is the exclusion of the competitive bidding process.

Martin said the competitive bidding process is too restrictive for complex projects because many areas such as cost sharing, performance standards and risk sharing are negotiable and cannot be adequately addressed through the bidding process. A public hearing on the projects would allow public input, he said.

Sen. Gen Olson (IR-Minitrista) expressed concern about making sure there are certain checks and balances in place before forfeiting public services to private monopolies.

Martin said certain safeguards are included in the bill to protect citizens from the monopolies that would be created through the privatization of municipal services.

The committee approved the bill and re-referred it to the Taxes and Tax Laws Committee.

In other action the committee approved: S.F. 1621 (Frederickson) allowing municipalities to invest debt service bonds in certain certificates; S.F. 2067 (Knutson) permitting the Mendota Heights City Council to designate a special service district; S.F. 1515 (Novak) authorizing the Ramsey County Board to levy a property tax for financing the construction of library buildings; and S.F. 2252 (Schmitz) requiring surveyors to keep more immediate and extensive records.

Public Utilities and State Regulated Industries

Bill promotes quality racing

A bill that would help Canterbury Downs attract higher quality horse racing won committee approval Tues., Mar. 4. The measure, H.F. 2257, lowers the amount the state collects from pari-mutuel betting and increases the amount set aside for purses.

Wayne Popham, spokesman for Canterbury Downs, explained that current law fails in promoting quality racing because the daily purse is too small. "Quality draws the people, absence of it won't," he said.

The current law allowed for a \$50,700 daily purse during the summer of 1985. However, the racetrack actually paid more than the state allowance, offering horse owners a daily purse of \$83,075. The proposal, sponsored by Sen. Sam Solon (DFL-Duluth), changes the amount set aside for purses from five to seven percent of all money bet at the track. The bill also raises the tax on pari-mutuel betting that is to be deposited in the breeders' fund. The measure was referred to the Tax Committee.

The committee, chaired by Sen. Neil Dieterich (DFL-St. Paul), also approved the appointment of Barbara Beerhalter to the Public Utilities Commission.

During the Thurs., Mar. 6, meeting, the committee advanced a bill allowing public utilities to file rate schedules that would adjust the charges automatically when the direct costs for delivering natural gas fluctuates. The bill, H.F. 2143, is sponsored by Sen. Don Frank (DFL-Spring Lake Park).

The committee also okayed the appointments of Lawrence Coss, Catherine Anderson and Muriel Poehler to the Minnesota Racing Commission.

Taxes and Tax Laws

Bills addressing local issues advance

The committee advanced several bills Wed., Mar. 5, dealing with local issues. One proposal, S.F. 1966, provides St. Cloud with taxing authority to build and maintain a convention center.

Sponsored by Sen. James Pehler (DFL-St. Cloud), the bill allows St. Cloud to tax at a rate of up to one percent on the on-sale sale of liquor and restaurant meals. The tax proceeds must be used for the construction of the convention center. The city may also impose a two percent tax on the gross receipts from temporary lodging. These proceeds are to be used for the operation and maintenance of the convention center.

St. Paul also may impose a tax on transient lodging, under another proposal advanced by the committee. S.F. 2129, sponsored by Sen. Gene Waldorf (DFL-St. Paul), limits the tax to two percent, and it may only apply to hotel or motels with 50 rooms or more. One-half of the proceeds would be used to finance a convention center.

Several bills permitting cities to establish port authorities won committee approval. The bills include: S.F. 1928 (Jude) establishing a port authority for Brooklyn Park; S.F. 1702 (Samuelson) creating a port authority in Brainerd; and S.F. 1725 (Moe, Roger) permitting East Grand Forks to create a port authority.

Other bills advanced Wednesday include: S.F. 2040 (Bernhagen) reducing original assessed value of a tax increment financing district in Litchfield; S.F. 2227 (Johnson, Douglas) exempting gasoline excise tax propane fuel for vehicles operating under permit; S.F. 2196 (Pehler) authorizing a redevelopment district for Sartel; S.F. 2206 (Peterson, Collin) authorizing certain refunds of sales tax paid on agricultural electricity; S.F. 2238 (Kroening) creating a county housing and redevelopment authority; applying the provisions of the municipal housing and redevelopment act to

Hennepin County; S.F. 1948 (Merriam) allowing watershed management organizations to establish taxing districts within minor watershed units; and S.F. 1998 (Moe, Roger) authorizing McIntosh to issue bonds in excess of its net debt limitation.

Transportation

Committee approves phone booth ad bill

Advertisements would be permitted on telephone booths under a bill which was approved by the committee Mon., Mar. 3. Sen. Tad Jude (DFL-Maple Grove) presented S.F. 1473 authorizing cities to permit and receive compensation for telephone booth advertisements.

Sen. Gary DeCramer (DFL-Ghent) authored three bills relating to the Transportation Regulation Board. S.F. 2143 clarifies procedures in contested matters brought before the board. S.F. 2144 allows the board to approve certain rate changes and track abandonment applications without a public hearing if no objection is raised within 30 days of public notice. S.F. 2146 authorizes the board to allow variances from structural regulations without a public hearing unless one is needed to resolve material issues.

Committee members, chaired by Sen. Clarence Purfeerst (DFL-Faribault), voted to combine the bills into one bill, S.F. 2144. They then amended the bill to permit the board to alter fines for violators of hazardous waste transportation provisions. Currently, violators are charged a flat \$750 but under the amendment the board can fine violators any amount up to \$750. The bill was approved as amended.

A bill authored by Sen. Randolph Peterson (DFL-Wyoming) was also approved by the committee. S.F. 2051 is a result of a highway task force study and requires the transfer of ownership of certain highways between the state and Hennepin County.

Veterans and General Legislation

Bill protects Capitol furnishings

In an effort to preserve the original look of the State Capitol Building, the committee advanced a bill Fri., Feb. 28, giving the Historical Society control over any articles it determines to be 1905 furnishings.

According to Catherine Welsh, Capitol Site Manager, about 21 percent of the original furnishings, which were selected by Capitol architect Cass Gilbert, have been located. Welsh said the furnishings include items such as roll-top desks, busts and lamps. The bill, S.F. 2097, is sponsored by Sen. Don Moe (DFL-St. Paul).

The committee also advanced a bill, S.F. 2243, sponsored by Vice-chairman Joseph Bertram (DFL-Paynesville), discouraging local governments from adopting more stringent fire codes than those contained in the state uniform fire code. Under the proposal, local governments would have to determine that a more stringent fire code should be required and that the need for the ordinance outweighs any increase in housing costs. The proposal also exempts buildings with two stories or less from a possible state building code requiring stairways to be enclosed.

Floor Action

Bills on Consent Calendar pass

Most of the Mon., Mar. 3, floor session was devoted to action on bills placed on the Consent Calendar. Six bills on the Consent Calendar and one measure passed by the House and returned to the Senate were given final passage. S.F. 1600, authored by Sen. Ron Sieloff (IR-St. Paul), reduces the residency requirement from one year to six months for individuals petitioning for a name change, reduces the bond amount for Clerks of Court and

prohibits clerks from practicing law in the court to which they are assigned. S.F. 1939, authored by Sen. Allan Spear (DFL-Mpls.), clarifies provisions in the general judgment lien law. S.F. 1910, sponsored by Sen. Dean Johnson (IR-Willmar), adds a new route to the trunk highway system and allows the old highway to be turned back to the city of Willmar. S.F. 1794, authored by Sen. Gary Laidig (IR-Stillwater), permits the negotiated sale of property in Washington county. S.F. 496, sponsored by Sen. Dennis Frederickson (IR-Morgan), requires the Dept. of Administration to make surplus document available to libraries. S.F. 2062, authored by Sen. Phyllis McQuaid (IR-St. Louis Park), modifies the terms of membership to Board of Architecture, Engineering, Land Surveying and Landscape Architecture. S.F. 1914, authored by Sen. Eric Petty (DFL-Mpls.), provides for the aggregation of theft of service charges for prosecution purposes.

Senate okays Rural Development Act

A proposal expanding the authority of the Dept. of Energy and Economic Development (DEED) to spur rural economic development won final Senate approval Tues., Mar. 4, and was sent to the House.

The bill, S.F. 1790, sponsored by Majority Leader Roger Moe (DFL-Erskine), creates six funds to provide loans to rural businesses and establishes the Greater Minnesota Corporation, which would pool public and private investment capital and provide development grants, loans and research to businesses to help develop new products and services. The bill, which spends about \$9.3 million, also establishes educational grant programs to assist dislocated rural workers.

The proposed transfer of the waste water treatment grants program from the Pollution Control Agency to DEED will not take place, under an amendment approved by the Senate. The program provides grants to develop or improve waste water treatment plants, which improves a city's sewer capacity—an important development consideration. Sen. Earl Renneke (IR-LeSueur), sponsor of the amendment, argued that the development would still occur, but the PCA would insure protection of the water quality.

Minnesotans will find the game and fish laws easier to understand, under another proposal passed by the Senate. S.F. 1526, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), clarifies laws that regulate hunting and fishing and protect the state's wildlife. The Senate adopted an amendment making references in the law gender neutral. Thus, "sportsmen" would be referred to as "hunters."

The following bills also were passed by the Senate: S.F. 1546 (DeCramer) requiring property being sold within a railroad right-of-way to be first offered to leaseholders; S.F. 1851 (DeCramer) allowing Indian Affairs Council to review construction plans for projects on public lands that also are of significance to Indian history or religion; S.F. 1641 (DeCramer) improving the system for registering state vehicles; and S.F. 1612 (Wegscheid) classifying certain data collected by the Dept. of Commerce as nonpublic.

First night session held

Senators conducted their first night session, Tues., Mar. 4, and continued work on the Special Orders Calendar. Bills on Special Orders may be debated and amended before being given a second and third reading and voted upon for final passage. A total of 24 bills were granted final passage, including a bill requiring trains to

use cabooses, a bill requiring the licensure of home health care services, a measure barring golf courses from discriminating on the basis of sex and a bill providing for the recovery of costs and attorney fees by prevailing parties in civil actions against the state.

S.F. 1848, sponsored by Sen. Gerald Willet (DFL-Park Rapids), allows small businesses that win in civil cases or contested case proceedings involving the state to recover the costs of the cases from the state. According to Willet, the "Equal Access to Justice Act" is designed to assure small business owners that they will have some recourse should they win a case brought by the state stemming from alleged violations of Minnesota's strict environmental laws.

S.F. 421, authored by Sen. LeRoy Stumpf (DFL-Plummer), requires that certain trains have caboose cars and that the cabooses be equipped with short-wave radios.

S.F. 1950, authored by Sen. Gene Merriam (DFL-Coon Rapids), limits the application of the open space property tax law to facilities that do not discriminate against women.

S.F. 51, authored by Sen. Linda Berglin (DFL-Mpls.), establishes procedures for the licensing of home health care agencies, provides for a home care bill of rights and establishes a complaint procedure for home care clients.

Other bills gaining final passage included: S.F. 1823 (Peterson, R.W.) providing for open end loan account arrangements and modifying permissible finance charges; S.F. 2018 (Willet) renaming a state historic site and establishing new boundaries; S.F. 1880 (Samuelson) establishing a veterans cemetery; S.F. 1965 (Samuelson) revising the Community Social Services Act and expanding the responsibilities of county boards; S.F. 1680 (Merriam) providing that Anoka county park ordinances supersede local ordinances; S.F. 985 (Merriam) clarifying procedures relating to emergency rules under the Administrative Procedures Act; S.F. 1949 (Merriam) requiring public access restrictions be the same as lake use restrictions;

S.F. 1810 (Berglin) outlining the conditions requiring monthly reporting by recipients of aid to families with dependent children; S.F. 1919 (Berglin) extending the patient's bill of rights to individuals receiving out-patient mental health treatment; S.F. 2039 (Berglin) expanding the powers of the attorney general to obtain information, to investigate and to prosecute for fraud in the medical assistance program; S.F. 1642 (Waldorf), clarifying provisions regulating electricians; S.F. 1850 (Waldorf) regulating the fees for state agency services; S.F. 1797 (Adkins) providing for town powers, permitting certain sales of public property and providing conditions for contractor's bonds;

S.F. 1441 (Wegscheid) providing for computer services compliance with long-term sheltered employment program evaluation criteria and providing for the training and employment of persons with disabilities; S.F. 1613 (Wegscheid) providing for the priority of veterinarian's liens; S.F. 1733 (Wegscheid) clarifying the exceptions to prohibition against the manufacture of food from adulterated milk or cream; S.F. 1792 (Chmielewski) authorizing the Dept. of Military Affairs to purchase certain types of insurance; S.F. 1793 (Chmielewski) permitting an agreement to finance construction of a library in McGregor; and S.F. 1643 (Chmielewski) permitting Aitkin County to levy a tax for economic development purposes.

Editor's note: At press time no committee or floor session schedules were available.

SENATE COMMITTEE ASSIGNMENTS

AGRICULTURE AND NATURAL RESOURCES (19)

CHAIRMAN: Merriam
OFFICE NO.: G-24
MEETS: T, W, F; Room 112; 1-3 p.m.
MEMBERS:
Berg DeCramer Lessard Storm
Bernhagen Frederickson Merriam Stumpf
Bertram Gustafson Novak Wegscheid
Dahl Isackson Peterson, C. C. Willet
Davis Laidig Peterson, R.W.

ECONOMIC DEVELOPMENT AND COMMERCE (15)

CHAIRMAN: Solon
OFFICE NO.: 303
MEETS: T, Th; Room 118; 8-10 a.m.
MEMBERS:
Adkins Dahl Laidig Samuelson
Anderson Freeman Luther Solon
Belanger Kroening Peterson, D. C. Wegscheid
Benson Kronebusch Petty

EDUCATION (21)

CHAIRMAN: Pehler
OFFICE NO.: 306
MEETS: M, W, F; Room 112; 8-10 a.m.
MEMBERS:
Anderson Kamrath Olson Reichgott
Dahl Knutson Pehler Stumpf
Davis Langseth Peterson, D. C. Taylor
Dicklich Mehrkens Peterson, D. L.
Dieterich Merriam Peterson, R. W.
Hughes Nelson Ramstad

EDUCATION AIDS SUBCOMMITTEE (14)

CHAIRMAN: Nelson
OFFICE NO.: 301
MEETS: M, Th; Room G-15; 3-5 p.m.
MEMBERS:
Dicklich Langseth Olson Peterson, R. W.
Dieterich Mehrkens Pehler Taylor
Hughes Merriam Peterson, D. C.
Knutson Nelson Peterson, D. L.

