

90, February 16

Briefly

The Minnesota Senate Week in Review

February 16, 1990

Senate convenes for end of 76th session

The Minnesota Senate convened for the final portion of the 76th legislative session at about 2:00 p.m. Mon., Feb. 12. The majority of the 30 minute meeting involved various formalities, including the swearing-in of a new chaplain, Rev. Milo Mathison of Mentor, Minn. Mathison also gave the opening prayer. In addition, Senators approved Senate Resolutions 141, 142, 143, and 144, which relate to, respectively, postage allowance, a stipend for interns, changing the meeting time of the Elections and Ethics Committee from Wednesdays to Tuesdays, and making some changes to the membership of Senate committees.

The highlight of the session was the swearing-in of Sen. Mark Piepho (R-Mankato), who replaced former Sen. Glen Taylor. Piepho was elected at a special election Sat., Feb. 3. Chief Justice Peter Popovich administered the oath of office. Piepho will serve on the Governmental Operations Committee, the Local and Urban Government Committee and the Veterans and Military Affairs Committee.

The Senate met briefly Tues., Feb. 13, but did not transact any formal business. The Thurs., Feb. 15, floor session was also largely ceremonial. The highlight of the short session was the searing-in of Sen. Carol Flynn (DFL-Mpls.). Flynn was elected at a special election Sat., Feb. 10, to fill the seat vacated by Sen. Donna Peterson.

Senators approved a resolution naming Flynn to the Health and Human Services Committee, the Education Committee and the Commerce Committee. In addition, bill introductions were processed and other paper work processed at the desk. The Senate then recessed to attend the state of the state address at Bloomington Jefferson High School.

State of the state focuses on drugs

In an unprecedented departure from tradition, Gov. Rudy Perpich devoted the entire state of the state address, presented Thurs., Feb. 15 at Bloomington Jefferson High School, to just one topic—drugs. Perpich's speech used the personal stories of Minnesota citizens to dramatize the need for an all out attack on drug use in Minnesota. The speech focused on drug use prevention, treatment and education and on proposals and strategies designed to discourage drug use in the state.

Calling for more Bureau of Criminal Apprehension agents, 12 new judges, more emphasis on school based prevention programs, more funding for the Headstart Program and for specialized treatment programs, Perpich said that "Drug free lives for all Minnesotans is my goal." Perpich concluded his address by calling upon Minnesotans "to unite 4 million strong to drive drugs from this state and become the first state in the nation to become drug free."

Service for hearing-impaired available

The Minnesota Senate is continuing to offer TDD service for the hearing impaired. Located in Senate Index, the TDD telecommunications service allows deaf or hearing-impaired persons to communicate with Index staff in order to find out bill status, bill content and bill authorship. The telephone number for the TDD service is (612) 296-0250.

Information Office services profiled

The Senate Information Office is located in Room 231 of the Capitol. The office distributes all public materials and handles inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request through the office, copies of bills or ask to be put on the mailing list for Senate publications. If you want to know the name of your Senator or have any other questions concerning the Minnesota Senate, call 296-0504. Senate staff members are available to answer general questions about the Senate and the legislative process.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of afternoon committee hearing this year. The hearings will run on the Twin Cities Regional Cable Channel 6. In addition, Media Services broadcasts gavel-to-gavel coverage of Senate floor sessions on the Twin Cities Regional Cable Channel 6.

Media Services also produces a variety of television programs for both broadcast and cable stations. Senate Journal, in its seventh season, is a one-half hour public affairs program that examines legislative issues through a moderated discussion format. Senate Journal is co-hosted by Majority Leader Roger Moe and Minority Leader Duane Benson and is broadcast throughout the state.

The office also produces several region television programs for broadcast on PBS stations outside the Metro Area and on Twin Cities Regional Cable Channel 6 in the Metro Area. Check your local programming guide for the times and dates of Media Services television shows.

Panel reviews financing bill

The Wed., Feb. 14, meeting of the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), was devoted to the examination of a bill that imposes requirements and places limitations on the use of tax increment financing plans.

As amended, S.F. 1760, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides for the creation of joint review boards to review tax increment financing plans proposed after Apr. 30, 1990, and specifies the composition, authority, and duties of the boards. The bill also prohibits the use of tax increment financing in connection with city development districts, requires municipalities to approve tax increment financing plans once the plans have been approved by joint review boards, specifies that tax increment financed development or redevelopment activities must provide direct benefits to properties located within tax increment districts, and imposes a five-year limitation on an authority's ability to modify tax increment financing plans once the plans have received municipal approval.

Panel members expect to continue their discussion of S.F. 1760 on Mon., Feb. 19.

Committee Capsule

Agriculture and Rural Development

Committee to tackle grasshopper bill

Legislation designed to curb the widening grasshopper infestation that threatens much of Minnesota's farmland is expected to top the Agriculture and Rural Development Committee's agenda during the 1990 session.

Panel members are also expected to deliberate on measures that address such wide-ranging topics as livestock contract feeding, wetlands, agricultural contracts, and bovine growth hormones. In addition, several bills evolving out of recommendations contained in three task force reports that focus on farm safety, dairy, and food safety issues are also anticipated this year. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

Panel reviews notification bill

The Mon., Feb. 5, meeting of the Agriculture and Rural Development Subcommittee on Agricultural Credit was devoted to discussing a measure to implement a computerized central notification system for farm product liens. Subcommittee Chair Charles Berg (DFL-Chokio) said that the legislation, sponsored by Sen. Randolph Peterson (DFL-Wyoming), was laid-over during the last legislative session primarily because of time constraints.

Peterson explained that the bill, originally S.F. 684, provides both agricultural lenders and buyers with a more efficient method of determining the status of individual uniform commercial code secured transactions by centralizing and computerizing the present direct agricultural lien notification system. He said that a centralized system should result in lower paperwork processing costs for lenders and buyers because of the increased speed and efficiency inherent in a computerized system; should reduce buyer and lender confusion by decreasing the number of multiple payee checks issued; and should speed up the process of eliminating farm borrower names from the secretary of state's agricultural lien list.

While representatives from the financial services industry expressed support for the measure by reiterating many of Peterson's central points, several farm product buyers argued against the measure by stating their satisfaction with the present system.

Action on the topic is dependent on further study, Peterson said.

Auditor unveils report

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Tues., Feb. 6, to hear findings of the recently completed legislative auditor's report on the Dept. of Agriculture. The audit, examining the department's financial operation from July 1, 1985, to June 30, 1989, was released to the public last month.

Panel members confined their discussion to the report's conclusions regarding the Family Farm Security Loan Program (FFS). The report specified five "internal control weaknesses" related to the program's administrative procedures; and found that the FFS failed to comply with certain finance-related legal provisions.

Committee members plan to continue their discussion of the legislative auditor's report Mon., Feb. 19, and have requested the attendance of FFS Program Manager Wayne Marzolf and Agriculture Commissioner Jim Nichols at the hearing.

Commerce

Commerce looks at quiet session

The Commerce Committee appears to be facing a quiet session,

with no particularly controversial bills appearing on its roster, according to committee Chair Sen. Sam Solon (DFL-Duluth).

However, Solon did say that he was planning on introducing a bill regulating cigarette vending machines statewide. His bill will include a partial ban on cigarette vending machines, but will allow the machines in places where they aren't easily accessible to minors, such as factories and bars, Solon said. To further regulate the machines, legislators could consider requiring that they be placed in view of a bartender or cashier, or that the machines be altered to accept only tokens, rather than change, Solon said.

Last session the committee considered, but did not approve, legislation banning all cigarette sales from vending machines. Since last session, several communities, such as White Bear Lake, have banned the sale of cigarettes from vending machines entirely. Solon said that he doesn't believe a total ban is necessary.

To avoid a situation of many communities passing separate laws, Solon said that his bill is written to override any local government law; however, he added that he is open to negotiation upon that point.

The Commerce Committee will probably also invite newly-appointed Dept. of Commerce Commissioner Tom Borman to speak to the committee regarding his agenda, Solon said. In addition, the committee will probably examine more routine bills addressing licensure, interstate banking and insurance, Solon said.

Economic Development and Housing

Panel to discuss homeless issue

Encouraging a higher level of coordination between social service and housing agencies to improve service delivery for Minnesota's homeless population will be just one of a full slate of issues the Economic Development and Housing Committee hopes to address this session.

In addition to homeless concerns, members expect to examine such topics as tax increment financing, enterprise zone credits, and public housing program administration. Legislation providing manufactured home park residents with the right of first refusal during park sales may also be brought before the committee. Sen. Don Frank (DFL-Spring Lake Park), serves as the committee's chair.

Education Committee

Senators will discuss old and new issues

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), will face a number of difficult and complex issues this session. A few new topics, as well as some returning issues, will warrant committee discussion.

Senators are expected to discuss the Maximum Effort Capital Loan Program, which is a state aid program designed to help low property wealth districts finance large construction projects. Many districts have applied for state funds through the program. The State Board of Education has screened the requests, but districts whose requests were not approved may try to get help in separate legislation.

Committee members are also likely to discuss changes to the "cooperation and combination" legislation approved last year. The legislation provides funding for districts to formulate a plan to cooperate and, ultimately, combine into one district. However, many different types of arrangements and proposed arrangements between districts have surfaced, so Senators will probably consider ways to make the law more flexible.

General Legislation and Public Gaming

Lawful gambling legislation to head committee agenda

Lawful gambling issues will dominate this session's agenda of the General Legislation and Public Gaming Committee chaired by Sen. Marilyn Lantry (DFL-St. Paul).

Debate on lawful—formerly known as charitable—gambling issues will continue from the previous session. The Joint Legislative Task Force on Lawful gambling has met several times over the interim to hear public testimony and to develop recommendations for committee discussion in the 1990 session. Evaluative reports on lawful gambling operations in Minnesota were also submitted by the legislative auditor and by the attorney general for discussion during the session. The reports and recommendations are expected to advance the committee's deliberation on questions regarding the definition of "lawful purpose" and on effective regulation of lawful gambling. Debate on these issues and on the recent recommendations may result in new legislation relating to lawful gambling regulation.

Legislation on video pull-tab machines is also expected to be a topic of discussion for the committee. S.F. 771 authored by Sen. Gary DeCramer (DFL-Ghent) was laid over in the committee last session and will likely resurface during the session. The bill, which allows licensed lawful gambling establishments to own and operate video pull-tab machines, would offer lawful gambling operations another gaming option.

Off-track horserace betting issues may also come before the committee this session. Off-track betting would allow establishments to obtain a license for televising Canterbury races and for taking bets on races at the establishments.

A bill, authored by Sen. Donald Storm (IR-Edina), has been referred to the General Legislation and Public Gaming Committee for consideration. The bill proposes that a resolution be passed urging the Congress of the United States to enact legislation for a U.S. Constitutional amendment which would allow the United States and states to "prohibit desecration of the American flag."

Governmental Operations

Committee to consider pay equity issues

Legislation intended to facilitate the implementation of pay equity plans by local governmental units is among the proposals expected to be considered by the Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul).

The legislation is in response to a previously approved measure that directed local units to have equity programs in place by 1991. The proposal attempts to address complications that have arisen in meeting this mandate in a relatively new area of government intervention. A series of public hearings have been conducted across the state to aid in drawing up the language of the proposal.

Other issues expected to be considered include alterations in professional licensure procedures, and changes in various state pension plans as a result of major legislation approved last session.

It is uncertain at this point whether various proposals for charitable gambling regulation will be referred to the committee this session.

Pay equity amendments discussed

A Thurs., Feb. 15, meeting of the Governmental Operations Committee was devoted to consideration of amendments to Min-

nesota's pay equity statute. The committee is chaired by Sen. Donald Moe (DFL-St. Paul).

S.F. 488, authored by Sen. Linda Berglin (DFL-Mpls.), makes changes in the definition of equitable compensation relationships, requires an implementation reporting process of political subdivisions, and provides for a review and appeal process. Berglin offered an amendment, approved by the committee, which clarified that government units are not required to increase the compensation of a class for which any undercompensation cannot be attributed to gender bias. The amendment also altered the requirements of the implementation report. A second amendment offered by Berglin clarifying the language of the penalty provisions was approved as well.

Further consideration of the proposal is tentatively scheduled for Feb. 22.

Health and Human Services

Child care, alternative care grants top agenda

Funding levels for child care and alternative health care grants are among the primary issues expected to be considered this session by the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.).

Due to a federal mandate requiring the payment of child care subsidies to persons training their way off of welfare through the STRIDE program, funding for other low-income families needing the service has become increasingly strained. There is concern that many of the working poor families who would be dropped from the program would then be forced to seek welfare assistance. In addition to hearing requests for higher levels of funding, the committee may consider proposals to separate child care funds for the working poor and AFDC recipients.

The committee may also consider a refinancing of the alternative care grant program. The financially-strapped program provides subsidies for in-house service by a health care provider, and was intended as a less expensive alternative to nursing home care.

Other issues that may be debated include a proposal that would alter the licensing of psychologists to allow only those with doctorate-level training to practice independently. Minnesota is one of three states that currently permits masters-level psychologists to engage in independent practice. The proposal contains a grandfather clause that applies to all current masters-level practitioners. The committee may also review complaints from health professionals regarding inadequate reimbursement levels for care provided under medical assistance programs.

Psychology licensure to be studied

A proposal to alter the amount of education required for psychologists to engage in independent practice was laid over for interim study at the Tues., Feb. 13, meeting of the Health and Human Services Committee.

S.F. 1058, authored by committee chair Linda Berglin (DFL-Mpls.), stipulated that only doctorate-level psychologists be allowed to practice independently. Minnesota currently requires a masters degree in order to operate such a practice. Proponents of the measure argued that it was necessary due to the increasing complexity of the science, and pointed to the fact that 47 other states required a doctorate for independent practice. Those opposed to the bill countered that it would adversely impact the amount of service available, particularly in rural areas and for those seeking psychologists of a minority race. Opponents also argued that there was no evidence suggesting that doctorate-level psychologists operated in a more satisfactory manner than their masters-level counterparts.

Committee Capsule

Sen. Sam Solon (DFL-Duluth) motioned to lay the bill over for interim study. The motion was approved by the committee.

In other action, the committee approved S.F. 1695, sponsored by Berglin. The bill makes it more financially feasible for nursing homes to enter into consulting arrangements with other nursing homes to provide various management services. The bill now proceeds to the floor for further consideration.

Child support clarification approved

A bill altering the manner in which child support awards are issued by courts was approved at the Wed., Feb. 14, meeting of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.).

S.F. 1694, sponsored by Berglin, requires the courts to determine and order child support in a specific dollar amount rather than in percentage of income, in order to avoid confusion over the actual amount owed. The bill also establishes a formula for deriving this amount, with consideration given for factors such as the special needs of the child to be supported, incurred debt, and the standard of living the child would have enjoyed had the marriage not been dissolved. The bill was approved unanimously by the committee, and proceeds for floor consideration.

Also approved was S.F. 1696, sponsored by Sen. Sam Solon (DFL-Duluth), which alters the law that authorizes a demonstration project in northeast Minnesota to provide health insurance to low-income uninsured persons. The bill provides for the involvement of the commissioners of commerce and health in the project; eliminates the requirement that the project provider be a Minnesota corporation; eliminates the income limits specified in the original legislation; and eliminates a sliding fee required of enrollees.

In other action, the committee heard testimony regarding fraud in state welfare programs. The testimony was sparked by a recent televised report alleging widespread abuses in the programs. The committee also began a review of the alternative care grant program.

Judiciary

Committee tackles criminal drug laws

Once again legislation relating to drug and crime laws will be at the top of the Judiciary Committee's agenda. Sen. Allan Spear (DFL-Mpls.), chair of the committee, predicted that the drug issue would dominate the work of the Criminal Law Division. Spear went on to say that he anticipates that new legislation will incorporate some of the recommendations in the Berg Commission Report on Drugs issued last fall.

Spear said that some of the provisions that may be included in the new proposals include the creation of a new crime of importing drugs into the state; requiring the reporting of "precursor" chemicals, which are legal chemicals that can be used to manufacture illegal drugs; requiring drug testing as a condition of probation; requiring chemical dependency testing of persons convicted of drug related crimes; and intensive probation for persons convicted of serious but nonviolent crimes. Spear added that in light of this year's budget difficulties, some of the proposals may be initiated on a pilot program basis.

In the area of civil law, Spear said that the division will be working on proposals resulting from recommendations by the Injury Compensation Commission. One such bill is a measure to repeal the "seat belt gag rule," a provision in the law that prevents the admission into court as evidence whether or not an individual was wearing a seat belt at the time of an automobile accident, Spear said.

In addition, the Civil Law Division will also be hearing legisla-

tion relating to the Supreme Court's gender bias study and, in the area of family law, proposals dealing with domestic violence, the presumption of joint custody and, possibly, a proposal relating to the child support guidelines, Spear said.

Spear also said that in addition to drug related legislation the Criminal Law Division will consider proposals that would strengthen criminal vehicular operation penalties and clarify the laws relating to the certification of juveniles as adults in criminal cases. Finally, Spear said that the division will also discuss a proposal dealing with the insanity defense although he does not anticipate any final action on the measure.

Panel hears recommendations

Thurs., Feb. 1, members of the Senate and House Judiciary heard recommendations for changes in the civil justice system from the Minnesota Injury Compensation Study Commission. Sen. Allan Spear (DFL-Mpls.) and Rep. Randy Kelly (DFL-St. Paul) chaired the meeting.

In 1988, the Legislature provided for the creation of a study commission on the civil justice system, and a six-member panel was appointed. Joan Morrow of the law firm Rider, Bennett, Egan & Arundel chaired the Commission, and presented the recommendations to the Judiciary Committees.

The panel heard recommendations relating to seat belt and motorcycle helmet laws, mandatory auto insurance, comparative fault, and joint and several liability. The Civil Law Division of the Judiciary Committee will continue the discussions concerning the recommendations later this session.

Security guard licensing discussed

The Mon., Feb. 12, meeting of the Criminal Law Division of the Judiciary Committee, chaired by Sen. Michael Freeman (DFL-Richfield), devoted the first meeting of the session to debate on a bill that would expand the licensing and registration requirements for security guards and private detectives. The measure, sponsored by Sen. John Marty, would also eliminate the board of the private detective and protective agent services.

"This bill is an attempt to provide regulation in an industry that has very little," said Sen. Marty. Currently, the owner or owners of a security company must be licensed and registered, but the employees of that company are not required to be licensed.

An author's amendment, requiring two sets of fingerprints instead of three for the identification of license applicants, was adopted by committee members. The bill was then referred to the full Judiciary Committee for further consideration.

Uniform Acts heard

Members of the Civil Law Division of the Judiciary Committee met on Wed., Feb. 14, to hear testimony on three bills.

S.F. 1104, authored by Sen. Lawrence Pogemiller (DFL-Mnpls.), expands and clarifies the Uniform Anatomical Gift Act. "The bill improves the quality of life by making it easy, sound, ethical and legal to donate organs," said Pogemiller. "It makes a presumption in favor of organ donation," he said. The bill, an update of the organ donation law passed in 1969, was laid over until next week.

Testimony was also heard on S.F. 354, authored by Sen. Gene Merriam (DFL-Coon Rapids). The bill, a Uniform Custodial Trust Act, allows a person to create a custodial trust by a written transfer of the property to another person. The bill was also laid over until next week.

S.F. 1400, authored by Sen. Jim Ramstad (R-Minnetonka), would provide the right to legal counsel and guardianship to indigent wards and conservatees. The bill was referred to the full Judiciary Committee.

In addition, the committee will hear reports that may generate legislation, including a report examining both regional and statewide collective bargaining for teachers. Teachers currently bargain on a district-by-district basis.

Other legislation that may surface is the perennial bill changing the governance of the Technical College System from its current system of governance through the individual district school boards to a statewide system; and a bill revoking last year's legislation mandating a two-tiered state high school hockey tournament by 1991.

Computing, bargaining reports discussed

Senators in the Education Committee heard reports on the Elementary Secondary Vocational (ESV) regional structure and on alternative collective bargaining unit structures at the Wed., Feb. 14, meeting.

Minnesota's seven ESV computing regions provide computing support and service to school districts and serve as a conduit for information from the districts to the Dept. of Education. The report, which ESV Computer Council Chair John Madden outlined for the committee, contains several recommendations, including: regional computing support should be selectively consolidated; the existing ESV computing region functions and locations should be retained, except for the potential combination of jointly managed computed support; and that the Legislature should fund specific development and support activities of ESV computing regions, including costs of data consolidation and reporting on district information.

Committee members, chaired by Sen. James Pehler (DFL-St. Cloud), also heard a presentation on a report on alternative collective bargaining unit structures. Currently, each individual district bargains with its organized employees. The report cites four major complaints about the current collective bargaining process: negotiations take too long; negotiations divert time and resources away from education; collective bargaining creates animosity within school districts; and negotiating individual agreements is an unnecessary duplication of effort.

Scott Paulson, of Goldberg, Swanson & Paulson, the organization that prepared the report, pointed out that there are three ways to approach the problem: changing the funding mechanism for schools, restructuring the state's school districts, or changing the bargaining process.

If no changes are made in the funding or organization of school districts, Paulson said, the options for multi-district collective bargaining are limited. However, if legislators decide to change the funding or organizational mechanisms of the school system, the report outlined a number of alternative collective bargaining structures, including: the state assuming the entire cost of teachers' compensation and negotiating one statewide contract; the state negotiating and funding regional contracts; drawing nine regional bargaining districts along the existing Educational Cooperative Service Units' lines; creating a statewide salary schedule; creating a statewide school system; or consolidating existing school districts.

Education Funding

Division will focus on new school buildings

The Education Funding Division of the Education Committee will spend quite a bit of time discussing various problems associated with school buildings, according to division Chair Sen. Randolph Peterson (DFL-Wyoming).

The central issue is that, while it takes taxpayers about 20 years to pay for a school building, the buildings actually last 50 or 60 years, Peterson said. Then, when a district needs a new building,

no money has been set aside for that purpose, so taxpayers face a big increase to pay for the building, he said.

Senators will probably discuss ways to make the tax burden more accurately reflect the consumption by spreading the cost of the building over more years, Peterson said.

In a related problem, legislators will try to determine how many school buildings are not meeting fire and life safety building codes, and the severity of the violations, Peterson said.

In conjunction with building funding, the Maximum Effort Capital Loan Program will probably also be a topic for discussion and possible legislation, he said. The program is a means for districts with low property tax bases to obtain state assistance for large construction projects.

Of course, Senators in the division will also have to set the general education funding rate for the first year of the next biennium (the 1991-92 school year) so that districts can certify their property tax levies before the end of 1990. Although an amount is set in law, the division usually increases it.

Division hears financial report

Senators should be concerned about the increasing number of districts maintaining negative fund balances that exceed the legal 2.5 percent limit, according to Norm Chaffee, Dept. of Education. Chaffee presented a report on the financial condition of Minnesota school districts to the Mon., Feb. 12 meeting of the Education Funding Division of the Education Committee.

Chaffee pointed out that 41 districts exceeded the 2.5 percent negative fund balance limit in F.Y. 1988-89. In addition, Chaffee said that 270 districts "spent down" their unreserved operating funds between F.Y. 1987-88 and F.Y. 1988-89. Several Senators agreed that problems are created when districts spend more money than they collect.

The division, chaired by Sen. Randolph Peterson (DFL-Wyoming), also heard a report on funding deficiencies in the various categorical aids to districts. The net unfunded deficiencies for the 1987-88 school year—the last year for which data is available—total about \$1.6 million. However, a Dept. of Education representative pointed out that the predicted net unfunded deficiencies for the 1989-90 school year total about \$5 million.

Elections and Ethics

Reform proposals to be debated

Major bills addressing campaign finance and ethics reform dominate the agenda of the Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood).

An ethics reform package proposed by Sen. John Marty (DFL-Roseville) will be considered by the committee. The bill would establish behavioral codes for legislators and lobbyists in areas ranging from gift acceptance to financial disclosure.

The committee will also consider a variety of campaign finance reform bills. Among those expected to generate controversy is a proposal to establish spending limits for federal congressional campaigns. Banning fund-raisers during the session and re-establishing the income tax credit for campaign spending are other issues that will be taken up.

A bill introduced by Sen. Gene Merriam (DFL-Coon Rapids) that would re-structure the legislature into a unicameral body is also expected to be debated.

Ethics bill discussed

The Elections and Ethics Committee met Tues., Feb. 13, to begin considering a major ethics bill proposed by Sen. John Marty

Committee Capsule

(DFL-Roseville). The committee is chaired by Sen. Jerome Hughes (DFL-Maplewood).

As amended, S.F. 1606 would significantly alter the ethical codes governing the behavior of public officials and lobbyists. The bill increases the amount of disclosure required of these two groups, expands the conflict of interest provisions to include local officials, and sets broad standards of conduct curtailing the use of a public position for private gain. In addition, the bill increases the authority of the Ethical Practices Board.

The committee heard testimony from the League of MN Cities in support of those parts of the bill requiring city officials to comply with statewide standards of ethical conduct. However, a representative of the Minnesota Governmental Relations Council raised doubts about the necessity of requiring disclosure of lobbyists' salaries.

The committee will resume consideration of the bill at a later time.

Employment

Workers' comp. to top debate

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), will again deal with the issue of workers' compensation this session. Re-regulation of the insurance industry will be the main topic of discussion, and the committee will focus on the results of the Worker's Compensation Study conducted by the Dept. of Commerce.

Other topics to be taken up include regulation of electronic monitoring of employees, changes in the minimum wage, and the implementation of a work curfew for minors. A proposal about the unemployment insurance minimum tax rate will also be considered.

Environment and Natural Resources

Air quality leads agenda

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls), will cover several issues relating to air quality this session.

Passing through the committee will be a bill that would regulate chlorofluorocarbons (CFC's) and another that would implement a user fee to regulate the amount of toxic emissions discharged into the air by manufacturers. Funding for a Generic Environmental Impact Statement (GEIS) to study the economic, social, and environmental effects of recent timber industry expansions will also be a topic of discussion.

In addition, the committee will review regulation of personal water craft, such as jet skis.

Panel hears two bills

The Public Lands and Waters Subcommittee of the Environment and Natural Resources Committee, chaired by Sen. Steve Novak (DFL-New Brighton), met on Tues., Feb. 13, to hear testimony on two bills. S.F. 1663 converts a judicial ditch back into part of the Redwood River. Sen. Gary DeCramer (DFL-Ghent), author of the bill, explained that this portion of the river was originally converted into a diversion ditch to prevent flooding in the area. Cleanup procedures are needed, he said, and if the ditch were converted back into part of the river, the costs would be covered by federal, state and local level funding instead of by area land-

owners. The bill was approved and will be heard by the full Environment and Natural Resources Committee.

Testimony was also heard on S.F. 1670, a bill regulating the transport of Eurasian milfoil. Sen. William Luther (DFL-Brooklyn Park), the bill's author, explained that the exotic water plant is transported from lake to lake by attachment to boats, motors, and trailers. DNR officials stated that the weed grows an average of two inches per day, and urged strong support of the bill to help stop the spread of Eurasian milfoil from one lake to another. The bill would make transport of the weed a misdemeanor.

The bill was amended to allow all licensed peace officers enforcement powers, and was referred to the full committee.

Finance

Panel to examine budget deficit

Two major issues will face Finance Committee members when they reconvene for the 1990 legislative session: reducing the size of the state's budget deficit; and assembling a comprehensive bonding bill.

Currently, the Finance Dept. projects a \$161 million budget shortfall for the remainder of the current biennium. However, a revised estimate to be released in late-February is expected to show a deficit projection of \$200 to \$250 million. This deficit is expected to pressure panel members into cutting agency budgets from existing levels and into restricting the creation of new programs. In addition, the committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), will devote much of its time to compiling a bonding bill that authorizes funding for state building construction and improvements.

Committee hears agency presentations

Presentations by the Departments of Finance and Administration were the focus of the Fri., Feb. 2, meeting of the Finance Committee. The committee is chaired by Sen. Gene Merriam (DFL-Coon Rapids).

Commissioner of Finance Peter Hutchinson addressed the committee regarding the general health of the state and federal economies. Hutchinson called attention to fluctuating interest rates, the inconsistent performance of the stock market, and uncertainty regarding a capital gains reduction as factors clouding state revenue projections. The committee was also given a timetable for receiving forecasts for FY 1990-91 and FY 92-93. The prospect of revenue shortfalls during those periods was also discussed.

Several Dept. of Administration officials testified as to the space needs of the state agencies, within the context of the department's goal of consolidation in the Capitol Area. Alternatives for financing new space acquisitions were presented. Committee members raised questions regarding the department's role in coordinating the building projects of the various agencies, and in formulating long-term development strategies.

John Wood, deputy director of the Minnesota Historical Society, appeared before the committee to explain the procedures for demolishing or altering buildings on the state or national historical registers.

Division tours campuses

Members of the Finance Education Division, chaired by Sen. Gene Waldorf (DFL-St. Paul), toured Metropolitan Area higher education campuses in order to assess the capital budget needs of the institutions. The tour, conducted Wed., Feb. 14, gave division members a first hand look at projects that will be discussed by the division throughout the session.

Preview

The Minnesota Senate Week at a Glance

Monday, February 19

Education Committee, Chair: James Pehler

8:30 a.m. Room 15 Capitol

Agenda: Report from the State High School Athletic League. S.F. 1727-Moe, R.D.: Repealing the requirement that the Minnesota State High School League conduct a two-class high school hockey championship.

Agriculture and Rural Development Committee, Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: Continuation of discussion regarding legislative auditor's report on Minnesota Department of Agriculture.

Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 917-Luther: Standard of care for accountants. S.F. 1400-Ramstad: Right to counsel in guardianship proceedings. S.F. 1485-Marty: Regulation of security guards and private detectives. S.F. 1845-Reichgott: Child abuse reporting of mental and threatened injuries. S.F. 1860-Reichgott: Gender Fairness Task Force domestic abuse bill.

Economic Development and Housing Committee, Chair: Don Frank

12 Noon Room 15 Capitol

Agenda: S.F. 1760-Reichgott: Tax increment financing bill.

Local and Urban Government Committee, Chair: Robert Schmitz

12 Noon Room 107 Capitol

Agenda: Confirmation of Governor's appointments to the Metropolitan Council 2/25/89-1/4/93: Liz Anderson, James Senden, Ken Kunzman, Margaret Schreiner, Dottie Rietow, Mary Hauser, David Fisher, and Dirk DeVries.

Legislative Commission to Review Administrative Rules, Chair: Gene Waldorf

1 p.m. Room 107 Capitol

Agenda: APA amendments: LCRAR bill. Department of Labor and Industry, Truck Rental Rate Rule request for extension to hold a rulemaking hearing.

***The Senate will be in session at 2 p.m.**

Education Division on Education Funding, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

Agenda: Presentation by State Board of Education on maximum effort school loan program and recommendations. S.F. 1787-Pehler: Modifying the maximum effort school aid law capital loan program; authorizing the issuance of state bonds. Discussion of Health and Safety Revenue by the Duluth School District and the St. Paul School District.

Tuesday, February 20

Judiciary Subcommittee on Privacy, Chair: Richard Cohen

8 a.m. Room 125 Capitol

Agenda: S.F. 1707-Cohen: Open Meeting Law. S.F. 1753-Merriam: Invasion of privacy.

Transportation Subcommittee on Transit, Chair: Steven Novak

8 a.m. Room 112 Capitol

Agenda: Informational update. Regional Transit Board reorganization. Light rail transit progress report.

Commerce Committee, Chair: Sam Solon

10 a.m. Room 112 Capitol

Agenda: S.F. 1730-Spear: Expands interstate banking region to include Indiana. S.F. 1778-Solon: Creates and regulates the life and health insurance guaranty association.

Elections and Ethics Committee, Chair: Jerome Hughes

12 Noon Room 107 Capitol

Agenda: S.F. 1606-Marty: Relating to ethics in government.

Environment and Natural Resources Committee, Chair: Bob Lessard

1 p.m. Room 112

Agenda: Confirmation of appointments: Michael Robertson, Director of Office of Waste Management and Paul Toren, Environmental Quality Board. S.F. 1663-DeCramer: Abandonment of ditch in Redwood county. S.F. 1670-Luther: Prohibiting the transportation of Eurasian milfoil.