ELECTIONS AND ETHICS (11)

CHAIRMAN: Hughes
OFFICE NO.: 328
MEETS: W; Room 118; 11:30 a.m.-1:00 p.m.
MEMBERS:
Frederickson Johnson, D. J. Peterson, D. C. Storm
Hughes Luther Peterson, D. L. Willet
Johnson, D. E. Moe, R. D. Samuelson

EMPLOYMENT (13)

CHAIRMAN: Chmielewski
OFFICE NO.: 325
MEETS: T, Th; Room 112; 10-12 noon
MEMBERS:
Belanger Diessner Kroening Vega
Brataas Frank Nelson
Chmielewski Frederick Pehler
Dicklich Gustafson Ramstad

ENERGY AND HOUSING (13)

CHAIRMAN: Vega
OFFICE NO.: G-29
MEETS: T, W, F; Room 118; 1-3 p.m.
MEMBERS:
Adkins Kamrath Peterson, D. C. Vega
Anderson Kroening Peterson, D. L.
Frank McQuaid Pogemiller
Freeman Olson Reichgott

FINANCE (25)

CHAIRMAN: Willet
OFFICE NO.: 121
MEETS: T, W, F; Room 112; 3-5 p.m.
MEMBERS:
Brataas Kroening Nelson Spear
Dahl Kronebusch Purfeerst Taylor
Dicklich Langseth Ramstad Waldorf
Frederickson Lantry Renneke Willet
Hughes Lessard Samuelson
Johnson, D. E. Luther Schmitz
Knutson Mehrkens Solon

GOVERNMENTAL OPERATIONS (13)

CHAIRMAN: Moe, D. M.
OFFICE NO.: 309
MEETS: M, W, F; Room G-15; 8-10 a.m.
MEMBERS:
Benson Knaak Peterson, C. C. Wegscheid
Berglin Lantry Pogemiller
Frederickson McQuaid Renneke
Jude Moe, D. M. Spear

HEALTH AND HUMAN SERVICES (13)

CHAIR: Berglin
OFFICE NO.: 323
MEETS: T, W, F; Room G-15; 1-3 p.m.
MEMBERS:
Benson Dicklich Lantry Waldorf
Berglin Diessner Moe, D. M.
Brataas Johnson, D. E. Petty
Chmielewski Knutson Solon

JUDICIARY (14)

CHAIRMAN: Spear
OFFICE NO.: G-27
MEETS: M, W, F; Room G-15; 10-12 noon
MEMBERS:
Freeman Knaak Petty Sieloff
Johnson, D. E. Luther Pogemiller Spear
Jude Merriam Ramstad
Kamrath Peterson, R. W. Reichgott

LOCAL AND URBAN GOVERNMENT (13)

CHAIRMAN: Schmitz
OFFICE NO.: 235
MEETS: T, Th; Room G-15; 10-12 noon
MEMBERS:
Adkins Isackson Reichgott Wegscheid
Bertram Kamrath Renneke
Davis McQuaid Schmitz
Freeman Olson Stumpf

PUBLIC UTILITIES AND STATE REGULATED INDUSTRIES (15)

CHAIRMAN: Dieterich
OFFICE NO.: 235
MEETS: T, Th; Room G-15; 8-10 a.m.
MEMBERS:
DeCramer Isackson Novak Spear
Dieterich Johnson, D.J. Peterson, D. L. Storm
Frank Jude Purfeerst Waldorf
Gustafson Knaak Sieloff

RULES AND ADMINISTRATION (27)

CHAIRMAN: Moe, R. D.
OFFICE NO.: 208
MEETS: On Call
MEMBERS:
Belanger Johnson, D. J. Moe, R. D. Sieloff
Berglin Knutson Nelson Solon
Bernhagen Laidig Pehler Spear
Chmielewski Lessard Peterson, C. C. Taylor
Dieterich Luther Purfeerst Vega
Frederick Merriam Renneke Willet
Hughes Moe, D. M. Schmitz

TAXES AND TAX LAWS (25)

CHAIRMAN: Johnson, D. J.
OFFICE NO.: 205
MEETS: T, W, F; Room G-15; 3-5 p.m.
MEMBERS:
Belanger Davis Merriam Pogemiller
Benson Dieterich Moe, D. M. Sieloff
Berg Frank Novak Stumpf
Berglin Frederick Pehler Vega
Bernhagen Johnson, D. J. Peterson, C. C.
Bertram Jude Peterson, R. W.
Chmielewski Laidig Petty

PROPERTY TAXES AND LOCAL GOVERNMENT AIDS SUBCOMMITTEE (16)

CHAIRMAN: Peterson, C. C.
ROOM: 205
MEETS: On Call
MEMBERS:
Belanger Davis Johnson, D. J. Pehler
Berg Dieterich Laidig Peterson, C. C.
Berglin Frank Merriam Peterson, R. W.
Bernhagen Frederick Novak Petty

TRANSPORTATION (17)

CHAIRMAN: Purfeerst
ROOM: 303
MEETS: M, W, F; Room 112; 10-12 noon
MEMBERS:
Adkins Diessner Lantry Stumpf
Anderson Frederick Mehrkens Vega
Berg Kronebusch Novak
Bernhagen Laidig Purfeerst
DeCramer Langseth Schmitz

VETERANS AND GENERAL LEGISLATION (12)

CHAIRMAN: Lessard
ROOM: 328
MEETS: M, W, F; Room 118; 8-10 a.m.
MEMBERS:
Berg Chmielewski Isackson Samuelson
Bertram DeCramer Kronebusch Schmitz
Brataas Diessner Lessard Storm

MINNESOTA STATE SENATE

Senate Members—1986 Session

DIST.	PARTY	SENATOR	PHONE	ROOM*	DIST.	PARTY	SENATOR	PHONE	ROOM*
22	DFL	Adkins, Betty A.	296-5981	235 Cap.	47	DFL	Luther, William P.	296-8869	205 Cap.
12	IR	Anderson, Don A.	6455	103 SOB	44	IR	McQuaid, Phyllis W.	1279	132B SOB
41	IR	Belanger, William V., Jr.	5975	107 SOB	26	IR	Mehrkens, Lyle G.	8075	127 SOB
32	IR	Benson, Duane D.	3903	109 SOB	49	DFL	Merriam, Gene	4154	G-24 Cap.
11	IND	Berg, Charles A.	5094	115 SOB	65	DFL	Moe, Donald M.	4264	309 Cap.
60	DFL	Berglin, Linda	4261	323 Cap.	2	DFL	Moe, Roger D.	2577	208 Cap.
21	IR	Bernhagen, John	4131	113 SOB	31	DFL	Nelson, Tom A.	4871	301 Cap.
16	DFL	Bertram, Joe	2084	328 Cap.	52	DFL	Novak, Steven G.	4334	203 Cap.
33	IR	Brataas, Nancy	4848	139 SOB	43	IR	Olson, Gen	1282	132C SOB
14	DFL	Chmielewski, Florian	4182	325 Cap.	17	DFL	Pehler, James C.	4241	306 Cap.
50	DFL	Dahl, Gregory L.	5003	G-24 Cap.	10	DFL	Peterson, Collin C.	4135	205 Cap.
18	DFL	Davis, Charles R.	2302	G-24 Cap.	29	IR	Peterson, Darrel L.	3988	141 SOB
27	DFL	DeCramer, Gary M.	6820	303 Cap.	61	DFL	Peterson, Donna C.	4274	G-29 Cap.
5	DFL	Dicklich, Ronald R.	2859	306 Cap.	19	DFL	Peterson, Randolph W.	8018	326 Cap.
56	DFL	Diessner, A. W. "Bill"	8298	325 Cap.	62	DFL	Petty, Eric D.	0760	323 Cap.
63	DFL	Dieterich, Neil	8867	235 Cap.	58	DFL	Pogemiller, Lawrence J.	7809	G-24 Cap.
51	DFL	Frank, Don	2877	G-28 Cap.	25	DFL	Purfeerst, Clarence M.	4167	303 Cap.
30	IR	Frederick, Mel	4123	119 SOB	45	IR	Ramstad, Jim	9251	123 SOB
23	IR	Frederickson, Dennis R.	8138	143 SOB	46	DFL	Reichgott, Ember D.	2889	G-27 Cap.
40	DFL	Freeman, Michael O.	9307	303 Cap.	35	IR	Renneke, Earl W.	4125	117 SOB
8	IR	Gustafson, Jim	4314	132 A SOB	13	DFL	Samuelson, Don	4875	121 Cap.
54	DFL	Hughes, Jerome M.	4183	328 Cap.	36	DFL	Schmitz, Robert J.	7157	235 Cap.
28	IR	Isackson, Doran L.	9305	151 SOB	64	IR	Sieloff, Ron	4310	135 SOB
15	IR	Johnson, Dean E.	3826	105 SOB	7	DFL	Solon, Sam G.	4188	303 Cap.
6	DFL	Johnson, Douglas J.	8881	205 Cap.	59	DFL	Spear, Allan H.	4191	G-27 Cap.
48	DFL	Jude, Tad	4248	235 Cap.	42	IR	Storm, Donald A.	6238	125 SOB
20	IR	Kamrath, Randy P.	1240	133 SOB	1	DFL	Stumpf, LeRoy A.	8660	306 Cap.
53	IR	Knaak, Fritz	1253	149 SOB	24	IR	Taylor, Glen	9457	147 SOB
38	IR	Knutson, Howard A.	4120	121 SOB	39	DFL	Vega, Conrad M.	4101	G-29 Cap.
57	DFL	Kroening, Carl W.	4302	G-24 Cap.	66	DFL	Waldorf, Gene	3809	G-24 Cap.
34	IR	Kronebusch, Patricia Louise	1945	153 SOB	37	DFL	Wegscheid, Darril	8091	309 Cap.
55	IR	Laidig, Gary W.	4351	145 SOB	4	DFL	Willet, Gerald L.	4147	121 Cap.
9	DFL	Langseth, Keith	3205	G-24 Cap.					
67	DFL	Lantry, Marilyn M.	8017	G-24 Cap.					
3	DFL	Lessard, Bob	4136	328 Cap.					

*Capitol or State Office Building, St. Paul, MN 55155

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Briefly

The Minnesota Senate Week in Review

March 14, 1986

Omnibus finance bill okayed

The Senate granted final passage to the omnibus finance bill after six hours of arduous debate on Friday, March 7. The bill, H.F. 2009, outlines the Senate solution to the projected budget shortfall of \$756 million by cutting spending and budgetary transfers.

The Senate approved an amendment proposed by Sen. Phyllis McQuaid (IR-St. Louis Park) to cancel a \$3 million transfer from the metropolitan landfill contingency fund to the general fund. The landfill fund contains dedicated money obtained from a landfill surcharge on all metropolitan areas, and should not be "raided" to contribute to the general fund, said Sen. Gene Merriam (DFL-Coon Rapids). Under the amendment, all state agencies will share the burden of absorbing the \$3 million.

Another amendment adopted by the Senate changed language requiring that the commissioner of the Dept. of Labor and Industry buy back vests for voluntary use by state employees to language merely allowing him to purchase the vests.

A new article regarding the World Trade Center Board was also amended onto the bill. The amendment creates a board to promote the growth of international trade in Minnesota. The board's fee-gathering process will not be under the supervision of the commissioner of finance.

Differences in the Senate spending bill and the House version will be ironed out in conference committee.

Senate passes tax bill

The Senate passed a tax bill that will make up a state revenue shortfall by implementing tougher delinquent tax collection programs and shifting \$100.3 million of school aid payments to the next biennium. Senators passed H.F. 1815, sponsored by Sen. Douglas J. Johnson (DFL-Cook), by a vote of 34-27 Thursday night.

The bill raises about \$204 million to help make up the projected \$734 million state budget deficit. The postponement of school aid payments would save the state \$91 million. By increasing efforts to collect past due taxes from delinquent tax payers the state could raise another \$31 million. The bill also delays the transfer of \$81 million in motor vehicle excise taxes from the general fund to the highway fund. The proposal also increases property tax relief by five percent in 1987. The bill does not increase property taxes or require cuts in state education.

Omnibus ag bill to conference

A bill containing several proposed farm relief measures passed the Senate Friday, March 7, and was sent to a conference committee. The Senate measure, H.F. 1599, spends about \$47.5 million to aid Minnesota's troubled farmers.

The bulk of the expenditure, \$40 million, would be used to guarantee \$200 million in revenue bonds to provide debt restructuring and low-interest loans to farmers who have attempted to mediate agreements on possible debt repayment plans. Another \$4 million is appropriated to continue the interest buy-down program. And, \$1 million would be used to increase project support programs provided through the Agricultural Extension Service.

One article contained in the bill gives lenders who provide credit to help farmers plant their crops or raise livestock a priority lien in the proceeds of the product. The provisions also establishes a landlord lien, which would also take priority over other security interests.

The bill also contains the farm mediation bill, which passed the Senate earlier this session. The measure mandates mediation between farmers and lenders in the case of foreclosure and establishes voluntary mediation procedures.

Among the other provisions, the proposal creates a procedure a lender must go through before collecting on a deficiency judgement. It also limits the judgments allowed to the difference between the amount the farmer still owes and the fair market value of the land. Furthermore, the proposal eases the land ownership exemption restricting farmers from receiving AFDC payments.

The bill's chief author, Sen. Charles Davis (DFL-Princeton), said the measure aims at helping those farmers whose operations are salvageable. "Those are the people that this bill is for and those are the people who will benefit [from the bill]," he added.

Unemployment comp bill passed

The Omnibus Unemployment Compensation bill was narrowly approved 34-33, at the evening session Tuesday, March 11. The bill, S.F. 2114 authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), originally contained language closely paralleling recommendations made by the Governor's Task Force on Unemployment Compensation. However, most of the debate on the measure was focused on a "strike everything" amendment offered by Sen. Darril Wegscheid (DFL-Apple Valley). The amendment, which had the effect of substituting an entirely different bill for the original language, was hotly debated before being adopted 34-33.

Under the bill as passed by the Senate, the unemployment compensation insurance fund deficit would be balanced by a combination of cuts to benefit increases for unemployed workers and a freeze on maximum weekly benefits. The measure also alters the number of weeks a worker would have to be employed to be qualified for unemployment compensation. In arguing for the bill Wegscheid said that "The bill was primarily an attempt to make the legislature responsive to the problems of the unemployment compensation fund." The bill cuts benefits by \$292 million through 1990 and reduces employers' payroll taxes by about \$84 million over the next five years.

Differences between the Senate bill and a House of Representatives version will be worked out in conference committee.

Bloomington development incentives cut

A proposal providing tax incentives to allow Bloomington to develop the old metropolitan stadium site won the tax committee's approval Tuesday, March 11, but not before a major development tool was removed from the bill. The bill, S.F. 1968, contained a provision exempting property taxes from the development from being placed in the fiscal disparities pool. That exemption was intended to free between \$30 and \$60 million for highway improvements near the site.

The proposal's author, Sen. Michael Freeman (DFL-Richfield), said funding for highway improvements is key to developing the site. But committee members disliked establishing an exemption to the fiscal disparities law, which shares extra property tax revenue gained from development with other cities within the metropolitan area.

As the bill passed the committee, the city could impose taxes on sales at stores within the new development, liquor and lodging.

Committee Capsule

Agriculture and Natural Resources

Committee requests elk move

The Dept. of Administration could hire any individual, business or state agency other than the Dept. of Natural Resources to move the elk near Grygla to another part of the state, according to a proposal advanced Sat., Mar. 8, by the committee. That provision, submitted by Sen. LeRoy Stumpf (DFL-Plummer), gives the department \$10,000 to offer in the contract.

Stumpf's proposal was added to a bill, sponsored by Chairman Gene Merriam, allowing the DNR to authorize hunting to reduce and control the herd. But Merriam's proposal was also amended to permit elk to be hunted in areas away from the cities of Grygla and Gatzke.

Last year, the Legislature enacted a law telling the DNR to move the elk in the northwestern part of the state because the animals were damaging crops. The DNR moved about five elk to the Red Lake Indian Reservation—four escaped and one died. Another bull elk drowned in a swamp after it was tranquilized. About 34 animals still graze in the area.

The animals would be moved to areas where they are wanted. Pine County has already expressed interest in quartering the animals, Stumpf explained.

The DNR could authorize a hunting season on mourning doves and a season on crows, under another proposal advanced Saturday. The bill, S.F. 1892, originally permitted crows to be hunted, but Sen. Charles Berg (IND-Chokio) amended the measure to include mourning doves. The measure, S.F. 1892, is carried by Sen. Robert Lessard (DFL-Int.'l Falls).

The committee also advanced a bill allowing cities to keep a portion of the fees collected for cross country ski licenses. Sponsored by Sen. Ron Dicklich (DFL-Hibbing), the cities would use the money for cross country ski trail maintenance and development. A city would keep about one dollar and fifty cents of the five dollar annual fee.

Other bills gaining final approval include: S.F. 2014 (Merriam) allowing the DNR to designate, upon petition, more than 13 lakes as migratory waterfowl feeding or resting areas; S.F. 1834 (Bertram) clarifying the definition of "milk," "skim milk" and "low-fat" milk; S.F. 2153 (Peterson, C.C.) allowing the Agriculture Resource Loan Guaranty Board to participate in loans; S.F. 2064 (Davis) establishing a windbreak management program; S.F. 1967 (Stumpf) regulating persons who produce paddy-grown wild rice and providing production areas for wild rice farmers; and S.F. 1945 (Merriam) requiring that mosquito management strategies are environmentally safe.

Education

Governor's appointments approved

Members of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), met for the last time this session Mon., Mar. 10, and approved a number of gubernatorial appointments. The appointments of Julia E. Templin, Douglas D. Knowlton and John O'Connor to the State Board of Vocational Technical Education were all approved. The appointments of Elizabeth A. Pegues and Bernard Alvin Miller to the State University Board were also endorsed. The State Board for Community Colleges appointees, Pierre Mattel and Jame B. Collier, gained committee approval. The appointees to the Minnesota Higher Education Coordinating Board, Mona J. Hintzman and Thomas Auth, were approved. Dr. Erling O. Johnson and James Hoeser were approved for appointment to the State Board of Education. The appointment of John Amundson to the Minnesota Higher Education Facilities

Authority was also approved. Finally, the appointment of Carl A. Swenson to the Council on Quality Education was endorsed by the committee.

Elections and Ethics

Professors report on unicameral Legislature

The committee listened to a presentation of the Hubert H. Humphrey Institute's study of a unicameral Legislature. The researchers, Professor Craig Grau and Professor Dale Olsen, reported their findings but did not make any recommendations.

Finance

Panel approves bills

The Finance Committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), approved a number of bills during its Mon., Mar. 10, meeting.

H.F. 450, authored by Sen. Jerome Hughes (DFL-Maplewood) establishes a children's trust fund for the prevention of child abuse. Some of the money for the fund will be obtained from a new \$2 surcharge for each certified copy of a birth certificate.

The committee also approved S.F. 631, the firefighter's right to know bill, authored by Sen. Gene Merriam (DFL-Coon Rapids). The bill mandates some businesses' compliance if a local fire department requests a report regarding hazardous substances involved in the business operation. The bill re-allocates \$15,000 from the State Board of Vocational-Technical Education to the Dept. of Public Safety to cover the cost of the forms that business owners will complete.

S.F. 1990, authored by Sen. Gene Waldorf (DFL-St. Paul), also won the committee's approval. The bill requires increased insurance coverage for people convicted of certain alcohol and drug-related crimes upon reinstatement of the person's driver's license. The bill also mandates that the person must provide the commissioner of public safety with proof of his insurance before reinstatement.

The committee also approved S.F. 2222 (Bertram) setting a uniform instructional subsidy of up to fifty cents per hour per student for Area Vocational-Technical Institutes' firefighting programs; S.F. 1868 (Pogemiller) relating to school breakfast programs; S.F. 1703 (Wegscheid) setting a fee floor of \$15 for inspection of some vending machines; S.F. 1959 (Merriam) the family farm security act, authorizing the issuance of general obligation bonds to finance certain payments to be made by the state on family farm loan guarantees; S.F. 1814 (Berglin) establishing a task force on long-term care health planning and requiring the commissioner of health to monitor transitional care; S.F. 2115 (Schmitz) permitting the sale of the old Shakopee correctional facility; S.F. 164 (Dahl) appropriating money to pay claims against the state; and S.F. 1744 (Pehler) authorizing special license plates for former prisoners of war and Vietnam veterans.

Five bills okayed by panel

The Finance Committee approved five bills and struck three from their agenda Tues., Mar. 11. The stricken bills relate to bond deposit refunds to counties.

S.F. 1978, authored by Sen. Charles Davis (DFL-Princeton), establishes a separate account as a state water pollution control revolving loan account. Any federal money authorized for loans under the federal Water Pollution Control Act will be deposited in the account. The committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), approved the bill after striking the appropriations clause.

The committee also approved S.F. 2015 and S.F. 2060, both authored by Sen. Gene Merriam (DFL-Coon Rapids). S.F. 2015 relates to the wild rice license fees, and S.F. 2060 appropriates \$30,000 from the general fund to contract for elk removal and to reimburse the nongame wildlife account for elk removal costs.

S.F. 2151, authored by Sen. Steven Novak (DFL-New Brighton), which increases regulation of chiropractors, establishes a residency program for them, and raises their annual licensing fees, was also approved.

S.F. 1732, sponsored by Merriam, relating to joint custody of children, was approved after some appropriations clauses were deleted.

Governmental Operations

Pension bills approved

Members of the Governmental Operations Committee, chaired by Sen. Don Moe (DFL-St. Paul), met for the last time this session Fri., Mar. 7, and approved two pension bills. S.F. 707, authored by Moe, contains the language of several other pension bills. Among the provisions included in the bill are sections providing for health care benefits to older retirees of the Minneapolis Teachers fund who do not qualify for Medicare; including the director of the State Council on Vocational Education in the MSRS Unclassified plan; changing the eligibility requirements for the surviving spouse benefit for MSRS, PERA, PERA Police and Fire and TRA from age 55 with 10 years service to age 50 with 10 years service and allowing the surviving spouse to begin receiving the benefit when the member would have turned 55; and providing for payment of the 25 percent increase granted to pre-73 retirees in 1973-74 to pre-73 retirees who deferred retirement until after June 30, 1973. Several provisions relating to unclassified unemployees and the Minnesota State Retirement System were not adopted and thus, not included in the bill.

The second measure, H.F. 229, also sponsored by Moe, includes a number of sections dealing with local pension matters relating to a specific individual. In addition, the bill allows any member of MSRS, PERA, TRA, or the first-class city teacher funds who qualify for the Rule of 85 within the present window period, to continue work through June 30, 1987. Sections of the bill which would have repealed the actuarial reduction from age 65 or from age 62 if an individual had at least 30 years of service and chose early retirement were deleted from the bill. Finally, a section repealing the Rule of 90 within PERA was also deleted. Both bills were approved and sent to the Senate floor.

Health and Human Services

Pet protection bill defeated

Pets in Minnesota's Animal Shelters would have received protection under a bill which was defeated by the committee Fri., March 7. S.F. 1080 would have prohibited pound operators from also acting as dealers providing animals to laboratories for research purposes. It also stated that no facility could receive more money for selling animals for research than it could get from an owner redeeming a pet. The bill, authored by Sen. Eric Petty (DFL-Mpls.), also would have required dealers with dogs and cats in their custody to permit public inspection at least four hours per day, five days a week.

Judiciary

Penalties for drug dealers increased

Tougher penalties for persons convicted of drug dealing were approved by members of the Judiciary Committee Fri., Mar. 7. The new penalties were the result of an amendment, offered by

Committee Chair Allan Spear (DFL-Mpls.), and were adopted in order to replace language in the bill calling for mandatory minimum sentences for drug dealers. The bill, H.F. 654, carried by Sen. Tad Jude (DFL-Maple Grove) had also originally called for mandatory minimum sentences for persons convicted of burglary of a dwelling or a pharmacy, but that language was dropped when the Spear amendment was adopted. Spear argued, successfully, that the amendment would track more closely with the established sentencing guidelines, that the penalties would be more severe, and that the bill would require sentences for dealers of more types of drugs. Under the bill, a first conviction for dealing drugs would result in imprisonment for up to 20 years and/or a fine of up to \$60,000. A second conviction would be punishable by imprisonment of not less than two years or more than 30 years and/or a fine of up to \$100,000. The measure was further amended, however, by a provision offered by Sen. Ron Sieloff (IR-St. Paul) to require a mandatory six month sentence for persons convicted of burglary of an occupied dwelling.

Committee members also approved an amendment, also offered by Spear, which would establish a multiple prescription system for monitoring the prescriptions of Schedule II controlled substances. Under the amendment, doctors are required to use official prescription blanks, distributed by the state, when prescribing Schedule II drugs. One copy of the tri-partate form is then sent to the Bureau of Criminal Apprehension in order to identify possible cases of inappropriate practices involving Schedule II controlled substances.

A third major amendment was also adopted. The amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), places a tax on marijuana and controlled substances, by requiring the use of a stamp purchased from the Revenue Department.

Finally, Senators adopted amendments incorporating portions of the juvenile justice bill dealing with disposition plans and disposition orders.

In other action, committee members acted on several additional bills. H.F. 1978, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), limits the conditions under which felony charges brought for depriving another of custodial or parental rights may be dismissed. H.F. 2012, sponsored by Sen. Ember Reichgott (DFL-New Hope), increases the penalties for soliciting or inducing an individual under the age of 13 to practice prostitution and authorizes counties to develop outreach programs to aid juvenile prostitutes. S.F. 1727, authored by Sen. William Luther (DFL-Brooklyn Park), dealing with local recreation area tort liability, was amended to include all the language of the omnibus insurance bill in order to avoid a procedural problem with the transmission of bills between the House and Senate. Finally, the committee approved S.F. 1770, authored by Sen. Michael Freeman (DFL-Richfield). The measure originally provided for the creation of a presumption that property acquired during the course of certain crimes are "proceeds" for purposes of the forfeiture law. The bill was also amended to include other portions of the juvenile justice bill.

Gubernatorial appointments okayed

Members of Judiciary Committee met for the last time this session, Wed., Mar. 12, and approved the governor's appointments to the Board on Judicial Standards and the Hazardous Substance Injury Compensation Board. The appointments of Ruth Plotnicky and Lawrence D. Cohen to the Board on Judicial Standards were approved as were the appointments of Corrin John Hodgson, Richard A. Mergens, David R. Miller, Byron E. Starns and Constance N. Pries to the Hazardous Substance Injury Compensation Board.

Committee Capsule

Public Utilities and State Regulated Industries

Bill addresses cogeneration dispute

The committee approved a proposal Wed., Mar. 12, enabling the Public Utilities Commission to resolve a dispute between NSP and Hennepin County concerning the amount the utility must pay the county for energy that will be generated from a solid waste cogenerator plant. The bill originally intervened in the dispute by setting contract conditions, but an amendment by Sen. Greg Dahl (DFL-Coon Rapids) left the issue up to the commission.

If Hennepin County fails to negotiate a contract by November, 1986, it will lose its authority to levy obligation bonds to fund building the facility. Dahl's amendment requires the PUC to resolve the dispute within 120 days if a petition is filed by April 1, 1986.

The bill, S.F. 2246, is sponsored by Dahl.

Taxes and Tax Laws

Taconite industry gains tax breaks

A bill providing future tax incentives to aid Minnesota's taconite industry won committee approval Fri., Mar. 7. Under the proposal, S.F. 2280, the industry would receive \$8 million in tax breaks in F.Y. '88 and another \$8.6 million in F.Y. '89.

Chairman Douglas Johnson (DFL-Cook), sponsor of the measure, said the bill delays the tax breaks to avoid incurring state costs this biennium. The proposal reduces the industry's occupation and production tax rates and cuts the tax rate on taconite railroad earnings.

Johnson said he is hopeful that some of Minnesota's plants will become competitive in the world market. "We think [the measure] is really going to help," he added.

The bill's co-author, Sen. Ron Dickich (DFL-Hibbing), said the proposal would "help our industry and our area to survive so we can build on it in the future."