***Health and Human Services Committee**, Chair: Linda Berglin

1 p.m. Room 15 Capitol

Agenda: S.F. 1692-Berglin: Defines day care safety to conform with Department of Human Services Definition. S.F. 1507-Reichgott: Regulation of medical devices by Board of Pharmacy. S.F. 872-Vickerman: Clarifies relative responsibilities in burial of indigent. S.F. 443-Pogemiller: Podiatric includes use of nitrous oxide as analgesic.

Finance Division on Education, Chair: Gene Waldorf

3 p.m. Room 125 Capitol

Agenda: Overview of higher education policies. Discussion of agreements between systems for 2+2 programs.

Wednesday, February 21

Education Committee, Chair: Jim Pehler

8 a.m. Capitol steps

Agenda: Tour of the Minnesota Center for Arts Education.

General Legislation and Public Gaming Committee, Chair:

Marilyn Lantry

8 a.m. Room 107 Capitol

Agenda: Confirmation of Governor's appointments to the Gambling Control Board, for Commissioner of Gaming and for Director of the Gambling Control Division of the Department of Gaming.

Agriculture and Rural Development Committee, Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: Bonding requests. University of Minnesota extension/research. Agriculture Utilization Research Institute. S.F. 1674-Berg: Grasshopper control.

Finance Division on Agriculture, Transportation and Semi-states, Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Minnesota State Lottery overview.

Judiciary Division on Civil Law, Chair: Ember Reichgott

10 a.m. Room 107 Capitol

Agenda: S.F. 1827-Reichgott: Tort reform. S.F. 894-Cohen: Child abuse reporter recovery of attorney fees and costs. S.F. 172-Diessner: Tort immunity for National Ski Patrol volunteers. S.F. 1847-Reichgott: Department of Human Rights.

***Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

Judiciary Division on Criminal Law, Chair: Mike Freeman
10 a.m. Room 15 Capitol

Agenda: S.F. 1759-Spear: Omnibus drug bill.

Environment and Natural Resources Subcommittee on Environmental Protection, Chair: Gregory Dahl
1 p.m. Room 112 Capitol

Agenda: S.F. 824-Dahl: Regulating the recycling and use of chlorofluorocarbons (CFC's).

Health and Human Services Committee, Chair: Linda Berglin
1 p.m. Room 15 Capitol

Agenda: Property nursing home report-DHS. S.F. 1728-Samuelson: Clarifies state AIDS for CSSA. S.F. 1758-Samuelson: Licensing wholesale drugs. S.F. 1813-Berglin: Medicare certification. S.F. 576-Piper: Chiropractors can medically certify for G.A.

Finance Division on Health and Human Services, Chair: Don Samuelson
3 p.m. Room 125 Capitol

Agenda: Review of the following programs; alternative care grants, child care, and chemical dependency.

Joint Senate and House Finance Education Divisions, Chair: Gene Waldorf
3 p.m. Great Hall of Coffman Memorial Union

Agenda: Presentation on accomplishments of University of Minnesota from various appropriations.

***Health and Human Services Committee**, Chair: Linda Berglin
6 p.m. Room 15 Capitol

Agenda: S.F. 1688-Waldorf: Prohibits abortion for birth control. S.F. 1719-Diessner: Amends the parental consent law.

Thursday, February 22

Transportation Committee, Chair: Clarence Purfeerst
8 a.m. Room 112 Capitol

Agenda: S.F. 447-DeCramer: Triple trailers. S.F. 1478-Diessner: Authorizing counties, cities, towns and the state to establish roadblock programs to apprehend DWI drivers.

Commerce Committee, Chair: Sam Solon
10 a.m. Room 112 Capitol

Agenda: S.F. 1702-Lantry: Prohibits provider discrimination for pharmacy service. S.F.-Luther: Authorizes on-sale liquor license for the Earle Brown Heritage Center. Interim report from Health Care Access Commission, James Koppel, executive director.

Public Utilities and Energy Committee, Chair: Ron Dicklich
10 a.m. Room 15 Capitol

Agenda: Confirmation of Governor's appointments to the Public Utilities Commission: Norma McKanna, Commissioner and Patricia Vick, Commissioner. S.F. 903-Dicklich: competitive electric rates.

Economic Development and Housing Committee, Chair: Don Frank
12 Noon Room 15 Capitol

Agenda: To be announced.

Local and Urban Government Committee, Chair: Robert Schmitz
12 Noon Room 107 Capitol

Agenda: S.F. 1733-Chmielewski: Providing for the appointment of members of the Metropolitan Sports Facilities Commission. S.F. 1739-Cohen: Relating to metropolitan government; clarifying

provisions for compensation of Metropolitan Council and all commission members.

***The Senate will be in session at 2 p.m.**

Education Division on Education Funding, Chair: Randolph Peterson
3 p.m. Room 15 Capitol

Agenda: Release of evaluation of school district spending by legislative auditor.

Finance Division on State Departments, Chair: Carl Kroening
3 p.m. The construction trailer on the Judicial Bldg. site.

Agenda: Tour the new judicial building. Presentation of capital budget requests. Discuss remaining construction phases.

Friday, February 23

Education Division on Education Funding, Chair: Randolph Peterson
8 a.m. Room 15 Capitol

Agenda: Discussion of salary survey information.

General Legislation and Public Gaming Committee, Chair: Marilyn Lantry
8 a.m. Room 107 Capitol

Agenda: S.F. 1853-Reichgott: Lawful gambling and definition of contraband. S.F. xxxx-Lantry: Relating to lawful gambling; defining lawful purpose; describing qualifications for licensed organizations; requiring location permits; licensing of gambling managers; requiring employees to be registered.

Agriculture and Rural Development Committee, Chair: Charles Davis
10 a.m. Room 112 Capitol

Agenda: S.F. 1674-Berg: Grasshopper control.

Judiciary Division on Civil Law, Chair: Ember Reichgott
10 a.m. Room 107 Capitol

Agenda: S.F. 1104-Pogemiller: Uniform Anatomical Gift Act. S.F. 354-Merriam: Uniform Custodial Trust Act. S.F. 1757-Peterson: Procedures for disposition of real estate after marriage dissolution.

Judiciary Division on Criminal Law, Chair: Michael Freeman
10 a.m. Room 15 Capitol

Agenda: S.F. xxxx-Spear: Patient abuse resulting in death or injury. S.F. xxxx-Freeman: Cigarette, alcohol tax for drug, alcohol and related criminal justice programs. S.F. xxxx-Merriam: Forfeiture allocation.

Environment and Natural Resources, Chair: Bob Lessard
1 p.m. Room 112 Capitol

Agenda: Overview of generic environmental impact statement.

***Health and Human Services Committee**, Chair: Linda Berglin
1 p.m. Room 15 Capitol

Agenda: S.F. 1731-Berglin: Clarifies treatment and assessment under Mental Health Act. S.F. 1698-Berglin: Repeals sunset on hospital moratorium. S.F. 1689-Berglin: AIDS health insurance. S.F. 1691-Berglin: Foster home placement and removal procedures.

For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.

Local and Urban Government

Land use to be discussed

Hearings held in the Local and Urban Government Committee will be highlighted by a bill which recodifies land-use and zoning laws to improve local government planning and development statutes. The topic was before the panel last session.

The committee, chaired by Sen. Robert Schmitz (DFL-Jordan), will also hear testimony relating to possible site selection for a new airport. A joint hearing with the Transportation Committee may be held to further examine the issue.

Public Utilities and Energy

Committee to consider issues

The release and discussion of a task force report examining electric utility service area boundary establishment procedures is expected to dominate the Public Utilities and Energy Committee's agenda during the 1990 legislative session. The task force report, authorized by the 1989 Legislature, will address rate-making policy procedures and the relationship between service area boundaries and municipal boundaries. The report is scheduled for public release by late-February.

In addition, panel members hope to debate legislation revising Minnesota's extended area telephone service regulations.

Sen. Ronald Dicklich (DFL-Hibbing), serves as the committee's chair.

Heating fuel prices examined

Testimony regarding the recent sharp increase in Minnesota home heating oil prices dominated the Thurs., Feb. 1, meeting of the Public Utilities and Energy Committee. Sen. Ronald Dicklich (DFL-Hibbing), serves as the committee's chair.

Petroleum industry representatives testified that December's unusually cold weather, averaging 22 percent below normal in Minneapolis, created a strong surge in demand for the 217,000 Minnesota homes that rely on fuel oil as their primary source for heat. Witnesses said that the surging demand quickly depleted existing heating oil stockpiles, thereby leading to increased competition within the petroleum industry to secure additional supplies and forcing prices upward. Additionally, representatives stated that abnormally chilly weather also descended on producers and refiners in the eastern and southern sections of the nation, contributing to distribution problems and further hampering the resupply effort.

Sen. Don Frank (DFL-Spring Lake Park), asked why price increases occurred so rapidly after the onset of extreme temperatures, considering that distributors maintain fuel stockpiles that are usually purchased at lower cost. Koch Refining Company Vice President Kevin Clement replied that price increases took several days to take effect, instead of several hours as perceived by a large segment of the public. He added that while existing inventory costs factor into the determination of national fuel market prices, numerous other factors such as production and transportation costs also contribute. Sen. Douglas Johnson (DFL-Cook), stated that if cold weather was to blame for December's sharp price increase, January's unusually mild temperatures should have led to an equally sharp decrease in heating oil prices. Ashland Petroleum Company Group Vice President Charles Lovorn and Murphy Oil Company Marketing General Manager Maurice Peel both responded that wholesale home heating oil prices have receded to pre-December levels.

Rules and Administration

Opening day preparations made

Members of the Committee on Rules and Administration, chaired by Sen. Roger Moe (DFL-Erskine), met Mon., Feb. 12, to prepare the way for the opening day of session. The panel approved opening day resolutions and changes to the Senate employee roster to reflect temporary session employees. Moe also outlined the proposed schedule for the remainder of the week, noting that committee activity would be somewhat lighter than normal because of the Youth in Government Program being conducted at the Capitol Thursday and Friday, the state of the state address given outside the Capitol on Thursday, and because two hearing rooms were still being readied for the session.

Taxes and Tax Laws

Balancing budget

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), will focus its efforts on balancing the budget this session. All areas of the budget will be subject to review, according to Johnson. The committee will also deal with details relating to the administration of the new property tax laws passed during the special session last fall.

Corporate alternative minimum tax will also be an issue, as will a taxpayers bill of rights. Income, sales and miscellaneous tax bills will also be taken up by the committee.

Transportation

Light rail leads agenda

A bill to permit the use of triple trailers on Minnesota highways and potential legislative action concerning a light rail transit proposal currently being developed by the Metropolitan Council are expected to highlight the Transportation Committee's 1990 session schedule.

The committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), may also consider measures that revise the state's commercial vehicle inspection laws, that make technical adjustments to existing license plate and driver's license statutes, and that update irregular truck regulations.

Committee hears trucking dispute testimony

The Joint Transportation Subcommittees on General Policy, Rural and Commercial, met Mon., Feb. 5, to hear public testimony regarding a dispute that has arisen between regular and irregular route truck carriers. The hearing was co-chaired by Sen. Gary DeCramer (DFL-Ghent) and Rep. Katy Olson (DFL-Sherburn).

Minnesota truck statutes define irregular carriers as those which cannot operate between "fixed termini", or on a regular schedule. However, the courts have interpreted these terms in a variety of ways, leading to confusion among the carriers. A recent increase in enforcement efforts by the Dept. of Transportation against irregular carriers alleged to be operating regular routes has sparked concern among many in the irregular route industry. Public hearings have been held across the state to clarify the situation and investigate potential compromises.

A number of irregular carriers testified that, given the unclear nature of the governing statutes, a moratorium on further enforcement by the Dept. of Transportation should be put into place pending clarification of the laws. Regular carriers responded that

Committee Capsule

the result of such an action would be a virtual deregulation of the industry, with adverse effects on service. They also pointed out that, because of rate control, regular carriers are unable to compete with irregular routes in the absence of vigorous statute enforcement.

The committee plans further study of the issue before any action is taken.

Veterans and Military Affairs

Panel to focus on vets homes

Members of the Veterans and Military Affairs Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), will again devote a major portion of their committee hearings to discussion of the need for new veterans homes. A recent study by the Dept. of Administration will provide a touchstone for debate in the opening weeks of the session as the committee evaluates various conclusions reached in the study.

In other action, committee members anticipate debate on a proposal to expand the tuition reimbursement program for national guard members by allowing the reimbursement to be transferred from the guard member to immediate family members. The program is seen as a further inducement to retaining and recruiting guard members. In addition, the panel will also examine a proposal to recognize active duty military personnel with a cash bonus similar to the bonus for guard members.

Facts about the Minnesota Legislature

Minnesota 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 a "B" portion to designate the House of Representatives 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 meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. The Legislature usually adjourns earlier in even numbered years.

Branches of government outlined

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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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.

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 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 bodies, 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 a hearing.

The committee chair decides a hearing date for the bill. During the hearing, proponents and opponents give testimony on the merits of the proposal. 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. The members 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 the floor or another committee without a recommendation for passage; keep it in committee indefinitely; recommend that the bill be passed and sent to another committee; 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 or opponents.

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body on the General Orders Calendar. The entire body then resolves itself into a Committee of the Whole to consider the bill and discuss the merits of the proposal. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least 24 hours before being placed on the Senate Calendar and 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 Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If one body makes a change to the bill and the other body does not accept that change, a conference committee is established to work out a compromise version. The compromise version must then be repassed by both bodies.

If a proposal survives all these obstacles, it is sent to the governor, 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 bodies repass the bill with a two-thirds majority vote.

Briefly subscription procedures

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SENATE COMMITTEE ASSIGNMENTS

AGRICULTURE AND RURAL DEVELOPMENT (14)

CHAIR: Davis
OFFICE NO: G-24
MEETS: M, W; Room 112; 10-12 noon
MEMBERS:
Anderson Brandl Frederickson, D.J. Renneke
Beckman Davis Frederickson, D.R. Vickerman
Berg Decker Larson
Bertram DeCramer Morse

COMMERCE (17)

CHAIR: Solon
OFFICE NO: 303
MEETS: T, Th; Room 112; 10-12 noon
MEMBERS:
Adkins Flynn Luther Solon
Anderson Frederick McQuaid Spear
Belanger Freeman Metzen
Cohen Kroening Purferst
Dahl Larson Samuelson

ECONOMIC DEVELOPMENT AND HOUSING (13)

CHAIR: Frank
OFFICE NO: G-10
MEETS: M, Th; Room 15; 12-2 p.m.
MEMBERS:
Beckman Decker Kroening Reichgott
Bernhagen Dicklich McGowan Storm
Cohen Frank Morse
Dahl Gustafson Pogemiller

EDUCATION (21)

CHAIR: Pehler
OFFICE NO: G-9
MEETS: M, W, F; Room 15; 8-10 a.m.
MEMBERS:
Beckman Frederickson, D.J. Mehrkens Ramstad
Dahl Hughes Morse Reichgott
Decker Knaak Olson Stumpf
DeCramer Knutson Pehler
Dicklich Langseth Peterson, R.W.
Flynn Larson Pogemiller

EDUCATION AIDS DIVISION (14)

CHAIR: Peterson, R.W.
OFFICE NO: G-9
MEETS: M, Th; Room 15; 3-5 p.m.
MEMBERS:
DeCramer Knaak Olson Pehler
Dicklich Knutson Peterson, D.C. Reichgott
Frederickson, D.J. Langseth Peterson, R.W. Stumpf
Hughes Mehrkens Pogemiller

ELECTIONS AND ETHICS (12)

CHAIR: Hughes
OFFICE NO: 328
MEETS: T; Room 107; 12 noon-2:00 p.m.
MEMBERS:
Cohen Johnson, D.J. McGowan Moe, R.D.
Hughes Laidig McQuaid Pogemiller
Johnson, D.E. Luther Metzen Samuelson

EMPLOYMENT (11)

CHAIR: Chmielewski
OFFICE NO: 325
MEETS: T, Th; Room 107; 8-10 a.m.
MEMBERS:
Adkins Chmielewski Gustafson Piper
Beckman Diessner Kroening Ramstad
Brataas Frank Pehler

ENVIRONMENT AND NATURAL RESOURCES (16)

CHAIR: Lessard
OFFICE NO: 111
MEETS: T, W, F; Room 112; 1-3 p.m.
MEMBERS:
Berg Frederickson, D.R. Marty Olson
Bernhagen Knaak Merriam Pariseau
Dahl Laidig Morse Peterson, R.W.
Davis Lessard Novak Stumpf

FINANCE (30)

CHAIR: Merriam
OFFICE NO: 122
MEETS: T, W, F; Room 123; 3-5 p.m.
MEMBERS:
Berg Hughes Luther Renneke
Brataas Johnson, D.E. Mehrkens Samuelson
Dahl Knutson Merriam Solon
DeCramer Kroening Metzen Spear
Dicklich Laidig Moe, D.M. Storm
Frederick Langseth Piper Waldorf
Frederickson, D.R. Lantry Purferst
Freeman Lessard Ramstad

GENERAL LEGISLATION AND PUBLIC GAMING (9)

CHAIR: Lantry
OFFICE NO: 328
MEETS: W, F; Room 107; 8-10 a.m.
MEMBERS:
Berg Diessner McGowan
Bertram Johnson, D.E. McQuaid
Davis Lantry Samuelson

GOVERNMENTAL OPERATIONS (13)

CHAIR: Moe, D.M.
OFFICE NO: 309
MEETS: T, Th; Room 15; 8-10 a.m.
MEMBERS:
Brandl Freeman Pariseau Taylor
Decker Marty Picpho Waldorf
Frederickson, D.J. Moe, D.M. Pogemiller
Frederickson, D.R. Morse Renneke

HEALTH AND HUMAN SERVICES (15)

CHAIR: Berglin
OFFICE NO: G-29
MEETS: T, W, F; Room 15; 1-3 p.m.
MEMBERS:
Adkins Brandl Flynn Solon
Anderson Brataas Knutson Storm
Benson Chmielewski Lantry Vickerman
Berglin Diessner Piper Waldorf

JUDICIARY (17)

CHAIR: Spear
OFFICE NO: G-27
MEETS: M, W, F; Room 15; 10-12 noon
MEMBERS:
Belanger Laidig Moe, D.M. Spear
Berglin Luther Peterson, R.W. Stumpf
Cohen Marty Pogemiller
Freeman McGowan Ramstad
Knaak Merriam Reichgott

LOCAL AND URBAN GOVERNMENT (11)

CHAIR: Schmitz
OFFICE NO: 235
MEETS: M, Th; Room 107; 12-2 p.m.
MEMBERS:
Adkins Lessard Pariseau Schmitz
Bertram McQuaid Picpho Vickerman
Frederickson, D.J. Metzen Renneke

PUBLIC UTILITIES AND ENERGY (12)

CHAIR: Dicklich
OFFICE NO: 235
MEETS: T, Th; Room 15; 10-12 noon
MEMBERS:
Dicklich Johnson, D.E. Novak Piper
Frank Johnson, D.J. Olson Storm
Gustafson Marty Pehler Waldorf

RULES AND ADMINISTRATION (31)

CHAIR: Moe, R.D.
OFFICE NO: 208
MEETS: On Call
MEMBERS:
Belanger Frank Lantry Peterson, R.W.
Benson Frederick Lessard Purferst
Berglin Hughes Luther Renneke
Bernhagen Johnson, D.E. Merriam Schmitz
Bertram Johnson, D.J. Moe, D.M. Solon
Chmielewski Knaak Moe, R.D. Spear
Davis Knutson Novak Storm
Dicklich Laidig Pehler

TAXES AND TAX LAWS (24)

CHAIR: Johnson, D.J.
OFFICE NO: 205
MEETS: T, W, F; Room 15; 3-5 p.m.
MEMBERS:
Anderson Chmielewski Knaak Reichgott
Belanger Cohen Larson Schmitz
Benson Davis Novak Stumpf
Berglin Diessner Olson
Bernhagen Frank Pehler
Bertram Gustafson Peterson, R.W.
Brandl Johnson, D.J. Pogemiller

TRANSPORTATION (12)

CHAIR: Purferst
OFFICE NO: 303
MEETS: T, Th; Room 112; 8-10 a.m.
MEMBERS:
Bernhagen Langseth Mehrkens Purferst
DeCramer Lantry Metzen Schmitz
Frederick McQuaid Novak Vickerman

VETERANS AND MILITARY AFFAIRS (11)

CHAIR: Bertram
OFFICE NO: 323
MEETS: T, Th; Room 107; 10-12 noon
MEMBERS:
Beckman Laidig Mehrkens Schmitz
Bertram Langseth Pariseau Vickerman
Diessner Lessard Picpho

MINNESOTA STATE SENATE

Senate Members—1990 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
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IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	129 SOB	38	DFL	5650	Vickerman, Jim	G-29 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	124 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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Briefly

The Minnesota Senate Week in Review

February 23, 1990

Brief floor sessions held

The Senate met for two brief floor sessions Mon., Feb. 19, and Thurs., Feb. 22. The floor sessions were devoted to processing bills at the front desk in order to assign bills to the appropriate committees and to facilitate the referral of bills between committees.

Panel approves two-tier tournament repeal

The Senate Education Committee Mon, Feb. 19, approved a bill repealing the requirement that the State High School League conduct a two-tiered hockey tournament, apparently agreeing with bill author Sen. Roger Moe (DFL-Erskine) that the Legislature "had no business being involved" in the issue.

The bill, S.F. 1727, passed on a 17-2 vote, with Sen. Ron Dicklich (DFL-Hibbing) and Sen. Gary DeCramer (DFL-Ghent) dissenting. It was sent to the floor. Legislation mandating the two-tiered tournament was approved just last year.

Roger Aronson, representing the Minnesota State High School League, spoke in support of the bill. Aronson said that if districts are interested in a two-tiered tournament, there are avenues to bring the proposal to the league's Board of Directors. Since districts seem interested, the league may still decide to implement a two-tiered hockey tournament, even without the legislation, he said. However, Dicklich said that the only reason the issue was brought before the Legislature originally was because of the league's refusal to consider it.

A number of people involved in hockey testified that a two-tiered tournament would provide greater opportunity for more students to participate.

Members of the committee, chaired by Sen. James Pehler (DFL-St. Cloud), also heard a report on the High School League from David Stead, executive director of the league.

Omnibus drug bill discussed

Sen. Allan Spear (DFL-Mpls.) presented the 1990 omnibus drug bill at the Wed., Feb. 21, meeting of the Judiciary Criminal Law Division. "This is the second part of our drug and crime agenda for the biennium and the focus is clearly on drugs ... an issue of great concern to the people of Minnesota," Spear said. The bill, S.F. 1759, takes a three pronged approach in order to develop long term solutions to drug abuse in this state, he added.

The bill provides for tougher sentencing, comprehensive treatment and better prevention programs, Spear said. In addition, the bill incorporates several recommendations from the Governor's Commission on Crime and Drugs, recommendations from the attorney general's office and suggestions put forth by the Ramsey County Attorney's Office and the Council of County Attorneys.

Jan Smaby, director of the Office of Drug Policy, began the testimony on the bill. Smaby explained those portions that were similar to proposals put forth by the governor and emphasized the importance of leveraging federal dollars with state appropriation matches.

Spear provided a section by section summary of the bill. Highlights of the first portion of the bill include modifying the way in which cocaine base is measured for purposes of first, second, and third de-

gree crimes; creating the new crime of importing controlled substances across state borders; creating a precursor substance reporting act; clarifying that courts may order periodic drug and alcohol testing as a condition of probation; limiting the reporting requirement for prenatal exposure to a controlled substance to the five most dangerous substances; creating a pilot program to provide chemical dependency treatment in local correction programs; declaring a legislative finding that drug dealers would be incarcerated; creating a pilot program to require chemical dependency assessments of all adult and juvenile drug offenders; and requiring judicial districts to adopt a day-fine system that would increase the monetary impact of drug related crimes for some offenders.

The second portion of the bill creates a new sentencing option for judges and a new supervised release option for the commissioner of corrections by implementing an intensive supervision program. Intensive supervision provides for stringent monitoring and is designed to punish the offender, protect public safety, facilitate the employment of the offender and require the offender to pay court-ordered restitution. Under the bill, the intensive supervision is conducted in four phases ranging from house arrest in Phase I to a condition similar to normal probation in Phase IV. In addition, the measure specifies the criteria for participation in the intensive supervision program.

The third part of the bill contains appropriations to implement the provisions of the measure. Division Chair Michael Freeman (DFL-Richfield), indicated that debate on the bill and amendments would be considered at the Wed., Feb. 28, meeting of the division.

Service for hearing-impaired available

The Minnesota Senate is continuing to offer TDD service for the hearing impaired. Located in Senate Index, the TDD telecommunications service allows deaf or hearing-impaired persons to communicate with Index staff in order to find out bill status, bill content and bill authorship. The telephone number for the TDD service is (612) 296-0250.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of afternoon committee hearing this year. The hearings will run on the Twin Cities Regional Cable Channel 6. In addition, Media Services broadcasts gavel-to-gavel coverage of Senate floor sessions on the Twin Cities Regional Cable Channel 6.

Media Services also produces a variety of television programs for both broadcast and cable stations. Senate Journal, in its seventh season, is a one-half hour public affairs program that examines legislative issues through a moderated discussion format. Senate Journal is co-hosted by Majority Leader Roger Moe and Minority Leader Duane Benson and is broadcast throughout the state.

The office also produces several region television programs for broadcast on PBS stations outside the Metro Area and on Twin Cities Regional Cable Channel 6 in the Metro Area. Check your local programming guide for the times and dates of Media Services television shows.

Committee Capsule

Agriculture and Rural Development

Panel examines loan program

The Mon., Feb. 19, meeting of the Agriculture and Rural Development Committee was devoted to the continued discussion of the legislative auditor's report on the Dept. of Agriculture.

As requested by committee members during their Tues., Feb. 6 meeting, Agriculture Commissioner Jim Nichols and Family Farm Security Loan Program (FFS) Manager Wayne Marzolf provided legislators with written responses to questions regarding the internal operation of the FFS. Sen. Charles Berg (DFL-Chokio) questioned why the department repeatedly forgave interest adjustments when mediating and settling problem loans administered by the program. Marzolf replied that the state would have lost the interest income anyway because in those cases cited by Berg, the state would have taken over title and then sold the property to recover its costs and would have consequently received no interest. He added that the FFS attempts, on a case by case basis, to look out for the best financial interest of the state and to minimize financial losses whenever possible by reaching such agreements.

After citing specific examples of "questionable" arrangements made under the FFS program, Berg said that the state should "cut its losses" on the program. Nichols responded that the program was predicated upon land values continuing to rise, and that even in default situations the state would recover most—if not all—of its costs by selling the land at the higher rate. Berg offered, and committee members adopted, a motion requesting that the legislative auditor conduct a program evaluation of the Family Farm Security Act.

The committee is chaired by Sen. Charles Davis (DFL-Princeton).

Members hear bonding requests

Presentations detailing more than \$35 million in bonding requests for agricultural research activities, and a brief discussion of a grasshopper control measure highlighted the Wed., Feb. 21, meeting of the Agriculture and Rural Development Committee.

Dr. Gene Allen, University of Minnesota Institute of Agriculture, Forestry, and Home Economics, and Dr. Richard Goodrich, U of M Dept. of Animal Science, provided panel members with a prioritized list of 14 bonding requests. The largest single request, \$8.4 million, is designated for construction of a veterinary diagnostic lab at the College of Veterinary Medicine, with \$6.2 million earmarked for completing construction of a new livestock facility on the U's St. Paul campus. In addition, construction of an agriculture operations management center on the U's Crookston campus, and a food service building on the U's Waseca campus, are expected to total \$9.2 million. Allen and Goodrich concluded by providing legislators with details concerning 10 items contained in a \$3.4 million bonding request from the Minnesota Agricultural Experiment Station.

Committee members then turned their attention to the bonding request made by the Agriculture Utilization Research Institute (AURI). Dr. Virgil Smail, AURI executive director, explained that the organization was created by the 1987 Legislature to develop new uses for agricultural commodities and thereby strengthen the state's rural economy. Smail said that in order to help achieve this goal, a total of \$7.85 million in bonding funds will be necessary to finance the construction of four regional research and pilot product development facilities throughout the state. If the funding is approved, the facilities will be located in Crookston, Waseca, Marshall, and Morris.

S.F. 1674, a bill that appropriates \$2.5 million and grants counties levying authority to support grasshopper control efforts, was laid-over due to time constraints. Committee Chair Charles Davis

(DFL-Princeton), explained that action on the measure authored by Sen. Charles Berg (DFL-Chokio), is scheduled for Fri., Feb. 23.

Commerce

Panel approves two bills

The Senate Commerce Committee approved S.F. 1778, repealing law that is applicable to the Minnesota Life and Health Guaranty Association and replacing it with a new act, and S.F. 1730, regarding interstate banking.

S.F. 1778, the Minnesota Life and Health Insurance Guaranty Association Act, is intended to protect policy owners, insureds, beneficiaries, annuitants, payees and assignees against losses which might occur due to the impairment or insolvency of an insurer. The bill, authored by committee Chair Sen. Sam Solon (DFL-Duluth), outlines the conditions under which the Minnesota Life and Health Insurance Guaranty Association will continue coverages and pay benefits for persons covered under an impaired or insolvent insurer. The bill provides that the association's liability for any one life may not exceed \$100,000 in health insurance benefits; \$100,000 in annuity benefits; and \$300,000 in life insurance death benefits. The bill also specifies that the association's liabilities are limited to the terms of the covered policies and contracts; however, an insured may still prove liability that is greater than the terms of the policy or contract.

Senators approved an author's amendment requiring the association, in the event that it chooses to provide money or other means of payment to guarantee, assume or reinsure the policies of an impaired domestic insurer, to provide the money or other means of payment promptly. The bill also gives the association the option of providing substitute benefits in lieu of the impaired insurers' contractual obligations in some cases.

Senators also approved S.F. 1730, sponsored by Sen. Allan Spear (DFL-Mpls.), adding Indiana to the list of reciprocating states for interstate banking purposes.

Both bills were sent to the floor.

Pharmacy service bill laid over

Senators on the Commerce Committee spent the entire Thurs., Feb. 22, meeting discussing S.F. 1702, which prohibits specified health care providers from discriminating among pharmacies for pharmacy services. Ultimately, the bill was laid over.

The bill, authored by Sen. Marilyn Lantry (DFL-St. Paul), covers most policies issued by Minnesota's major health coverage providers. The bill requires providers to allow any pharmacy that agrees to comply with the conditions of their policies to be an eligible provider of prescription drugs. Currently, many insurers have policies allowing insureds to fill prescriptions only at certain pharmacies.

Excluded from the requirements are health maintenance contracts that require purchase of prescription drugs through pharmacies owned or operated by employees of the Health Maintenance Organization (HMO) that issued the contract.

The issue, according to Lantry, is one of competition: allowing pharmacies to compete.

Representatives from both Minnesota's and Wisconsin's pharmaceutical interests spoke in favor of the bill. Robert Henry, executive director of the Wisconsin Pharmacists Association, said that, although HMOs might say that such a law would be more expensive, a study of the upper Midwest indicated that prices were not dictated by whether HMOs allowed insureds to fill prescriptions at any pharmacy or only at specified pharmacies.

In addition, a senior citizen from Hoyt Lakes, Minn., spoke about the problems he had experience with obtaining prescription drugs through mail-order. However, Senators later determined that passage of S.F. 1702 would not help his situation.

A number of representatives of insurance organizations, including Blue Cross Blue Shield and Share, spoke against the bill. Phil

Griffin, representing Physicians Health Plan of Minnesota and the Minnesota Council of HMOs, said that the organizations oppose mandated benefits because they drive up the cost of health care and lead to lower quality of service. In addition, representatives from the Dept. of Employee Relations and the American Federation of State, County and Municipal Employees (AFSCME), expressed concern about the bill.

Sen. Carl Kroening (DFL-Mpls.) made the motion to lay the bill over, saying that more information was needed.