A bill providing a new approach for siting a hazardous waste "stabilization and containment" facility in Minnesota also advanced Friday. The bill, S.F. 1952, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), permits the Waste Management Board (WMB) to enter into contracts with counties volunteering to quarter the facility.

Counties offering sites that are suitable for the facility would receive a \$50,000 annual increase in local government aids. If a contract is agreed upon, the county would get \$150,000 per year for two years in additional local government aids plus the benefits contained in the contract.

The committee also okayed a bill making several changes to the state's charitable gambling laws. The proposal, S.F. 2026, sponsored by Sen. Neil Dieterich (DFL-St. Paul), exempts organization not licensed by the board from the state sales tax; permits gambling proceeds to pay for specified costs, such as legal fees, accounting services, and gambling insurance fees; exempts from regulation organizations conducting only one gambling event a year; and creates a tax amnesty program for charitable organizations who have not paid due taxes.

The following bills also gained approval: S.F. 2054 (Dahl) exempting sales conducted through school fund raisers from the sales tax; S.F. 2127 (Renneke) establishing bond and levy exemptions for Cologne; S.F. 2150 (Wegscheid) authorizing issuance of \$15 million in general obligation bonds by Dakota County upon a vote of the county board; S.F. 2205 (Diessner) allowing Washington County to enter into joint owners agreements with cities and towns for providing water facilities and to issue bonds to finance the systems; S.F. 2105 (Peterson, R.W.)

allowing Cambridge and Lindstrom to establish special service districts; S.F. 1515 (Novak) permitting the issuance of bonds for the construction of library buildings in Ramsey County; S.F. 1584 (Peterson, C.C.) exempting non-resident entertainers from paying income tax; and S.F. 2256 (Pogemiller) requiring local governments to provide notification of tax liability being assumed by lessees of public property.

Bill taxes drug dealers

The committee passed a bill Tues., Mar. 11, strengthening penalties for drug dealing. The intent of the measure is to establishing economic disincentives for drug trafficking by imposing a tax on the sale of substance and creating further penalties for failing to pay the tax.

The bill, H.F. 654, sponsored by Sen. Tad Jude (DFL-Maple Grove), imposes a tax of \$3.50 on each gram of marijuana sold; a tax of \$200 on each gram of a controlled substance sold; and a tax of \$2,000 for the sale of every 50 dosages of a controlled substance that is not sold by weight.

Veterans and General Legislation

Bills propose memorials

A memorial to Native Americans would be placed on the capitol grounds, according to a bill approved Fri., Mar. 7, by the committee. The measure, H.F. 1599, requires the Historical Society to develop a plan for selecting the memorial's design.

The bill permits the Historical Society to solicit design proposals and offer a prize for the best idea. The bill, H.F. 1599, is sponsored by Sen. LeRoy Stumpf (DFL-Plummer).

A flag honoring persons who are missing in action or are prisoners of war would be flown over the north wing of the Capitol building, according to a second proposal advanced Friday. The bill, S.F. 2235, is sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake).

During their Wed., Mar. 12, meeting, the committee approved the appointments of Carol Ann MacKay, Dee Knaak and Allegra W. Parker to the State Board of the Arts.

Thursday, March 6

Senate defeats interstate banking bill

The Senate rejected a bill that would allow Minnesota's banks to expand within a 15-state region and permit banks from those states to enter Minnesota's market. The interstate banking bill, H.F. 671, fell short by one vote of the 34 votes needed to gain final passage.

Bill author Sen. Eric Petty (DFL-Mpls.) said the purpose of the proposal was to allow Minnesota to expand as a major financial center in the country. The measure would also bring capital into the state and increase competition between banks, according to Petty.

Before defeating the bill, the Senate adopted Petty's consumer protection amendment. The amendment would require banks owned by interstate holding companies to cash welfare checks and provide free checking for low-income people.

A second amendment was approved which would protect Minnesota's banks and bank holding companies from hostile takeovers.

Friday, March 7

Bills on the consent calendar passed

The Senate granted final approval to bills on the Consent Calendar before discussing the Omnibus Finance Bill during the

Floor Action

Fri., Mar. 7, floor session. Bills approved on the calendar included S.F. 2035 (Laidig) which exempts certain collector military vehicles from displaying license plates under certain conditions; and S.F. 1886 (Moe) authorizing the establishment of a detached banking facility in Moorhead by a state bank located outside of Moorhead. The Senate also approved a motion proposed by Sen. Sam Solon (DFL-Duluth) to remove H.F. 2294 from the calendar and place it on General Orders.

Monday, March 10

Special Orders Calendar bills approved

Members of the Senate spent more than six hours Mon., Mar. 10, debating numerous bills on the Special Orders Calendar. A total of 32 bills gained final passage and debate began on several additional bills.

Perhaps the most controversial measure under discussion was the bill authorizing the Minneapolis Convention Center. The bill, S.F. 1671, authored by Sen. Linda Berglin (DFL-Mpls.), authorizes the city of Minneapolis to impose a city-wide sales tax of one-half percent, a sales tax of up to three percent on downtown restaurants, a three percent on-sale downtown liquor tax, and a three percent lodging tax on hotels and motels with more than 50 rooms. According to Berglin, the new convention center will create 4,000 new permanent jobs and 3,600 construction jobs. Further, Berglin stated that the bill required no state appropriation.

An amendment, offered by Sen. Eric Petty (DFL-Mpls.), placed a cap of \$118 million on the construction of the convention center and specified that the city-wide sales tax would only be imposed as a last resort. Petty argued that the \$118 million cap on the project would be an incentive to keep costs down by renovating the current convention hall. Berglin, argued that the \$118 million figure did not include the necessary costs of land acquisition, parking and skyway construction. The Petty amendment was adopted and Berglin post-poned final action on the measure.

The bills gaining final passage were nearly all approved on unanimous votes. Those bills included: S.F. 2090 (Adkins) continuing the recodification of statutes relating to counties, clarifying county commissioner conflict of interest provisions and providing for a method for consolidating the offices of county auditor and county treasurer; S.F. 1580 (Berglin) requiring the adoption of the 1985 Life Safety Code standard for intermediate care facilities for the mentally retarded; S.F. 1704 (Berglin) authorizing the city of Minneapolis and Hennepin County to merge registration districts for vital statistics and allowing Hennepin County to create a Housing and Redevelopment Authority; S.F. 1707 (Berglin) providing for an annual resource directory on services for individuals with brain impairment and providing for the maintenance of data on organ transplant operations; S.F. 871 (Pehler) authorizing the Dept. of Health to inspect certain businesses in order to determine the presence of hazardous materials;

S.F. 1735 (Pehler) increasing the sum payable to a surviving spouse by affidavit to \$10,000 and increasing the value of a probate estate allowed for collection by affidavit; S.F. 2082 (Pehler) excluding "latch key" programs offered by a St. Cloud Boys Club and Girls Club from day-care licensure; S.F. 1789 (Peterson, D.C.) permitting city councils to set the compensation of board members and secretaries and providing that certain positions in the city of Minneapolis be transferred from the classified to the unclassified civil service; S.F. 1801 (Peterson, D.C.) providing for in-camera hearings on certain evidentiary issues in criminal sexual conduct cases; S.F. 1808 (Peterson, D.C.) regulating grants to area labor-management committees; S.F. 1940 (Dicklich) regulating payment of severance pay;

S.F. 1581 (Berglin) establishing requirements for the regulation of child day care, establishing a substantial compliance standard priority for cities and towns under a specific population, prohibiting local governments from establishing special fire codes for small family day care homes and limiting the liability of municipalities for day-care licensing activities; S.F. 2086 (Johnson, D.J.) allowing a family in St. Louis County to repurchase a small parcel of tax forfeited land; S.F. 1974 (Merriam) providing for the exclusion of the homestead from the augmented estate in probate proceedings and requiring the "prudent man" standard to be applicable in trustee relationships; H.F. 1800 (Peterson, C.C.) authorizing a nine county joint powers agreement for a garbage incineration plant in Fergus Falls; S.F. 2159 (Peterson, C.C.) declaring that the citizens of Minnesota disapprove of a nuclear waste depository in the state and providing for a moratorium on new nuclear power plants; S.F. 2161 (Dicklich) amending the Employees' Right to Know Act by permitting qualified employees to receive training in the handling of hazardous materials; S.F. 2016 (Petty) adopting the Uniform Trade Secrets Act; S.F. 2094 (Petty) providing for succession of fiduciary capacity in mergers or consolidations of non-profit corporations and clarifying the authority for separate entities to hold church employee benefit plans.

S.F. 1909 (Hughes) clarifying that private proprietary schools may provide specific placement information and modifying the expiration time for solicitor's permits; S.F. 2204 (Bertram) authorizing ISD 750, Cold Spring, to make an equal levy for debt service over the next five years; S.F. 1852 (Berglin) changing procedures for dealing with pioneer and Indian burial sites and making it a felony to unlawfully remove remains; S.F. 1619 (Spear) providing a cause of action for civil suits by patients or ex-patients for sexual exploitation by psychotherapists; S.F. 1196 (Spear) establishing a child care resource and referral program; H.F. 1807 (Langseth) providing for the coordination of various development authorities in the city of Moorhead and Clay County and exempting the chief of police and the deputy chief of police from the civil service; S.F. 1730 (Spear) modifying the conditions under which a merchant may justifiably detain a shop lifting suspect; S.F. 1879 (Spear) allowing municipalities to issue temporary off-sale licenses for auctions offering rare and vintage wines; S.F. 1942 (Spear) establishing a standard for best interest of the ward or conservatee in guardianship and conservator proceedings and requiring the court to make findings regarding the best interest; S.F. 1884 (Lantry) requiring companies to give notice to tenants before applying rodenticides; S.F. 2111 (Lantry) providing for the creation of a Labor Interpretive Center by the Historical Society; S.F. 1962 (Novak) changing the payment date for taxes on certain manufactured homes; S.F. 2160 (Willet) requiring that the sum payable on an abandoned warrant issued by a county be deposited in the issuing county's general fund; and H.F. 2265 (Merriam) providing for the membership, terms, and filling of vacancies on the Juvenile Justice Advisory Committee.

Banking bill changed, passed

The proposed regional banking bill, H.F. 671, won the necessary 34 votes for passage Monday evening after it was changed to allow interstate banking only within five states. Under the new proposal, offered by Sen. Eric Petty (DFL-Mpls.), interstate banking would be permitted in Wisconsin, Iowa, North Dakota, South Dakota and Minnesota.

Petty's proposal, which would have established regional banking within 16 states, failed last week by one vote. Petty offered the revised proposal, saying, "The theory behind this amendment is to walk before you run."

Floor Action

However, Sen. Carl Kroening (DFL-Mpls.) found no improvement in the change. "The losers will be Minnesota consumers, farmers and small business people," he said. Kroening claimed the bill would allow out-of-state banks to acquire Minnesota deposits without providing new benefits to the depositors. "The bill provides no benefits to anyone except banks that want to acquire other banks and banks that want to sell out," he said.

Sen. Ron Sieloff argued that the bill would force banks to reduce interest rates and provide better services. "We cannot build barriers to commerce from the world and from other states," he said.

On a 32-32 vote, the Senate defeated a bill establishing a milk stabilization board, which would set minimum milk prices for dairy farmers. Sen. Collin Peterson (DFL-Detroit Lakes), sponsor of S.F. 1595, said the bill would insure that dairy farmers receive a fair price for their product. But Sen. Neil Dieterich (DFL-St. Paul) claimed the bill would hurt consumers because milk prices would rise. The provision also was removed last Friday from the omnibus agricultural bill.

The following bills passed the Senate Monday evening: S.F. 1963 (Novak) modifying the cost allocation system of the metropolitan waste control commission; S.F. 2057 (Wegscheid) allowing municipalities to enter into repurchase and reverse repurchase agreements with qualified dealers; S.F. 1701 (Wegscheid) allowing townships to take care of cemeteries; S.F. 2079 (Pogemiller) creating a service for the blind and visually handicapped within the Dept. of Jobs and Training; S.F. 1698 (Stumpf) modifying circumstances justifying detention of suspects in business establishments; S.F. 2233 (Stumpf) adding post-secondary vocational technical education representation on the ESV computer and UFARS advisory councils; S.F. 1897 (Peterson, R.W.) allowing a person 20 days to remove a case from conciliation court; S.F. 1980 (Peterson, R.W.) providing for exhaustion of benefits from other programs before payment of adoption subsidies.

Other bills winning final approval include: S.F. 2087 (Peterson, R.W.) specifying the prosecuting attorney for certain offenses; S.F. 1774 (Peterson, D.C.) providing for inspections of certain state facilities; S.F. 1839 (Hughes) recodifying and clarifying laws on election contests; and S.F. 2069 (Hughes) providing for postponement of precinct caucuses in case of bad weather.

Tuesday, March 11

Insurance bill passed

After extensive debate and numerous attempts to amend, the Senate granted final passage to an omnibus insurance bill package which addresses the current availability and affordability crisis in liability insurance. Senators discussed the bill for five hours during the day until the author, Sen. William Luther (DFL-Brooklyn Park) moved to lay H.F. 1950 on the table.

The bill establishes a Joint Underwriting Association (JUA), strengthens regulations on the insurance industry and provides tort reform.

Against the author's wishes, the amendments were placed on the bill limiting non-economic damage awards in general liability lawsuits and eliminating sections providing for joint and several liability.

Senator Darril Wegscheid (DFL-Apple Valley) was unsuccessful in an attempt to delete a major provision of the bill establishing the Joint Underwriting Association. He argued that the bill was unfair to insurance companies because it could be interpreted to mean that anyone who thinks his insurance is too expensive could turn to a JUA for coverage.

Luther laid the bill on the table after Senators adopted the amendment to eliminate joint and several liability provisions from the bill.

The omnibus insurance bill was brought before the Senate again late Tuesday night. Luther successfully removed earlier amendments regarding joint and several liability and placing a \$500,000 cap on awards. Sen. Duane Benson (IR-Lanesboro) successfully amended the bill to require that an Administrative Law Judge make findings that a Joint Underwriting Association is necessary before a JUA could be established. The bill gained final passage on a vote of 59-8.