The committee is chaired by Sen. Sam Solon (DFL-Duluth).

Economic Development and Housing

Committee reviews financing bill

Members of the Economic Development and Housing Committee met Mon., Feb. 19, to continue their discussion of, and hear testimony on, a bill that places limitations on the use of tax increment financing by municipalities. The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), began deliberation of the measure during its Wed., Feb. 14, meeting.

St. Paul Council Member Bob Long testified that as currently written, S.F. 1760, authored by Sen. Ember Reichgott (DFL-New Hope), will eliminate the use of tax increment as a financing tool by cities and towns because many of the bill's provisions are overly restrictive. City administrators and council members from numerous other Minnesota communities agreed with Long's assessment, with a majority expressing concern over a section in the measure that provides for the creation of joint review boards to review tax increment financing plans proposed after Apr. 30, 1990. Witnesses argued that the boards would have an unfair veto power over local community planning decisions, would be largely unaccountable to the public, and would simply represent another layer of bureaucracy. Sections of the bill that force projects financed by tax increment revenues to comply with prevailing wage law requirements, and that amend the definition of structurally substandard buildings were also opposed by the witnesses. Frank responded to the testimony by stating that tax increment financing is currently being abused by a number of municipalities throughout the state, and that loopholes in the existing financing law need to be tightened.

Reichgott, in expressing appreciation to those who testified, stated that she would take the recommended changes under advisement and would present any technical and substantive amendments to S.F. 1760 during the committee's Mon., Feb. 26 meeting.

Education

Committee tours arts facility

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), spent its Wed., Feb. 21, meeting touring the Minnesota Center for Arts Education in Golden Valley, Minn.

Education Funding

Teacher contract negotiation discussed

The Education Funding Division of the Education Committee discussed and heard testimony on S.F. 1844, authored by division Chair Sen. Randolph Peterson (DFL-Wyoming), at its Fri., Feb. 16, meeting.

The bill makes permanent the funding penalty for districts that do not reach a teacher contract settlement by Jan. 15 of an even-numbered year. The \$25 per pupil unit penalty was approved last year, but only applied to the biennium ending June 30, 1991.

Duane Mattheis, representing the Association of Metropolitan School Districts, suggested to division members that a September

deadline date might be preferable because it would not be as disruptive to the education process. Mattheis mentioned a number of other alternatives for legislators to think about, and said that it was premature to make the Jan. 15 deadline permanent.

Bob Meeks, representing the Minnesota School Board Association, recommended that Senators leave the issue until next year, since no contract negotiations will take place for another one-and-a-half years.

No action was taken on the measure.

Senators also heard a presentation by Paul Goldberg, commissioner of the Bureau of Mediation Services, on the results of the 1989 teacher bargaining.

Changes to loan program discussed

The Education Funding Division of the Education Committee, chaired by Sen. Randolph Peterson (DFL-Wyoming), discussed S.F. 1787, modifying the Maximum Effort Capitol Loan Program, at its Mon., Feb. 19, meeting. The program is a means for districts with low property tax bases to obtain state assistance for large construction projects.

Bill author Sen. James Pehler (DFL-St. Cloud), explained the major changes the bill makes, including changing the types of projects eligible for loans under the program to exclude things like swimming pools, day care centers, and athletic facilities; adding additional criteria for approval by the State Board of Education, which screens the applications; allowing groups of districts to apply for the loans; increasing the district levy by adding an equalized levy; and changing the loan forgiveness period from 30 to 50 years.

Senators took no action on the measure other than adopting a technical amendment.

In addition, division members heard a State Board of Education report on the program. The report made a number of recommendations for change, some of which are incorporated into the Pehler bill.

Representatives of the Duluth and St. Paul School Districts also discussed ways the districts had used their Health and Safety Revenue.

Elections and Ethics

Ethics deliberation continues

The Tues., Feb. 20, meeting of the Senate Election and Ethics Committee was taken up with continuing consideration of ethics reform legislation. The committee is chaired by Sen. Jerome Hughes (DFL-Maplewood).

Sen. John Marty (DFL-Roseville) fielded questions from the committee regarding S.F. 1606, a bill establishing stricter financial disclosure guidelines for public officials and lobbyists, and broadening the authority of the Ethical Practices Board as an enforcement body. Concerns were raised pertaining to a provision of the bill requiring disclosure of all gifts exceeding \$50, with members expressing reservations about increased paperwork and problems of precisely defining what constitutes a gift. A provision allowing ethics complaints to be filed with the Ethical Practices Board in either oral or written form was challenged by Sen. Patrick McGowan (IR-Maple Grove). McGowan argued that anonymous oral complaints could be used as a political ploy to discredit public officials, particularly during an election campaign, and indicated he would draft an amendment addressing this concern.

A debate arose within the committee regarding the proactive/reactive nature of the legislation. Sen. Phyllis McQuaid (IR-St. Louis Park) questioned the necessity of the bill in the absence of a recognizable, substantiated ethics problem to be addressed. Sen. Lawrence Pogemiller (DFL-Minneapolis), however, argued that the proposal was justified as a step toward open government and full disclosure, rather than as an attempt to address specific ethics violations.

Committee Capsule

The committee will resume consideration of S.F. 1606 at a later date.

Environment and Natural Resources

Environmental bills pass

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met for the first time this session on Tues., Feb. 20. The committee approved the appointment of Michael Robertson as Director of the Office of Waste Management. Paul Toren was considered for an appointment to the Environmental Quality Board. Both names were re-referred to the full Senate for final confirmation.

S.F. 1663, authored by Sen. Gary DeCramer (DFL-Ghent), provides for the abandonment of Judicial Ditch 37 on the Redwood River. DeCramer explained that a judicial ditch was formed in 1959 to control flooding of the Redwood River. Cleanup is necessary, however, and if the ditch is abandoned, funding can be acquired through local, state and federal assistance. The bill was sent to the full Senate.

S.F. 1670, authored by Sen. William Luther (DFL-Brooklyn Park), prohibits the transport of Eurasian milfoil from one lake to another. The bill was amended to allow the commissioner of the Department of Natural Resources to suspend the license of any watercraft transporting milfoil into a different body of water. The effective date of the bill was changed to May 12, 1990, the opening day of fishing season. The bill was then sent to the full Senate.

CFC bill heard

On Wed., Feb. 22, the Environmental Protection Subcommittee of the Environment and Natural Resources Committee heard extensive testimony on S.F. 824, authored by Sen. Gregory Dahl (DFL-Ham Lake). The bill requires the recovery and recycling of CFC's from scrap automobiles, refrigerators, stationary air conditioners, and other appliances.

Employees from Appliance Recyclers of America demonstrated the recovery of CFC's from a refrigerator. Several other companies from various industries testified on their efforts to combat the CFC problem. The bill was laid-over until March 1.

Committee hears lottery update

The Finance Division on Agriculture, Transportation and Semistates met on Wed., Feb. 21, to receive an update on the preparations underway for the inception of the Minnesota lottery. The division is chaired by Sen. Keith Langseth (DFL-Glyndon).

Minnesota State Lottery director George Anderson briefed the committee regarding the actions that have been taken to this point. An advertising agency has been retained, a computer system contracted, and the first game cards printed. Anderson stated that the lottery currently employs 45 full-time staff, and will increase to 100 when field staff are hired. Approximately 2,000 applications have been received from establishments hoping to sell the lottery tickets; 4,000-4,500 such "retailers" are expected to be in place for the first game. In response to a question from the committee regarding the criteria for selecting retailers, Anderson pointed to geographic diversity, customer volume and service hours, as well as the basic requirements of the governing statute.

A discussion ensued as to the dedication of the proceeds, as members raised concerns about the effect of such a dedication on ticket sales. Anderson stated that a dedication to a cause believed to be worthy by most people tended to invigorate sales, although he expressed his commitment to remaining out of the debate over which organizations should receive the money.

The initial "instant" lottery games are expected to begin in April 1990, with the regular games to follow later in the fall. Net proceeds as of June 30, 1990, are estimated at \$6 million, growing to

\$50 million by June 30, 1991, although Anderson stressed the extremely speculative nature of the latter estimate.

Supplemental budget requests reviewed

The Finance Division on Health and Human Services met on Wed., Feb. 21, to hear testimony from representatives of three state programs experiencing serious budgetary shortfalls. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Due to the spiraling cost of meeting federal mandates, as well as an increased demand for the service, Minnesota's child care program is in need of an additional \$6.1 million above 1989 appropriations, Dept. of Human Services officials testified. All voluntary AFDC participants in STRIDE, the state's job training program, are now entitled to receive child care funds; previously the only group to receive mandated assistance was AFDC parents under twenty. Due to the shortfall, many "working poor" families are in danger of losing child care funding, and may have to go on AFDC as a result.

Members were also briefed regarding the budgetary shortfalls in the alternative care grant (ACG) program, expected to total approximately \$4.8 million for FY 1990 and FY 1991. The Dept. of Human Services has, in recent months, overseen a series of reallocations between counties to avoid the closure of cases. In addition, intake of new persons into various parts of the program has been frozen. The department plans a review of the ACG program, involving aspects such as eligibility, allocations, and forecasting, for the purpose of bringing recommendations for change to the 1991 Legislature.

The final Dept. of Human Service presentation involved the Chemical Dependency Consolidated Fund. Due to a variety of factors, including stricter enforcement of drug-related laws, an increase in general awareness regarding drug abuse, and demographics, a 20 per cent increase in fund utilization has taken place. The department estimates that an additional \$2.6 million will be needed for FY 1990, as well as \$6-8 million for FY 1991.

Finance Division on Higher Education

Panel discusses purposes, policies

Senators in the Finance Division on Higher Education, chaired by Sen. Gene Waldorf (DFL-St. Paul), heard a presentation on the purposes of higher education Tues., Feb. 20.

According to the presentation, there are two main purposes of higher education: personal development and service to society. Personal development includes fostering growth of the whole person, including the person's unique talents and potentialities, through cultivation of both the intellect and practical skills; developing abilities of individuals so that they are able to cope with the ordinary affairs of life and lead meaningful and productive lives; and assisting individuals in career choice, development, and placement in a complex and changing society. Service to society entails promoting an educated citizenry through development of individual capacities, values, and motivations; and promoting better mutual cross-cultural understanding in light of an increasingly global society.

In addition, six goals of higher education were outlined: accessibility, comprehensive educational opportunities, quality education, efficient and effective use of limited resources, comprehensive planning, and adequate funding. Following the presentation, Phil Lewenstein from the Higher Education Coordinating Board (HECB), discussed some of the policies involved in implementing those goals.

Following Lewenstein, Dr. David Powers, executive director of the board, began discussion of an HECB review and comment on the Higher Education Advisory Council's (HEAC) Progress Report on Undergraduate and Practitioner-Oriented Graduate Programs in

the Twin Cities Region. Powers reminded legislators that, in response to Phase I of the Minnesota Study of Postsecondary Access and Needs (MSPAN), legislators had asked the HECB to analyze and make recommendations on the higher education systems' proposals for providing undergraduate and practitioner-oriented programs in the Metropolitan Area. Powers said that the board had originally asked for the proposals by Nov. 30, 1989; however, he said it now seems more appropriate to delay the final proposals in order to better integrate them with the Phase II portion of the MSPAN report. The HECB is scheduled to submit the Phase II portion in December 1990.

Powers stressed that it is premature for schools to aggressively pursue 2 + 2 arrangements, which are arrangements that generally pair community colleges with state universities to provide degrees. These programs are not a cure-all, Powers said, and the higher education systems should wait until the final report before moving ahead full speed.

Senators in the committee expressed an interest in finding out the amount and type of various programs the systems are pursuing; Powers agreed that that information would be very useful.

Panel goes to U of M

The Higher Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), attended a Wed., Feb. 21, presentation on what various appropriations have allowed the University of Minnesota to accomplish. The presentation was on the University's campus. Members of the House Education Division of the Appropriations Committee also attended.

General Legislation and Public Gaming Committee

Confirmations approved by committee

Five gubernatorial appointments were approved in the Wed., Feb. 21 meeting of the General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul).

The appointees were Thomas Anzelc as Director of the Gambling Control Division of the Department of Gaming, Tony Bouza as Commissioner of the Department of Gaming, and Robert Fragnito, Barbara Grove and Raymond Joachim, Sr. to positions on the Gambling Control Board.

Lantry asked each of the appointees to come before the committee and comment on their role in the appointed position. In addition to discussing this role, each appointee also responded to committee members' questions on issues now facing Minnesota lawful gambling regulators.

Governmental Operations

Pension law discussed

A review of the actuarial impact of the 1989 pension law highlighted the agenda of the Tues., Feb. 20, meeting of the Senate Governmental Operations Committee. Sen. Donald Moe (DFL-St. Paul) serves as committee chair.

Larry Martin, director of the Legislative Commission on Pensions and Retirement, briefed the committee regarding the financial implications of the 1989 legislation, which changed pension coverage and improved benefits for state, county, and local employees, teachers, judges, legislators, police, and other groups. The benefit increase is largely financed through higher interest rate projections and later amortization dates. Martin stated that the majority of state pension plans are financially sound into the foreseeable future, although the Duluth and Mpls. Teachers' Funds face potential shortfalls early in the next century. Committee members raised questions regarding the exclusion of new state employees from previously available options, the extension of amortization dates,

and the inclusion of per diem payments in computing legislators' salaries for pension purposes.

The committee also began consideration of S.F. 1953, a "house-keeping" bill for the Dept. of Employee Relations sponsored by Moe. The bill allows the transfer of vacation and sick leave for governor's appointees who transfer between agencies; makes the vacation-donation program permanent; allows the reinstatement of a former classified employee within four, instead of the current three, years after separation from employment; makes technical changes in the public employee insurance program; and removes the authority of the Board of Medical Examiners and the Board of Dentistry to set their executive directors' salaries.

Pay equity bill approved

The Senate Governmental Operations Committee, meeting Thurs., Feb. 22, approved legislation clarifying the responsibilities of local government units in implementing pay equity programs. The committee is chaired by Sen. Donald Moe (DFL-St. Paul).

S.F. 488 defines equitable compensation relationships, requires an implementation reporting process of political sub-divisions, and provides for a review and appeal process. Several amendments were considered before the legislation received approval. The committee approved an amendment offered by bill sponsor Sen. Linda Berglin (DFL-Mpls.) that deleted language pertaining to the definition of equitable compensation relationships. A second Berglin amendment, making more explicit the penalty and appeal process, was also approved. Sen. John Marty (DFL-Roseville) offered an amendment, approved by the committee, incorporating language from a proposed Berglin amendment while retaining sections which that proposal would have deleted. The language establishes comparable work value as a "primary consideration" in negotiating compensation.

The committee also approved an amendment offered by Sen. Michael Freeman (DFL-Richfield), clarifying that arbitrators must consider other factors in addition to pay equity studies when dealing with gender-balanced classes of employees.

By a 7-6 vote, the committee defeated an amendment proposed by Sen. Earl Renneke (IR-Le Sueur) that would have allowed local government units to raise their levy limits in order to finance pay equity initiatives.

The bill now proceeds to the floor for consideration by the full Senate.

Health and Human Services

Medical equipment regulation debated

A bill allocating to the Board of Pharmacy regulatory power over the use of medical devices was considered at the Tues., Feb. 20, meeting of the Health and Human Services Committee. Sen. Linda Berglin (DFL-Mpls.) chairs the committee.

Sen. Ember Reichgott (DFL-New Hope) explained that the proposal, S.F. 1507, was intended as a response to a series of alleged health violations perpetrated by distributors of medical devices across the state. Insulin injectors, catheters, and oxygen regulators are examples of the equipment commonly stocked by such distributors. The Board of Pharmacy would, under the bill, have the power to conduct inspections of places where medical devices are sold, and examine pertinent files and records. Various technical provisions relating to the pharmaceutical industry are also included in the bill.

Opponents of S.F. 1507 argued that the Board of Pharmacy did not have the expertise necessary to oversee the medical device industry, and that the Food and Drug Administration, as well as the physician prescribing the equipment, already provided ample oversight.

An amendment was approved that dropped the provisions pertaining to medical devices from the proposal. The committee then approved the bill by a voice vote.

Committee Capsule

Also approved was S.F. 1692, sponsored by Berglin, which, as amended, alters the definition of "family or group family day care home," and deletes a number of Fire Marshal regulations relating to the homes. Specifically, the bill removes from the definition the requirement that the provider must reside in the dwelling where care is provided.

S.F. 443, allowing podiatrists to use nitrous oxide as an analgesic in their practices, was approved. The bill was sponsored by Sen. Lawrence Pogemiller (DFL-Minneapolis).

A bill, S.F. 872 authored by Sen. Vickerman (DFL-Tracy), clarifying the responsibility of relatives in the burial of indigents, was laid over for further study at the request of the sponsor.

Medicare certification adjustment okayed

A bill repealing the requirement that 50 per cent of Medical Assistance-certified nursing home beds also be certified for participation in Medicare was approved at the Wed., Feb. 21, meeting of the Health and Human Services Committee.

S.F. 1813, authored by committee chair Sen. Linda Berglin (DFL-Mpls.), allows the commissioner of human services to reduce the 50 per cent requirement to no less than 20 per cent; however, the facility seeking the change must demonstrate that it will not adversely affect access of Medicare-eligible residents to Medicare-certified beds. In addition, the bill prohibits the commissioner from requiring Medical Assistance recipients to transfer into or out of Medicare-certified nursing home beds. Proponents of the bill pointed out that for the majority of care facilities, 20 per cent was still considerably higher than the percentage of beds currently occupied by Medicare recipients. The bill was passed and proceeded to the floor.

The preliminary findings of a study reviewing Minnesota's long-term care property payment system was presented to the committee. The impetus for the study was changes in the payment system which decreased the funding received by 163 nursing homes. The ability of these homes to meet their debt payments was the focus of the report, presented by Charlie Townsend of the firm Peat Marwick. According to Townsend, 86 facilities are facing difficulties in meeting debt service requirements due to the funding adjustments. Townsend also stated that 25 per cent of the 448 facilities in the state will be restricted in carrying out capital improvements given their current financial situation.

The committee approved two bills sponsored by Sen. Don Samuelson (DFL-Brainerd). S.F. 1728, re-referred to the Finance Committee, amends the Community Social Services Act formula treatment of penalties imposed on counties for levying insufficient amounts for social services. S.F. 1758 requires that wholesale drug distributors be licensed by the Board of Pharmacy; the bill was re-referred to the Government Operations Committee.

Sen. Pat Piper (DFL-Austin) presented legislation allowing chiropractors to provide medical certification for General Assistance programs. After discussion of S.F. 576, a tentative compromise was reached allowing such certification, but only in cases involving spinal subluxation. The bill was laid over until specific language could be formulated for an amendment.

Drug dispensing regulations approved

A proposal regulating the for-profit sale of oral prescription drugs by medical practitioners was approved at the Thurs., Feb. 21, meeting of the Senate Health and Human Services Committee. Sen. Linda Berglin (DFL-Mpls.) serves as committee chair.

As amended, S.F. 1789, authored by Sen. Jim Vickerman (DFL-Tracy), requires a medical doctor to file papers indicating that he dispenses drugs for profit, the general circumstances of the dispensing, and the types of drugs involved with the Board of Pharmacy. The approved bill evolved from an earlier version which banned all such dispensing except in emergencies or when the practitioner's office was more than 15 miles from a pharmacy. Proponents and opponents differed sharply over the cost implications

of the proposal, as well as the differing levels of expertise possessed by doctors and pharmacists in terms of drug dispensing. The bill was approved by a 7-6 vote and proceeds to the floor.

The committee also began consideration of a bill requiring HMOs to allow enrollees access to chiropractic care under certain conditions. S.F. 1832, sponsored by Sen. Don Samuelson (DFL-Brainerd) would give chiropractors access equal to that of other "portal of entry" care providers; that is, referral from a physician would not be a precondition for receipt of chiropractic care. Representatives of the chiropractic industry testified that the provision is necessary because many medical doctors are very reluctant to refer patients to chiropractors. However, opponents of the bill argued that a new care mandate would be unwise because of spiraling health care costs. The bill was laid over for further consideration.

In other action, the committee approved, and re-referred to the Finance Committee, S.F. 576, sponsored by Sen. Pat Piper (DFL-Austin). The bill allows chiropractors to provide medical certification for General Assistance programs for individuals suffering from spinal subluxations.

Judiciary

Judicial selection bill gains

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Fri., Feb. 16, to discuss S.F. 1852. The proposed legislation, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), establishes a procedure for filling judicial vacancies. Under the bill's provisions, a commission on judicial selection would submit nominees to the governor for appointment to judicial offices. Pogemiller stated, "I feel this bill increases accountability in the process because it makes government more open to the public. Although the members of the commission don't control the selection, their input will make for more stability, continuity, public confidence, and openness in this process." The bill was approved and sent to the full Senate.

The committee also discussed S.F. 1366. The bill amends the Human Rights Act, making it an unfair discriminatory practice for a person to engage in harassing conduct that constitutes a bias crime. The bill, authored by Sen. John Marty (DFL-Roseville), was approved by the committee.

Child abuse reporting bill change okayed

A bill adding definitions of "mental injury" and "threatened injury" to the Child Abuse Reporting Act was approved at the Mon., Feb. 19, meeting of the Judiciary Committee. The measure, S.F. 1845, sponsored by Sen. Ember Reichgott (DFL-New Hope), also specifies that mental injuries and threatened injuries are types of abuse that must be reported as maltreatment of minors. According to Reichgott, a major impetus for the bill stems from the fact that Minnesota stands to lose significant federal monies if the definitions in the bill are not passed into law because current Minnesota law is not in conformance with federal law.

Under the bill, mental injury is defined as an injury to the psychological capacity or emotional stability of a child as evidenced by observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.

The term "threatened injury" is defined as a statement, overt act, condition, or status which represents an immediate and substantial risk of physical or sexual abuse or mental injury.

In other action, the committee, chaired by Sen. Allan Spear (DFL-Mpls.), considered, but did not approve, a bill providing the right to counsel in guardianship and conservatorship proceedings. The bill, S.F. 1400, authored by Sen. Jim Ramstad (R-Minnetonka), specifies that a proposed ward or conservatee would have a right to counsel and that counsel would be appointed for the initial proceedings unless the person waives the right. Arguments against

the bill centered on the state mandating that counties provide a service without providing funding for that service. The bill failed to gain approval on 8-8 roll-call vote.

Data privacy bill heard

The Judiciary Subcommittee on Privacy, chaired by Sen. Richard Cohen (DFL-St. Paul), met Tues., Feb. 20, to discuss two bills. S.F. 1753, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides a cause of action in civil court for invasion of privacy. The measure defines an "invasion of privacy" as an intrusion that would be considered highly offensive by a reasonable person. Under provisions in the bill, a plaintiff may bring an injunction to prevent or restrain the invasion of privacy, and may receive compensatory damages based on loss. The bill was referred to the full Judiciary Committee.

S.F. 1874, authored by Cohen, clarifies the personnel data statute about data that are public in connection with a disciplinary action. Under the bill, specific reasons for a disciplinary action and data documenting the action, except for data that would identify confidential sources, and the terms of any agreement would be public data if the person involved is an executive, manager, supervisor, teacher, law enforcement officer or an individual responsible for the care of minors or vulnerable adults. In addition, the bill defines "final disposition."

The measure also clarifies that a meeting may not be closed on the basis of data classification statutes, however the bill also specifies that a meeting must be closed if expressly required by other law or if the data is discussed that would identify alleged victims of criminal sexual conduct or child abuse; private personnel data on individuals not described in sections of the law describing public law; data on individuals collected, maintained, used, or disseminated by the welfare system; active investigative data or internal affairs data collected or created by a law enforcement agency; or educational data or medical data that are not public data.

Finally, the bill specifies that before closing a meeting, a public body must provide the specific grounds permitting the meeting to be closed and describe the subject to be discussed. Discussion on the bill will continue at the Mar. 6 hearing.

Tort reform bill heard

The Civil Law Division of the Judiciary Committee met on Wed., Feb. 22, to discuss S.F. 1827, authored by Sen. Ember Reichgott (DFL-New Hope). The bill addresses the tort liability provisions from the report of the Injury Compensation Study Commission. Under the bill's provisions, the order of deductions of awards in a no-fault claim is clarified to ensure that the plaintiff would receive some compensation for damages. It also modifies the provisions governing the award of punitive damages against a principal.

Also heard was S.F. 172, authored by Sen. A.W. "Bill" Diessner, providing immunity from liability for volunteer ski patrollers in instances where they may be forced to render emergency care, advice or assistance. The bill was amended into S.F. 1827.

S.F. 894, authored by Sen. Richard Cohen (DFL-St. Paul), was also amended into S.F. 1827. The bill provides that a person who makes a voluntary or mandatory report under the Child Abuse Reporting Act may recover attorney fees and costs if he or she prevails in a civil action suit.

Further discussion on S.F. 1827 will take place next week.

Local and Urban Government Met Council appointees okayed

Members of the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), met Mon., Feb. 19, and approved the appointments of eight Metropolitan Council members. The panel approved the governor's appointments of Liz Anderson, James Senden, Ken Kunzman, Margaret Schreiner, Dottie Rietow, Mary Hauser, Davis Fisher and Dirk DeVries.

Commission per diems clarified

Panel members met Thurs., Feb. 22, and acted on two bills. The first, S.F. 1739, authored by Sen. Richard Cohen (DFL-St. Paul), clarifies that members of the Met Council and other metropolitan commissions are to collect per diem by the day rather than by the meeting. The bill was approved and re-referred to the Committee on Governmental Operations.

The second measure, S.F. 1777, authored by Sen. Marilyn Lantry (DFL-St. Paul), specifies that the terms of the Ramsey County Charter Commission members are to continue until Dec. 31, 1990, or in the event of the passage of the charter in November, until a new commission is appointed or the effective date in 1992, whichever comes first. Current law specifies that the commission dissolve upon the completion of the final report. Lantry said that the idea of extending the commissioners' terms is to allow the commissioners to provide education about the new charter.

The committee, chaired by Sen. Robert Schmitz (DFL-Jordan), approved the bill and forwarded it to the full Senate.

Public Utilities and Energy Panel views technology display

A demonstration project on new telecommunications technology applications, sponsored by U.S. West Advanced Technologies, was attended by members of the Public Utilities and Energy Committee Tues., Feb. 20. The display provided legislators with the opportunity to meet with senior U.S. West researchers to discuss the latest in telecommunication services.

The committee is chaired by Sen. Ronald Dicklich (DFL-Hibbing).

Committee okays bill

The Public Utilities and Energy Committee met Thurs., Feb. 22, and approved a measure creating a test project designed to promote economic development in Greater Minnesota by permitting utilities to offer flexible rate schedules to attract new business. Sen. Ronald Dicklich (DFL-Hibbing), serves as the committee's chair.

As amended, H.F. 951, sponsored by Dicklich, directs the Public Utilities Commission (PUC) to order at least one utility to establish a pilot program that offers an area development rate. The bill specifies that the pilot program must be designed to assist industrial revitalization projects located within the service area of the participating utility, and requires the PUC to evaluate the impact and effectiveness of the program and report the findings to the Legislature by Jan. 1, 1995. The area development rate may only be offered to new or expanding manufacturing or wholesale trade customers.

Committee members approved the bill and it now goes to the full Senate.

In other action, panel members approved the nominations of Norma McKanna and Patrice Vick to the PUC. Both names were forwarded to the Senate floor for final confirmation.

Transportation Panel hears presentation

The Tues., Feb. 20, meeting of the Transportation Committee's Subcommittee on Transit was devoted to hearing testimony from Regional Transportation Board (RTB) and Metropolitan Council representatives regarding light rail transit. The subcommittee is chaired by Sen. Steven Novak (DFL-New Brighton).

After Senate Researcher Jill Schultz provided panel members with an historical overview of light rail transit issues in the metropolitan area, RTB Chair Michael Ehrlichmann presented his organization's regional light rail transit development and financial plan. He said that the final document, requested by the 1989 legislature

Committee Capsule

and unanimously approved by both the RTB and the Met Council, contains consensus-oriented recommendations that collectively represent a strong plan for future light rail transit construction. Among other things, the final report includes a 20-year light rail staging plan that identifies and recommends construction of 10 specific corridors in the Twin Cities metropolitan area. A 10-year staging plan, also included in the report, contains a number of prioritized construction recommendations centered around the development of a corridor connecting downtown Mpls. and St. Paul. The RTB anticipates that a combination of state and regional revenues will be used to fund construction of the central corridor.

Metropolitan Council Chair Steve Keefe expressed support for construction of the Mpls.-St. Paul downtown corridor, along with the report's recommendation urging periodic reviews by the RTB of light rail transit plan priorities. He said that building the central corridor will not only reduce traffic congestion, but will also provide a solid test to determine the accuracy of ridership projections and to help familiarize riders with the new transportation mode. Keefe said that while the Met Council has concerns regarding several light rail financing issues and the appointment process for the RTB, he emphasized the Met Council's belief that the RTB has done a good job on the development and financial plan.

Triple trailer bill gains

By a vote of 6-5, members of the Transportation Committee met Thurs., Feb. 22, and approved a bill that permits triple trailers to operate on a limited basis within the Twin Cities metropolitan area. The panel took no action on a measure designed to create a drunk driver roadblock program. The committee is chaired by Sen. Clarence Purfeerst (DFL-Faribault).

As amended, S.F. 447, authored by Sen. Gary DeCramer (DFL-Ghent), authorizes the transportation commissioner to issue permits to motor carriers to operate four-vehicle combinations longer than currently allowed under Minnesota law. Under the bill's provisions, 110-foot vehicle combinations would be allowed, with vehicle operations restricted to the seven-county metropolitan area.

Specifically, S.F. 447 establishes a four-vehicle combination demonstration program with a scheduled sunset of Aug. 31, 1993; limits operation of four-vehicle combinations to between the hours of 10 p.m. and 5:30 a.m.; prohibits permitted combinations from transporting any explosives, radioactive materials, or bulk quantities of hazardous materials; imposes a number of four-vehicle combination safety requirements, including authorization for the transportation commissioner to suspend operation of the vehicles due to weather conditions, construction, or holiday traffic; establishes equipment requirements for four-vehicle combinations; and requires the transportation commissioner to study the operation of the four-vehicle combination permit program. S.F. 447 also contains an appropriation of \$280,000 from the Trunk Highway Fund to pay for the study, rest area modifications, and the initial administration of the four-vehicle permit program, in addition to a \$111,500 appropriation for fiscal year 1991 to cover permit program administration costs.

S.F. 447 was re-referred to the Finance Committee.

As amended, S.F. 1478, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), authorizes counties, cities, towns, and the state to establish roadblock programs to apprehend DWI drivers. Diessner said that the primary intent of the bill is to target repeat drunk driving offenders. Sen. Phyllis McQuaid (R-St. Louis Park), questioned whether the measure was premature because the constitutionality of a similar program is currently being debated before the U.S. Supreme Court. After Minnesota State Highway Patrol Chief Kevin Kittridge provided panel members with a detailed description of how the program would operate, Diessner offered, and the committee adopted, a motion to withdraw the proposed legislation.

Veterans and Military Affairs

Vets home study reviewed

Members of the Veterans and Military Affairs Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), met Tues., Feb. 20, to review the recently completed Veterans Home Siting Study. The study, prepared by the Dept. of Administration Management Analysis Division, was conducted as a result of a 1989 law requiring more study on the need for additional veterans homes in the state.

Commissioner Sandra Hale began the presentation with a brief outline of the study and an introduction of Terry Bock of the Management Analysis Division. Bock, in turn, presented excerpts from the completed study highlighting veterans demographics, long-term-care options for veterans, and an evaluation of the need for additional veterans nursing homes. Based on the findings of the study, the report offered three recommendations: that the state should not, at this time construct and operate additional veterans nursing homes; that the state should expand the array of long-term-care services, such as Alternative Care Grants, offered to veterans; and that as the Veterans Home Board develops its long-range plans, the board should consider questions about whom it is going to serve and how best to serve by conducting a comprehensive survey of veterans needs and desires.

Jeff Olson, of the Dept. of Veterans Affairs, agreed that expansion of services through Alternative Care Grants was a good idea but said that the grants are short term. Olson contended that the study actually showed a need for more veterans nursing homes because the Veterans Affairs Dept. estimates showed a 13 percent market share use of facilities rather than the 8.4 percent market share figured by the Dept. of Administration. Olson said, "We believe the Legislature should continue to act proactively in order to maximize federal dollars and insure the best possible care for veterans."

Bertram also disputed the findings of the report, contending that there had been a correction in the number of veterans in the state that had not been accounted for in the study. Discussion on the matter will continue at future hearings.

Vets home board position okayed

The Veterans and Military Affairs Committee, chaired by Sen. Joe Bertram, Jr. (DFL-Paynesville), met Thurs., Feb. 22, and approved two measures.

S.F. 1794, authored by Sen. James Metzen (DFL-So. St. Paul), alters the definition of "veteran" for statutory purposes. The bill, as drafted, amended the definition to conform to federal law in six sections of Minnesota law. However, panel members adopted an amendment incorporating the language of S.F. 1882, authored by Bertram, that applies the new definition to all sections of Minnesota law. The bill was forwarded on to the full Senate.

The second measure, S.F. 1880, also authored by Bertram, authorizes the permanent appointment of an executive director of the Veterans Home Board. The measure also repeals current language providing for the appointment of a deputy commissioner of veterans affairs for veteran health care. Under the measure, the executive director would be appointed by the Board and would be delegated powers by the board and by statute. The bill was approved and re-referred to the Governmental Operations Committee.

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Preview

The Minnesota Senate Week at a Glance

Monday, February 26

Education Committee, Chair: Jim Pehler

8:30 a.m. Room 15 Capitol

Agenda: S.F. 1633-Marty: Providing a human rights curriculum. S.F. 1717-DeCramer: Establishing a task force to coordinate educational opportunity on the border between Minnesota and South Dakota. S.F. 1783-Renneke: Allowing certain school districts to change education districts. S.F. 1686-Pehler: Allowing area learning centers to provide programs on Saturdays.

Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 72-Cohen: Privacy of video and library records. S.F. 1680-Frederickson, D.R.: Cooperative association absentee ballots. S.F. 1753-Merriam: Invasion of privacy tort. S.F. 1906-Stumpf: Crime victim ombudsman. S.F. 1909-Bertram: Legal newspaper qualifications. S.F. 1917-Marty: 2nd Judicial District alternative dispute resolution (ADR) pilot project. S.F. 1943-Marty: Human Rights Act statute of limitations. S.F. 2043-Spear: Crime victim reparations.

Commerce Subcommittee on Insurance, Chair: William Luther

12 Noon Room 112 Capitol

Agenda: S.F. 1942-Luther: Regulating liability insurance claim denials.

Economic Development and Housing Committee, Chair: Don Frank

12 Noon Room 15 Capitol

Agenda: S.F. 1742-Schmitz: Relating to the City of Savage; permitting the transfer of tax increments between project areas. S.F. 1850-Pogemiller: Establishing a procedure for the allocation of low-income housing tax credits. S.F. 1760-Reichgott: Relating to tax increment financing.

Local and Urban Government Committee, Chair: Robert Schmitz

12 Noon Room 107 Capitol

Agenda: S.F. 1238-Peterson, R.W.: Relating to fees; providing for fees charged by county recorders. S.F. 1815-Pariseau: City of Apple Valley; the establishment of Special Service Districts. S.F. 1865-Berglin: Minneapolis; providing for appointment of the Director of the Civilian Review Board. S.F. 1820-Vickerman: Counties; permitting a county board to assign certain duties.

***The Senate will be in session at 2 p.m.**

Education Division on Education Funding, Chair: Randolph Peterson

3:00 p.m. Room 15 Capitol

Agenda: S.F. 1898-Stumpf: Department of Education initiatives. S.F. 1929-Peterson, R.W.: Department of Education initiatives for the governor's drug plan.

Tuesday, February 27

Employment Committee, Chair: Florian Chmielewski

8 a.m. Room 107 Capitol

Agenda: S.F. 1740-Cohen: Employee stock ownership plans; state assistance. S.F. 1805-Frank: Regulating employee inventions.

Legislative Commission on Pensions and Retirement,

8 a.m. Room 15 Capitol

Agenda: To be announced

Transportation Committee, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

Agenda: S.F. 1752-Pehler: Establishing standard for abandonment of railroad tracks. S.F. 1947-Peterson, R.W.: Moberg trail. S.F. 1806-Purfeerst: Exempting volunteer drivers from certain passenger service rules. S.F. xxxx-Purfeerst: Truck inspection program.

Commerce Committee, Chair: Samuel Solon

10 a.m. Room 112 Capitol

Agenda: S.F. 1682-Luther: authorizes on-sale liquor license for the Earle Brown Heritage Center. Confirmation of governor's appointment of Tom Borman as commissioner of the Department of Commerce. S.F. xxxx-Cohen: Regulates public adjusters. S.F. xxxx-Adkins: Proof of mailing notice regarding cancellation of property/casualty insurance. S.F. xxxx-Marty: Technical change to the Insurance Data Privacy Law. S.F. xxxx-Solon: Clarifies auto insurance benefits. S.F. xxxx-Solon: Effective date for cancellation of individual life insurance policies. S.F. xxxx-Solon: Relates to coordination of benefits between individual and group policies. S.F. xxxx-Luther: Exempts antique autos from required rental car coverage. S.F. 1817-Luther: Relates to non-renewal policy and notification for homeowners insurance. S.F. 1922-Solon: Exempts credit unions from certain requirements for closing agents.

Minnesota Advisory Council on Metropolitan Airport Planning, Co-Chair: Keith Langseth

10 a.m. Room 200 State Office Bldg.

Agenda: Draft proposal on site selection.

Veterans and Military Affairs Committee, Chair: Joe

Bertram, Sr.

10 a.m. Room 107 Capitol

Agenda: S.F. 1883-Bertram: Providing a cash bonus to each member of the Minnesota National Guard. S.F. 1884-Bertram: Allowing certain transfers of the right to tuition reimbursement.

Education Subcommittee on Indian Education, Chair: Gary DeCramer

12 Noon Room 123 Capitol

Agenda: Elementary and Secondary Education: Indian parent committees; Pine Point School; Tribal school equalization; Indian language and culture funding; and Indian Affairs Council legislative and programmatic concerns. Post-Secondary education: Fond du Lac Community College; School of Medicine-UMD; Minnesota Indian Scholarship Program; Minnesota Indian Teachers Training Program; and Indian Advisory Committee in public post-secondary institutions.

***Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

Wednesday, February 28

General Legislation and Public Gaming Committee, Chair: Marilyn Lantry
8 a.m. Room 107 Capitol

Agenda: Confirmation of governor's appointment as Director of the State Lottery Division of the Department of Gaming, George Andersen. Confirmation of governor's appointments to the Minnesota Racing Commission: Carol Connolly, Marilyn A. Rose, Ralph Strangis and Robert Zevnick. Report on status of Canterbury Downs. S.F. 1870-Lantry: relating to horse racing; per diem for commissioners; req. lic. for pari-mutuel clerks at county fairs; and appropriate money for promotion of breeding and racing industry.

Education Committee, Chair: Jim Pehler
8:30 a.m. Room 15 Capitol

Agenda: S.F. 1895-Kroening: Permitting Special School District # 1 to remodel the Aviation Training Center with federal funds. S.F. 2048-Laidig: Clarifying legislative intent concerning corporal punishment. Other bills not heard on Mon., Feb. 26.

Agriculture and Rural Development Committee, Chair: Charles Davis
10 a.m. Room 112 Capitol

Agenda: Dairy task force report. S.F. 1886-Bertram: Creating a forage specialist position. S.F. 1718-Davis: Farm management programs.

Judiciary Division on Civil Law, Chair: Ember Reichgott
10 a.m. Room 107 Capitol

Agenda: S.F. 1827-Reichgott: Tort reform. S.F. 1571-Cohen: Allowing a jury trial in certain discrimination cases. S.F. 1847-Reichgott: Department of Human Rights.

Judiciary Division on Criminal Law, Chair: Michael Freeman
10 a.m. Room 15 Capitol

Agenda: S.F. 1759-Spear: Omnibus Drug Bill.

Environment and Natural Resources Committee, Chair: Bob Lessard
1 p.m. Room 112 Capitol

Agenda: S.F. 1826-Merriam: Approving permits for the use of groundwater at Seneca wastewater treatment plant. S.F. 1725-Novak: Terms for reimbursement of petroleum tank release costs. S.F. 1675-Berg: Aquaculture.

***Health and Human Services**, Chair: Linda Berglin
1 p.m. Room 15 Capitol

Agenda: S.F. 1688-Waldorf: Prohibits abortion for birth control.

Finance Division on Education, Chair: Gene Waldorf
3 p.m. Room 123 Capitol

Agenda: HECB-WICHE request. Technical college capital budget.

Taxes and Tax Laws Division on Property Taxes and Local Government Aids, Chair: Steven Novak
3 p.m. Room 125 Capitol

Agenda: S.F. xxxx-Novak: Department of Revenue Property Tax.

Thursday, March 1

Employment Committee, Chair: Florian Chmielewski
8 a.m. Room 107 Capitol

Agenda: S.F. 1769-Lantry: Minimum wage increase.

Governmental Operations Committee, Chair: Don Moe
8 a.m. Room 15 Capitol

Agenda: S.F. 1758-Samuelson: Related to wholesale drug distributor licensure. S.F. 1022-Frank: Related to job impact statements and plant closings.

Transportation Committee, Chair: Clarence Purfeerst
8 a.m. Room 112 Capitol

Agenda: S.F. 838-Chmielewski: Special license plates for disabled person. S.F. 1729-Mehrkens: Requiring motorists to activate vehicle lights during inclement weather. S.F. 1775-Schmitz: Allowing tax-exempt license plates for vehicles used for driver education programs at non-public highschools. S.F. 1420-Vickerman: County state-aid highways.

Commerce Committee, Chair: Sam Solon
10 a.m. Room 112 Capitol

Agenda: S.F. 1871-Langseth: Allows detached banking facility in Detroit Lakes, MN. S.F. 1754-Lessard: Relates to restriction of issuance of off-sale liquor licenses in Itasca County. S.F. 1770-Cohen: Regulates membership travel contracts. S.F. 1499-Dahl: Regulates rent-to-own industry.

Public Utilities and Energy Committee, Chair: Ron Dicklich
10 a.m. Room 15 Capitol

Agenda: To be announced

Veterans and Military Affairs Committee, Chair: Joe Bertram, Sr.
10 a.m. Room 107 Capitol

Agenda: S.F. 1851-Bertram: Authorizes appointment of executive director to Department of Military Affairs. S.F. 1967-Diessner: Changes prohibition on cemeteries near veterans' homes. S.F. 2032-Bertram: Extends the program for free tuition at technical colleges for certain veterans.

Economic Development and Housing Committee, Chair: Don Frank
12 Noon Room 15 Capitol

Agenda: S.F. 1765-Merriam: Providing a first option to purchase to residents of a manufactured home park.

Local and Urban Government Committee, Chair: Robert Schmitz
12 Noon Room 107 Capitol

Agenda: S.F. 1897-Adkins: Clarifying employment terms of city and town assessors. S.F. 158-Adkins: Relating to town planning and zoning.

***The Senate will be in session at 2 p.m.**

Education Division on Education Funding, Chair: Randolph Peterson
3 p.m. Room 15 Capitol

Agenda: S.F. 1787-Pehler: Maximum effort school aid law.

Environment and Natural Resources Subcommittee on Environmental Protection, Chair: Greg Dahl
5 p.m. Room 112 Capitol

Agenda: S.F. 824-Dahl: Chlorofluorocarbon reduction and recycling. S.F. 1784-Dahl: Regulates mercury levels in batteries.

Health and Human Services Committee, Chair: Linda Berglin
5 p.m. Room 118 Capitol

Agenda: S.F. xxxx-Samuelson: Developmental disabilities case management. S.F. 1838-Berglin: Health Department administrative bill. S.F. 1693-Berglin: Sobering stations. S.F. 1931-Berglin: Governor's chemical dependency bill.

Economic Development and Housing Committee, Chair: Don Frank
7 p.m. Room to be announced

Agenda: To be announced

***Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

Judiciary Committee, Chair: Allan Spear
7 p.m. Room 15 Capitol

Agenda: S.F. 1860-Reichgott: Domestic abuse prosecution. S.F. 1941-Spear: DWI criminal vehicular operation. S.F. 2047-Spear: DWI chemical dependency assessments. S.F. xxxx-Spear: Aggravated DWI clean-up. S.F. xxxx-Spear: DWI license plate impoundment. S.F. 2046-Spear: CSTD counseling for victims of sexual assault.

Friday, March 2

Education Division on Education Funding, Chair: Randolph Peterson

8 a.m. Room 15 Capitol
Agenda: To be announced

General Legislation and Public Gaming Committee, Chair: Marilyn Lantry
8 a.m. Room 107 Capitol

Agenda: Confirmation of Governor's appointments to the Board of the Arts: Benjamin Vander Kooi, Jr., Dee Knaak, and Raymond Faricy. S.F. 1508-Chmielewski: Relating to historical preservation-Fond du Lac area. Continuation of discussion of S.F. xxxx-Lantry: Lawful gambling proposal.

Agriculture and Rural Development Committee, Chair: Charles Davis

10 a.m. Room 112 Capitol
Agenda: S.F. 1750-Stumpf: Mediation. S.F. 1946-Berg: Deficiency judgments.

Finance Division on Education, Chair: Gene Waldorf
10 a.m. Room 125 Capitol

Agenda: State university system capital budget.

Judiciary Division on Civil Law, Chair: Ember Reichgott
10 a.m. Room 107 Capitol

Agenda: S.F. 1745-Spear: Child custody, visitation. S.F. 1846-Reichgott: Suspension of visitation rights. S.F. 1948-Spear: Family law; Dissolution reporting requirements and joint legal custody standards.

Judiciary Division on Criminal Law, Chair: Michael Freeman
10 a.m. Room 15 Capitol

Agenda: S.F. 1945-Freeman: Alcohol, tobacco tax for alcohol, drug prevention, law enforcement programs. S.F. 1843-Marty: Harassment task force bill. S.F. 1969-Reichgott: Establishing penalties for child abuse, malicious punishment of a child resulting in injury. S.F. 1978-Freeman: Establishing penalties for malicious punishment of a child resulting in injury.

Finance Division on Agriculture, Transportation and Semi-states, Chair: Keith Langseth

10:30 a.m. Room 123 Capitol
Agenda: S.F. 447: Triple trailer kill.

Environment and Natural Resources Committee, Chair: Bob Lessard

1 p.m. Room 112 Capitol
Agenda: S.F. 1996-Merriam: Waste management amendments. S.F. 1879-Bertram: Sale of state timber. S.F. 1772-Stumpf: Establishing Lake of the Woods as a state forest. S.F. 1998-Lessard: Waste tire feasibility study.

Health and Human Services Committee, Chair: Linda Berglin
*1 p.m. Room 15 Capitol

Agenda: S.F. 1747-Ramstad: Increases maximum amount of care per child in a drop-in child care program. S.F. 2019-Piper: DHS Licensing Act. S.F. 1914-Piper: Amends Human Services

Licensing Act. S.F. xxxx-Berglin: Nursing home property. S.F. 1828-Berglin: Nursing home property. S.F. 1839-Berglin: ICF facilities. S.F. 1952-Berglin: Modifying duties of unlicensed mental health service providers and eliminating the Office of Social Work and Mental Health Boards.

Finance Committee, Chair: Gene Merriam
3 p.m. Room 123 Capitol

Agenda: Governor's supplemental budget recommendations. Governor's capital budget recommendations. Confirmation hearing-Commissioner of Finance Peter Hutchinson.

For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.

Branches of government outlined

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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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.

Facts about the Minnesota Legislature

Minnesota 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 a "B" portion to designate the House of Representatives 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 meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. The Legislature usually adjourns earlier in even numbered years.

MINNESOTA STATE SENATE

Senate Members—1990 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	IR	5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	8869	Luther, William	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	2159	McGowan, Patrick D.	121 SOB	48
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	4261	Berglin, Linda	G-29 Cap.	60	IR	8075	Mehrkens, Lyle G.	127 SOB	26
IR	4131	Bernhagen, John	113 SOB	21	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	4370	Metzen, James	303 Cap.	39
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	4264	Moe, Donald M.	309 Cap.	65
IR	4848	Brataas, Nancy	139 SOB	33	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	5649	Morse, Steven	309 Cap.	34
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5003	Dahl, Gregory L.	111 Cap.	50	IR	1282	Olson, Gen	133 SOB	43
DFL	2302	Davis, Charles R.	G-24 Cap.	18	IR	5252	Pariseau, Patricia	151 SOB	37
IR	0415	Decker, Bob	109 SOB	4	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	IR	9457	Piepho, Mark J.	105 SOB	24
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	9248	Piper, Pat	325 Cap.	31
DFL	4274	Flynn, Carol	G-27 Cap.	61	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	129 SOB	38	DFL	5650	Vickerman, Jim	G-29 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	124 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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90, March 2

Briefly

The Minnesota Senate Week in Review

March 2, 1990

Two-tier tournament repeal approved

A bill repealing the requirement that the Minnesota State High School League conduct a two-tier state hockey tournament was granted preliminary approval at the Mon., Feb. 26, session of the Senate. Sen. Roger Moe (DFL-Erskine), author of S.F. 1727, argued that the administration of state tournaments was not a proper area for legislative intervention. The 1989 law which mandated the two-class system was passed in response to the concerns of smaller schools, which have increasingly been shut out of tourney participation. That measure was defended on the floor by Sen. Ronald Dicklich (DFL-Hibbing), who claimed that a "private club" of schools was dominating the tournament as presently constituted. However, Senators approved the measure repealing the two-tier system.

Preliminary approval was also given to S.F. 1694, sponsored by Sen. Linda Berglin (DFL-Mpls.), which requires that child support orders be issued in specific dollar amounts.

The Senate, in addition, acted favorably on S.F. 1366, sponsored by Sen. John Marty (DFL-Roseville), making harassment in certain cases an unfair discriminatory practice. Marty explained that his proposal was intended to provide a civil law recourse for the victims of this type of crime, as a supplement to the criminal law provisions already in place.

Five additional bills were granted preliminary approval during the session. S.F. 1696, authored by Sen. Solon (DFL-Duluth), clarifies the eligibility and enrollee participation requirements relating to a demonstration project for uninsured low-income persons. S.F. 1663, sponsored by Sen. Gary DeCramer (DFL-Ghent), mandates the abandonment of judicial ditch number 37 in Redwood and Lyon Counties. S.F. 1778, authored by Solon, creates and provides for the regulation of the life and health insurance guaranty association. S.F. 1730, sponsored by Sen. Allan Spear (DFL-Mpls.), permits interstate banking with Indiana. As amended, S.F. 1692, authored by Berglin, alters the definition of "family or group family day care home" and deletes a number of fire marshal regulations relating to the homes.

The Senate also adopted a resolution setting deadlines for completing business this session. Bills originating in the Senate must be heard in a Senate Committee by March 9. A bill originating in the other body must be heard in a Senate Committee by Mar. 16. These requirements do not apply to the Senate Committees on Finance and on Taxes and Tax Laws. After April 6, the Senate may only act on bills contained in conference committee reports, messages from the House of Representatives, reports of the Committee on Rules and Administration, and messages from the governor.

Anti-abortion bill defeated

A bill severely limiting the scope of legal abortions in Minnesota failed to win approval at the Thurs., Feb. 28, meeting of the Health and Human Services Committee. Sen. Linda Berglin (DFL-Mpls.) serves as the committee chair.

S.F. 1688, authored by Sen. Gene Waldorf (DFL-St. Paul), prohibits performing or attempting to perform an abortion as a method of birth control. It establishes four categories of circumstances under which abortion would remain legal, including when the pregnancy is the result of incest; when the pregnancy is the result of rape and is reported to the police within 48 hours of the attack or 48 hours after

the victim is physically able to report the attack; when continuing the pregnancy would endanger the life of the mother or lead to severe and long-lasting damage to her physical health; and when, in the judgement of the physician, the child would not survive for an extended period after birth due to serious physical or mental disabilities.

The bill also prohibits abortion without the informed consent of the woman, and establishes a number of requirements that must be satisfied. Prior to the abortion the woman must certify in writing that she has received this information.

Under the terms of the bill, persons authorized to take legal action to enforce the law include a woman upon whom an illegal abortion has been performed or was attempted, the parents of a minor upon whom an illegal abortion was performed or attempted, the father of the unborn child who was subject to an illegal abortion or attempted abortion, and a county attorney, attorney general, or local welfare or law enforcement agency. An amendment offered by Waldorf, and approved by the committee, clarifies that individuals who act at the direction of a physician carrying out an illegal abortion, such as secretaries, receptionists, etc., are not subject to prosecution. Fines for violating an injunction against performing an abortion are set at \$10,000, which is doubled for the second through seventh violation, after which it remains constant for each additional violation.

The committee heard extensive testimony from both proponents and opponents of the bill. Among those speaking in favor of the bill included Msgr. James Habiger of the Minnesota Catholic Conference, Jackie Schwietz of Minnesota Concerned Citizens for Life, and Regina Theune of Black Americans for Life, as well as Kay Castonguay of Feminists for Life. Testifying against the proposal included Kate Michelman of the National Abortion Rights Council, Hennepin County Attorney Tom Johnson, Rabbi Norman Cohen, and Alan Rosenfeld, former chair of the Board of Directors of Planned Parenthood.

After the four hours of testimony was completed, a discussion of the proposal ensued among committee members. Sen. Florian Chmielewski (DFL-Sturgeon Lake) then called for a roll call vote on the bill, which was defeated on a 8-8 vote.

Judicial selection bill okayed

The Thurs., Mar. 1, Senate floor session was highlighted by members granting preliminary approval to a judicial selection measure. S.F. 1852, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides a procedure for filling vacancies in Minnesota judgeships. Pogemiller said that the bill creates a 13-member commission that is directed to select candidates for judicial vacancies, with the governor making a final choice from the selection list. He emphasized that the measure will enhance the public's confidence in the process, adding that the proposed legislation does not undercut the governor's current appointment power or authority. Senators adopted amendments mandating that no more than six members of the selection commission may be attorneys, and adding language that stresses greater appointment of women and minorities to the bench.

Preliminary approval was also granted to S.F. 443, a measure that clarifies statutes regarding the use of nitrous oxide by podiatrists authored by Pogemiller.

In addition, Senators granted final passage to all eight bills that received preliminary approval during the Mon., Feb. 26, floor session.

Committee Capsule

Agriculture and Rural Development

Grasshopper bill discussed

A lengthy debate concerning provisions contained in a large-scale grasshopper control measure dominated the Agriculture and Rural Development Committee's agenda during the Fri., Feb. 23, meeting. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 1674, sponsored by Sen. Charles Berg (DFL-Chokio), provides for a \$2.5 million general fund appropriation to reimburse counties and towns for up to 50 percent of grasshopper control costs incurred in 1989, and to finance 1990 efforts with any remaining funds from the appropriation; grants special tax levying authority to counties to help defray future control program costs; creates a position of state entomologist within the Minnesota Extension Service to regulate and coordinate entomological research, propagation, and control efforts; directs the agriculture commissioner to designate pesticides and determine label requirements for the control program that minimize adverse environmental impacts; and provides an appeals process for individuals required to control grasshoppers who are charged for the service by the counties.

University of Minnesota Extension Service Entomologist Dave Noetzel warned panel members that if this spring brings normal temperatures and low precipitation, six million acres of state farmland may need to be treated in order to control the insects. He projected that under such weather conditions, grasshopper populations could range anywhere from two to ten times as large as last year. Noetzel added that an estimated 10 to 15 thousand bees were killed as a result of 1989 grasshopper control efforts.

Berg offered an amendment requiring beekeepers to provide written and verbal notification to pesticide applicators concerning the location of their foraging bees. He said that this provision attempts to minimize the adverse impact pesticide application can have on foraging bees. Sen. Joe Bertram, Sr., (DFL-Paynesville), presented an amendment requiring commercial pesticide applicators to notify apiary owners within a two-mile radius of bee colonies before applying grasshopper control pesticides on Reinvest in Minnesota (RIM) or federal Crop Reserve Program (CRP) land, or on land with blooming alfalfa, clover, or sunflowers. Bertram's amendment further stipulates that the notice must be provided verbally at least 24 hours prior to spraying, followed by written notice; permits spraying without notification from one hour before sunset to three hours after sunrise; and provides funding to reimburse beekeepers for losses incurred as a result of grasshopper spraying in 1989.

Due to time constraints, action on S.F. 1674 and the two amendments was delayed until the committee's Fri., Mar. 2, meeting.

Panel advances two measures

The Wed., Feb. 28, meeting of the Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), was devoted to approving bills that provide funding for farm management programs and that establish a task force on forage. Recommendations contained in a dairy task force report were also presented during the meeting.

S.F. 1718, sponsored by Davis, appropriates \$740,000 from the General Fund to the State Board of Vocational Technical Education for farm and small business management programs. The bill provides funding for instructional and support staff for farm and small business management, beginning farmer programs, and enterprise classes specific to community needs, along with tuition assistance financing. Davis said that the measure represents a continuation of program funding provided during last year's legislative session. The bill was re-referred to the Finance Committee.

As amended, S.F. 1886, carried by Sen. Joe Bertram, Sr., (DFL-Paynesville), establishes an advisory task force on forage. As outlined in the measure, the task force's mission is to "understand, adopt, and implement current and new forage technology to improve profitability in an environmentally sound manner that sustains rural communi-

ties." The bill also directs the task force to submit a report of its findings to the Legislature by July 1, 1993. The measure now goes to the Senate floor.

Minnesota Dairy Task Force Chair Linda Rotz then presented recommendations resulting from her organization's recent study efforts. She said that the task force, commissioned by the 1988 Legislature to make the state's dairy industry more economically viable, developed numerous recommendations. Rotz stated that among other things, the task force recommends imposition of a one year ban on the commercial use of bovine somatotropin (bST) in Minnesota; promotion of research projects that address the surplus butterfat issue; and implementation of funding for greater research on farms that continue to experience low livestock productivity due to stray AC voltage emanating from power lines located near farmland.

Commerce

Claim denials bill discussed

The Commerce Committee Subcommittee on Insurance, chaired by Sen. William Luther (DFL-Brooklyn Park), spent the entire Mon., Feb. 26, meeting discussing S.F. 1942, authored by Sen. John Brandl (DFL-Mpls.).

The bill requires insurers, before denying a liability insurance claim on the basis of a medical evaluation provided by a health care provider chosen by the insurer, to allow the insured to obtain a medical evaluation from a neutral third provider. If the evaluation of the third provider is consistent with the initial evaluation, the insurer may deny the claim. The bill also requires the commissioner of commerce to develop and maintain a list of neutral health care providers. The bill exempts workers' compensation claims.

Two people testified about their own experiences of having their claims denied after their insurance companies sent them to doctors who said they didn't need further treatment. In both cases, the claims were made on automobile policies under the no-fault law. In addition, a representative of the insurance industry testified in opposition to the bill, saying that insurance companies must try to contain costs.

The bill was laid over.

Commerce Committee approves Borman appointment

The Commerce Committee recommended confirmation of the appointment of Tom Borman as the Commissioner of Commerce at its Tues., Feb. 27, meeting.

In addition, the committee, chaired by Sen. James Metzen (DFL-St. Paul) in the absence of Sen. Sam Solon (DFL-Duluth), approved five bills. S.F. 2130, authored by Sen. Richard Cohen (DFL-St. Paul), regulates the practices, disclosures and record-keeping of public adjusters. The bill provides that public adjusters may not: pay money or objects of value for direct or indirect referrals; pay money or objects of value as an inducement to refer business or clients; solicit clients between 8 p.m. and 8 a.m.; or have an interest in a construction firm, salvage firm, or appraisal firm. The bill requires public adjusters to disclose in writing any interest the adjuster has in loss proceeds other than the interest in the employment contract. The bill specifies that adjusters must keep records of all documents pertaining to claims for five years after the end of the contract period. S.F. 2130 will go to the floor.

Also approved, as amended, was S.F. 2110, sponsored by Solon. The bill authorizes insurers, vendors of risk management services, non-profit health service plan corporations, and health maintenance organizations to coordinate medical benefits to prohibit greater than 100 percent coverage when an insured, subscriber or enrollee is covered by both an individual and a group contract. Representatives from Physicians Health Plan and Blue Cross Blue Shield testified in favor of the legislation. The amendment, offered by Sen. Michael Freeman (DFL-Richfield), adds that benefits coordinated under the provision must provide for 100 percent coverage. The bill was sent to the floor.

Also approved, as amended, was S.F. 2153, changing the Insurance Data Privacy Law, sponsored by Sen. John Marty (DFL-Roseville). Marty said that both the bill and the amendment were largely technical. S.F. 2153 was sent to the floor.

S.F. 1922, authored by Solon, was approved and sent to the Consent Calendar. The bill adds closing agents who are employees of credit unions to the list of people who are exempt from two requirements: that the closers be licensed and that a trust fund account be maintained for all trust funds.

Senators also approved S.F. 1682, sponsored by Sen. William Luther (DFL-Brooklyn Park), which authorizes Brooklyn Center to issue an on-sale liquor license for the Earle Brown Heritage Center convention center. The bill was sent to the floor.

Senators discussed and amended S.F. 1817, also authored by Luther. Last year, legislation was approved requiring homeowners' insurers to provide, when an insured made a claim, a written statement regarding the minimum number and amount of claims that may result in a nonrenewal. Originally, S.F. 1817 changed that requirement to one of the insurer providing the information only when any future losses may result in nonrenewal of the policy—in other words, when one more claim could lead to nonrenewal. However, an author's amendment gave the insurance companies the choice of providing the information at either time. The amendment was adopted; no further action was taken on the bill.

In addition, Senators discussed and laid over S.F. 2131, relating to health claim appeals, and S.F. 2129, relating to the effective date for a provision in the 1989 life and health insurance bill. Both bills are authored by Solon.

Four bills advanced

The Senate Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), advanced four bills to the Senate floor at the Thurs., Mar. 1, meeting. S.F. 2129, authored by Solon, originally altered a retroactive provision requiring notices for cancellation and nonrenewal of individual life insurance policies, by making the provision effective only for policies issued after Aug. 1, 1989. However, an author's amendment made the requirement apply retroactively to the policy or subscriber contract owner, but not to the named insured in the policy, for policies, plans or contracts issued before Aug. 1, 1989. The difficulty with the requirement, according to Bob Johnson of the Minnesota Insurance Federation, is that companies haven't been required to provide the notice in the past, and do not have addresses for the beneficiaries of the policies. The amendment was then amended to change the cut-off date to Aug. 1, 1979, meaning that insurers must provide notice to both the owner and the beneficiary upon cancellation or nonrenewal of an individual life insurance policy, plan or contract issued after Aug. 1, 1979. Both the amendment and the bill were approved.

Senators also approved S.F. 1871, sponsored by Sen. Keith Langseth (DFL-Glyndon), which allows banks doing business within seven miles of Detroit Lakes to maintain one detached facility in Detroit Lakes. Langseth said that the bill is for a bank, located in a small town near Detroit Lakes, that wants to operate a facility in Detroit Lakes.

S.F. 1754, which committee members approved, adds Itasca County to the list of counties that may issue a liquor license for a person for an establishment located less than three miles from the boundary of any statutory or home rule city with a municipal liquor store. Author Sen. Bob Lessard (DFL-Int'l. Falls), said that the bill is for a liquor store that is located 2.85 miles from Grand Rapids. It is contingent on local approval.

A bill stating that, unless otherwise specifically required, proof of mailing of the notice of cancellation, reduction in the limits of liability of coverage, or nonrenewal of a commercial property and liability insurance policy is sufficient proof that proper notice has been given, was also approved. Senators also adopted an amendment, offered by S.F. 2109 author Sen. Betty Adkins (DFL-St. Michael), adding that the proof of mailing must be by the U.S. Postal Service.