In other action, the Senate granted final passage to several additional bills: S.F. 1721 (Berglin) providing for health and dental coverage to be included as child support and regulating withholding for purposes of child support; S.F. 1975 (Reichgott) modifying venue in actions to recover possession of personal property; S.F. 1912 (Knaak) authorizing the city of Vadnais Heights to issue five additional on-sale liquor licenses and allowing a session at the Mayo Civic Center to have an on-sale liquor license; S.F. 1961 (Peterson, R.W.) making various changes and clarifications on the data practices laws; S.F. 2178 (Davis) restricting the disposal of nuclear waste in Minnesota; H.F. 2317 (Anderson) providing for the resignation of registered agents of foreign corporations; and S.F. 2186 (Novak) clarifying language relating to underground storage tanks. The Senate also granted concurrence and repassage to S.F. 1848, the Equal Access to Justice bill. The measure, authored by Sen. Gerald Willet (DFL-Park Rapids), allows small businesses that prevail in actions involving the state to recover court costs. The Senate also approved the gubernatorial appointments listed on the Senate Confirmation Calendar.

Wednesday, March 12

Stealing pets for research forbidden

Anyone stealing a dog or cat for use in research could be charged with a gross misdemeanor penalty, under a bill passed by the Senate Wednesday. Currently, the penalty for stealing a dog or cat, for any reason, is a misdemeanor.

The proposal, S.F. 1711, sponsored by Sen. Bill Diessner (DFL-Afton), also requires licensure for persons who provide live dogs or cats to institutions for research, and facilities keeping cats would be licensed as a kennel. A kennel or a dealer would lose the license if found guilty of providing a stolen cat or dog for research.

The Senate defeated an amendment offered by Sen. Gene Merriam (DFL-Coon Rapids) that would have only allowed dogs or cats to be used for research if they had been raised for that purpose.

On a 27-33 vote, the Senate rejected S.F. 2029, which reduces the State High School League's authority over non-school activities and establishes a due process for persons who desire to appeal a league decision. Chief author Gene Merriam said the bill leaves the responsibility of regulating non-school activities with the parent. But others said the league's regulatory power de-emphasizes student specialization in one sport or activity. The measure would "make our education system a training ground for professional athletes," argued Sen. Lyle Mehrkens (IR-Red Wing).

The following bills passed the Senate Wednesday: S.F. 2243 (Bertram) forbidding local ordinances requiring stairways to be enclosed in buildings, requiring local governments to consider before enacting housing ordinances the impact on housing affordability, and requiring landlords to maintain a temperature of at least 65 degrees in their rental units; S.F. 912 (Berglin) creating

a consolidated chemical dependency fund; S.F. 1849 (Dahl) transferring from Hennepin County the authority to manage a park in Anoka to the Anoka County Board; S.F. 2206 (Peterson, C.C.) allowing refunds of sales tax paid on agricultural electricity; S.F. 1832 (Dicklich) allowing towns to keep a portion of fees paid for cross country ski license; S.F. 2196 (Pehler) establishing a new qualification for designating a redevelopment district for tax increment financing; H.F. 2324 (Nelson) permitting a school board to transfer money from the debt redemption fund and allowing modifications in the levy for debt service for some school districts; S.F. 1931 (Diessner) regulating work activities of handicapped persons in state facilities; and S.F. 1945 (Merriam) requiring that mosquito research only be conducted if ecologically sound.

Final passage granted to bills

The Senate gave more than 30 bills final passage during the Wed., Mar. 12, floor session. Many were local, noncontroversial bills, but approval was also granted to the convention center bill, the statutory gender neutrality bill, and the public utilities commission bill.

S.F. 1671, authored by Sen. Linda Berglin (DFL-Mpls.), authorizes the city of Minneapolis to build a convention center. Under the bill, Minneapolis may impose an additional sales tax of up to one-half of one percent on some sales within the city, and on some uses of property within the city. An amendment excluding the purchase and improvement of land for the center from a \$118 million construction cap was adopted, paving the way for the bill's final passage.

Also approved by the Senate was S.F. 1869, authored by Sen. Neil Dieterich (DFL-St. Paul), which changes the powers of the chair of the public utilities commission. The bill prohibits anyone who has been a member of the commission to accept employment with a utility within one year of leaving the commission. Also, anyone who has been an employee of a company subject to rate regulation by the commission within the year preceding appointment is ineligible for appointment.

H.F. 1824, authored by Sen. Ember Reichgott (DFL-New Hope), adopts a gender neutral revision of Minnesota Statutes. Gender specific nouns and pronouns in statutes imply discrimination and send the wrong message to citizens, Reichgott said.

The Senate also gave final approval to S.F. 2279 (Jude) allowing people to cancel contributions they have pledged to certain non profit adoption corporations; S.F. 1928 (Jude) allowing Brooklyn Park to establish a Port Authority Commission; S.F. 1993 (Jude) correcting parts of Minnesota Statutes; S.F. 2078 (Solon) authorizing and regulating the use of nonprofit risk indemnification trusts; S.F. 2245 (Peterson, D.C.) providing for the use of certain optical scan electronic voting systems; S.F. 1842 (Frank) requiring certain information on petition for judicial review of license revocation determination; H.F. 1664 (Schmitz) regulating some contracts for the purchase of fuel by a municipality; H.F. 1860 (Diessner) permitting the metropolitan mosquito control commission to issue certificates of indebtedness; H.F. 1871 (Bertram) providing for compensation payment to certain patients and residents of state institutions; H.F. 1806 (Petty) authorizing state banks and credit unions to offer self-directed individual retirement accounts; H.F. 1980 (Berglin) authorizing

the Indian affairs council to enter into contracts; H.F. 1886 (Jude) changing the notice requirement for proposed special assets; H.F. 2014 (Hughes) making changes in certain areas of elections; H.F. 1940 (Bertram) authorizing the Stearns county board to designate the county auditor as the local registrar; H.F. 2111 (Jude) authorizing a payment by Medina for utility construction; H.F. 1185 (Jude) authorizing advertising on some telephone booths; H.F. 1821 (Diessner) requiring condominium plats after July 31, 1986; H.F. 1730 (Reichgott) correcting the criminal sexual conduct statutes; and H.F. 2081 (Petty) directing the commissioner of human services to create a mental health service system.

Thursday, March 13

Senate passes post-secondary option bill

A bill requiring high school students to pay for college credits obtained through the post-secondary enrollment program was granted final passage Thurs., Mar. 13. The program allows students to take college classes for credit during their final years of high school.

The bill prevents students from receiving both high school and college credits for courses taken through the program. It also prohibits students from taking post-secondary courses if comparable courses are offered by their high schools. Under the proposal, students are also required to undergo counseling before enrolling in the program.

The measure expands the types of institutions eligible for the post-secondary enrollments options act and requires students to notify schools of their intentions to enroll in the program.

H.F. 1919, sponsored by Sen. Tom Nelson (DFL-Austin), also establishes a task force to study access to the program. The Senate adopted an amendment which allows the state to subtract funding from high schools for the number of hours students participating in the program are away from school.

In other action, the Senate approved: S.F. 1515 (Novak) authorizing the issuance of bonds for the construction of a library in Ramsey County; S.F. 2135 (Reichgott) providing immunity from liability for welfare workers complying in good faith with the Child Abuse Reporting act; S.F. 1702 (Samuelson) permitting Brainerd to establish a port authority; S.F. 2222 (Bertram) specifying the use of funds for firefighter training programs in AVTI's; S.F. 1745 (Bertram) authorizing the sale of Pearl Lake lakeshore property in Stearns county; S.F. 2014 (Merriam) providing for the designation, use and maintenance of waterfowl feeding and resting areas; S.F. 1966 (Pehler) authorizing the city of St. Cloud to impose local hotel-motel and on-sale liquor taxes in order to build a convention center facility; S.F. 2236 (Lessard) allowing the city of Grand Rapids to create a Central School Commission; H.F. 2351 (Schmitz) permitting the sale of the old Shakopee correctional facility to the local government; S.F. 164 (Dahl) appropriating money to pay various claims against the state; and S.F. 1814 (Berglin) establishing a task force on long-term care planning, modifying the preadmission screening program and establishing requirements for the medical assistance rate appeals procedures for intermediate care facilities.

The Senate also granted concurrence and repassage to S.F. 125 (Lantry) changing the definition of plumber's apprentice for the employment licensing purposes and S.F. 1680 (Merriam) providing that Anoka County park ordinances supersede local ordinances.

MINNESOTA STATE SENATE

Senate Members—1986 Session

DIST.	PARTY	SENATOR	PHONE	ROOM *	DIST.	PARTY	SENATOR	PHONE	ROOM *
22	DFL	Adkins, Betty A.	296-5981	235 Cap.	47	DFL	Luther, William P.	296-8869	205 Cap.
12	IR	Anderson, Don A.	6455	103 SOB	44	IR	McQuaid, Phyllis W.	1279	132B SOB
41	IR	Belanger, William V., Jr.	5975	107 SOB	26	IR	Mehrkens, Lyle G.	8075	127 SOB
32	IR	Benson, Duane D.	3903	109 SOB	49	DFL	Merriam, Gene	4154	G-24 Cap.
11	IND	Berg, Charles A.	5094	115 SOB	65	DFL	Moe, Donald M.	4264	309 Cap.
60	DFL	Berglin, Linda	4261	323 Cap.	2	DFL	Moe, Roger D.	2577	208 Cap.
21	IR	Bernhagen, John	4131	113 SOB	31	DFL	Nelson, Tom A.	4871	301 Cap.
16	DFL	Bertram, Joe	2084	328 Cap.	52	DFL	Novak, Steven G.	4334	203 Cap.
33	IR	Brataas, Nancy	4848	139 SOB	43	IR	Olson, Gen	1282	132C SOB
14	DFL	Chmielewski, Florian	4182	325 Cap.	17	DFL	Pehler, James C.	4241	306 Cap.
50	DFL	Dahl, Gregory L.	5003	G-24 Cap.	10	DFL	Peterson, Collin C.	4135	205 Cap.
18	DFL	Davis, Charles R.	2302	G-24 Cap.	29	IR	Peterson, Darrel L.	3988	141 SOB
27	DFL	DeCramer, Gary M.	6820	303 Cap.	61	DFL	Peterson, Donna C.	4274	G-29 Cap.
5	DFL	Dicklich, Ronald R.	2859	306 Cap.	19	DFL	Peterson, Randolph W.	8018	326 Cap.
56	DFL	Diessner, A. W. "Bill"	8298	325 Cap.	62	DFL	Petty, Eric D.	0760	323 Cap.
63	DFL	Dieterich, Neil	8867	235 Cap.	58	DFL	Pogemiller, Lawrence J.	7809	G-24 Cap.
51	DFL	Frank, Don	2877	G-28 Cap.	25	DFL	Purfeerst, Clarence M.	4167	303 Cap.
30	IR	Frederick, Mel	4123	119 SOB	45	IR	Ramstad, Jim	9251	123 SOB
23	IR	Frederickson, Dennis R.	8138	143 SOB	46	DFL	Reichgott, Ember D.	2889	G-27 Cap.
40	DFL	Freeman, Michael O.	9307	303 Cap.	35	IR	Renneke, Earl W.	4125	117 SOB
8	IR	Gustafson, Jim	4314	132 A SOB	13	DFL	Samuelson, Don	4875	121 Cap.
54	DFL	Hughes, Jerome M.	4183	328 Cap.	36	DFL	Schmitz, Robert J.	7157	235 Cap.
28	IR	Isackson, Doran L.	9305	151 SOB	64	IR	Sieloff, Ron	4310	135 SOB
15	IR	Johnson, Dean E.	3826	105 SOB	7	DFL	Solon, Sam G.	4188	303 Cap.
6	DFL	Johnson, Douglas J.	8881	205 Cap.	59	DFL	Spear, Allan H.	4191	G-27 Cap.
48	DFL	Jude, Tad	4248	235 Cap.	42	IR	Storm, Donald A.	6238	125 SOB
20	IR	Kamrath, Randy P.	1240	133 SOB	1	DFL	Stumpf, LeRoy A.	8660	306 Cap.
53	IR	Knaak, Fritz	1253	149 SOB	24	IR	Taylor, Glen	9457	147 SOB
38	IR	Knutson, Howard A.	4120	121 SOB	39	DFL	Vega, Conrad M.	4101	G-29 Cap.
57	DFL	Kroening, Carl W.	4302	G-24 Cap.	66	DFL	Waldorf, Gene	3809	G-24 Cap.
34	IR	Kronebusch, Patricia Louise	1945	153 SOB	37	DFL	Wegscheid, Darril	8091	309 Cap.
55	IR	Laidig, Gary W.	4351	145 SOB	4	DFL	Willet, Gerald L.	4147	121 Cap.
9	DFL	Langseth, Keith	3205	G-24 Cap.					
67	DFL	Lantry, Marilyn M.	8017	G-24 Cap.					
3	DFL	Lessard, Bob	4136	328 Cap.					

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86, March 25

Briefly

The Minnesota Senate Week in Review

March 25, 1986

Senate passes drinking age bill

A conference committee report on a bill raising the legal drinking age to 19 was brought to the floor Friday, March 14, and gained Senate approval late in the afternoon. The bill, S.F. 5, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), also provides that those who were born on or before Sept. 1, 1967 are to be treated as 21 year olds for liquor law purposes. In addition, the bill prohibits liquor manufacturers, wholesalers, and retailers from conducting or sponsoring on-campus activities that involve the consumption of alcohol. The bill also allocates 25 percent of the fee to reinstate a revoked drivers license to an driver education account.

Opponents of the measure argued that the bill would lead to "bloody borders" with adjacent states that have not raised the legal drinking age, because young people will cross state lines to obtain alcoholic beverages. Proponents argued successfully that raising the drinking age would lead to decreased consumption by young people in Minnesota. The conference committee report was adopted and the bill was repassed 42-21.

Farm package sent to governor

A \$16-million package designed to assist Minnesota's financially troubled farmers was passed by the Senate Wednesday, March 19, and sent to the governor. Senate and House conferees reached agreement Monday evening, and the final proposal closely resembles the original Senate bill.

One key provision in the package provides \$4.8 million in state funds to pay the debt service for \$50 million in general obligation bonds, which in turn would guarantee \$200 million in general revenue bonds. The provision could generate up to \$800 million, which would be used to restructure farm debt at a lower interest rate. Loans would be based on current land values rather than the higher values that were in place when the loans were made.