Senators also began discussion of S.F. 1499, which regulates rent-to-own companies. The law outlines disclosure requirements, adver-

tising prohibitions, form requirements, and provides for default and reinstatement of the lessee's rights. Senators adopted minor amendments clarifying provisions of the bill regarding cash price limits and the mailing of default notices. Because of time constraints, discussion of the bill will continue at a later meeting. S.F. 1499 is authored by Sen. Gregory Dahl (DFL-Ham Lake).

Economic Development and Housing

Housing bill gains

Members of the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Thurs., Feb. 22, and approved a bill that makes significant changes to the state's housing policy. The measure was re-referred to the Finance Committee.

As amended, S.F. 1950, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), permits the Minnesota Housing Finance Agency to use money from a newly-created account to provide grants and loans to local governmental units for transitional housing, public housing rehabilitation and modernization, and acquisition of multifamily housing that will be preserved for use by low-and moderate-income persons. The measure also allows the Housing Finance Agency to use up to 20 percent of funds available in the Housing Trust Fund Account for home ownership projects.

In addition, the proposed legislation permits housing redevelopment authorities to pay service charges on low income housing units in lieu of property taxes if authorities lease the property to nonprofit corporations or limited dividend entities for the purpose of providing housing projects. S.F. 1950 also directs the Housing Finance Agency to coordinate all homelessness-related services and activities currently provided by state agencies.

Pogemiller said that the local government grant/loan portion of the measure would be funded by \$10 million in proceeds from the state bonding bill.

Panel debates tax increments

Discussion of two bills relating to tax increment financing highlighted the Mon., Feb. 26, meeting of the Economic Development and Housing Committee. Sen. Don Frank (DFL-Spring Lake Park), serves as the committee's chair.

S.F. 1742, sponsored by Sen. Robert Schmitz (DFL-Jordan), authorizes the Housing and Redevelopment Authority (HRA) of the city of Savage to transfer tax increments from one redevelopment project to another for the purpose of paying the principal and interest on bonds issued to finance public improvements in the project. Savage City Administrator Mark McNeill explained that after the city established a tax increment financing district and issued bonds to fund needed public improvements in an underdeveloped industrial area in order to induce private development of the area, the U.S. Army Corp of Engineers mandated a regulatory change prohibiting the property within the project area from being developed. He stated that as a result of these unusual circumstances, Savage is unable to retire the debt service on the issued tax increment bonds and needs the Legislature's authorization to use tax increments generated from within another city project to achieve this end. McNeill said that unless the bill is enacted, Savage will need to levy an additional \$240,000 per year in property taxes in order to make up for the shortfall. Passage of the legislation will also enable Savage to pay for needed Scott County road improvements that the latter can't afford to finance by lengthening the bond duration from 8 to 25 years, he concluded.

Frank expressed support for the debt indebtedness portion of the measure, but questioned the 17-year bond extension for the road project. He noted that because of the complicated way in which education aids funding is formulated, the bond extension will, in essence, reduce revenues for education programs and activities. Sen. Ember Reichgott (DFL-New Hope), added that by permitting this tax

Committee Capsule

increment "pooling" exception for Savage, other municipalities might barrage the Legislature with similar requests. After other panel members expressed sympathy for the city of Savage's unusual predicament, S.F. 1742 was approved by a roll call vote of 8-2 and was re-referred to the Taxes and Tax Laws Committee.

Committee members briefly turned their attention to S.F. 1760, a tax increment financing measure sponsored by Reichgott that was carried-over from the committee's Feb. 19 meeting. Reichgott offered, and panel members adopted, an amendment incorporating numerous changes suggested during previous hearings. The amendment, among other things, removes language from the bill that subjects tax increment projects to prevailing wage requirements, that defines when a building is not structurally substandard for purposes of a tax increment financing district, and that prohibits land write-downs below fair market value in economic development districts. Frank informed committee members that further action on S.F. 1760 will be delayed until additional testimony can be heard on the amended version of the bill.

In addition, committee approval was granted to a measure that establishes an allocation procedure for low-income housing tax credits and that changes the amounts to be allocated to entitlement cities and counties. S.F. 1850, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), establishes separate metropolitan area and Greater Minnesota low-income housing tax credit pools. Under the bill's provisions, the Minnesota Housing Finance Agency is directed to allot tax credit amounts between the two pools, after deducting a federally-required set-aside for qualified nonprofit organizations. The agency is also required to reserve a percentage of each pool to entitlement cities and counties, and to award the tax credits in three competitive rounds on an annual basis. Panel members adopted an author's amendment directing the Metropolitan Council to develop a tax credit distribution plan for use beginning in 1991. S.F. 1850 was re-referred to the Taxes and Tax Laws Committee.

Education

Two bills amended, approved

The Senate Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), amended and approved S.F. 1717 and S.F. 1783 at the Mon., Feb. 26, meeting.

S.F. 1717, authored by Sen. Gary DeCramer (DFL-Ghent), establishes a task force to coordinate educational opportunity on the border between Minnesota and South Dakota. Norris Oerter, superintendent of two South Dakota school districts and three Minnesota districts, testified that the purpose of the bill is to allow the border districts more flexibility in providing services across the state line. Senators adopted an author's amendment making the bill effective only if South Dakota enacts a bill providing for South Dakota members of the task force; in that case, the bill will be effective the day following final enactment by Minnesota or South Dakota, whichever is later. Senators also adopted an amendment, offered by Sen. Gregory Dahl (DFL-Ham Lake), removing the governor as the appointing authority for task force members and giving the authority to the Senate Rules Committee Subcommittee on Committees and the Speaker of the House.

Also approved was S.F. 1783, sponsored by Sen. Earl Renneke (IR-Le Sueur), allowing school districts engaged in "cooperation and coordination" to transfer to a new education district if necessary. The law currently prohibits school districts from engaging in "cooperation and coordination" unless both school districts are in the same education district. Senators adopted an amendment giving the bill a July 1, 1990, effective date.

In addition, the committee discussed S.F. 1633, authored by Sen. John Marty (DFL-Roseville), which mandates the Dept. of Education and the Dept. of Human Rights to develop two ten-hour courses on human rights, one for elementary students and one for secondary students. After July 1, 1991, the bill requires each school to offer the appropriate human rights course, and every student to

complete the course before graduating from elementary school or high school.

Although the committee members seemed to agree that the bill was a good idea, many raised questions regarding the appropriateness of the Legislature mandating the courses. Marty agreed that he would discuss the bill with members of the State Board of Education and the Dept. of Education. The bill was laid over.

S.F. 1717 and S.F. 1783 were sent to the floor.

Indian education issues discussed

The Indian Education Subcommittee of the Education Committee, chaired by Sen. Gary DeCramer (DFL-Ghent), met Tues., Feb. 27, and heard testimony on issues in Indian education.

The subcommittee devoted the first portion of its time to elementary and secondary education, hearing testimony on Indian parent committees, tribal school equalization, Indian language and culture funding, the Indian Affairs Council's legislative and programmatic concerns and the Pine Point School.

Senators also heard from representatives of the postsecondary system, including Fond du Lac Community College and the University of Minnesota-Duluth. In addition, the Minnesota Indian Scholarship Program, the Minnesota Indian Teachers Training Program, and the Indian Advisory Committee in Public Postsecondary Institutions, were briefly discussed.

Three bills amended, approved

S.F. 2048, which clarifies last year's legislation prohibiting corporal punishment in public schools, was discussed and approved at the Wed., Feb. 28, meeting of the Education Committee.

Bill author Sen. Gary Laidig (IR-Stillwater) said that the intent of S.F. 2048 is to clarify that corporal punishment in public schools is prohibited, but is not a criminal act unless it is serious enough to fall under the assault laws. The original legislation was intended to help school boards resolve problems involving corporal punishment, he said. Senators also discussed a Laidig amendment describing what constitutes use of "reasonable force" by a teacher; however, no one moved the amendment, so no action was taken. The bill was sent to the floor.

Also approved, as amended, was S.F. 1686, sponsored by committee Chair Sen. James Pehler (DFL-St. Cloud). The bill originally simply allowed area learning centers to provide programs on Saturday; the amendment added that school boards may hold school on Saturdays. The bill was sent to the floor.

S.F. 1895, sponsored by Sen. Carl Kroening (DFL-Mpls.), was approved and sent to the Consent Calendar. The bill allows the Minneapolis School District to use federal funds to remodel space in the Aviation Training Center at Flying Cloud Airport.

Higher ed advances five bills

Senators approved five measures at the Wed., Feb. 28, meeting of the Higher Education Division of the Education Committee. S.F. 2027, authored by Sen. John Brandl (DFL-Mpls.), establishes a state matching program for gifts made for an undergraduate academic program made to an endowment fund of a college or university. The bill outlines the program, including which gifts the state would match and what programs would be eligible. Under the bill, the University of Minnesota and the state universities are both eligible for the matching funds, as are private colleges that offer undergraduate academic programs leading to baccalaureate degrees at the institutions.

Dr. David Laird, president of the Private College Council, said that the bill would help promote quality in higher education.

Also approved was S.F. 1551, carried by Sen. Steven Morse (DFL-Dakota). Originally, the bill required the Higher Education Coordinating Board (HECB) to have at least one student from each affected educational system on a council, committee, commission, study group or task force it created. However, after hearing testimony from David Powers, executive director of the HECB, Morse agreed that the bill might be overkill. Powers pointed out that committees often have

only six people on them to begin with. Two Morse amendments, which Senators approved, changed the requirement in the bill to one of having one student from one of the affected systems on any council, committee, commission, study group or task force, if the Student Advisory Council so requested.

A bill requiring the State Board of Vocational Technical Education to provide prospective students with consumer information before they enroll in the system was also advanced. S.F. 1927, authored by Sen. Gary DeCramer (DFL-Ghent), expands upon the amount of information the board must provide, DeCramer said.

In addition, Senators approved S.F. 1926, changing the name of the State Board of Vocation Technical Education to the State Board of Technical Colleges; changing state director or director, in cases in which it means state director of vocation technical education, to chancellor; and changing director or local director, in cases in which it means the local director of a postsecondary technical college, to president. The bill is authored by Sen. LeRoy Stumpf (DFL-Plummer).

S.F. 2191, carried by Morse, was also amended and approved. The bill strikes the cap on child care grants and allows people to remain eligible for the equivalent of four years of the grants.

Finally, the division gave approval to a bill giving Cambridge full campus status in the Community College System. According to information provided by S.F. 1645 author Sen. Randolph Peterson (DFL-Wyoming), enrollment at the center in Cambridge, where community college classes are offered, is higher than the enrollment at some of the community colleges.

All bills were advanced to the full Education Committee.

Education Funding

Smallest districts' elimination discussed

The 85 smallest school districts should be eliminated, according to spending recommendations contained in a Legislative Auditor's report on School District Spending. The report was discussed at the Thurs., Feb. 22, meeting of the Education Funding Division of the Education Committee.

By closing these districts, about \$10 million statewide could have been saved during the 1987-88 school year, according to the report. All of the information in the report is based on the 1987-88 school year, the last year for which complete information is available. These districts spent the most per student, but seem to have reduced access to courses and teachers, said Marilyn Jackson-Beeck, who presented the report for the auditor's office.

Other recommendations Jackson-Beeck outlined include: improving efficiency in non-instructional areas; reducing administrative expenses by sharing superintendents and limiting school board compensation; and closing excess space.

Financial findings for the 1987-88 school year contained in the study include: districts spent half of their money on regular instruction; 78 percent of all operating expenses were for salaries and benefits; most districts lost money on hot lunch; annual operating costs averaged \$4,243 per student; and local referendum levies, enrollment size and AFDC students helped explain spending differences.

However, the division, chaired by Sen. Randolph Peterson (DFL-Wyoming), devoted most of the meeting to discussion of problems in getting quality data from districts.

The Dept. of Education, and the Legislature, have long relied on a 1976 law requiring districts to comply with uniform financial accounting and reporting standards (UFARS). However, Jackson-Beeck pointed out a number of flaws in the UFARS system, and said that, in 107 items evaluated for accuracy: nearly half had been misreported; regular instruction costs were misreported in about one-third of the cases; most districts could not report costs for elementary instruction, secondary instruction, extracurricular activities or subjects; and only one in ten categories in school district profiles could be used reliably to compare expenditures from district to district.

The reasons for UFARS data problems, Jackson-Beeck continued, are because the system has too many codes and unclear definitions;

the UFARS manual is outdated, long and complex; and the staff members who need instruction don't always receive it.

Regarding data problems, Jackson-Beeck said that the report recommends studying UFARS users' needs, current procedures, and the districts' ability to provide financial information; identifying the vital financial information needed from all districts; simplifying UFARS by dropping many codes; making the Dept. of Education responsible for future data quality; and giving administrators clear instructions.

In addition, Jackson-Beeck reminded legislators that the Dept. of Education plans to model its data collection process for a new computer system, the integrated date base (IDB), on UFARS. The report recommends that that link should be delayed.

Jackson-Beeck concluded by saying that she is fairly confident that the financial information in the report is quite accurate, but that the auditor's office was unable to get the information through UFARS and used other means.

Teacher contract bill discussed

The Education Division of Education Funding, chaired by Sen. Randolph Peterson (DFL-Wyoming), discussed S.F. 1844, making permanent the deadline for teacher contracts, Fri., Feb. 23.

The bill, whose chief author was changed from Peterson to Sen. Steven Morse (DFL-Dakota), requires that school boards and teachers settle their contract negotiations by Jan. 15 or suffer a penalty of \$25 per pupil unit. Last year's Legislature approved a similar bill, but it only applied to negotiations for the 1990-1991 biennium; S.F. 1844 makes the penalty permanent.

Morse explained an author's amendment that changes the deadline in the bill from Jan. 15 to Nov. 1 as an attempt to encourage districts to begin negotiating early, so that the process ends earlier. The amendment also expands the bill to include entities like intermediate districts, education districts, and Education Cooperative Service Units, rather than just school districts, Morse said.

No action was taken on the bill or the amendment.

Senators also heard a presentation on teacher salaries given by Peterson. The presentation compared teachers' salaries with those of people in 21 other professions. According to the presentation, teachers have higher hourly wages, but are paid less average annual salary, because of their nine-month work year. Peterson pointed out some of the weaknesses in his study, and said that the bottom line is not hourly wage, but yearly salary, and that the Legislature might want to examine restructuring the school year.

Two bills discussed

Senators spent the majority of the Mon., Feb. 26, meeting of the Education Funding Division discussing S.F. 1898, a largely technical bill sponsored by Sen. LeRoy Stumpf (DFL-Plummer), and various amendments. One minor amendment was adopted; no further action was taken on the bill.

In addition, members of the division, chaired by Sen. Randolph Peterson (DFL-Wyoming), heard testimony from Jan Smaby, director of the Office of Drug Policy, on the governor's drug plan. The Dept. of Education initiatives for the drug plan are contained in S.F. 1929. Among other things, the governor's plan calls for increased funding for child protection services, for women who drug or alcohol exposed babies, for expanding the relationship between schools and community services, and for a survey of students in alternative school programs, Smaby said.

Employment

Panel hears invention bill

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met Tues., Feb. 27, to hear testimony on S.F. 1804. The bill, authored by Sen. Don Frank (DFL-Spring Lake Park), regulates employee inventions. Frank explained that under the bill's provisions, an employee must submit his or her proposal or invention to the employer in dated, written form. The employer must then

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make a substantial investment in the development within one year of that submission, or forfeit all rights and interests in the invention to the employee.

Representatives from 3M, Toro, Medtronics, and the University of Minnesota Office of Research and Technology Transfer Administration testified in opposition to the bill. Lester Krogh of 3M argued that many inventions and ideas take years to perfect, and that the one-year time limit on investment was too restrictive. "Post-its, the small yellow pads with adhesive on the back, took 11 years to develop because we had problems with the adhesive," he explained.

In his concluding statements to the committee, Frank stated, "My intention here was to get companies to look at what they are doing related to this issue, because there are good inventors whose ideas are sitting on shelves without being acted on." He asked that the bill be progressed.

Panel hears minimum wage bill

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met Thurs., Mar. 1, to hear testimony on S.F. 1768. Sen. Marilyn Lantry (DFL-St. Paul), author of the bill, explained that the bill provides new and higher specific minimum wage levels until Jan. 1, 1994. An author's amendment deleting an hourly poverty wage formula that would go into effect Jan. 1, 1994, was adopted.

In addition to the wage level changes, the bill eliminates the existing distinction between "federal covered employees" and "state covered employees." The bill creates a new distinction by defining small employers on the basis of annual dollar sales volume exclusive of excise and sales taxes, to conform to the federal definition of businesses excluded from minimum wage coverage.

The committee also adopted an author's amendment dealing with the newly defined small employers whose employees are currently covered by the state minimum wage. "As of Jan. 1, 1991, the minimum wage for these employees will be \$3.95 an hour," explained Lantry. "Without this amendment the minimum wage would drop to \$3.80 an hour between Jan. 1, 1991 and Jan. 1, 1992. The amendment grandfathers these employees at the \$3.95 minimum wage until Jan. 1, 1992," she said.

Representatives from the small business and tourism industries testified in opposition to the bill, and members of the AFL-CIO and the Minnesota Community Action Association testified in favor of the measure. No action was taken on the bill.

Environment and Natural Resources

Panels hears overview of GEIS

Members of the Environment and Natural Resources Committee heard an overview Fri., Feb. 23, relating to a generic environmental impact statement (GEIS). The proposed study is a result of citizens' concerns about the expanding timber industry. The citizens petitioned the Environmental Quality Board (EQB) to examine the social, economic, and environmental effects of the expanding industry. Funding from the Legislature is necessary to complete the study.

Testimony was heard in favor of and in opposition to the GEIS. Possible overharvesting of the timber supply and the industry's impact on biological diversity were cited by various environmental groups as reasons for the necessity of the study. Representatives from the timber industry, however, stated that current forest management practices and timber harvesting methods are very sound, making the study unnecessary. No action was taken by the committee.

Panel hears PetroFund bill

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Wed., Feb. 28, to hear testimony on four bills. Members approved S.F. 1725, authored by Sen. Steven Novak (DFL-New Brighton), changing the Petroleum Tank Release Compensation Fund statutes relating to leaky underground

petroleum storage tanks. The bill changes the fund balances required to impose a clean-up fee, and changes the terms for reimbursement of petroleum tank release costs by the Petroleum Tank Release Compensation Board. The bill also raises the cap on eligible costs for clean-up from \$250,000 to \$1 million. Novak said that the PetroFund program is working extremely well. "Parties are taking responsibility for their own clean-up, and this bill will help with the unavailability and the high cost of insurance," he said. The bill was re-referred to the Finance Committee.

S.F. 2174, authored by Sen. LeRoy Stumpf (DFL-Plummer), allows counties to receive compensation for lost revenue from proceeds derived from the state's lease of land in lieu of tax payments. Stumpf explained that the land leased from the U.S. Dept. of Agriculture is referred to as land utilization projects, and is located in Lake of the Woods, Beltrami, and Roseau Counties. The bill was re-referred to the Taxes and Tax Laws Committee.

A bill, S.F. 1826, authored by Sen. Gene Merriam (DFL-Coon Rapids), approves the granting of permits for the consumptive use of groundwater at the Seneca wastewater treatment plant. The bill was laid over until after Mar. 9.

S.F. 1675, authored by Sen. Charles Berg (DFL-Chokio), sets forth restrictions and conditions on the development of aquaculture in Minnesota. It provides that the commissioner of natural resources maintain a data base of aquaculture research, demonstrations, and other related information pertaining to aquaculture in the state. The measure was amended so that no state agency, subdivision, municipality or other public body may restrict aquaculture in waters that are not included on the public waters inventory unless the agency can reasonably demonstrate that the aquaculture will cause conditions that degrade public waters or groundwaters, or adversely affect the public health. The committee approved the bill.

Finance

Panel participates in tour

The Thurs., Feb. 22, meeting of the Finance Division on State Departments was devoted to touring the new judicial building and discussing the project's remaining construction phases. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

General Legislation and Public Gaming Committee

Lawful gambling changes proposed

Fri., Feb. 23, the General Legislation and Public Gaming Committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul), met to discuss two bills on lawful gambling regulation.

S.F. 1853 authored by Sen. Ember Reichgott (DFL-New Hope) strengthens the enforcement of lawful gambling laws and enacts additional penalties for lawbreakers. Provisions relating to the definition and treatment of gambling "contraband" are also put forth in the bill.

Most attention focused on three sections of the bill related to the cashing of checks at a gambling site and to video games of chance. One section prohibits organizations operating lawful gambling games from accepting checks as payment for any type of participation in gaming. Two other sections establish penalties for the illegal acts of receiving or awarding cash or "anything of value" in place of free replays on a video game of chance.

The bill was approved and referred to the Judiciary Committee for further consideration.

S.F. 2018 authored by Lantry was what she called the "meat and potatoes" legislation on Friday's committee agenda. The bill includes recommendations from the Attorney General, the Director of the Division of Gambling Control, the Legislative Auditor, the Department of Gaming, the Commissioner of Gaming and the Joint Legislative Task Force on Lawful Gambling. The aim of the bill is to improve regulation of Minnesota lawful gambling operations.

A provision of the bill prescribes that the law legalizing lawful gambling be repealed as of July 1, 1993. Committee members said, however, that the proposed repeal is unlikely to take effect. If new legislation brings forth the intended reform of current lawful gambling operations it is expected that this provision will be unnecessary.

Some provisions in the bill make significant changes in the current statutes regulating lawful gambling profits. "Lawful purpose" is redefined in the bill to include more specific identification of those charitable, educational, religious, or governmental organizations which could be considered legal recipients of lawful gambling profits. Excluded from the bill's lawful purpose definition are expenditures for federal and local taxes, audit costs and property taxes on gambling premises, all of which were previously legal lawful purpose expenditures. Sen. Don Samuelson (DFL-Brainerd) raised concerns about the danger of "overfixing" current lawful gambling regulations and the great cost increase for some lawful gambling establishments. Sen. Phyllis McQuaid (R-St. Louis Park) voiced the same concern and predicted that under the proposed bill some establishments would go out of business. Lantry's response to these concerns was that "the take" of the establishments should not be changed by the bill and she also noted that the exclusion of audit costs proposed by the bill was being reconsidered.

The state's monitoring of expenditures by organizations receiving lawful gambling profits will be strengthened under the measure. The bill proposes increasing the number of state employees overseeing lawful gambling operations. The bill also attempts to improve communication between the Gambling Control Board and state offices responsible for lawful gambling regulation.

Further discussion on the bill will take place on Wed., Mar. 7.

Committee hears Canterbury update

The General Legislation and Public Gaming Committee met on Wed., Feb. 28 to receive an update on Canterbury Downs, confirm governor appointments, and hear S.F. 1870. Sen. Marilyn Lantry (DFL-St. Paul) chairs the committee.

Gubernatorial appointments, actually reappointments, included George Andersen as director of the State Lottery Division of the Department of Gaming and Carol Connolly, Marilyn Rose, Ralph Strangis, and Robert Zevnick to the Minnesota Racing Commission. Following a brief question and answer session each appointee was approved.

Both Strangis and Terry Williams, Director of Corporate Business Development at Canterbury, gave reports on the current status of Canterbury. Strangis explained Canterbury prospects in light of John Agialoro's failure to meet the Feb. 27 option to buy deadline. Herbert Tyner and Bernie Hartman, the investors who currently own the Canterbury mortgage, may now consider a contract to operate Canterbury with Ladbroke, a British firm experienced in U.S. racetrack holding, said Strangis. Strangis also noted that prior to such a contract Tyner and Hartman must strike a deal with equity owners.

Williams reported on the financial state of the racetrack for 1989. Total revenue amounted to \$34 million and net loss for the year was \$9.6 million, he said. Williams also commented on the increasing competition with other gambling ventures in neighboring states.

S.F. 1870, authored by Lantry, relates to horseracing. The bill increases the per diem rate for racing commissioners; requires licenses for pari-mutuel clerks at county fairs; apportions money for promotion of the breeding and racing industry; and reduces state withholding on pari-mutuel winnings. Discussion of the bill primarily focused on two issues. An amendment offered to the bill by Lantry, legalizes the pooling of telephone wagering and allows Minnesotans and non-Minnesotans to set up gambling accounts of at least \$100 at Canterbury. The amendment did not pass. An amendment was adopted to prohibit telephone wagering. There was also discussion on a section of the bill which allows commission veterinarians to designate a person for supervision of medication. The section does not allow the designated person to administer the medication, but only to supervise access to the medication.

The committee approved the bill and it will now go to the full Senate.

Governmental Operations

Displaced workers bill considered

A proposal expanding the financial protections extended to displaced workers, as well as mandating the preparation of a job impact statement for proposed governmental development projects, received initial consideration at the Thurs., Mar. 1, meeting of the Governmental Operations Committee. Sen. Donald Moe (DFL-St. Paul) serves as committee chair.

Bill author Sen. Don Frank (DFL-Spring Lake Park) explained that his proposal, S.F. 1022, addresses two primary issues that relate to displaced workers: job impact statements and community and employee benefit programs. Article I of the bill mandates that a government unit prepare a job impact statement if a proposed development could result in job displacement. An action that is specifically a budgetary decision is exempted from this requirement. The original language of the bill also specified that the government unit would be responsible for securing necessary benefits for the displaced workers, such as retraining funds and health insurance expenses. However, an amendment, proposed by Sen. Steven Morse (DFL-Dakota), and approved by the committee, reduces that responsibility, charging the units with merely "coordinating" the securing of those benefits.

Article II of the bill requires that an employer who carries out a mass layoff within three years after an acquisition pay the commissioner of jobs and training ten percent of 12 months wages of the affected employees. The money is to be used for economic development grants, wage subsidies, and emergency grants. The bill also requires those employers with health insurance plans to continue to finance those plans for one year following the layoff. Severance payments must be made to laid-off employees who have worked for the employer three or more years. An employer can appeal these payments if the layoff was due to a natural disaster, directly resulted from economic or market factors, or if it is determined that the acquired establishment is not an economically viable operation.

Proponents of the bill cited examples of lay-offs that have taken place in the state in which employees were provided with few, if any, resources for recovery. St. Paul Mayor Jim Scheibel described the job impact statement program implemented by his city, and stated that it had proven to be a valuable tool in evaluating economic development proposals. However, the committee also heard testimony in opposition to the bill describing it as an unfunded mandate that may discourage employers from providing certain benefit packages. The committee will resume consideration of the bill at a later date.

In other action, the committee approved S.F. 1758, authored by Sen. Don Samuelson (DFL-Brainerd), which requires that wholesale drug distributors be licensed by the Board of Pharmacy. The bill is in response to a federal mandate that each state carry out such licensure. Before the committee approved the bill, Sen. Michael Freeman (DFL-Richfield) expressed hope that the legislature would at some point commence a review of the various boards governing the health field in order to prevent lack of uniformity and overlapping jurisdiction.

Health and Human Services

Health insurance payment bill gains

The Senate Health and Human Services Committee met Fri., Feb. 23, and approved a bill that subsidizes the health insurance payments of individuals who have contracted fatal diseases.

As amended, S.F. 1689, authored by committee chair Linda Berglin (DFL-Mpls.), creates a program that would enable persons stricken with a fatal disease to continue to pay health insurance premiums after they are no longer able to work. Individuals meeting the eligibility requirements will have their premiums paid for either 24 months (individual plans) or 18 months (group plans). In order to

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be eligible for the program, an applicant must provide a physician's statement verifying that the applicant is, or within three months is likely to become, too ill to work because of fatal disease. Previous coverage by an individual or group health care plan must also be demonstrated.

The approved version of the bill evolved from original language specifying that only persons with AIDS would be eligible for the payments. Sen. John Brandl (DFL-Mpls.) proposed the amendment, approved by the committee, which expanded the scope of the legislation to include all fatal diseases. Bill author Berglin objected to the amendment, arguing that the program ought to be initiated on a limited scale and then expanded as its impact became apparent.

The committee adopted a second amendment, proposed by Berglin, which removed income and asset limits from the eligibility requirements of the program. The bill was then approved and re-referred to the Finance Committee.

The committee also approved S.F. 1731, which clarifies treatment and assessment requirements under Minnesota's Mental Health Acts for adults and children. Key aspects of the bill include changing the time limits governing diagnostic assessment of emotional disturbance; allowing waiver of the requirement that counties provide nonbusiness hour emergency services by mental health professionals; and narrowing the availability of acute care hospital inpatient services to only those children with severe emotional disturbances. After adopting a series of technical amendments moved by bill sponsor Berglin, the bill was approved and re-referred to the Finance Committee.

In other action, the committee approved and sent to the floor S.F. 1691, authored by Berglin, which alters the procedures for the placement and removal of children from foster homes. The bill provides that if a child has been in a foster home for more than 120 days, a written notice must be sent to the family 30 days in advance of removal of the child. If the child is being returned to a natural or adoptive parent or legal guardian, the notice period is 15 days. The bill also provides for administrative and judicial review of decisions involving foster care placement.

A fourth Berglin-proposed bill, S.F. 1698, which, as amended, codifies existing law restricting the building of new health care facilities, was approved and sent to the floor.

Judiciary

Division approves Uniform Anatomical Gift Act

Fri., Feb. 23, members of the Civil Law Division of the Judiciary Committee heard testimony on four bills. S.F. 1104, the Uniform Anatomical Gift Act, updates the organ donation laws passed in 1969. It defines "donor" as an individual who makes an anatomical gift of all or part of the individual's body, and contains the basic provisions for making, amending, revoking, and refusing to make an anatomical gift by the donor. Under the bill's provisions, the gift may be made by a will or by a document of gift signed by the donor. If the gift is attached to or printed on a driver's license, revocation or expiration of the license does not invalidate the gift. In addition, an individual may designate a particular physician or surgeon to carry out the procedures. The bill, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), was approved by the division.

Testimony was also heard on S.F. 354, authored by Sen. Gene Merriam (DFL-Coon Rapids). The measure permits the creation of a custodial trust by a written transfer of property or by a written declaration incorporating the fact that it is a custodial trust. The bill was also approved and sent to the full Judiciary Committee.

S.F. 1757, authored by Sen. Randolph Peterson (DFL-Wyoming), establishes procedures for the disposition of real estate after marriage dissolution. The measure specifies that a marriage dissolution severs a joint tenancy in real estate between the parties; provides for the issuance of a summary real estate disposition judgement whenever real estate is described in a dissolution decree; and validates terminations of contract of sale that would otherwise be defective for failing to

comply with some of the statutory requirements. S.F. 1722, sponsored by Division Chair Ember Reichgott (DFL-New Hope), allows a county board to set the fee charged by the examiner of titles for registration of certain possessory interests in real estate in counties where the examiner is paid as a county employee. The measure was amended into S.F. 1757, approved and sent to the full committee.

Interstate pursuit change okayed

The Criminal Law Division, chaired by Sen. Michael Freeman (DFL-Richfield), met Fri., Feb. 23, and considered three measures. A bill making it a crime for a driver to flee a peace officer from another state into Minnesota was approved and sent to the full committee. The measure, S.F. 1916, sponsored by Sen. Keith Langseth (DFL-Glyndon), also authorizes a peace officer from another state to enter Minnesota in fresh pursuit for misdemeanor cases. According to Langseth, the bill is designed to address concerns in those border cities that are very close to cities across the state line such as Grand Forks and East Grand Forks. Currently, an officer pursuing a suspect for a traffic violation doesn't have authority to make an arrest once across the state line. Minnesota does have reciprocity with other states in pursuits involving felony crimes. The bill also authorizes the results of blood tests administered in another state to be introduced as evidence.

In other action, the panel began discussion of a bill, S.F. 2058, that would set criminal penalties for health care providers who, through abuse or culpable neglect, allow a patient to die or suffer bodily harm. The measure, sponsored by Sen. Allan Spear (DFL-Mpls.), sets forth definitions of abuse and culpable neglect; sets penalties that are similar to the penalties in the assault statutes; and sets forth affirmative defenses, or exemptions, to the definitions of abuse and neglect.

In speaking for the bill, Spear said that "Complaints are rising at an alarming rate and current criminal penalties are not adequate for prosecution." Opponents to the measure, including the Minnesota Association of Homes for the Aging, argued that the regulatory approach is the more appropriate method to address problems in licensed facilities.

Discussion on the bill was limited because of time constraints and will be continued at a later hearing.

Earlier, division members failed to approve a bill that would have required the deposit of forfeiture proceeds in the state treasury and the crediting of the proceeds to a special account before the proceeds could be distributed under the formula set forth in statute. S.F. 1965, said chief author Sen. Gene Merriam (DFL-Coon Rapids), is designed to provide more accountability in dealing with the proceeds from forfeitures and is not intended to alter the distribution of those proceeds. However, debate by members of the division indicated that members were unsure of the necessity for the bill. Subsequently, the bill failed to gain approval on a voice vote.

ADR pilot okayed

A bill authorizing an alternative dispute resolution pilot project in the Second Judicial District was approved by members of the Judiciary Committee Mon., Feb. 26. S.F. 1917, sponsored by Sen. John Marty (DFL-Roseville), allows Ramsey County to initiate pilot projects, similar to Hennepin County, to evaluate the effectiveness of alternative forms of resolving commercial and personal injury disputes.

The committee, chaired by Sen. Allan Spear, also approved four additional measures and sent all five bills to the full Senate. S.F. 1680, authored by Sen. Dennis Frederickson (IR-New Ulm), specifies that in cooperative elections absentee ballots are secret ballots and prescribes the format for casting absentee ballots. S.F. 2043, sponsored by Spear, clarifies the definition of "crime" for purposes of the Crime Victims Reparations Act as it applies to injury or death resulting from the operation of a vehicle, aircraft, or watercraft. S.F. 1943, also carried by Marty, extends the statute of limitations for Human Rights Act violations from one to two years. S.F. 1906, authored by Sen. LeRoy Stumpf (DFL-Plummer), provides that the crime victim ombudsman

is accountable to the commissioner of public safety, rather than to the executive director of the Crime Victim and Witness Advisory Council and provides for limited access to certain juvenile records for the crime victim ombudsman.

Panel members also began discussion of S.F. 1753, a bill providing for a cause of action for invasion of privacy. The measure, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), sets forth definitions and describes the kinds of relief that may be sought. Committee members were unable to complete work on the bill because of time constraints. The measure will be heard at a later hearing.

Drug bill advances

The Judiciary Criminal Law Division met Wed., Feb. 28, and advanced the omnibus drug bill, S.F. 1759, to the full committee. The bill, sponsored by Sen. Allan Spear (DFL-Mpls.), provides for tougher sentencing, comprehensive treatment and better prevention programs.

The panel, chaired by Sen. Michael Freeman (DFL-Richfield), devoted the entire hearing to consideration of amendments to the measure. Two amendments offered by Spear were adopted. The first added language to the intensive supervision section of the bill clarifying that the commissioner of corrections may contract with public and private agencies for the custody and separate care of a participant or house the participant in a community correction center or under house arrest and monitored by electronic surveillance in an approved residence. The second clarifies that dangerous weapons found in proximity to controlled substances are subject to administrative forfeiture.

Several amendments offered by Sen. Pat McGowan (IR-Maple Grove) were also adopted. The first lengthened from 90 days to 120 days the amount of time for the aggregation of controlled substance crimes in the first degree. The second provided for the appointment of the representative of the DARE officers association. A third provides that the pilot drug testing program include persons on supervised release as well as offenders on probation. The fourth amendment requires incarceration of an offender in the intensive supervision program after the court receives notice of an offender's second test refusal or failure.

An amended amendment offered by Sen. Jim Ramstad (IR-Minnetonka) was also adopted. The language adopted specified that the intensive supervision program would not be available to persons convicted of murder in the first, second or third degree or criminal sexual conduct in the first or second degree. Two other amendments offered by Ramstad to impose mandatory sentences and to delete the intensive supervision section of the bill failed to gain approval.

Panel discusses tort reform

The Civil Law Division of the Judiciary Committee met Wed., Feb. 28, to continue discussion on Division Chair Ember Reichgott's (DFL-New Hope) S.F. 1827. The bill addresses the tort liability provisions from the report of the Injury Compensation Study Commission.

Members defeated an amendment stating that punitive damages should not exceed three times the award for economic damages. An amendment was approved that deletes state agency reimbursement for medical expenses paid in a civil case. As amended, the bill was approved by the division and sent to the full committee.

Local and Urban Government

Three bills advance

Members of the Local and Urban Government Committee met Mon., Feb. 26, and advanced three bills. A fourth measure, S.F. 1865, providing for the appointment of the director of the Civilian Review Board, failed to gain the panel's approval. S.F. 1865 is sponsored by Sen. Linda Berglin (DFL-Mpls.).

S.F. 1815, authored by Sen. Patricia Pariseau (IR-Farmington), authorizes the city of Apple Valley to establish two special service dis-

tricts. The measure was approved and re-referred to the Committee on Taxes and Tax Laws.

The final two bills gaining committee approval were sent directly to the Senate floor. S.F. 1820, authored by Sen. Jim Vickerman (DFL-Tracy), authorizes county boards to assign to an appropriate county office the duties of the court administrators that relate to vital statistics. S.F. 1238, sponsored by Sen. Randolph Peterson (DFL-Wyoming) specifies that the county recorders may charge for indexing and recording any deed or other instrument \$1 for each page of an instrument, with a minimum fee of \$10, except for documents containing multiple assignments, partial releases or satisfactions, the fee shall be \$10 for each document number or book and page cited.

Township bills approved

Two measures sponsored by Sen. Betty Adkins (DFL-St. Michael) were approved at the Thurs., Mar. 1, meeting of the Local and Urban Government Committee. The panel approved S.F. 1897, clarifying that town and statutory city assessors serve at the pleasure of the appointing authority and S.F. 158, describing relations between counties and towns for planning and zoning. Both measures were sent to the full Senate.

In other action, the committee, chaired by Sen. Robert Schmitz (DFL-Jordan), heard brief statements from township officials from throughout the state regarding legislative concerns and the excellent working relationship between the various townships and the committee.

Public Utilities and Energy

Flexible tariffs bill debated

The Thurs., Mar. 1, Public Utilities and Energy Committee meeting was devoted to discussing a technical utility rate measure and approving a resolution pertaining to a federal energy assistance program.

As amended, S.F. 2158, sponsored by Chair Ronald Dicklich (DFL-Hibbing), revises several portions of Minnesota's statutes concerning the regulation of flexible gas utility rates. Dicklich said that the bill proposes changes contained in a recently-completed Dept. of Public Service evaluation of flexible gas rates. Among other things, the measure permits gas utilities to continue to use flexible tariffs—with modifications—beyond a July 1, 1990, legislatively-mandated sunset, and authorizes the department to study and report on the impact of flexible gas rates and alternative energy sources, and to report on the impact on utilities and customers of setting maximum tariff rates. The report must be submitted to the Legislature by Jan. 1, 1995.

Further action on S.F. 2158 is scheduled for Tues., Mar. 6.

S.F. 1973, authored by Sen. Linda Berglin (DFL-Mpls.), memorializes the President and U.S. Congress to reauthorize the low-income home energy assistance program and to increase its appropriation for fiscal year 1991 and subsequent years. Berglin noted that President Bush's fiscal year 1991 budget proposal contains a 25 percent reduction in the program's appropriation. She added that the program's national funding level has steadily declined since 1986, with Minnesota per household energy assistance payments decreasing from \$465 in fiscal year 1984 to \$331 by fiscal year 1989. The measure now goes to the full Senate, where it will be placed on the Consent Calendar.

Taxes and Tax Laws

Property tax bill heard

The Property Taxes and Local Government Aids Division of the Taxes and Tax Laws Committee met Wed., Feb. 28, to discuss S.F. 2034. The bill, authored by Sen. Steven Novak (DFL-New Brighton), makes technical corrections and administrative changes to the property tax bill passed by the Legislature last session.

An amendment, approved by members, provides that the seller and

Committee Capsule

purchaser of any part less than the whole of a parcel of land must agree upon the amount of the net tax capacity to be transferred. The committee also approved an amendment providing that tax forfeited property in targeted neighborhoods can no longer be transferred to the city without county board approval. The bill was sent to the full committee.

Transportation

Inspection bill advances

Approval of a measure creating a statewide truck inspection program highlighted the Tues., Feb. 27, meeting of the Transportation Committee. The committee is chaired by Sen. Clarence Purfeerst (DFL-Faribault).

S.F. 2030, authored by Purfeerst, establishes a commercial motor vehicle inspection program in Minnesota. As amended, the bill requires commercial motor vehicle operators to submit to annual truck inspections conducted by certified public and private sector individuals; directs program inspectors to issue decals for vehicles that comply with federal motor carrier safety regulations; makes it unlawful to operate, or permit the operation of, commercial motor vehicles in the state unless the vehicles display safety inspection decals; authorizes state patrol and transportation department employees to review inspection reports and conduct random inspections and audits of commercial motor vehicle facilities; requires commercial motor vehicle operators to complete written daily reports concerning the condition of their truck's brakes, steering mechanisms, lights, tires, horns, wipers, mirrors, couplings, wheels, and emergency equipment; and requires drivers to review and sign inspection reports before driving commercial motor vehicles. In addition, the bill directs peace officers responding to commercial motor vehicle accidents resulting in death, personal injury, or property damage greater than \$4,500 to immediately notify the state patrol, and increases the state patrol's complement by four positions to administer the inspection program.

Panel members adopted an amendment offered by Sen. John Bernhagen (IR-Hutchinson), adding language to the bill that increases the state patrol's complement by an additional four positions to administer a triple trailer inspection/enforcement program in the event triple trailers are permitted to operate by future legislation. After gaining committee approval, S.F. 2030 was re-referred to the Finance Committee.

Legislators also approved the following three measures and forwarded them to the full Senate.

S.F. 1806, also carried by Purfeerst, provides that Minnesota Dept. of Transportation (MnDOT) rules relating to driver qualifications and other requirements do not apply to special transportation service provided by volunteers driving private vehicles. Purfeerst said that the measure exempts transportation service provided primarily for people who are elderly, handicapped, or disabled from MnDOT driver qualification, vehicle operation, equipment, inspection, maintenance, and accident reporting requirements. He explained that the bill corrects an oversight in passenger service legislation enacted last year.

S.F. 1752, sponsored by Sen. James Pehler (DFL-St. Cloud), establishes and clarifies standards to be used by the Transportation Regulation Board in determining whether to approve abandonments by railroad companies of tracks, shops and terminals, and agency service at stations. Pehler said that the measure is designed to address the ambiguity of Minnesota's track abandonment regulations. Opponents of the bill argued that clarification is not necessary because current abandonment procedures adequately protect the public interest, and the proposed language changes involve additional regulations that will prove burdensome to many railroad shippers.

Panel members also approved a measure that designates a portion of U.S. Route No. 8 located within Chisago County as the "Moberg Trail." The bill, S.F. 1947, authored by Sen. Randolph Peterson (DFL-Wyoming), also directs the transportation commissioner to adopt a

suitable marking design and to erect appropriate signs for the designation.

Committee okays four bills

Approval of measures relating to license plates, vehicle lights, and the composition of the county state-aid screening board highlighted the Thurs., Mar. 1, meeting of the Transportation Committee. Sen. Clarence Purfeerst (DFL-Faribault), serves as the committee's chair.

As amended, S.F. 1775, sponsored by Sen. Robert Schmitz (DFL-Jordan), exempts license plates issued to driver education programs at nonpublic high schools from taxes and registration fees. Schmitz said that the bill affects only 10 vehicles in Minnesota.

S.F. 838, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), a Dept. of Transportation housekeeping bill, replaces the term "handicapped" with the word "disabled" in portions of the state's license plate-related statutes. The bill also permits the registrar to determine the fee for replacing personalized license plates, with a specification that the fee equal the actual cost of producing the plates. After gaining approval, Sen. Gary DeCramer (DFL-Ghent), moved to reconsider the bill in order to attach technical amendments to make the measure's language consistent with legislation enacted last year. The committee adopted both DeCramer's motion, and his amendments. The bill was again approved.

S.F. 1729, carried by Sen. Lyle Mehrkens (IR-Red Wing), requires vehicles to use lights during periods of rain, snow, sleet, or hail. Under current law, vehicle lights are required at night and at other times of impaired visibility—including fog—but does not specify particular weather conditions.

S.F. 1420, sponsored by Sen. Jim Vickerman (DFL-Tracy), changes the composition of the county state-aid screening board. As amended, the bill increases the number of members on the board from 9 to 11, and adds more metropolitan area representation to the board. Specifically, the measure requires that the screening board have, in addition to one county engineer from each highway district, three additional members from the Twin Cities metropolitan area. Two of the board members from the metropolitan district must be from Anoka, Hennepin, Carver, or Scott counties, with the other two members from Chisago, Dakota, Ramsey, or Washington counties. Panel members failed to adopt a motion by Schmitz to reinstate stricken language to the bill that would base calculation of the county state-aid fund apportionment formula on lane-miles instead of total miles.

All four bills are now headed to the Senate floor.

Veterans and Military Affairs

Guard bonus bill advances

Members of the Veterans and Military Affairs Committee met Tues., Feb. 27 and approved two bills. Both bills, authored by Committee Chair Joe Bertram, Sr. (DFL-Paynesville), were re-referred to the Committee on Finance.

S.F. 1883 authorizes the payment of a cash bonus to each active member of the Minnesota National Guard. The bill was amended to specify that the payment would be made to each member serving satisfactorily under criteria developed and published by the adjutant general. S.F. 1884 specifies that a member of the Minnesota National Guard who is eligible to participate in the tuition reimbursement program may transfer the right to receive tuition reimbursement to one child or to the member's spouse.

Technical college tuition extended

Members of the Veterans and Military Affairs Committee met Thurs., Mar. 1, and approved three bills. S.F. 2032, authored by committee Chair Joe Bertram, Sr. (DFL-Paynesville), extends the program for free tuition at technical colleges for Vietnam veterans who became eligible for the Vietnam Expeditionary Medal or the Vietnam Service Medal as a result of their service and who met other residency requirements. The program, scheduled to end June 30 of this

year, is extended until 1997 under the bill. According to Bertram, the bill does not have a fiscal impact for the current biennium. The only opposition to the bill came in testimony from Francis Farrell, a Vietnam era veteran, who argued that the bill's definition of eligible veterans is too restrictive. Bertram responded that allowing more participants would triple the cost of the program and that, though he would like to do so, the fiscal restraints were prohibitive. The measure was approved and re-referred to the Committee on Finance.

Two other bills were approved and sent straight to the Senate floor. S.F. 1851, authored by Sen. James Pehler (DFL-St. Cloud), authorizes the appointment of an executive director to the Dept. of

Military Affairs. S.F. 1967, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), changes a 1911 prohibition on locating cemeteries within three-quarters of a mile of a veterans home.

Panel members also briefly interrupted formal committee action to recognize Major General Torarod Sleppen of the Norwegian Home Guard. Sleppen's party of officers was visiting the hearing as part of a tour held in conjunction with training exercises at Camp Ripley. The Minnesota National Guard and the Norwegian Home Guard have held reciprocal training exercises for a number of years. Sleppen briefly addressed the committee on the background of the Home Guard and the effects in Norway of recent events in Eastern Europe.

Preview

The Minnesota Senate Week at a Glance

Monday, March 5

Education Committee, James Pehler

8:30 a.m. Room 15 Capitol

Agenda: S.F. 394-Dicklich: Requiring post secondary education administrators and faculty members to take certain coursework. S.F. 1913-DeCramer: Removing the common calendar requirement for school districts that are members of an education district. S.F. 365-Pehler: Establishing a state system of post-secondary vocational technical education. S.F. 1927-DeCramer: Changing state board of vocational technical education powers. S.F. 1551-Morse: Requiring students on all HECB advisory groups. S.F. 1926-Stumpf: Changing names of state board and state director of vocational technical education and local directors of technical colleges. S.F. 1645-Peterson: Giving Cambridge full campus status in the community college system. S.F. 2027-Brandl: Establishing a program for the state to match gifts to endowments for certain undergraduate academic programs; directing the higher education coordinating board to administer the program. S.F. 2191-Morse: Deleting the four-year or equivalent limitation on post-secondary child care grants.

Finance Division on Agriculture, Transportation and Semi-states, Keith Langseth

10 a.m. Room 123 Capitol

Agenda: D.O.T. Capital budget.

Agriculture and Rural Development Committee, Charles Davis

10 a.m. Room 112 Capitol

Agenda: To be announced.

Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 1032-Peterson: Transboundary pollution remedies. S.F. 1267-Luther: Financial institution disposal of collateral. S.F. 1485-Marty: Security guard regulation. S.F. 1873-Cohen: Crime victim rights re: juvenile data, etc. S.F. 1891-Peterson: Bar Assn. trust law modifications. S.F. 1934-Cohen: Emergency administration of neuroleptic medication to committed persons. S.F. 2208-Flynn: Penalty for escape from local correctional facility by juvenile age 18. S.F. 2209-Flynn: Adult reference for felony offense committed by a juvenile during escape from local correctional facility.

Economic Development and Housing Committee, Chair: Don Frank

12 Noon Room 15 Capitol

Agenda: Overview of MN Trade Office, Deputy Commissioner Richard Bohr. S.F. 2303-Solon: Establishing a board of invention. S.F. 2219-DeCramer: Providing for state participation in sewer and water development. S.F. 2281-Frank: Allowing a port authority to use foreign trade zone powers.

Local and Urban Government Committee, Chair: Robert J. Schmitz

12 Noon Room 107 Capitol

Agenda: S.F. 1807-Freeman: Hennepin County to sell g.o. bonds for a Public Safety Building. S.F. 2092-Johnson, D.E.: Cities; relating to municipal hospitals. S.F. 2156-Pehler: Allowing municipalities to contract to reduce energy and operating costs. S.F. 1979-Vickerman: Relating to town ordinances. S.F. 1980-Vickerman: Requiring additional notice of various vacation proceedings. S.F. 2090-Vickerman: Regulating maintenance of tunnels, regulating town meetings, providing for town deputy treasurer.

Rules and Administration Subcommittee on Bill Referral,

Chair: William Luther

12 Noon Room 237 Capitol

Agenda: S.F. 1713-Samuelson: Relating to natural resources; appropriating funds . . . Paul Bunyan trail. S.F. 1991-Pehler: Relating to education; negotiation of teachers salaries; establishing a state-wide bargaining council. S.F. 2024-Novak: Relating to Anoka County; authorizing the sale or exchange of certain land. S.F. 2165-Luther: Relating to occupations and professions; providing for independent medical examinations by doctors of chiropractic.

***The Senate will be in session at 2 p.m.**

Education Division on Education Funding, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

Agenda: S.F. 1966-DeCramer: Open enrollment to bordering states.

Environment and Natural Resources Subcommittee on Fish and Wildlife, Chair: Charles Berg

3 p.m. Room 107 Capitol

Agenda: S.F. 1626-Dicklich: Penalties for unlawful hunting. S.F. 1703-Berg: Conservation officers enforcement of natural resources laws. S.F. 1704-Berg: Conservation officers search warrants service authority. S.F. 1705-Berg: Trout and salmon stamp requirement for angling in nondesignated waters.

***Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

Tuesday, March 6

Governmental Operations Committee, Chair: Donald Moe
8 a.m. Room 15 Capitol

Agenda: S.F. 1953-Moe, D.M.: Department of Employee Relations housekeeping bill. S.F. 2114-Moe, D.M.: 1990 Department of Administration housekeeping bill. S.F. 1739-Cohen: Metropolitan Council compensation. S.F. 1963-Merriam: Prohibiting lump sum salary payments.

Judiciary Subcommittee on Privacy, Chair: Richard Cohen
8 a.m. Room 125 Capitol

Agenda: S.F. 1874-Cohen: Open Meeting Law. S.F. 1854-Peterson, R.: Government data release for computer matching programs.

Transportation Committee, Chair: Clarence Purfeerst
8 a.m. Room 112 Capitol

Agenda: S.F. 2146-Lantry: Establishing and regulating manufacturer's registration plates. S.F. 772-Pariseau: Providing that signs for handicapped parking spaces state penalty imposed for unlawful use. S.F. 2039-Morse: Exempting water well driller vehicles from certain registration and taxation requirements when the vehicles are only incidentally moved over a highway. S.F. 2213-DeCramer: Regulating wheel flaps and covered loads. S.F. 2060-DeCramer: Relating to drivers' licenses; defining gross vehicle weight and commercial motor vehicle; requiring driver of smaller school bus to have a CDL with school bus endorsement. S.F. 2074-Purfeerst: Requiring brakes on certain vehicles weighing 3,000 pounds or more.

Commerce Committee, Chair: Sam Solon
10 a.m. Room 112 Capitol

Agenda: S.F. 2264-Flynn: Exempts antique autos from required rental car coverage. S.F. xxxx-Flynn: Relates to insurance defense costs. S.F. xxxx-Samuelsen: Relates to motorcycle underinsured/uninsured coverage. S.F. 2328-Frederick: Allows certain exemptions from real estate appraiser license requirements. S.F. 1768-Spear: Regulation of electronic fund transfers. S.F. 1997-Dahl: Allows certain counties to authorize townships to investigate liquor license applications. S.F. 2258-Flynn: Allows certain employees to enroll in MN comprehensive health plan. S.F. 1983-Bertram: Allows sales of Minnesota produced wines at Minneapolis/St. Paul Airport. S.F. 1790-Solon: Establishes legislative task force on health care and health insurance premium costs. S.F. 2261-Solon: Regulating automatic garage door systems. S.F. xxxx-Freeman: Real estate license for corporate officers. Continuation of S.F. 1499-Dahl: Regulates rent to own industry.

Public Utilities and Energy Committee, Chair: Ron Dicklich
10 a.m. Room 15 Capitol

Agenda: S.F. 2158-Dicklich: Continuation of flexible gas rates. S.F. 1743-Schmitz: Expansion of metro extended area telephone service. S.F. 1419-Waldorf: Statewide extended area telephone service.

Elections and Ethics Committee, Chair: Jerome Hughes
12 Noon Room 107 Capitol

Agenda: S.F. xxxx-Hughes: Secretary of state's housekeeping bill. S.F. 1920-Hughes: School district elections. S.F. xxxx-Luther: Omnibus campaign financing bill. S.F. 1606-Marty: Ethics in government. S.F. 2154-Frank: Providing that certain voter registrations are not deficient for lack of address. S.F. 2155-Frank: Clarifying certain campaign financial reporting requirements. S.F. 2057-Pogemiller: Automatic absentee ballot applications for handicapped. S.F. 2002-Cohen: Changing vote margin for automatic recount.

Environment and Natural Resources Committee, Chair: Bob Lessard

1 p.m. Room 112 Capitol

Agenda: S.F. 2079-Piper: Renaming Helmer Myre and Nerstrand Woods state parks. S.F. 2144-Dicklich: Sale of leased lakeshore lots. S.F. 1744-Schmitz: Wetlands acquisition/Savage. S.F. 2066-Schmitz: Sale of state land in Scott County. S.F. 2063-Frederickson, D.J.: PCB burning restrictions.

Health and Human Services Committee, Chair: Linda Berglin
1 p.m. Room 15 Capitol

Agenda: S.F. 1835-Freeman: Better beginnings. S.F. 1726-Berglin: Child care rules. S.F. 2188-Reichgott: Improved procedures, child abuse. S.F. 2204-Brandl: Child support enforcement amendments.

Taxes and Tax Laws Committee, Chair: Douglas Johnson
3 p.m. Room 15 Capitol

Agenda: Presentation by Department of Finance re: governor's supplemental budget.

Finance Division on Education, Chair: Gene Waldorf
3 p.m. Room 125 Capitol

Agenda: Community college system capital budget.

Taxes and Tax Laws Division on Income Tax, Chair: Lawrence Pogemiller

Meets immediately following full Tax Committee Room 15

Agenda: S.F. 1653-Pogemiller: Department administrative procedures bill.

Environment and Natural Resources, Chair: Bob Lessard
7 p.m. Room 112

Agenda: Bills left from afternoon agenda.

Wednesday, March 7

General Legislation and Public Gaming Committee, Chair: Marilyn Lantry

8 a.m. Room 107

Agenda: S.F. 2018-Lantry: Continuation of discussion of lawful gambling bill.

Education Committee, Chair: James Pehler
8:30 a.m. Room 15 Capitol

Agenda: S.F. 1915-Piper: Establishing a board to plan, coordinate and oversee early childhood development programs and services; requiring local area planning councils to be established; establishing a technical advisory committee. S.F. 1958-Benson: Changing school consolidation election procedures. S.F. 1975-Frederickson, D.J.: Providing for the notice of and place for meeting of certain joint powers organizations. S.F. 1976-Frederickson, D.J.: Providing for certain notice and board membership requirements under certain joint powers arrangements. S.F. 2243-Pehler: Prohibiting state aid for people who have a high school diploma or the equivalent.

Finance Division on Agriculture, Transportation and Semistates, Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: To be announced.

Agriculture and Rural Development Committee, Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: To be announced.

Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 1759-Spear: Omnibus drug bill. S.F. 1875-Cohen: Extension of open bottle law to drugs. S.F. 2042-Berglin: Chemical dependency assessments for juvenile drug offenders.

Environment and Natural Resources Committee, Chair: Bob Lessard

1 p.m. Room 112 Capitol

1 p.m. Room 112 Capitol

Agenda: S.F. 1703-Berg: Authorizes enforcement of natural resource laws by conservation officers. S.F. 1704-Berg: Authorizes conservation officers to serve search warrants. S.F. 1705-Berg: Trout and salmon stamp requirements. S.F. 2230-Berg: Private shooting preserves. S.F. 2307-Lessard: Sale of tax-forfeited land in Koochiching County. S.F. 2299-Dicklich: Minnesota natural wild rice promotion council. S.F. 2270-Dicklich: Solid waste management/St. Louis County. S.F. 1626-Dicklich: Penalty for trespass sign removal. S.F. 2289-Merriam: Commissioner's orders. S.F. 2321-Novak: Constitutional amendment dedicating lottery revenue to environment trust fund.

Health and Human Services Committee, Chair: Linda Berglin

1 p.m. Room 15 Capitol

Agenda: S.F. 2011-Beckman: Ambulance attendants. S.F. 2100-Piper: Adoption amendments (DHS). S.F. 1940-Brandl: H.M.O. (Health Department bill) S.F. 1097-Flynn: Regulates midwifery.

Finance Division on Education, Chair: Gene Waldorf

3 p.m. Room 125 Capitol

Agenda: Technical colleges capital budget.

Finance Division on Health and Human Services, Chair: Don Samuelson

3 p.m. Room 123 Capitol

Agenda: Capital budget.

Legislative Water Commission, Chair: Steven Morse

3 p.m. Room 107 Capitol

Agenda: Confirmation of executive director. Department of Agriculture report superfund priorities. Department of Natural Resources report consumptive water use study. Legislative proposal once through cooling systems. Review of other water related proposals.

Taxes and Tax Laws Division on Sales Tax, Chair: LeRoy Stumpf

3 p.m. Room 15 Capitol

Agenda: S.F. 2050-Stumpf: Department of Revenue – technical corrections- sales tax.

Health and Human Services Committee, Chair: Linda Berglin

5 p.m. Room 118 Capitol

Agenda: S.F. 2216-Piper: Medical examiners. S.F. 2244-Brandl: Abortion.

Taxes and Tax Laws Division on Property Taxes and Local

Government Aids, Chair: Steven Novak

5 p.m. Room 107 Capitol

Agenda: Informational meeting on levy limits and commercial property taxes.

Judiciary Committee, Chair: Allan Spear

7 p.m. Room 15 Capitol

Agenda: S.F. 1827-Reichgott: Omnibus tort bill. S.F. 1987-Spear: Repeal of the seat belt "gag rule."

Environment and Natural Resources, Chair: Bob Lessard

7 p.m. Room 112 Capitol

Agenda: Continuation of afternoon agenda.

Thursday, March 8

Governmental Operations Committee, Chair Donald Moe

8 a.m. Room 15 Capitol

Agenda: S.F. 2331-Marty: Commission on racism. S.F. 1823-Moe, D.M.: Roy Wilkins memorial.

Transportation Committee, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

Agenda: S.F. 2290-Reichgott: Living will designation on driver's license. S.F. 2115-Schmitz: Allows conservation and peace officers to operate motor vehicles and watercraft without lights. S.F. 2309-Langseth: Bridge bonding. S.F. 2267-Cohen: Barring traffic citation quotas for peace officers. S.F. 1162-Vickerman: Providing court administrators forward driver's license fees to Department of Public Safety by next working day. S.F. xxxx-Purfeerst: MN Correction Facility-Faribault road designation.

Commerce Committee, Chair: Sam Solon

10 a.m. Room 112 Capitol

Agenda: S.F. 1923-Metzen: Regulation of tobacco vending machine sales.

Economic Development and Housing Committee, Chair: Don Frank

12 Noon Room 15 Capitol

Agenda: To be announced.

Local and Urban Government Committee, Chair: Robert J. Schmitz

12 Noon Room 107 Capitol

12 Noon Room 107 Capitol

Agenda: S.F. 2205-Moe, D.M.: Metropolitan Waste Control Commission; violations of pretreatment standards. S.F. 2179-Marty: Ramsey County; eliminating performance bonds; fees for inspections by surveyor. S.F. 2119-Piepho: Blue Earth County; appointment of the auditor, recorder and treasurer.

***The Senate will be in session at 2 p.m.**

Education Division on Education Funding, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

3 p.m. Room 15 Capitol

Agenda: Alternative early intervention model and discussion of total inclusion for special education students.

Health and Human Services Committee, Chair: Linda Berglin

5 p.m. Room 118 Capitol

Agenda: S.F. 1888-Johnson, D.J.: Swing beds. S.F. 2286-Johnson, D.J.: Increases health care access commission membership etc. S.F. 2247-Cohen: Case mix assessment for provider with addendum to agreement. S.F. 1828-Berglin: Nursing home property. S.F. 1839-Berglin: ICF facilities. S.F. 1985-Berglin: Long term care planning. S.F. 2023-Berglin: Pre admission screening alternative care grants. S.F. 2217-Berglin: Nursing home continued level of reimbursement. S.F. xxxx-Berglin: DHS long term care amendments. S.F. 2051-Lantry: Controlling persons of a nursing home. S.F. 2224-Lantry: Exception to nursing home moratorium.

Judiciary Committee, Chair: Allan Spear

7 p.m. Room 15 Capitol

Agenda: S.F. 2192-Freeman: Domestic abuse murder. Bills reported out of divisions and subcommittee. Bills rereferred from other committees.

Local and Urban Government Committee, Chair: Robert J. Schmitz

7 p.m. Room 107 Capitol

7 p.m. Room 107 Capitol

Agenda: To be announced.

***Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.**

Friday, March 9

Education Division on Education Funding, Chair: Randolph Peterson

8 a.m. Room 15 Capitol

Agenda: To be announced

General Legislation and Public Gaming Committee, Chair:

Marilyn Lantry

8 a.m. Room 107 Capitol

Agenda: S.F. 1737-Cohen: Designating Ethnic American Day. S.F.

1890-DeCramer: Relating to interpretive center; defining status of FarmAmerica in Waseca County. S.F. Storm: Resolution memorializing Congress-prohibit the desecration of the American flag. S.F. 1968-Frank: Pet or companion animals permitting restrictions to be imposed on persons convicted of committing certain crimes. S.F. 1970-Gustafson: Charitable gambling; issuing certain licenses.

Agriculture and Rural Development, Chair: Charles Davis

10 a.m. Room 112

Agenda: To be announced

Finance Division on Agriculture, Transportation and Semistates, Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: To be announced.

Finance Division on Education, Chair: Gene Waldorf

10 a.m. Room 125 Capitol

Agenda: U of M capital budget.

Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15

Agenda: Rereferrals from other committees. Bills remaining from other meetings.

Environment and Natural Resources Committee, Chair: Bob Lessard

1 p.m. Room 112 Capitol

Agenda: To be announced

Health and Human Services, Chair: Linda Berglin

1 p.m. Room 15 Capitol

Agenda: S.F. 2337-Luther: Restricts work hours of resident physicians. S.F. 2277-Lantry: Unified process for civil, criminal and financial procedures. S.F. xxxx-Berglin: Ombudsman for MI & MR amendments. S.F. xxxx-Berglin: Changes to medical assistance, GAMC, & Children's Health Plan.