The bill also creates a voluntary and mandatory mediation program, which encourages lenders and farmers to work out possible debt repayment plans. Mediation is mandated upon a debtor's request when the lender has indicated an intent to enforce a security interest against agricultural property. The proceedings to enforce the debt are then suspended until 90 days after the mediation concludes or an agreement is reached. If the mediator determines that the creditor has not mediated in "good faith," the debtor can request court supervision over the mediation. The court may issue orders to insure "good faith" mediation.

Also, \$5 million is appropriated to continue the interest buy-down program, which would lower interest rates by 50 percent. The state would pay 75 percent of the interest subsidy, and the lender would cover 25 percent. Furthermore, the maximum loan amount is raised to \$100,000.

The proposal also places a one year moratorium on deficiency judgements and limits future judgements to the difference of the amount owed on the mortgage and the fair market value of the property. In addition, the homestead exemption in rural areas for

personal or deficiency judgement is increased from 80 to 160 acres.

Other appropriations provide \$1.35 million to agriculture vocational-technical institutes to reduce tuition costs for existing farm business and small business management programs. The money also could be used to provide farm business management programs and workshops. About \$1.25 million is given to the University of Minnesota to continue its agricultural extension service projects. The projects include mediation training, project support programs, farm financial management programs, and family financial and stress management education. Another \$650,000 is appropriated for a legal assistance program.

One Senate provision not accepted by House conferees would have given lenders and agricultural input suppliers who provide credit to help farmers plant their crops or raise livestock a priority lien in the proceeds of the product. However, landlords are given a priority lien in the proceeds of agricultural products that are produced on their property. Veterinarians who provide emergency services to help a farmer's animals are also given a priority lien on the proceeds of those animals.

Senate adjourns 74th Session

The Senate adjourned "sine die" Friday, March 21, but only after adopting a resolution specifying that the adjournment is subject to any court determination on the constitutionality of the adjournment by the House of Representatives. The unprecedented adjournment procedure was brought about by the abrupt "sine die" adjournment of the House of Representatives during the early morning hours Tuesday, March, 18. The House action left unresolved the conference committee negotiations to balance the state's budget.

Chief author of the resolution, Sen. William Luther (DFL-Brooklyn Park) said, "The resolution makes it crystal clear that the Senate takes the position that the House action was unconstitutional." Sen. Ron Sieloff (IR-St. Paul), in arguing against the resolution said, "The resolution sets a dangerous precedent by making adjournment 'subject to a condition subsequent,' and that other future conditions could be used to prescribe adjournment." However, Majority Leader Roger Moe (DFL-Erskine), countered that "the issue must be decided for the good of the institution or there would be nothing to prevent either body from adjourning prior to completion of legislative business in future years. The resolution was adopted on a vote of 36-20.

Prior to the adjournment resolution, Senators acted on the remaining bills and conference reports still before the body. The conference report on H.F. 1930, authored by Sen. Glen Taylor (IR-Mankato), was adopted and the measure was repassed. The bill prohibits the state patrol from instituting traffic citation quotas and the DNR from mandating game and fish citation quotas. The conference report on H.F. 1744, making technical changes to the definition of a school, detailing requirements for a parent providing instruction in the home and establishing a task force to make recommendations about compulsory attendance laws, was also approved. The bill was authored by Sen. James Pehler

continued on back page

Floor Action

Thursday, March 13

Senate okays changes to DWI laws

The Senate passed a bill Thurs., Mar. 13, requiring increased insurance coverage for persons with DWI convictions. Also passed were S.F. 2102, regarding guardians ad litem, and S.F. 2280, reducing taxes for taconite companies.

S.F. 2098, authored by Sen. Tad Jude (DFL-Maple Grove), mandates that anyone convicted of a DWI carry liability insurance of at least \$50,000 for bodily injury caused to one person and \$100,000 for any one accident. The offender must comply with the requirement for two years after reinstatement of his license.

The bill also expands the definition of the crime to include driving under the influence of certain substances other than alcohol which "substantially impair" a person's ability to drive.

Under the bill, the court would impound registration plates and certificates of offenders with three convictions within five years or four convictions within ten years. The bill also sets forth conditions for the issuance of special plates for vehicles registered jointly with family members licensed to operate the vehicle.

The Senate also granted final passage to S.F. 2102, authored by Sen. Eric Petty (DFL-Mpls.). The bill originally required a court to appoint a guardian ad litem in family court proceedings for child custody or divorce if there was "reason to believe" the child had been a victim of domestic abuse. However, an amendment introduced by Sen. Ron Sieloff (IR-St. Paul), and approved by the Senate changed the standard to require that the court have "probable cause" to believe that the child had been abused.

S.F. 2280, which chief author Douglas Johnson (DFL-Cook) said was intended to help the taconite industry compete with foreign markets, was also approved. The bill reduces four types of taxes taconite companies must pay. The Senate approved a controversial amendment to the bill which appropriates \$20,000 from the general fund to the commissioner of natural resources to be used only as a loan guarantee for a project developing the new K.R. process. The Dept. of Natural Resources is currently applying to the federal government for a loan, said the amendment's sponsor Sen. Ron Dicklich (DFL-Hibbing), but needs the \$20 million as security for the loan.

The Senate gave final passage to several additional bills including: S.F. 1868 (Pogemiller) streamlining food and nutrition programs; S.F. 2205 (Diessner) permitting Washington county to issue certain obligation bonds to finance specific water systems; S.F. 2147 (Benson) requiring transportation services that use stretchers to meet life support transportation licensing requirements; S.F. 2101 (Gustafson) authorizing the exchange of certain state lands with the city of Thomson and the sale of certain state lands in Lake of the Woods county; H.F. 1897 (Dahl) extending the temporary prohibition on certain building alternations that eliminate service bays and convert franchise service stations to "pumper stations"; H.F. 2344 (Dicklich) making certain St. Louis county offices appointive; H.F. 839 (Merriam) prohibiting escape from custody by mental patients who have been tried for a crime and found not guilty by reason of insanity; H.F. 2294 (Solon) removing some educational assistants from civil service in the Duluth school district; H.F. 2068 (Bernhagen) permitting certain investment of municipal power agency funds; H.F. 651 (Lantry) authorizing the inclusion of physical fitness programs in grants for the mentally ill; H.F. 2216 (Schmitz) providing for the surveying of lands by a county board; H.F. 1911 (Merriam) authorizing watershed management organizations to establish certain taxing districts; H.F. 1782 (Peterson, C.C.) enacting the lake improvement district act; H.F. 2143 (Frank) permitting specific energy cost adjustments; and H.F. 2185 (Pogemiller) giving power to the commissioner of administration to deal with some fees.

Extension of Rule of 85 debated

Much of the Thursday evening floor session was devoted to the explanation and debate on four pension bills. All four bills were authored by Sen. Don Moe (DFL-St. Paul). H.F. 229, allowing persons who are currently eligible for early retirement under the Rule of 85 to continue working for an additional six months, sparked the most debate when an amendment was offered to extend the window of eligibility for the Rule of 85. The amendment, offered by Sen. Sam Solon (DFL-Duluth), would allow an additional 500 to 600 employees to retire early. However, Moe's opposition, based on the grounds that the Rule of 85 provision is too costly to the pension funds, prevailed and the amendment failed on a 32-32 roll call vote. The bill was then granted final passage.

The three other pension bills were also given final passage by the Senate. H.F. 1926 establishes various accounts within the supplemental investment fund and provides for the administration of the accounts and for the investment and valuation of shares within each account. H.F. 2035 provides for increased oversight of police and firefighters' relief associations, standardizes the auditing requirements and clarifies the duties and responsibilities of the management of the local associations. S.F. 707 provides for health insurance benefits for certain retired teachers who are not eligible for medicaid.

Senators also granted final passage to a bill requiring that the POW-MIA flag be flown on the Capitol. The measure, H.F. 2394, sponsored by Sen. Florain Chmielewski (DFL-Sturgeon Lake), was amended to include a bill, S.F. 1941, sponsored by Sen. Gregoray Dahl (DFL-Coon Rapids), allowing the use of Dept. of Veterans Affairs resources by other organizations.

Two additional bills were approved by the Senate. S.F. 1930, authored by Sen. William Luther (DFL-Brooklyn Park) provides that the cancellation of real estate contracts for deed is dependent upon when the contract was executed. S.F. 1065 regulates all-terrain vehicles.

The Senate also granted concurrence and re-passage to S.F. 1580. The measure, sponsored by Sen. Linda Berglin, requires the adoption of the 1985 Life Safety Code standards by intermediate care facilities for the mentally retarded.

Finally, two measures received extensive debate but were progressed before receiving final passage. S.F. 2129, authored by Sen. Gene Waldorf (DFL-St. Paul), permits a hotel-motel tax in the city of St. Paul, in order to build a convention center facility. S.F. 1847, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for a method of determining compliance with proposed federal tax law relating to state and local government bond obligations.

Friday, March 14

Charitable gambling bill advances

The Senate granted final passage Fri., Mar. 14, to H.F. 2331 providing for taxation of charitable gambling. The bill imposes a tax on the sale of pull-tabs of nine percent of the face resale value of the pull-tabs less the total prizes paid out. Other lawful gambling is taxed at a rate of ten percent of the gross receipts less prizes actually paid out.

The bill also provides for the registration of manufacturers of gambling equipment and makes unlicensed wholesaling of gambling equipment a felony.

The Senate granted final passage to several additional bills: S.F. 2255 (Chmielewski) permitting the establishment of a port authority in Cloquet; S.F. 1734 (Pehler) a resolution memorializing the President and Congress of the United States to commend school bus drivers; S.F. 1648 (Belanger) permitting certain licensed dealers or manufacturers to own machine guns and short

barreled shot guns in some circumstances; S.F. 1956 (Ramstad) authorizing the establishment of a capital improvement reserve fund in Plymouth; S.F. 2127 (Renneke) exempting certain general obligation bonds and tax levies from debt and levy limitations in the city of Cologne; S.F. 2067 (Knutson) permitting the establishment of special service districts in Mendota Heights; S.F. 2129 (Waldorf) permitting the imposition of an additional tax on transient lodging in St. Paul; S.F. 1584 (Peterson, C.C.) providing for the taxation of some entertainers and athletes; S.F. 2153 (Peterson, C.C.) making changes in the agricultural resource loan guaranty board; S.F. 1703 (Wegscheid) increasing certain vending machine inspection fees; S.F. 2171 (Benson) providing exemptions for certain air ambulance services; S.F. 2256 (Peterson, R.W.) revising the Uniform Limited Partnership Act; and S.F. 1744 (Pehler) providing for special license plates for Vietnam veterans, national guard members, and former prisoners of war.

Senate approves drug dealing penalties

Senators approved a bill Friday that would toughen penalties for persons convicted of dealing drugs. The measure, H.F. 654, sponsored by Sen. Tad Jude, was the focal point of extensive debate Friday afternoon. During the committee process the bill had been amended, by Sen. Allan Spear (DFL-Mpls.) to include penalties, paralleling sentencing guideline penalties for level 7 crimes, of stiff sentences and fines for persons convicted of dealing drugs. In addition, other committee amendments had provided for a multiple prescription system for Schedule II controlled substances, and for provisions dealing with the disposition of cases within the juvenile justice system.

Most of the debate on the measure was sparked by an amendment offered by Sen. Glen Taylor (IR-Mankato), which would have required mandatory minimum sentences for those convicted of dealing drugs. The language in the Taylor amendment had been included in the bill as introduced. However, Spear argued successfully against the amendment which failed on a vote of 31-35. The language providing for a multiple prescription system for Schedule II drugs was deleted under an amendment offered by Sen. Florian Chmielewski (DFL-Sturgeon Lake). The juvenile code provisions were deleted under an amendment offered by Sen. Michael Freeman (DFL-Richfield). Freeman had originally offered the amendment to include the juvenile code provisions but had the language deleted on the grounds that the juvenile code language would endanger the bill.

In addition, the Senate gave final passage to seventeen bills on the Special Orders Calendar during the afternoon floor session: H.F. 2195 (Moe, R.D.) authorizing the city of McIntosh to issue bonds in excess of its net debt limitations; S.F. 1151 (Frederickson) changing Ottawa township, in LeSueur County, from the second to the first congressional district; H.F. 1838 (Bertram) defining certain kinds of milk; H.F. 2464 (Bertram) authorizing the city of Bowlus to exceed its debt limit in order to construct a firehall; H.F. 2169 (Dicklich) providing for the sale of leased lakeshore land and requiring that ten percent of the proceeds be designated for scientific and natural areas; H.F. 2100 (Chmielewski) removing the time and geographical restrictions on the State Agricultural Society's ability to impose restrictions on performers at the State Fair grounds;

H.F. 2427 (Laidig) authorizing the exchange of state property with Minnesota Transportation Museum property; H.F. 1984 (Peterson, R.W.) regulating securities and regulating the assignment of mortgages and the administration of certain escrow accounts; S.F. 1660 (Frederickson) allowing the designation, sale, and redemption of a homestead that is foreclosed on or part of other property; H.F. 2051 (Lantry) allowing the establishment of special service districts in the city of St. Paul; H.F. 1875 (Lantry) providing for the governance of St. Paul-Ramsey Medical Center

and creating a public corporation to provide health care services;

H.F. 1772 (Solon) increasing various court fees and clarifying existing fee statutes; H.F. 1773 (Freeman) regulating the distribution of various tobacco products including smokeless tobacco; S.F. 1604 (Frederickson) setting forth procedures for planting crop owners to recover crop values and providing for liens on crops and property; S.F. 2116 (Luther) providing procedures for the removal of certain elected county officials; and H.F. 2017 (Petty) allowing certain video taped statements to be admissible as evidence in court proceedings involving physical or sexual abuse against a child.

Fetal death bill passes

A bill making it a crime to cause death or injury to a fetus by injuring a pregnant women passed the Senate Friday evening. The bill, H.F. 1844, sponsored by Sen. Tad Jude (DFL-Maple Grove), specifies that if the fetus is injured, the crime is committed against the unborn child, rather than the mother.

The bill establishes criminal penalties for murder, manslaughter, assault, and criminal vehicular operation.

The Senate also passed S.F. 2060, which allows the Dept. of Administration to hire any individual, business or agency other than the Dept. of Natural Resources to move elk near Grykla, Minnesota, to another part of the state. The bill also allows the DNR to establish an elk hunting season once the animals are moved.