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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 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 bodies, 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 a hearing.

The committee chair decides a hearing date for the bill. During the hearing, proponents and opponents give testimony on the merits of the proposal. 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. The members 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 the floor or another committee without a recommendation for passage; keep it in committee indefinitely; recommend that the bill be passed and sent to another committee; 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 or opponents.

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body on the General Orders Calendar. The entire body then resolves itself into a Committee of the Whole to consider the bill and discuss the merits of the proposal. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least 24 hours before being placed on the Senate Calendar and 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 Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If one body makes a change to the bill and the other body does not accept that change, a conference committee is established to work out a compromise version. The compromise version must then be repassed by both bodies.

If a proposal survives all these obstacles, it is sent to the governor, 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 bodies repass the bill with a two-thirds majority vote.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of afternoon committee hearings this year. The hearings will run on the cable Twin Cities Regional Channel 6. Currently, Media Services broadcasts gavel-to-gavel coverage of all Senate floor sessions on the Twin Cities Regional Channel 6.

In addition, Media Services produces a variety of television programs for both broadcast and cable stations. Senate Journal, in its seventh season, is a one-half hour public affairs program that examines legislative issues through a moderated discussion format. Senate Journal is co-hosted by Majority Leader Roger Moe and Minority Leader Duane Benson and is broadcast throughout the state.

The office also produces several region television programs for broadcast on PBS stations outside the Metro Area and on Regional Cable Channel 6 in the Metro Area. Check your local programming guide for the times and dates of Media Services television shows.

SENATE COMMITTEE ASSIGNMENTS

AGRICULTURE AND RURAL DEVELOPMENT (14)

CHAIR: Davis
OFFICE NO: G-24
MEETS: M, W; Room 112; 10-12 noon
MEMBERS:
Anderson Brandl Frederickson, D.J. Renneke
Beckman Davis Frederickson, D.R. Vickerman
Berg Decker Larson
Bertram DeCramer Morse

COMMERCE (17)

CHAIR: Solon
OFFICE NO: 303
MEETS: T, Th; Room 112; 10-12 noon
MEMBERS:
Adkins Flynn Luther Solon
Anderson Frederick Knutson Spear
Belanger Freeman Metzger
Cohen Kroening Purfeerst
Dahl Larson Samuelson

ECONOMIC DEVELOPMENT AND HOUSING (13)

CHAIR: Frank
OFFICE NO: G-10
MEETS: M, Th; Room 15; 12-2 p.m.
MEMBERS:
Beckman Decker Kroening Reichgott
Bernhagen Dicklich McGowan Storm
Cohen Frank Morse
Dahl Gustafson

EDUCATION (21)

CHAIR: Pehler
OFFICE NO: G-9
MEETS: M, W, F; Room 15; 8-10 a.m.
MEMBERS:
Beckman Frederickson, D.J. Mehrkens Ramstad
Dahl Hughes Morse Reichgott
Decker Knaak Olson Stumpf
DeCramer Knutson Pehler
Dicklich Langseth Peterson, R.W.
Flynn Larson Pogemiller

EDUCATION AIDS DIVISION (14)

CHAIR: Peterson, R.W.
OFFICE NO: G-9
MEETS: M, Th; Room 15; 3-5 p.m.
MEMBERS:
DeCramer Knaak Olson Pehler
Dicklich Knutson Peterson, D.C. Reichgott
Frederickson, D.J. Langseth Peterson, R.W. Stumpf
Hughes Mehrkens Pogemiller

ELECTIONS AND ETHICS (12)

CHAIR: Hughes
OFFICE NO: 328
MEETS: T, Th; Room 107; 12 noon-2:00 p.m.
MEMBERS:
Cohen Johnson, D.J. McGowan Moe, R.D.
Hughes Laidig McQuaid Pogemiller
Johnson, D.E. Luther Metzger Samuelson

EMPLOYMENT (11)

CHAIR: Chmielewski
OFFICE NO: 325
MEETS: T, Th; Room 107; 8-10 a.m.
MEMBERS:
Adkins Chmielewski Gustafson Piper
Beckman Diessner Kroening Ramstad
Brataas Frank Pehler

ENVIRONMENT AND NATURAL RESOURCES (16)

CHAIR: Lessard
OFFICE NO: 111
MEETS: T, W, F; Room 112; 1-3 p.m.
MEMBERS:
Berg Frederickson, D.R. Marty Olson
Bernhagen Knaak Merriam Pariseau
Dahl Laidig Morse Peterson, R.W.
Davis Lessard Novak Stumpf

FINANCE (30)

CHAIR: Merriam
OFFICE NO: 122
MEETS: T, W, F; Room 123; 3-5 p.m.
MEMBERS:
Berg Hughes Luther Renneke
Brataas Johnson, D.E. Mehrkens Samuelson
Dahl Knutson Merriam Solon
DeCramer Kroening Metzger Spear
Dicklich Laidig Moe, D.M. Storm
Frederick Langseth Piper Waldorf
Frederickson, D.R. Lantry Purfeerst
Freeman Lessard Ramstad

GENERAL LEGISLATION AND PUBLIC GAMING (9)

CHAIR: Lantry
OFFICE NO: 328
MEETS: W, F; Room 107; 8-10 a.m.
MEMBERS:
Berg Diessner McGowan
Bertram Johnson, D.E. McQuaid
Davis Lantry Samuelson

GOVERNMENTAL OPERATIONS (13)

CHAIR: Moe, D.M.
OFFICE NO: 309
MEETS: T, Th; Room 15; 8-10 a.m.
MEMBERS:
Brandl Freeman Pariseau Taylor
Decker Marty Picpho Waldorf
Frederickson, D.J. Moe, D.M. Pogemiller
Frederickson, D.R. Morse Renneke

HEALTH AND HUMAN SERVICES (15)

CHAIR: Berglin
OFFICE NO: G-29
MEETS: T, W, F; Room 15; 1-3 p.m.
MEMBERS:
Adkins Brandl Flynn Solon
Anderson Brataas Knutson Storm
Benson Chmielewski Lantry Vickerman
Berglin Diessner Piper Waldorf

JUDICIARY (17)

CHAIR: Spear
OFFICE NO: G-27
MEETS: M, W, F; Room 15; 10-12 noon
MEMBERS:
Belanger Laidig Moe, D.M. Spear
Berglin Luther Peterson, R.W. Stumpf
Cohen Marty Pogemiller
Freeman McGowan Ramstad
Knaak Merriam Reichgott

LOCAL AND URBAN GOVERNMENT (11)

CHAIR: Schmitz
OFFICE NO: 235
MEETS: M, Th; Room 107; 12-2 p.m.
MEMBERS:
Adkins Lessard Pariseau Schmitz
Bertram McQuaid Picpho Vickerman
Frederickson, D.J. Metzger Renneke

PUBLIC UTILITIES AND ENERGY (12)

CHAIR: Dicklich
OFFICE NO: 235
MEETS: T, Th; Room 15; 10-12 noon
MEMBERS:
Dicklich Johnson, D.E. Novak Piper
Frank Johnson, D.J. Olson Storm
Gustafson Marty Pehler Waldorf

RULES AND ADMINISTRATION (31)

CHAIR: Moe, R.D.
OFFICE NO: 208
MEETS: On Call
MEMBERS:
Belanger Frank Lantry Peterson, R.W.
Benson Frederick Lessard Purfeerst
Berglin Hughes Luther Renneke
Bernhagen Johnson, D.E. Merriam Schmitz
Bertram Johnson, D.J. Moe, D.M. Solon
Chmielewski Knaak Moe, R.D. Spear
Davis Knutson Novak Storm
Dicklich Laidig Pehler

TAXES AND TAX LAWS (24)

CHAIR: Johnson, D.J.
OFFICE NO: 205
MEETS: T, W, F; Room 15; 3-5 p.m.
MEMBERS:
Anderson Chmielewski Knaak Reichgott
Belanger Cohen Larson Schmitz
Benson Davis Novak Stumpf
Berglin Diessner Olson
Bernhagen Frank Pehler
Bertram Gustafson Peterson, R.W.
Brandl Johnson, D.J. Pogemiller

TRANSPORTATION (12)

CHAIR: Purfeerst
OFFICE NO: 303
MEETS: T, Th; Room 112; 8-10 a.m.
MEMBERS:
Bernhagen Langseth Mehrkens Purfeerst
DeCramer Lantry Metzger Schmitz
Frederick McQuaid Novak Vickerman

VETERANS AND MILITARY AFFAIRS (11)

CHAIR: Bertram
OFFICE NO: 323
MEETS: T, Th; Room 107; 10-12 noon
MEMBERS:
Laidig Mehrkens Schmitz
Langseth Pariseau Vickerman
Lessard Picpho

MINNESOTA STATE SENATE

Senate Members—1990 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	IR	5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	8869	Luther, William	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	2159	McGowan, Patrick D.	121 SOB	48
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	4261	Berglin, Linda	G-29 Cap.	60	IR	8075	Mehrkens, Lyle G.	127 SOB	26
IR	4131	Bernhagen, John	113 SOB	21	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	4370	Metzen, James	303 Cap.	39
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	4264	Moe, Donald M.	309 Cap.	65
IR	4848	Brataas, Nancy	139 SOB	33	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	5649	Morse, Steven	309 Cap.	34
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5003	Dahl, Gregory L.	111 Cap.	50	IR	1282	Olson, Gen	133 SOB	43
DFL	2302	Davis, Charles R.	G-24 Cap.	18	IR	5252	Pariseau, Patricia	151 SOB	37
IR	0415	Decker, Bob	109 SOB	4	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	IR	9457	Piepho, Mark J.	105 SOB	24
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	9248	Piper, Pat	325 Cap.	31
DFL	4274	Flynn, Carol	G-27 Cap.	61	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	129 SOB	38	DFL	5650	Vickerman, Jim	G-29 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	124 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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Briefly

The Minnesota Senate Week in Review

March 9, 1990

Statute of limitations extension approved

A bill lengthening the statute of limitations for Human Rights Act violations was granted preliminary approval at the Mon., Mar. 5, Senate floor session. S.F. 1943 author Sen. John Marty (DFL-Roseville), explained that the extension, from one to two years, was necessary given the nature of this type of violation, which is often not recognized as such by the victim for a significant period of time. The bill was approved over the objections of Sen. Patrick McGowan (IR-Maple Grove), who argued that the present time period was sufficient, and pointed out that only one other state would have as liberal a reporting policy as Minnesota under the bill.

Six additional bills were granted preliminary approval during the session. S.F. 1695, authored by Sen. Linda Berglin (DFL-Mpls.), makes it more financially feasible for nursing homes to enter into consulting arrangements with other nursing homes to provide various management services. S.F. 1813, also sponsored by Berglin, amends the Medicare certification requirement for nursing homes. S.F. 1777, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), sets the terms of Ramsey County charter commission members. S.F. 1794, authored by Sen. James Metzen (DFL-South St. Paul), redefines and expands the term "veteran." S.F. 1906, authored by Sen. LeRoy Stumpf (DFL-Plummer), makes the crime victim ombudsman accountable to the commissioner of public safety. S.F. 1783, sponsored by Sen. Earl Renneke (IR-Le Sueur), allows certain school districts to change education districts.

The Senate also approved two bills on the consent calendar. Bills are placed on the consent calendar at the recommendation of a standing committee which considered the bill to be noncontroversial, and may be removed from it if three members raise objections. The bills approved were S.F. 1922, authored by Sen. Sam Solon (DFL-Duluth), exempting credit unions from certain requirements for closing agents; and S.F. 1947, sponsored by Sen. Randolph Peterson (DFL-Wyoming), designating as Moberg Trail a portion of road in Chisago County.

In addition, Senators granted final approval to two bills that received preliminary approval during the Thurs., Mar. 1, floor session. S.F. 1852, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), establishes a means of filling judicial vacancies. Pogemiller also authored S.F. 443, establishing standards for the use of nitrous oxide in the practice of podiatric medicine.

Floor session held

The Minnesota Senate met Thurs., Mar. 8, and granted final passage to all of the bills given preliminary approval Mon., Mar. 5. In addition, the Senate approved one bill on the Consent Calendar. S.F. 1973, authored by Sen. Linda Berglin (DFL-Mpls.), is a resolution memorializing the President and Congress to reauthorize the low-income home energy assistance program and to increase its appropriation for fiscal year 1991 and subsequent years.

Senators also considered six measures on the General Orders Calendar. Bills on General Orders may be considered by the Senate acting as one large committee known as "the Committee of the Whole". Each bill on General Orders has had two readings and has been reported out of one or more standing committees. Given preliminary approval were S.F. 1789, authored by Sen. Jim Vickerman (DFL-Tracy), defining the term practitioner for the purpose of dispensing medicines and drugs; S.F. 1680, authored by Sen. Dennis Frederickson (IR-New Ulm), relating to cooperatives and providing absentee ballots to secret ballots; S.F. 1717, authored by Sen. Gary DeCramer (DFL-Ghent), establishing a task force to coordinate educational opportunity on the border between Minnesota and South Dakota; S.F. 1820, authored by Sen. Jim Vickerman (DFL-Tracy), permitting a county board to assign certain duties; S.F. 1824,

authored by Sen. Linda Berglin (DFL-Mpls.), establishing procedures for the placement and removal of children in foster homes; and S.F. 2130, authored by Sen. Richard Cohen (DFL-St. Paul), regulating the practices and record keeping of public adjusters.

Cigarette vending bill tabled

The Commerce Committee killed S.F. 1923, regulating cigarette vending machines, by approving a non-debatable motion to table the bill, Thurs., Mar. 8. The motion was offered by Sen. William Luther (DFL-Brooklyn Park).

Senators had previously approved an amendment, offered by bill author Sen. James Metzen (DFL-So. St. Paul), deleting a provision in the bill which made the state law preempt any local law. As amended, the bill did not apply to communities in which laws regulating the machines were enacted before the bill's effective date. The bill basically limited the permissible locations of cigarette vending machines and, in some cases, required that the machines be operable only by activation of an special electronic switch operated by an employee or by coins inserted by an employee.

The committee, chaired by Sen. Sam Solon (DFL-Duluth), heard a great deal of testimony regarding the bill. Proponents' arguments centered on the loss of jobs within the vending industry that could result from more communities banning the cigarette machines entirely; opponents' arguments focused on the health problems associated with smoking.

Panel hears budget presentation

Members of the Finance Committee met Fri., Mar. 2, to hear a presentation on the governor's supplemental and capital budget recommendations. The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), also approved a recommendation that the full Senate confirm Peter Hutchinson as the new commissioner of finance.

Hutchinson began his presentation by emphasizing that if the governor's supplemental budget recommendations are enacted, state expenditures during the 1990-91 biennium will be reduced by \$145 million—eliminating the budget shortfall forecasted by the Dept. of Finance last month. He said that the governor's proposal maintains the state's current \$550 million Budget Reserve, and provides funding increases for such "high priority" programs as drug prevention and treatment, gambling enforcement, and child care and early childhood education. He stated that the budget deficit and the above increases will be offset by proposed savings in a number of areas including local spending reductions, health care cost containments, streamlining of state government, and consolidating state funds and activities. Hutchinson added that the base-line estimate for the 1992-93 biennium indicates a state budget shortfall of \$537 million if no law changes are enacted by the Legislature. If the governor's proposals are enacted, the additional savings that would accrue during the next biennium would offset the deficit and produce a \$35 million surplus. The \$550 million Budget Reserve would be maintained during the 1992-93 biennium if the governor's proposals are adopted, he concluded.

Hutchinson then shifted the presentation to the governor's capital budget recommendations. He said that because it is not feasible to meet all of the \$1.5 billion in capital budget requests, the 1990 proposal calls for a total of \$228 million in additional bonding authorization and direct appropriations for "high priority" projects only. Of this amount, environmental construction projects are slated to receive \$49 million; human services, \$45 million; education, \$39 million; general government, \$38 million; transportation, \$28 million; and corrections, \$14 million. The largest single appropriation contained in the proposal is \$35 million for state hospital renovation activities.

Committee Capsule

Agriculture and Rural Development

Grasshopper bill gains

Members of the Agriculture and Rural Development Committee met Fri., Mar. 2, and approved measures that create a large-scale grasshopper control program and that extend the Farmer-Lender Mediation Act. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

By a roll call vote of 11-1, panel members approved S.F. 1674, the grasshopper control bill, and re-referred it to the Taxes and Tax Laws Committee. Panel members adopted a delete-everything amendment offered by the measure's author, Sen. Charles Berg (DFL-Chokio), revising several major provisions. The major changes eliminate the establishment of a state entomologist position; specify more stringent grasshopper spraying and foraging bee notification requirements; and delineate county, township, and individual landowner liability issues.

Sen. Joe Bertram, Sr., (DFL-Paynesville), offered, and panel members adopted, an amendment directing the commissioner of agriculture to notify all licensed commercial pesticide applicators, county extension agents, and licensed pesticide dealers within designated grasshopper control zones of the location of honeybee colonies. An amendment that permits the agriculture commissioner to exempt land parcels deemed to be of particularly scientific or natural significance or that are particularly sensitive to the use of insecticides, offered by Sen. Steven Morse (DFL-Dakota), was also adopted by the committee.

As amended, S.F. 1750, carried by Sen. LeRoy Stumpf (DFL-Plummer), provides for a \$300,000 General Fund appropriation to the Minnesota Extension Service for fiscal year 1991 to operate the farmer-lender mediation program. Stumpf said that the bill will extend the program from July 1, 1990, to July 1, 1992. He added that he's proposing the legislation because the program has proven tremendously helpful to Minnesota farmers since its inception in 1986. Committee members adopted an amendment offered by Berg shortening the program's extension from two years to one year in order to provide panel members with the opportunity to evaluate the program's effectiveness during next year's budget session. S.F. 1750 was re-referred to the Finance Committee.

Committee okays two measures

Approval of bills that modify an agricultural financing program and that establish an urban forestation program highlighted the Mon., Mar. 5, meeting of the Agriculture and Rural Development Committee.

As amended, S.F. 2239, sponsored by Sen. Charles Berg (DFL-Chokio), amends provisions contained in the Family Farm Security Act. The bill transfers authority over the Family Farm Security (FFS) program from the agriculture commissioner to the commissioner of natural resources, revises default procedures, and modifies provisions concerning payment adjustment reviews. Berg said that currently, state interests are not being protected in relation to the financial administration of the FFS program because the Dept. of Agriculture is biased when it approves interest adjustments. He explained that the department is forgiving too many interest adjustments, and that by shifting authority over the FFS program to the Dept. of Natural Resources, interest adjustment actions can be more tightly scrutinized.

Committee members adopted an author's amendment that requires the commissioner of natural resources to prepare and file marginal land and wetlands restrictive easements on all acquired properties owned by the state on or after June 5, 1987. Panel members also adopted amendments that reinstate \$50 million in general obligation bonding authority for the FFS program, and that specify that individual state agencies—not the Board of Water and Soil Resources—determine what marginal land and wetlands under their jurisdictions are to be reserved or restricted by conservation easements. The amendments were offered by Sen. Tracy Beckman (DFL-Bricelyn), and Chair Charles Davis (DFL-Princeton), respectively.

In other action, committee members approved a bill authored by Sen. John Bernhagen (IR-Hutchinson), that implements a statewide program to encourage the maintenance and expansion of community and urban forests. Bernhagen explained that the measure, S.F. 2127, evolved from

recommendations contained in a study commissioned by the 1989 Legislature to examine the urban forestation issue.

S.F. 2239 and S.F. 2127 now go to the Senate floor.

Deficiency judgements bill okayed

The Wed., Mar. 7, meeting of the Agriculture and Rural Development Committee was devoted to approving two bills that revise deficiency judgement procedures and that change several of the state's organic food law provisions. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 1946, sponsored by Sen. Charles Berg (DFL-Chokio), combines both bankruptcies and deficiency judgements into one court proceeding, instead of the two separate proceedings required under present law. Berg said that the measure also directs judges, not jurors, to determine the fair market value of foreclosed property. He added that this streamlining should reduce legal costs for both parties involved in such proceedings.

By a vote of 8-6, committee members adopted an amendment offered by Sen. David Frederickson (DFL-Murdock), that requires a separate jury trial for foreclosed property fair market value proceedings if either the lender or borrower requests a jury. An author's amendment that removes language from the bill extending the statute of limitations on executing deficiency judgements from three to ten years was also adopted by the panel.

S.F. 1946 now goes to the full Senate.

As amended, S.F. 1999, authored by Sen. James Pehler (DFL-St. Cloud), clarifies language contained in the 1985 Organic Food Law. The bill eliminates a requirement that certification organizations must be located in the state; permits each certifying organization to set its own fees; requires that Minnesota-grown organic products that are labeled "certified" must be certified by designated organizations; and directs the commissioner of agriculture to appoint an organic industry task force to advise the commissioner on organic issues. S.F. 1999 is now headed to the Senate floor.

Commerce

Rent-to-own bill advanced

The Senate Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), amended and approved S.F. 1499, regulating the rent-to-own industry, Tues., Mar. 6. The legislation is authored by Sen. Gregory Dahl (DFL-Ham Lake).

The bill provides a number of protections for consumers, including: specifying what disclosures must be made in the rental purchase agreement; authorizing a lessee who fails to make payments to reinstate the agreement, as long as the lessee surrendered the property within seven days of a request by the lessor and no more than 60 to 180 days have elapsed since the property was surrendered; prohibiting the lessor from communicating with the lessee in connection with the recovery of property at the lessee's work place or in unusual times or places without the lessee's permission or a court's permission; and restricting the amount of money in lease payments a lessor can charge under a rental-purchase agreement to 50 percent of the cash price of the property. The cash price is defined in the bill as the price at which the lessor would offer to sell the property for cash on the date of the rental-purchase agreement.

The committee did adopt an amendment, offered by Dahl, limiting the amount a lessor can charge for delivery of items and collection fees. Also adopted was an amendment, offered by Sen. Carol Flynn (DFL-Mpls), requiring the lessor to outline the lessee's options regarding insurance coverage.

S.F. 2261, authored by Solon, was also amended and approved. As amended by its author, the bill provides that, after Jan. 1, 1991, no garage door openers may be sold or installed unless they comply with specific safety regulations; and that, after Jan. 1, 1993, all garage door openers sold or installed must also include an attached edge sensor, safety beam, or similar device that causes a closing door to open and prevents an open door from closing if activated. To alleviate the problem of garage door openers that are already in place, the same require-

ments and deadlines apply to all residential buildings at the time they are designed, built, sold, or offered for sale.

Members also approved S.F. 1790, also sponsored by Solon. As amended by its author, the bill establishes a legislative task force to study the regulation of health insurance premium rates and health care costs. Also approved was S.F. 2349, sponsored by Sen. Don Samuelson (DFL-Brainerd), providing that the required uninsured and underinsured motorist coverages do not apply to bodily injury of the insured while occupying a motorcycle owned by the insured.

In addition, members approved S.F. 2403, carried by Freeman, removing a provision in law which does not allow real estate sales licenses to be issued to any officer of a corporation or member of a partnership to which a broker's license was issued. The bill instead prohibits corporate officers who maintain a real estate salesperson's license from exercising any authority over any trust account administered by a broker within the company, or from being vested with supervisory authority over the broker.

Senators also approved S.F. 2264, authored by Flynn, exempting antique automobiles and recreational vehicles from the requirement of rental vehicle coverage. An amendment, offered by Flynn and adopted by the committee, changed the definitions of various cars in the bill to conform to current statute. Also approved was S.F. 1983, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville), allowing sales of Minnesota produced wines at the Minneapolis-St. Paul airport.

Senators also approved S.F. 1768, authored by Sen. Allan Spear (DFL-Mpls.), regulating electronic fund transfer facilities. As amended by Spear, the bill requires that any Minnesota transmission facility which is used by, or made available to, any other Minnesota transmission facility must be made available on fair, equitable and nondiscriminatory terms to all other Minnesota transmission facilities at their request. The bill also provides for charges to be paid to the facilities.

All of the bills, except S.F. 1499, were sent to the floor. S.F. 1499 was re-referred to the Judiciary Committee.

Two bills approved

The Senate Commerce Committee amended and approved S.F. 2424 and S.F. 2430 Wed., Mar. 7. S.F. 2424, sponsored by Sen. James Metzen (DFL-So. St. Paul), provides an exception to the prohibition against selling a life insurance contract or supplemental contract providing for accelerated benefits to an individual over 65 years old. An author's amendment added exclusions from specified other requirements for contracts or supplemental contracts granting the right to receive accelerated benefits.

Also approved as amended was S.F. 2430, authored by committee Chair Sen. Sam Solon (DFL-Duluth). The bill establishes a system for the evaluation and rating of community reinvestment by depository financial institutions owned by interstate holding companies. An author's amendment, approved by the committee, reinstated the commissioner's power to require reports from reciprocating state bank holding companies that acquire a bank under specified provisions. Both bills were sent to the floor.

The committee also discussed S.F. 2040, authored by Metzen, which provides coverage for outpatient mental disorders. The bill was laid over for interim study.

Claims denial bill amended, advanced

The Commerce Committee Subcommittee on Insurance, chaired by Sen. William Luther (DFL-Brooklyn Park), amended and approved S.F. 1942, regulating no-fault auto insurance claim denials, sponsored by Sen. John Brandl (DFL-Mpls.), Wed., Mar. 7.

Before amendment, S.F. 1942 prohibited an insurer from denying a liability insurance claim on the basis of an evaluation by the insurer's medical provider. Instead, the insurer was required to pay for a second medical evaluation from a neutral health provider; if both evaluations were consistent, the insurer could deny the claim. The bill required the commissioner of commerce to compile a list of neutral medical examiners.

However, Sen. Michael Freeman (DFL-Richfield) called the bill un-

workable and questioned whether there was such a thing as a "neutral physician." Freeman offered an amendment that altered provisions currently in statute providing for arbitration of some insurance claims. Under one type of arbitration, Freeman's amendment provided that, if the insured prevails in the claim, the insurer must pay the insured's attorney's fees. In another type of arbitration, the amendment originally allowed the commissioner to impose a 15 percent penalty on the insurer if the insured prevailed; however, Brandl suggested raising the penalty to 20 percent and Freeman agreed. Under that type of arbitration, the amendment also requires that the insurer pay the insured's attorney's fees if the insured prevails. The Freeman amendment was adopted.

In other action, Senators amended and approved S.F. 2384, carried by Sen. Carol Flynn (DFL-Mpls.), which clarifies regulatory authority over Medicare supplement plans. Flynn offered an amendment, which Senators adopted, providing penalties and requiring insurers to provide loss ratio information on an annual basis. Both bills were sent to full committee.

Two bills approved

In addition to acting on S.F. 1923, the Commerce Committee advanced S.F. 1835, the Better Beginnings Act, and S.F. 2441, relating to bank acquisitions, Thurs., Mar. 8.

The purpose of S.F. 1835 is to provide adequate health care for pregnant women and children up to age six. Two problems addressed in the bill, according to author Sen. Michael Freeman (DFL-Richfield), are the reimbursement rate for Medical Assistance and the rising cost of medical malpractice insurance. Basically, the bill provides for physicians or nurse-midwives providing obstetrical services to low-income patients, patients on MA or other similar aid programs, or patients in community clinics or public health clinics, to receive a medical malpractice insurance premium discount. The providers must meet certain criteria to obtain the discount, including a continuing education requirement and a minimum percentage served. The bill was re-referred to the Committee on Finance.

Also amended and approved was S.F. 2441, authored by Sen. James Metzen (DFL-So. St. Paul). The bill requires banking institutions to notify the Dept. of Commerce when a change in the outstanding voting stock of the bank institution will result in a change in control of the institution. The bill was sent to the floor.

The Commerce Committee is chaired by Sen. Sam Solon (DFL-Duluth).

Economic Development and Housing

First option to purchase bill defeated

A bill that would have provided manufactured home park residents with the first right to purchase their park in the event of a park sale failed to gain approval during the Thurs., Mar. 1, meeting of the Economic Development and Housing Committee. The panel, chaired by Sen. Don Frank (DFL-Spring Lake Park), defeated the measure by a roll call vote of 5-7.

As amended, S.F. 1765, authored by Sen. Gene Merriam (DFL-Coon Rapids), requires a manufactured home park owner to notify park residents of a park sale and to alert the residents of their first option to purchase the park. Under the bill's provisions, residents wishing to buy the park must execute a purchase agreement with the park owner within 30 days of the owner's notice to the residents. Once the purchase agreement is executed, park residents are given 60 days to obtain the necessary financing, with a requirement that the park owner must notify residents if he or she decides to offer or accept an offer at a cash price lower than the original asking price.

Invention board bill approved

The Mon., Mar. 5, Economic Development and Housing Committee meeting was devoted to approving bills creating an invention board, establishing a water and sewer financing task force, allowing a port au-

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thority to use foreign trade zone powers, and hearing a presentation by the Minnesota Trade Office.

S.F. 2303, sponsored by Sen. Sam Solon (DFL-Duluth), creates an 11-member board of invention charged with encouraging the creation, performance, and appreciation of invention in Minnesota. Board members, appointed by the governor with the advice and consent of the Senate, are also directed to investigate and evaluate new methods to enhance invention, to establish an invention grant program to encourage the development of both commercial and social inventions, to hire an executive director knowledgeable in invention to coordinate board activities, and to submit an annual report to the Legislature detailing invention-related activities in the state.

S.F. 2303 was re-referred to the Governmental Operations Committee.

As amended, S.F. 2219, carried by Sen. Gary DeCramer (DFL-Ghent), creates a six-member legislative task force on small city and town water and sewer financing. The task force is mandated to develop and report to the Legislature by Jan. 15, 1991, recommendations for financing small city and town sewer and water improvements. The bill includes a provision prohibiting recommendations involving state appropriations or the sale of general obligation bonds, but permits recommendations utilizing revenue bonds payable from city and town tax proceeds, special assessments, and user charges. S.F. 2219 was re-referred to the Finance Committee.

A bill that authorizes port authorities to use foreign trade zone powers in or out of its port district also gained committee approval. S.F. 2281, authored by Chair Don Frank (DFL-Spring Lake Park), now goes to the full Senate.

Panel members also heard Minnesota Trade Office Deputy Commissioner Richard Bohr provide an overview of his organization's structure and goals.

Education

Childhood board approved

Senators devoted the majority of the Mon., Mar. 5, meeting of the Education Committee to discussion of S.F. 1915, authored by Sen. Pat Piper (DFL-Austin).

The bill creates a Minnesota Early Childhood Family Coordinating Board to provide a coordinated multiagency approach to early childhood family development programs and services. The problem, according to Piper, is that different agencies get different amounts of funding for various programs, so the overall effort lacks coordination. The board is charged with the responsibility of designating, by June 1994, local area planning councils across the state to plan for, develop, and coordinate early childhood development programs and services at the local level; the Minnesota Early Childhood Family Coordinating Board is then repealed effective Aug. 1, 1995. The bill also repeals the Interagency Advisory Committee on Child Care currently in statute.

Senators adopted a number of amendments to the provision, including a minor corrective amendment, offered by the author, which included the Aug. 1, 1995, repeal date of the coordinating board and changed the name of the board from the Minnesota Early Childhood Coordinating Board to the Minnesota Early Childhood Family Coordinating Board. Sen. Randolph Peterson (DFL-Wyoming) offered an amendment adding a provision transferring funding from a recently abolished council to the new board. The amendment was adopted. Also approved was an amendment offered by Sen. Gen Olson (IR-Minnetrista) narrowing the board's powers from allowing it to "establish and maintain" a quality control system for early childhood development programs to allowing it to "develop and recommend" a quality control system.

The measure was re-referred to the Governmental Operations Committee.

The committee, chaired by Sen. James Pehler (DFL-Duluth), also approved S.F. 1927, sponsored by Sen. Gary DeCramer. The bill changes the State Board of Vocational Technical Education's powers by requiring that the board adopt policies that provide prospective students with consumer information before they enroll in the system. Such information, DeCramer said, would include placement rates, dropout rates,

types of equipment available in certain programs, etc. The bill was sent to the floor.