Sen. Gene Merriam (DFL-Coon Rapids), sponsor of the proposal, failed to win Senate approval for an amendment keeping the elk in the Northwestern part of the state. "I think its silly for us to go through the embarrassment of trying to move elk again," he said.

However, Sen. Collin Peterson (DFL-Detroit Lakes) said the elk must be moved to prevent further crop damage in the area. "There are people in the Western states who know how to move elk, and I think we ought to hire them," he said.

The Senate also passed S.F. 1732, sponsored by Merriam, which changes child support laws. The bill establishes a "rebuttable presumption" that joint legal custody is in the best interest of the child. The bill requires mandatory mediation in any contested custody case in an attempt to resolve disputes between the parents. However, mandatory mediation is not required when allegations of abuse have been made. Further, the bill specifies that the mediator will not be the person making the custody investigation and recommendation. The bill also alters the child support guidelines and clarifies that a new spouse's income cannot be considered for child support purposes.

The Senate adopted an amendment, offered by Sen. Ron Sieloff (IR-St. Paul), that specifies, unless parties otherwise agree, the total award of support and maintenance may not exceed 50 percent of the obligor's net income, as defined under the guidelines.

Saturday, March 15

Voluntary siting process wins

A bill establishing a voluntary approach for siting a hazardous waste "stabilization and containment" facility in Minnesota passed the Senate Sat. Mar. 15. The measure, S.F. 1952, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), also removes the four existing candidate sites from consideration.

According to the proposal, the Waste Management Board (WMB) could enter into contracts with counties volunteering suitable sites to quarter the facility. The contract would include incentives agreed upon by the county and the WMB. Counties offering suitable sites would receive an increase in local government aids. If a contract is agreed upon, the county would get additional local government aid plus the benefits established

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in the contract.

Under another bill passed Saturday, the State Patrol could not require troopers to issue a certain number of traffic tickets. The intent of the bill, H.F. 1930, offered by Minority Leader Glen Taylor, is to insure that the patrol does not evaluate jobs based upon the number of tickets issued.

Other bills passed Saturday morning include: H.F. 2045 (Kroening) changing the time of election of certain Minneapolis board members; H.F. 2466 (Chmielewski) changing boundaries of certain state parks; and S.F. 2010 (Pehler) permitting school districts to petition the Legislature to suspend certain mandates and allowing the State Board of Education to establish research sites composed of school districts for research in performance-based education.

Mega-mall, home school bills pass

The Senate gave final passage Saturday, to H.F. 2123, the bill giving Bloomington the money it needs to develop the proposed mega-mall site. Also approved was H.F. 1744, which establishes a task force to study educating children at home.

Under S.F. 2123, authored by Sen. Michael Freeman (DFL-Richfield), Bloomington will borrow money from the fiscal disparities pool to finance highway improvements needed to develop the area. Sen. Gene Merriam (DFL-Coon Rapids) proposed an amendment which would have deleted the sections providing for the loan.

"This is a very dangerous precedent," Merriam said. "We might as well repeal the fiscal disparities law."

"Of all the bad things in this bad bill, this is the worst," agreed Sen. Donald Moe (DFL-St. Paul). However, the Senate did not approve Merriam's amendment.

Bloomington may pay for the development by enacting three local option taxes: an on-site sales tax not to exceed one percent; an increase in the city's existing three percent hotel/motel tax; and a citywide liquor tax of five percent on retail sales of on-sale liquor establishments.

The Senate also approved H.F. 1744, as amended by Sen. James Pehler (DFL-St. Cloud), creating a task force to study the compulsory attendance laws. However, the Senate rejected, by a 34-29, vote an amendment by Sen. Gen Olson (IR-Minnetrissa) that greatly expanded the definition of a school. Under the amendment, which was very similar to a bill authored by Olson and rejected by the Education Committee, an institution could be defined as a school if: pupils are taught by licensed or "effective" teachers; it is accredited by certain organizations or is affiliated with a church; or if the students perform satisfactorily on recognized achievement tests.

The Senate also granted final passage to H.F. 2287 (Pogemiller) providing a method to comply with proposed federal tax law relating to state and local government obligations; and H.F. 2407 (Samuelson) directing the transfer of the Croft Mine Park to Ironton, Crosby, and the Croft historical park board.

Second Unemployment Comp bill gains

Senators reacted to threats of a certain veto of an earlier unemployment compensation bill by passing a second measure Sat., Mar. 15, which had the support of organized labor. The new bill, H.F. 1847, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), was successfully amended by Sen. Don Frank (DFL-Spring Lake Park) to contain language more acceptable to pro-labor senators. An amendment offered by Sen. Tom Nelson (DFL-Austin), which would have enacted recommendations by the Governor's Task Force on Unemployment Compensation, failed to gain Senate approval. Thus, as amended by the Frank amendment, the bill places a three year freeze on the maximum weekly benefits, provides between six to 14 weeks of additional benefits

for workers still unemployed after major plant closings in counties with high unemployment rates and provides for short-term borrowing from the general fund for the payment of the federal debt on the unemployment insurance compensation fund. The bill was passed on a vote of 42-23.

The Senate also approved and passed the conference committee report on the Reinvest in Minnesota bill—H.F. 628. The measure provides \$16 million in bonding authority to pay farmers to set aside marginal farm land, to fund DNR fish and wildlife projects and a critical habitat fund and to fund an aspen recycling program. The chief sponsor of the measure, Sen. Randolph Peterson (DFL-Wyoming), said the bill is intended to protect land from erosion, to provide habitat for wildlife and to aid Minnesota farmers. The conference committee report gained unanimous approval and the bill was repassed 64-0.

Twelve additional bills were given final passage during the Saturday evening session: H.F. 1793 (Benson) authorizing the stocking of fish in certain streams where public access is granted; H.F. 2010 (Merriam) relating to the State High School League and providing standards for student participation in non-scholastic activities; H.F. 450 (Hughes) creating a tax return checkoff to fund the child abuse prevention trust fund and providing for disbursement of funds for child abuse prevention; H.F. 2044 (Luther) authorizing the Supreme Court to set salary levels for the state court administrator and district court administrator and authorizing the salary levels for the executive secretaries of certain state boards; H.F. 2023 (Luther) changing certain procedures in absentee voting, requiring public notice and demonstrations of new voting equipment and authorizing standard ballot formats;

H.F. 2170 (Laidig) authorizing the captive propagation and sale of raptors; S.F. 2179 (Dahl) amending the "lemon car" law and extending coverage to farm tractors; H.F. 1035 (Sieloff) fixing conditions of the legal determination of fraud in property transfers and enacting portions of the Uniform Fraudulent Transfer Act; S.F. 1621 (Frederickson) permitting the investment of debt service funds in face amount certificates; H.F. 1970 (Wegscheid) prescribing appraisal for the conveyance of state land in Dakota County to the city of Hastings; H.F. 2329 (Wescheid) authorizing the issuance of bonds in Dakota County for the construction of library buildings and providing for an annual levy for debt retirement; and H.F. 2364 (DeCramer) permitting the Transportation Regulation Board to approve certain rate changes and applications for track abandonment without a public hearing and providing for the imposition of a misdemeanor penalty for certain violations in the movement of hazardous materials.

Senators also concurred with amendments placed on S.F. 1782 by the House and re-passed the bill. The measure, sponsored by Sen. Eric Petty (DFL-Mpls.), regulates long-term health care policies and requires coverage for home health care and care in skilled or intermediate nursing facilities. Three additional bills were granted concurrence and re-passage. S.F. 1581, authored by Sen. Linda Berglin (DFL-Mpls.) provides for the establishment of rules relating to child day care providers and prohibits local governments from establishing special fire code requirements for small family day care homes. S.F. 1671, also sponsored by Berglin, is the convention center measure and provides for the city of Minneapolis to levy certain taxes in order to construct a convention center. S.F. 1526, authored by Sen. Gene Merriam (DFL-Coon Rapids), is a recodification of state statutes concerning game and fish.

Monday, March 17

Constitutional amendments bill fails

The Senate spent three hours discussing proposed amendments, most of which were ruled not germane, to H.F. 397, a bill that

would have allowed voters in the state to decide if they wanted two new provisions added to the Minnesota Constitution. The provisions involved the right to bear arms and a state lottery.

The Senate did not approve an amendment, proposed by Sen. Phyllis McQuaid (IR-St. Louis Park), which would have deleted sections involving the lottery. Putting the two issues together makes a mockery of the legislative system, McQuaid said; voters should be allowed to vote on them separately. Although the Senate had previously passed a bill that put the lottery on the ballot, the House did not approve it.

An amendment proposed by Sen. Gary Laidig (IR-Stillwater) would have allowed voters to respond to the question "Shall the Minnesota constitution be amended to provide that no unborn person shall be deprived of life by any person, except when necessary to prevent the death of the mother," at the 1986 general election. The amendment was ruled not germane.

Another amendment—also ruled not germane—would have given voters the chance to decide if elected officials could be recalled by petition and special election.

The bill was defeated by a 28-37 vote.

The Senate also gave final passage to H.F. 2138, which extends a state law allowing the federal government to settle land claims in the White Earth Indian Reservation and establishes a dedicated account for money received from the sale of wild rice licenses.

Sen. Eric Petty (DFL-Mpls.) moved that the Senate concur with the House amendments to S.F. 2102. The bill, as amended by the House, requires that guardians ad litem be appointed in certain family court cases in which the court has "reason to believe" the child has been abused. The "reason to believe" standard was in the bill as it was first introduced in the Senate, but was amended to a "probable cause" standard. The Senate rejected Petty's motion and another motion to appoint a conference committee. The bill was laid on the table.

Final passage was also granted to H.F. 2263 (Luther) changing applicability of shareholder voting on control share acquisitions. Re-passage was given to S.F. 1732 (Merriam) providing a presumption for joint legal custody in marriage dissolution cases, and H.F. 418 (Merriam) regarding comparable worth salary schedules in local government.

Later that afternoon, the Senate re-passed two bills relating to sexual contact with children. Sen. Ember Reichgott (DFL-New Hope) authored both bills. H.F. 2012 increases the penalties for soliciting or inducing a child to practice prostitution. H.F. 1835 prohibits the solicitation of children to engage in sexual conduct and also requires that victims be notified when convicted offenders are released from custody.

The Senate granted re-passage to S.F. 31 (Diessner) strengthening prohibitions and penalties regarding the operation of motorboats while under the influence of alcohol or a controlled substance.

Re-passage was also granted to S.F. 1950 (Merriam) prohibiting sexual discrimination by facilities which take advantage of the open space property tax exemption.

The Senate also granted final passage to: S.F. 2151 (Peterson, R.W.) increasing the authority of the state board of chiropractors and providing grounds for license revocation; and H.F. 1991 (Wegscheid) clarifying the role of the Metropolitan Council and establishing new appointment procedures.

Senate approves fundraising ban

A bill prohibiting the solicitation of campaign funds from lobbyists and the contribution of funds by lobbyists during legislative sessions was given final passage Monday evening. Sen. Charles Berg (IND-Chokio), chief author of the bill, S.F. 1858, was successful in removing provisions placing limits on campaign contributions and prohibiting candidates for federal office from

holding fundraisers. However, Berg was not able to remove a provision dealing with the aggregation of funds that he claimed called into question the constitutionality of his bill. Berg successfully resisted an amendment that stated that any portion of the bill found unconstitutional would make the entire bill unconstitutional. The measure was passed on a vote of 64-3.

In other action, Senate members devoted Monday night and the early hours Tuesday morning to the consideration of bills on Special Orders, conference committee reports and Senate bills requiring concurrence and re-passage.

Among the bills on Special Orders was a measure making numerous changes to the workers' compensation laws. Sen. Florian Chmielewski (DFL-Sturgeon Lake), the measure's chief author, offered an amendment to delete sections of the bill, H.F. 1873, which could cause controversy. The bill, said Chmielewski, was needed to help the Dept. of Labor and Industry clarify existing language and aid the department in fulfilling its mission.

H.F. 2210, authored by Sen. John Bernhagen (IR-Hutchinson), sparked considerable controversy when an attempt was made to add a major amendment concerning unemployment compensation to the bill. The original bill provided for property valuation and for certain unemployment compensation liability changes in behalf of a company that experienced a major fire earlier this year. Sen. Florian Chmielewski, attempted to amend the bill with language concerning the weekly benefit rate for unemployed workers. The amendment was defeated and the bill was endorsed unanimously.

Other bills gaining concurrence and re-passage included: S.F. 1721 (Berglin) providing that health and dental coverage be provided in child support and regulating withholding for purposes of child support; S.F. 2147 (Benson) requiring the commissioner of health to monitor transitional care, authorizing the use of swing beds by patients transferred from hospitals, changing the computation of in-patient rates and establishing a task force on long-term health planning; S.F. 1850 (Waldorf) regulating fees for state agency services and providing conditions for certain hydropower developments; S.F. 2161 (Dicklich) providing training opportunities for technically qualified individuals who may be exposed to hazardous substances and providing for funding of AVTI's firefighting programs; S.F. 1940 (Dicklich) prescribing the powers of community action agencies and regulating the payment of severance pay; S.F. 1014 (Petty) providing for prosecutions by city attorneys for certain misdemeanors, expanding the crime of theft to cover diversions of corporate property, permitting six member juries in gross misdemeanor cases and permitting the imposition of fines and minimum probation periods on persons placed on probation; S.F. 1641 (DeCramer) establishing a system of registration for fleet vehicles; and S.F. 1965 (Samuelson) making revisions to the Community Social Services Act.

Measures passed on Special Orders included: H.F. 1958 (Peterson, D.C.) providing increased protection and rights to victims of crimes, providing new procedures for enforcing restitution orders making changes in the Crime Victims Reparations Act and providing penalties for the disturbance of Indian burial grounds and human remains; and H.F. 1863 (Freeman) clarifying the crime of failing to file a tax return and creating a presumption that property acquired during the course of certain crimes are "proceeds" for purposes of forfeiture law. The Senate also approved the conference committee report and re-passed H.F. 2169. The measure, sponsored by Sen. Ronald Dicklich (DFL-Hibbing) provides a procedure to sell state leased lakeshore lands and provides for the disposition of proceeds of the land acquisition account.

An attempt to concur with the House amendments on S.F. 1648 did not prevail. The bill, authored by Sen. William Belanger (IR-Bloomington), originally provided for the regulation of machine guns and short barreled shot guns but was amended by the House

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to include a provision providing for a constitutional amendment guaranteeing the right to bear arms. After considerable debate the bill was referred to conference committee.

Taconite industry gets tax breaks

The state's taconite industry would receive \$36 million in tax cuts over the next three years, under a bill okayed by the Senate Monday evening. The Senate accepted the conference committee report to S.F. 2280, sponsored by tax chairman Douglas Johnson (DFL-Cook), and re-passed the bill on a 65-1 vote.

Johnson said the tax breaks contained in the bill will help boost the taconite industry and enable it to better compete with foreign ore industries.

The Senate also passed the conference committee report to a bill regulating the conduct of public utilities commissioners. Under the measure, S.F. 1869, sponsored by Sen. Neil Dieterich (DFL-St. Paul), an eligible candidate for the commission may not work for a company regulated by the commission one year prior to when the term begins. Also, within one year after leaving the commission, the commissioner may not accept employment with a company regulated by the PUC. Furthermore, a commissioner is forbidden from discussing employment opportunities with a person who is party to a pending case before the commission.

Several other conference committee reports were accepted and re-passed by the Senate. They include: S.F. 1725 (Pogemiller) establishing a uniform set of standards and procedures to be followed when using tax increment financing or establishing a port authority within a city; S.F. 1949 (Merriam) prohibiting public access restrictions to be more restrictive than the lake-use restrictions; and S.F. 1793 (Chmielewski) providing additional taxing authority to local communities.

The Senate also sent to the governor S.F. 1980, sponsored by Sen. Randolph Peterson (DFL-Wyoming). The bill establishes a subsidy program to aid families with children having developmental disabilities.

Tuesday, March 18

Senate re-passes amended insurance bill

The Senate accepted the House of Representative's amendments to S.F. 2078 and re-passed it by a 60-3 vote. The bill encompasses the Omnibus Insurance legislation authored by Sen. William Luther (DFL-Brooklyn Park) and a bill authored by Sen. Sam Solon (DFL-Duluth) authorizing the establishment of non-profit risk indemnification trusts.

The bill establishes a Joint Underwriting Association, provides tort reform and strengthens the state's power to regulate the insurance industry. It is a response to the availability and affordability crisis in liability insurance.

The Senate adopted the conference report and re-passed H.F. 1919, modifying the Post-Secondary Enrollment Act. The bill requires high school students to pay for college credits obtained through the post-secondary enrollment program and imposes a limit on participation in the program. The legislation, authored by Sen. Tom Nelson (DFL-Austin), also establishes a task force to

study access to the program and expands the types of institutions eligible for the program.

The Senate also adopted the conference report and granted re-passage to H.F. 2331. The measure provides for the taxation of lawful gambling, requires the registration of manufacturers of gambling equipment, and provides for maximum prizes for pull-tabs. The bill exempts certain lawful gambling from licensing and taxation and requires that officials notify town boards of license applications.

The Senate also re-passed H.F. 2287 (Pogemiller) relating to local government financing. The bill provides local governments with issuance authority for obligations and bonds. It also provides for wastewater treatment control and prescribes pollution control agency procedures.

In other action, the Senate granted re-passage to H.F. 1782 (Peterson, C.C.) enacting the lake improvement district act; H.F. 1863 (Freeman) clarifying the crime of failing to file a tax return, creating a presumption that property acquired during the course of certain crimes are proceeds of the crime for purposes of forfeiture law and repealing the crime of criminal syndicalism.

Wednesday, March 19

Senate okays conference reports, passes bills

The Senate adopted seven conference committee reports and granted repassage to eight bills Wednesday. All will be sent to the governor for his signature.

H.F. 654, authored by Sen. Tad Jude (DFL-Maple Grove), increases the maximum penalty for selling certain types of drugs to 20 years in prison or a \$60,000 fine or both for a first conviction. The bill also establishes a tax on marijuana and other controlled substances and makes it illegal for any dealer to possess them without having paid the tax.

H.F. 1860, authored by Sen. A.W. "Bill" Diesner (DFL-Afton), mandates that the governor create a committee to nominate persons for appointment to the Metropolitan Council. The bill also requires that council members notify a metropolitan agency at least 90 days before making a substantial revision of the policy plan affecting that agency. Any plan that an agency plans to submit to the council must have a public hearing.

The Senate also approved H.F. 2294 (Solon) removing certain educational assistants from civil service in the Duluth school district; H.F. 2014 (Hughes) the secretary of state's elections housekeeping bill; H.F. 1875 (Lantry) creating a public corporation to engage in the provision and delivery of health care at St. Paul-Ramsey County Hospital; H.F. 229 (Moe, D.M.) extending health insurance benefits to some retired teachers who are not currently eligible for Medicaid, changing eligibility requirements for surviving spouse benefits and extending the time for termination of service to qualify for early retirement without reduction of annuities. The Senate concurred in the House amendments and re-passed H.F. 1912 (Knaak) authorizing some town boards to provide for blanket position bonds in certain circumstances and authorizing various municipalities to issue on-sale liquor licenses.

SENATE COMMITTEE ASSIGNMENTS

AGRICULTURE AND NATURAL RESOURCES (19)

CHAIRMAN: Merriam
OFFICE NO.: G-24
MEETS: T, W, F; Room 112; 1-3 p.m.
MEMBERS:
Berg DeCramer Lessard Storm
Bernhagen Frederickson Merriam Stumpf
Bertram Gustafson Novak Wegscheid
Dahl Isackson Peterson, C. C. Willet
Davis Laidig Peterson, R.W.

ECONOMIC DEVELOPMENT AND COMMERCE (15)

CHAIRMAN: Solon
OFFICE NO.: 303
MEETS: T, Th; Room 118; 8-10 a.m.
MEMBERS:
Adkins Dahl Laidig Samuelson
Anderson Freeman Luther Solon
Belanger Kroening Peterson, D. C. Wegscheid
Benson Kronebusch Petty

EDUCATION (21)

CHAIRMAN: Pehler
OFFICE NO.: 306
MEETS: M, W, F; Room 112; 8-10 a.m.
MEMBERS:
Anderson Kamrath Olson Reichgott
Dahl Knutson Pehler Stumpf
Davis Langseth Peterson, D. C. Taylor
Dicklich Mehrkens Peterson, D. L.
Dieterich Merriam Peterson, R. W.
Hughes Nelson Ramstad

EDUCATION AIDS SUBCOMMITTEE (14)

CHAIRMAN: Nelson
OFFICE NO.: 301
MEETS: M, Th; Room G-15; 3-5 p.m.
MEMBERS:
Dicklich Langseth Olson Peterson, R. W.
Dieterich Mehrkens Pehler Taylor
Hughes Merriam Peterson, D. C.
Knutson Nelson Peterson, D. L.

ELECTIONS AND ETHICS (11)

CHAIRMAN: Hughes
OFFICE NO.: 328
MEETS: W; Room 118; 11:30 a.m.-1:00 p.m.
MEMBERS:
Frederickson Johnson, D. J. Peterson, D. C. Storm
Hughes Luther Peterson, D. L. Willet
Johnson, D. E. Moe, R. D. Samuelson

EMPLOYMENT (13)

CHAIRMAN: Chmielewski
OFFICE NO.: 325
MEETS: T, Th; Room 112; 10-12 noon
MEMBERS:
Belanger Diessner Kroening Vega
Brataas Frank Nelson
Chmielewski Frederick Pehler
Dicklich Gustafson Ramstad

ENERGY AND HOUSING (13)

CHAIRMAN: Vega
OFFICE NO.: G-29
MEETS: T, W, F; Room 118; 1-3 p.m.
MEMBERS:
Adkins Kamrath Peterson, D. C. Vega
Anderson Kroening Peterson, D. L.
Frank McQuaid Pogemiller
Freeman Olson Reichgott

FINANCE (25)

CHAIRMAN: Willet
OFFICE NO.: 121
MEETS: T, W, F; Room 112; 3-5 p.m.
MEMBERS:
Brataas Kroening Nelson Spear
Dahl Kronebusch Purfeerst Taylor
Dicklich Langseth Ramstad Waldorf
Frederickson Lantry Renneke Willet
Hughes Lessard Samuelson
Johnson, D. E. Luther Schmitz
Knutson Mehrkens Solon

GOVERNMENTAL OPERATIONS (13)

CHAIRMAN: Moe, D. M.
OFFICE NO.: 309
MEETS: M, W, F; Room G-15; 8-10 a.m.
MEMBERS:
Benson Knaak Peterson, C. C. Wegscheid
Berglin Lantry Pogemiller
Frederickson McQuaid Renneke
Jude Moe, D. M. Spear

HEALTH AND HUMAN SERVICES (13)

CHAIR: Berglin
OFFICE NO.: 323
MEETS: T, W, F; Room G-15; 1-3 p.m.
MEMBERS:
Benson Dicklich Lantry Waldorf
Berglin Diessner Moe, D. M.
Brataas Johnson, D. E. Petty
Chmielewski Knutson Solon

JUDICIARY (14)

CHAIRMAN: Spear
OFFICE NO.: G-27
MEETS: M, W, F; Room G-15; 10-12 noon
MEMBERS:
Freeman Knaak Petty Sieloff
Johnson, D. E. Luther Pogemiller Spear
Jude Merriam Ramstad
Kamrath Peterson, R. W. Reichgott

LOCAL AND URBAN GOVERNMENT (13)

CHAIRMAN: Schmitz
OFFICE NO.: 235
MEETS: T, Th; Room G-15; 10-12 noon
MEMBERS:
Adkins Isackson Reichgott Wegscheid
Bertram Kamrath Renneke
Davis McQuaid Schmitz
Freeman Olson Stumpf

PUBLIC UTILITIES AND STATE REGULATED INDUSTRIES (15)

CHAIRMAN: Dieterich
OFFICE NO.: 235
MEETS: T, Th; Room G-15; 8-10 a.m.
MEMBERS:
DeCramer Isackson Novak Spear
Dieterich Johnson, D. J. Peterson, D. L. Storm
Frank Jude Purfeerst Waldorf
Gustafson Knaak Sieloff

RULES AND ADMINISTRATION (27)

CHAIRMAN: Moe, R. D.
OFFICE NO.: 208
MEETS: On Call
MEMBERS:
Belanger Johnson, D. J. Moe, R. D. Sieloff
Berglin Knutson Nelson Solon
Bernhagen Laidig Pehler Spear
Chmielewski Lessard Peterson, C. C. Taylor
Dieterich Luther Purfeerst Vega
Frederick Merriam Renneke Willet
Hughes Moe, D. M. Schmitz

TAXES AND TAX LAWS (25)

CHAIRMAN: Johnson, D. J.
OFFICE NO.: 205
MEETS: T, W, F; Room G-15; 3-5 p.m.
MEMBERS:
Belanger Davis Merriam Pogemiller
Benson Dieterich Moe, D. M. Sieloff
Berg Frank Novak Stumpf
Berglin Frederick Pehler Vega
Bernhagen Johnson, D. J. Peterson, C. C.
Bertram Jude Peterson, R. W.
Chmielewski Laidig Petty

PROPERTY TAXES AND LOCAL GOVERNMENT AIDS SUBCOMMITTEE (16)

CHAIRMAN: Peterson, C. C.
ROOM: 205
MEETS: On Call
MEMBERS:
Belanger Davis Johnson, D. J. Pehler
Berg Dieterich Laidig Peterson, C. C.
Berglin Frank Merriam Peterson, R. W.
Bernhagen Frederick Novak Petty

TRANSPORTATION (17)

CHAIRMAN: Purfeerst
ROOM: 303
MEETS: M, W, F; Room 112; 10-12 noon
MEMBERS:
Adkins Diessner Lantry Stumpf
Anderson Frederick Mehrkens Vega
Berg Kronebusch Novak
Bernhagen Laidig Purfeerst
DeCramer Langseth Schmitz

VETERANS AND GENERAL LEGISLATION (12)

CHAIRMAN: Lessard
ROOM: 328
MEETS: M, W, F; Room 118; 8-10 a.m.
MEMBERS:
Berg Chmielewski Isackson Samuelson
Bertram DeCramer Kronebusch Schmitz
Brataas Diessner Lessard Storm

continued from front page

(DFL-St.Cloud).

Two additional conference committee reports were adopted and the bills repassed. H.F. 1886, authored by Sen. Tad Jude (DFL-Maple Grove), changes the notice requirements for special assessments, regulates certain property tax appeals, and regulates public funds deposits. S.F. 2102, authored by Sen. Eric Petty (DFL-Mpls.), requires the appointment of guardians ad litem in certain child custody proceedings. Finally, the Senate granted final passage to H.F. 1677, authored by Sen. Charles Davis (DFL-Princeton). The bill requires the commissioner of education to cooperatively develop a plan for automation of state agency libraries, changes the way the department of education provides certain information and other services, and allows mayors to appoint nonresidents to city library boards under certain circumstances.

Letter writing

You can express your viewpoint in a letter to your legislator. When addressing your letter, use the following salutation:

Formal Address

The Honorable John Doe
Room 00, State Capitol
St. Paul, MN 55155

Salutation

Dear Senator
or
Dear Mr. Doe

Visiting

It is possible to arrange a personal visit with your legislator by calling his or her office and arranging a time with the secretary. Legislators keep busy schedules, so it is important to call in advance and arrange a time. You do not need to be a lobbyist to talk with your legislator. They welcome visits from their constituents.

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Government at the state and federal levels consists of three principal branches: the legislative, the executive and the judicial.

The legislative branch is responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level, and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature consists of two bodies: the Senate and the House of Representatives. This two body system is referred to as a bicameral system.

The executive branch administers and executes the laws passed by the legislative branch. The President of the United States is the chief executive at the federal level, and the governor serves as the state's chief executive. They are aided by the officials appointed to head the various agencies and departments and by the other officials elected to the executive branch. For example, the governor is assisted by the lieutenant governor, secretary of state, state treasurer, state auditor, attorney general and the agency heads.

The judicial branch enforces the laws and insures that the interpretation of the law is in defense of the U.S. and state constitutions. The federal and state court systems compose the judicial branch.

The responsibilities of each branch of government differ, and no branch of government is given power over another. This system of "checks and balances" assures that no single group can dominate the workings of government.

Briefly

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