Technical College governance bill approved

Senators devoted virtually the entire Wed., Mar. 7, meeting of the Education Committee to discussion of S.F. 365, which establishes a state system of postsecondary vocational technical education. Currently, the state's Technical Colleges are under the jurisdiction of the local districts. Senators adopted an amendment, offered by bill author and committee Chair Sen. James Pehler (DFL-St. Cloud), making a number of changes to the bill, including: making it a voluntary, rather than mandatory, state system and deleting provisions regarding salaries for technical college instructional staff and representation of the teachers. The amendment was adopted.

As amended, the bill requires that the State Board of Vocational Technical Education, by July 1, 1991, establish a state system of technical colleges. The colleges that transfer will be under the management, jurisdiction and control of the board. In addition, the bill outlines public hearing requirements for districts that operate technical colleges. The bill also provides for the districts that enter into the state system in various areas regarding employees, purchase of technical equipment, and payment of debt.

Many representatives of various intermediate districts and education organizations spoke in opposition to the bill. Their concerns included the loss of local control; changing a governance system that doesn't need to be changed; and concern that the new governance system will cause confusion.

S.F. 365 was approved on a 10-9 vote and re-referred to the Governmental Operations Committee.

In other action, the committee approved S.F. 1551, authored by Sen. Steven Morse (DFL-Dakota), providing that the Higher Education Coordinating Board (HECB) must appoint a student representative to any HECB advisory committee on which the Student Advisory Council requests representation. The bill was sent to the floor.

Education Funding

Teacher contract bill advanced

S.F. 1844, making permanent the penalty for districts that have not settled teacher contracts by a deadline, was approved at the Thurs., Mar. 1, meeting of the Education Funding Division of the Education Committee. Legislation approved last year imposed a penalty of \$25 per pupil unit on districts that had not settled the contracts by Jan. 15, 1990.

Working from an amendment offered by author Sen. Steven Morse (DFL-Dakota), committee members discussed the appropriate deadline date. According to Rose Hermodson from the Minnesota Federation of Teachers, the Nov. 1 deadline contained in the amendment made it difficult for teachers and districts to get the necessary information in time, considering that the Legislature sometimes does not adjourn until late Spring. Senators also considered an amendment, offered by Sen. Howard Knutson (IR-Burnsville), changing the deadline date to the first day that school is in session and providing for districts entering into binding arbitration. However, the Knutson amendment was rejected, and Senators ultimately settled on a deadline of Jan. 15.

Senators approved an amendment, offered by Morse, adding a provision that districts that submit unresolved items to binding arbitration by the Dec. 31 preceding the Jan. 15 deadline, and file required final position papers on all unresolved items with the commissioner of mediation services by the Jan. 15 deadline, will not have their aid reduced if the arbitration panel issues its decision within 60 days after the final position papers are filed.

As amended, the bill casts a broader net than last year's legislation, encompassing entities like intermediate districts and education districts in the deadline and penalty provisions.

The division, chaired by Sen. Randolph Peterson (DFL-Wyoming), approved the bill and sent it to the full committee.

Equalization bills discussed

The Education Funding Division of the Education Committee discussed two bills involving equalization, S.F. 2125 and S.F. 2142, and Minnesota's school facility problems in general, Fri., Mar. 2.

Division chair Sen. Randolph Peterson (DFL-Wyoming), acknowledged the extent of the problem, saying that there are school buildings in the state which are simply not safe. Dept. of Education representative Norm Chaffee told members that about one-third of Minnesota's school buildings are over 50 years old. Senators concluded the meeting with a discussion of the best way to handle the need for new facilities.

Two bills advanced

S.F. 1898, regarding Dept. of Education initiatives, and S.F. 2076, allowing Independent School District No. 712 to establish special accounts, were amended and approved by the Education Funding Division of the Education Committee, Mon., Mar. 5.

S.F. 1898, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), contains mostly minor changes, clarifications and technical alterations to existing education law. Senators adopted numerous amendments, including: an amendment, sponsored by Sen. Keith Langseth (DFL-Glyndon), allowing the State Board of Education to make exceptions to specified requirements for districts wishing to combine under the "cooperation and combination" statutes; an amendment, offered by Sen. Gary DeCramer (DFL-Ghent), providing that any excess appropriations for FY. 1991 shall first be appropriated to fund a deficiency in the cooperation and combination program; and an amendment, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), expanding the definition of excess transportation to include transportation for students who live within one mile of their schools but must go through areas with drug or crime hazards. The bill was sent to full committee.

Also approved was S.F. 2076, authored by Sen. Ronald Dicklich (DFL-Hibbing), allowing a district to establish reserved accounts in the general fund. The bill is an effort to help the Mt. Iron-Buhl school district pay off unreserved fund balance deficits, Dicklich said.

Senators also discussed and amended S.F. 1966, authored by DeCramer, regarding open enrollment in bordering states. The division, chaired by Sen. Randolph Peterson (DFL-Wyoming), did not take final action on the bill due to time constraints.

Three bills advanced

S.F. 2354, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), generated discussion at the Tues., Mar. 6, meeting of the Education Funding Division of the Education Committee. The bill originally provided that any pupil at least 16 years old could attend, under the high school graduation incentives and private alternative school programs, any nonpublic, nonprofit school that has contracted with the student's district of residence to provide educational services. The intent, according to Pogemiller, is to expand the range of options to encourage these students to graduate.

However, discussion centered on the constitutionality of the bill, since sectarian, or religious, schools would be allowed to provide the educational services. An amendment approved by Senators added that the educational services must be nonsectarian; however, the bill does not prohibit the services from being provided by a sectarian school. The bill was approved.

In other action, the division, chaired by Sen. Randolph Peterson (DFL-Wyoming), advanced S.F. 1966, a bill that author Sen. Gary DeCramer (DFL-Ghent) characterized as "a good public policy move." The bill extends open enrollment to bordering states and provides for pupils living in Minnesota to attend schools or programs in another state, as long as the school or program is in a county that borders Minnesota. A pupil from another state, living in a county that borders Minnesota, may attend a school or program in a Minnesota district if the resident school boards provides written consent and pays tuition. The bill outlines the requirements for payment of tuition to the district of attendance.

Also approved was S.F. 2429, authored by Sen. Ronald Dicklich (DFL-Hibbing), authorizing issuance of bonds for a number of districts. The bill appropriates money from the distribution of taconite production tax

revenues to the Taconite Environmental Protection Fund and to the Northeast Minnesota Economic Protection Trust in an amount sufficient to pay when due a given percentage of the bonds.

All three bills were re-referred to full committee.

Elections and Elections

Open meeting law expansion considered

A proposal to extend the provisions of Minnesota's open meeting law to most functions of the Legislature was debated at the Tues., Mar. 6, meeting of the Senate Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood).

Sen. Lawrence Pogemiller (DFL-Mpls.) explained to the committee that his proposal would apply to all legislative meetings, excepting party caucuses and delegations of legislators representing geographic areas or political subdivisions. Enforcement of the standards would be by each body of the Legislature rather than by the courts; upon a complaint charging that a member had violated the rule, that member's house would be required to convene proceedings to establish whether the violation occurred and to recommend sanctions if necessary. Debate on the measure was laid over until the committee's next meeting.

The open meeting law expansion was proposed in the form of an amendment to S.F. 2334, authored by Sen. William Luther (DFL-Brooklyn Park), a revision of a campaign financing bill that was approved by the panel last year. The revised bill is substantively similar to the original, providing for limits on campaign expenditures, increased disclosure by lobbyists, and a ban on session fundraisers. However, motions by the author to delete sections relating to a political contributions tax credit and school board elections were approved by the committee. Consideration of the bill is expected to resume by the Fri., Mar. 9, committee deadline.

The committee approved S.F. 2229, a housekeeping bill, authored by Hughes, for the secretary of state. The bill is primarily made up of technical provisions relating to the computerized statewide voter registration system that has been put in place. An amendment incorporating S.F. 1507, sponsored by Pogemiller, into S.F. 2229 was approved. The amendment authorizes a permanently ill or disabled person to apply to automatically receive absentee ballots.

Also approved was S.F. 1920, authored by Hughes, making a number of technical changes in school district election law.

Employment

Workers comp bills heard

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met Tues., Mar. 6, to hear S.F. 2139. The bill, authored by Chmielewski, requires the commissioner of the Dept. of Health to conduct a detailed research regarding a state occupational health surveillance system. The bill was approved and re-referred to the Finance Committee.

S.F. 2140, also authored by Chmielewski, creates a Workers' Compensation Advisory Task Force to study the feasibility and advisability of calculating premiums for workers' compensation insurance on the basis of total hours worked rather than on the basis of total payroll. The committee approved the bill and sent it to the Senate floor.

S.F. 2353, authored by Sen. Pat Piper (DFL-Austin), modifies the definition of extended employment programs eligible for evaluation and state funding to include those meeting the definition of supported employment. Under the bill, supported employment means the employment of a person with a disability so severe that the person needs ongoing training and support to get and keep a job that is removed from a rehabilitation vendor's site; publicly funded to provide ongoing support services throughout the period of employment; and gives the disabled employee the opportunity for social interaction with employees who are not disabled and who are not paid caregivers. The bill was approved and was recommended for the Consent Calendar.

A bill mandating all employers to establish an accident and injury reduction program was also approved by committee members. S.F. 1869,

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authored by Sen. A.W. "Bill" Diessner (DFL-Afton), requires employers to describe methods used to encourage safety practices; identify and control new or existing hazards, conditions and operations; and investigate accidents. The bill was approved and recommended for the Consent Calendar.

Court of comp appeals bill approved

Members of the Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake) met Thurs., Mar. 8, to hear S.F. 2045. The bill, authored by Sen. Allan Spear (DFL-Mpls.), abolishes the Workers' Compensation Court of Appeals, creates a Court of Compensation Appeals, and moves the court from the executive branch of government to the judicial branch. An amendment was approved that reassigns employees of the Workers' Compensation Court of Appeals to the Court of Compensation Appeals without loss of seniority, salary, or other benefits and rights. The bill was approved and re-referred to the Judiciary Committee.

S.F. 2375, authored by Chmielewski, creates an assessment program on wood mills to aid loggers with high workers' compensation premiums. An amendment was approved that deleted a \$625,000 General Fund appropriation for premium reduction. Under the amendment, all other references to the General Fund were deleted, and all revenues derived from assessments would be placed in a fund dedicated solely to the reduction of loggers' premium rates. The bill was approved and re-referred to the Finance Committee.

Another bill authored by Chmielewski, S.F. 2395, makes technical changes to the unemployment insurance statutes. The bill expands the definition of employment to include any service performed by a professional musician or an individual otherwise engaged in the performing arts and performing services. The committee approved the bill and sent it to the Senate floor.

S.F. 409, authored by Sen. Pat Piper (DFL-Austin), provides that employers must grant employees up to two weeks leave for the care of a child, spouse or parent with serious health conditions. It also allows three days leave for attendance of school conferences. The bill laid over.

Environment and Natural Resources

Panel hears CFC bill

The Environmental Protection Division of the Environment and Natural Resources Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Thurs., Mar. 1, to hear S.F. 824. The bill, authored by Dahl, requires the recycling of chlorofluorocarbons (CFCs) in salvage automobiles, refrigeration equipment, mobile air conditioning equipment, and other appliances. Members voted to amend the bill so that political subdivisions may not adopt or preempt CFC requirements different than state law. The measure was approved and sent to the full committee.

S.F. 1784, also authored by Dahl, relates to the sale and disposal of certain dry cell batteries. The bill provides a timetable for the reduction of mercury in batteries, and prohibits manufacturers from selling or distributing an alkaline manganese battery containing more than 0.025 percent mercury after Jan. 1, 1992. The measure was laid over.

Timber sale bill heard

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Fri., Mar. 2, to hear three bills. S.F. 1829, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), amends the statutes relating to timber sales by allowing the commissioner of natural resources to sell timber on any tract of state land not exceeding a value of \$20,000. The bill was approved by the committee and sent to the Senate floor.

A bill, S.F. 1722, establishing Lake of the Woods State Forest was also heard. Sen. LeRoy Stumpf (DFL-Plummer), author of the bill, explained that under the bill, a total of 133,000 acres would be established as a state forest. The measure was laid over.

S.F. 1996, authored by Sen. Gene Merriam (DFL-Coon Rapids), makes

technical changes to the Waste Management Act. The bill gives waste management districts the authority of a county for solid waste management purposes, and gives districts and counties priority when submitting grant proposals for solid waste management projects. The bill was laid over until next week.

Drought emergency bill approved

Members of the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Sat., Mar. 3. S.F. 2172, authored by Lessard, directs the commissioner of natural resources to establish a response plan for drought-related emergencies and to prepare a statewide framework for drought response. The committee approved the bill and sent it to the Senate floor.

A bill creating the Office of Environmental Education and providing for the Environmental Education Act was also heard. Sen. Gene Merriam (DFL-Coon Rapids), author of S.F. 2160, explained that the Office of Environmental Education would coordinate informal environmental education programs in conjunction with the K-12 and post-secondary programs developed by the Dept. of Education and the state's post-secondary institutions. Members added a provision to the six existing educational goals in the bill to emphasize an understanding of the multiple uses of the environment. The committee approved the bill and re-referred it to the Education Committee.

S.F. 1962, also authored by Merriam, cancels the cooperative agreement with the Cuyuna Development Corporation enacted last year for an economic development project on wild rice and grains. In addition, it reinstates language dedicating funds to the Wild Rice Management Account. The bill was approved and re-referred to the Finance Committee.

A bill prohibiting wild land arson fires and providing penalties for possession of flammables with the intent to set an unauthorized fire was also approved by the committee. Members amended S.F. 2175, authored by Sen. Gregory Dahl (DFL-Ham Lake), so that "wildfire" means a fire that is intentionally set to burn out of control on the land of another. The measure was approved and re-referred to the Judiciary Committee.

Members also approved S.F. 1925, authored by Dahl. Under the bill, the principal amount of bonds issued and outstanding for the treatment of municipal wastewater may not exceed \$150,000. The bill was re-referred to the Taxes and Tax Laws Committee.

S.F. 1894, also authored by Dahl, is the result of the Metropolitan Local Water Management Task Force report to the Legislature on changes needed in surface water management laws. The bill requires that the Board of Water and Soil Resources establish standards for making determinations of whether watershed management organizations and counties are appropriately implementing watershed plans. The bill was re-referred to the Taxes and Tax Laws Committee.

Three bills advance

Mon., Mar. 5, members of the Fish and Wildlife Division of the Environment and Natural Resources Committee heard four bills. The division is chaired by Sen. Charles Berg (DFL-Chokio). S.F. 1626, authored by Sen. Ronald Dicklich (DFL-Hibbing), provides a criminal penalty for trespass sign removal and restricts the discharge of a firearm or arrow across an improved public highway. The bill was approved by the division and sent to the full committee.

S.F. 1703, authored by Berg, reinstates Chapt. 84 of the statutes relating to various Dept. of Natural Resources enforcement regulations. The bill allows conservation officers to arrest, without a warrant, an individual or individuals violating game and fish laws with snowmobiles and all-terrain vehicles. The measure was approved and sent to the full committee.

A bill, S.F. 1704, authorizing conservation officers to seek issuance of and to serve search warrants for fish and game violations was also approved. The measure, authored by Berg, was amended to designate Lac Qui Parle, Big Stone, Stevens, Grant, Traverse, and Swift Counties as predator control areas for fox control. The division approved the bill and sent it to the full committee.

S.F. 1705, also authored by Berg, requires a trout and salmon stamp to angle for trout and salmon in certain waters. The bill was laid over.

Park bill approved

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Tues., Mar. 6, to hear five bills. S.F. 2079, authored by Sen. Pat Piper (DFL-Austin), renames the Helmer Myre and Nerstrand Woods State Parks. Under the bill, the parks are renamed Myre-Big Island State Park and Nerstrand Big Woods State Park, respectively. The committee approved the bill and sent it to the Senate floor.

S.F. 2144, authored by Sen. Ronald Dicklich (DFL-Hibbing), requires the Dept. of Natural Resources to condemn and re-sell all School Trust Fund lands leased for the purpose of maintaining private cabins. The bill grants the lessees first refusal of the land, and if the lessee chooses to buy, payment in cash must be made within 120 days. The bill was re-referred to the Education Committee.

A bill appropriating \$2 million to the city of Savage for the acquisition of wetlands was also heard. Sen. Robert Schmitz (DFL-Jordan), author of S.F. 1744, stated that upon acquisition, a portion of the wetlands would be transferred to the Dept. of Natural Resources for the preservation of calcareous fen, a unique type of wetland. The remaining portion would be used for a city improvement project being done in conjunction with the Army Corps of Engineers. The bill was approved and re-referred to the Finance Committee.

S.F. 1772, authored by Sen. LeRoy Stumpf (DFL-Plummer), establishes the Lake of the Woods State Forest. An amendment was adopted that requires the local authority selling the land to report the delineation of land being sold to the Board of Soil and Water. The bill was approved and was referred to the Senate floor.

Under S.F. 2063, authored by Sen. David Frederickson (DFL-Murdock), a state agency may not allow burning of polychlorinated biphenyls (PCBs) unless an environmental impact statement (EIS) is completed. An amendment was adopted requiring that if the EIS states there is a significant risk to public health, the county may, by resolution, prohibit the burning of PCBs that are not generated within the county. The bill was approved and sent to the Senate floor.

Lake Superior bill heard

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Wed., Mar. 7, to hear S.F. 1866. The bill, authored by Sen. Sam Solon (DFL-Duluth), establishes the Lake Superior Center Authority and makes it a public corporation and political subdivision of the state. The bill was amended to require the board of directors of the Lake Superior Center Authority to report to the Senate and House Environment Committees on the activities of the corporation, its contractors, and its lessees. The bill was approved and re-referred to the Governmental Operations Committee.

S.F. 2270, authored by Sen. Ronald Dicklich (DFL-Hibbing), allows St. Louis County to contract for the acquisition, construction, improvement, maintenance, or operation of solid waste management facilities in any manner determined by the St. Louis County Board. The bill was approved and sent to the Senate floor.

S.F. 1626, authored by Dicklich, makes it a gross misdemeanor to remove or destroy signs prohibiting trespassing. Under additional provisions, a person may not discharge a firearm or an arrow on, over, or across an improved public highway at a big game animal. The committee approved the bill and sent it to the Senate floor.

The committee also approved S.F. 1703, authored by Sen. Charles Berg (DFL-Chokio). The measure reinstates Chpt. 84 into the conservation officer enforcement statutes, allowing an enforcement officer to arrest a person who violates game and fish laws with a snowmobile or all-terrain vehicle. The bill was sent to the Senate floor.

S.F. 1704, authored by Berg, was approved and re-referred to the Judiciary Committee. The bill authorizes conservation officers to serve search warrants for fish and game violations. A previously adopted amendment designating Lac Qui Parle, Big Stone, Stevens, Grant, Traverse, and Swift Counties as predator control areas for fox control was deleted.

A bill authorizing private shooting in a private shooting preserve without a game bird hunting license was also heard by the committee. S.F. 2230, authored by Berg, requires that private shooting preserves licensed to release pheasants must release at least 1,000 on the shooting preserve area. The bill was laid over.

S.F. 2024, authored by Sen. Steven Novak (DFL-New Brighton), gives Anoka County special authority to make a land exchange or private sale with private landowners. A portion of the land on Hwy. 10 is suitable for commercial expansion, and landowners have expressed interest in exchanging adjacent Mississippi River frontage for a portion of the highway frontage. The bill was approved and sent to the Senate floor.

S.F. 2489, authored by Lessard, allows the sale of certain tax-forfeited land in Koochiching and Lincoln Counties, and authorizes the sale of certain state lands in Scott, Hubbard, and Fillmore Counties. An amendment was approved that allows the Dept. of Natural Resources the option of selling land in Baytown Township to Stillwater School District. The committee approved the bill and sent it to the Senate floor.

S.F. 2289, authored by Sen. Gene Merriam (DFL-Coon Rapids), amends provisions relating to the adoption of emergency game and fish rules, and provides alternative methods of publishing game and fish rules. In addition, the bill deletes obsolete references to publication under the fish and game laws, and authorizes the commissioner to protect wild animals by emergency rule. The bill was approved and re-referred to the Governmental Operations Committee.

Finance

Agency capital budget review heard

The Finance Division on Agriculture, Transportation, and Semi-states, chaired by Sen. Keith Langseth (DFL-Glyndon), met Mon., Mar. 5, to review various building requests put forward by the Dept. of Transportation.

Discussion at the meeting focused primarily on the department's plan to consolidate its operation at a central office site, either through expansion of the present facility on the Capitol Mall, purchasing existing office space, or building a new structure. Commissioner Leonard Levine presented a study that estimates a cost of \$78.9 million for refurbishing the existing building, which includes adding an additional 180,000 square feet of space as well as increased parking capacity. The study estimates a \$63 million expenditure should a new facility be constructed.

The option of purchasing an existing structure, not addressed by the study, was discussed at length, as many Senators expressed interest in the acquisition of the Control Data headquarters. While no figures were available, department officials stated that purchasing this building would be the least expensive available option, with the added benefit that a transition could be accomplished quickly.

Project funding requests reviewed

The Finance Division on Agriculture, Transportation, and Semi-states, chaired by Sen. Keith Langseth (DFL-Glyndon), met Wed., Mar. 7, to review a number of funding requests by the Dept. of Transportation for various projects throughout the state.

The largest request before the committee involved a bridge replacement and rehabilitation program that the department wishes to expand. There are currently 4,043 structures on the local road systems that are deficient by federal standards. The department is requesting an additional \$25 million annually to address this situation, to be used in conjunction with funds from the federal government and the Highway Users Tax Distribution Fund.

The department also requested a \$1.7 million supplemental allocation to complete funding of a 4.5 mile exclusive busway, primarily along abandoned railroad tracks, between the Univ. of Minnesota's St. Paul and Minneapolis campuses. The project also includes parking lots and related street improvements.

Department budget recommendations reviewed

The Finance Division on Health and Human Services met Wed. Mar. 7, to review the governor's capital budget recommendations for several

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state agencies. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

The Dept. of Corrections submitted nine projects for review by the committee, the majority of them involving either refurbishing existing jail space or new construction. The largest project in financial terms is construction of two medium security cottages, intended to house 60 inmates each, at the Lino Lakes Correctional Facility.

The Dept. of Jobs and Training requested funds to relocate its downtown Minneapolis Job Service operation into two neighborhood sites in North and South Minneapolis. Committee members raised concerns about the \$800,000 difference between the estimated cost of the project, which was the basis for a 1989 appropriation, and the final cost.

Remodeling various regional treatment centers was the focus of a series of requests by the Dept. of Human Services. Renovation of treatment centers in Anoka, Fergus Falls, and Moose Lake were among the major projects outlined.

The committee also reviewed requests by the Minnesota Veterans Home Board for funding of a variety of minor renovation and repair projects in several veterans homes, and from the Dept. of Health for financing of laboratory refurbishment in the State Health Building.

Panel examines SUS requests

The Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), heard a presentation from Robert Carothers, chancellor of the State University System, on the system's capital budget request, Fri., Mar. 2.

The system has 17 requests. The top nine priorities on the list involve life, safety and health issues, Carothers said. Of those, the top priorities are: heating plant rehabilitation at Bemidji State University; hazardous materials abatement system-wide; roof replacements system-wide; an emergency generator system at Bemidji State University; and heating plant rehabilitation at Mankato State University. Other items on the list include requests for remodeling and a new building for an administrative and student services center at the Dayton's Bluff site for Metropolitan State University; and for the libraries at St. Cloud State University, Bemidji State University and Winona State University.

Community College budget presented

The Education Division of Finance approved S.F. 2371, providing for emergency capital expenses at Inver Hills Community College and authorizing sale of state bonds, Tues., Mar. 6. A fire recently destroyed part of the college center building. The legislation is sponsored by Sen. James Metzen (DFL-So. St. Paul).

The division, chaired by Sen. Gene Waldorf (DFL-St. Paul), also heard a presentation on the capital budget of the Community College System. System Chancellor Dr. Gerald Christenson explained the enrollment trends in the system and said that the community colleges provide the lowest cost system of higher education in Minnesota. The system needs bonding to meet its goals of growth, change and quality, he said.

The system has 21 requests listed in order of importance. The first request, for system capital improvements, was reduced by system representatives from \$16.28 million to about \$10 million; the second request is \$200,000 for system-wide planning; and the third request, for land acquisition, was reduced by system representatives from almost \$3 million to \$750,000. The other requests involve funding for building and remodeling at the various campuses.

Technical college budget reviewed

The Education Division of the Finance Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), amended and approved S.F. 1895, authored by Sen. Carl Kroening (DFL-Mpls.), Wed., Mar. 7. As amended, the bill designates the commissioner of transportation as the state agent for the Mid-American Aviation Resource Consortium, and allows the commissioner to receive federal money for the consortium for air traffic control training. The bill also authorizes remodeling and instruction at the Aviation Training Center at Flying Cloud Airport. The bill was sent to full committee.

Division members also reviewed the capital budget request from the

Technical College System. Bob Madson, assistant state director of institutional support, presented the request, which included 28 items given priority order. The items included: \$9.3 million for system-wide improvements; \$200,000 for system-wide long range facility planning; and a number of requests for the various specific campuses.

General Legislation and Public Gaming Committee

Lawful gambling bill considered

The Fri., Mar. 2, agenda of the General Legislation and Public Gaming Committee meeting included confirmation of gubernatorial appointments, Sen. Florian Chmielewski's (DFL-Sturgeon Lake) bill relating to the Fond du Lac area, and continued discussion of lawful gambling legislation. The General Legislation and Public Gaming Committee is chaired by Sen. Marilyn Lantry (DFL-St. Paul).

The gubernatorial appointees to the State Board of the Arts were Richard Faricy, St. Paul; Dee Knaak, White Bear Lake; and Benjamin Vander Kooi, Jr., Luverne. All came before the committee to give a brief statement. The appointments were approved and were referred to the Senate floor for consideration.

S.F. 1508, introduced by Chmielewski, requires the state archeologist to initiate a site assessment of the American Fur Company trading post and the surrounding historic Fond du Lac area. The assessment includes, but is not limited to, excavation, historic interpretation, and identification and protection of Indian burial sites. The bill also calls on the state Historical Society to submit a report on the tourism potential of the area based on the archeological findings. An appropriation of \$60,000 is allocated for the archeological assessment. The committee adopted one housekeeping amendment to update the timetable of the bill and referred the bill to the Finance Committee.

Continuation of discussion on S.F. 2018, authored by Lantry, was the chief topic of discussion during the committee meeting. The committee heard testimony from Chuck Zervus of the Baxter Lion's Club who explained how last year's new tax system had negatively affected lawful gambling organizations' ability to keep lawful purpose expenditures within the specified limit permitted by the state.

Key sections of the bill implement the following changes in lawful gambling statute: requiring organizations selling pull-tabs to announce any of the top three prizes during a pull-tab deal and to post the winner's names; requiring leases for gambling premises to be on a form prescribed by the Gambling Control Board; requiring all expenditures of gambling receipts after prizes be made from organizations' gambling account except in cases of emergency; requiring all checks for expenditure of gambling gross profits be signed by two persons authorized to do so by the Board; and requiring gambling proceeds be deposited within three days after receipt, instead of within one day as is presently required. In addition, organizations must ask to see specified identification from all pull-tab winners of \$50 or more; local governments may use the 3 percent local gambling tax for any Gambling Control Board approved law enforcement purpose. The bill also specifies that a lawful gambling premise permit is subject to local approval based on a resolution from a city council or county board and that video machines are prohibited from having any device by which credits or replays can be cancelled.

Two substantive amendments to the bill were also approved. One amendment eliminates the existing law requiring lawful gambling organizations to file an annual audit with the Gambling Control Board. Another amendment allows a ninth lawful purpose expenditure for Gambling Control Board approved construction, improvement, expansion, maintenance, or repair of athletic fields, ice rinks and related facilities.

Lawful gambling bill advances

Wed., Mar. 7, the General Legislation and Public Gaming Committee, chaired by Marilyn Lantry (DFL-St. Paul), discussed and heard testimony on S.F. 2018, the lawful gambling bill. The bill was amended, approved, and re-referred to the Taxes and Tax Laws Committee.

Among those giving testimony were Phil Holmes, a former FBI agent specializing in gambling law enforcement; Sen. Pat Pariseau (IR-Farmington), speaking on behalf of organizations dependent on lawful gambling funds; Ray Beneke from the Fraternal and Veterans Association; James Maida representing a national research lab which tests video gambling devices; Wendy Brower of the Multiple Sclerosis Society; and Sister Ruth Rolland from Catholic Elder Care. Testimony on insuring the lawful integrity of gambling video devices and on attempting to prevent the comingling of lawful gambling and other funds prompted most discussion by committee members.

Following testimony, 13 amendments were proposed, six of which recommended substantive changes to the bill. One amendment to the bill, offered by Sen. Phyllis McQuaid (IR-St. Louis Park), was a proposal to strike provisions of the bill that place a 1993 sunset date on lawful gambling operations in Minnesota. McQuaid said that such provisions send a negative message to the majority of lawful gambling organizations, which have been trustworthy and charitable. Other members of the committee argued that the sunset measure is a means to encourage stricter compliance with the legislation's new regulation standards. The amendment was defeated in a 4-4 roll call vote.

Of the four amendments that were passed by the committee, one specifies the terms of access and maintenance for lawful video pull-tab devices and another increases by 5 percent the limit of allowable lawful purpose expenditure from bingo profits. A third amendment, offered by Sen. Don Samuelson (DFL-Brainerd), allows lawful gambling establishments to claim payment of certain local, state, or national taxes as lawful purpose expenditure, and a fourth amendment specifies that at least 66 percent of any local gambling tax must be used for lawful gambling enforcement and regulation. A second amendment that was defeated aimed to allow the few lawful gambling establishments with facilities built solely for lawful gambling purposes, to claim real estate taxes as lawful purpose expenditure.

Governmental Operations

Displaced workers bill approved

The Senate Governmental Operations Committee, meeting Mon., Mar. 5, continued to discuss, and eventually approved, a measure addressing issues related to worker displacement. The committee is chaired by Sen. Donald Moe (DFL-St. Paul).

S.F. 1022, authored by Sen. Don Frank (DFL-Spring Lake Park), has two primary articles. The first requires a government unit to prepare a job impact statement should government action result in job displacement. The second requires an employer that engages in mass layoffs within three years of a company acquisition to make payments to the commissioner of jobs and training to fund development planning grants, emergency grants, and wage subsidies. Severance payments and health insurance benefits also must be paid to laid-off employees.

The committee approved the measure by voice vote and re-referred it to the Finance Committee.

The committee also approved, and sent to the floor, S.F. 2075, sponsored by Sen. Betty Adkins (DFL-St. Michael), which establishes a new set-aside program for the awarding of government contracts. The legislation is in response to a 1989 U.S. Supreme Court decision which invalidated such programs in the absence of specific findings of discrimination. The 1989 Legislature established a Small Business Procurement Commission to study the issue and report how the state could comply with the new standards. The commission determined that public and private discrimination does exist against female and minority-owned businesses in Minnesota, and that the race and gender-neutral measures currently in the statutes for the benefit of the "economically disadvantaged" were not sufficient. S.F. 2075 evolved out of these findings, Adkins said. The bill designates that businesses owned by females, minorities, and individuals with handicaps be designated as "targeted group businesses" within purchasing categories. These businesses would be granted a six percent preference in the amount bid on state contracts. "Economically disadvantaged" areas are also required to be identified, and these would receive a four percent preference.

In other action, the committee approved S.F. 2194, authored by Sen. Gene Merriam (DFL-Coon Rapids), which, as amended, directs the commissioner of public safety to plan a system for a regional hazardous materials incident response program, and creates an advisory council to assist in the development of that plan. Also approved was an amended version of S.F. 1255, sponsored by Sen. Carl Kroening (DFL-Mpls.), which creates an advisory council on fire protection systems, and establishes licensing requirements for fire sprinkler fitters. Both bills were re-referred to the Finance Committee.

Housekeeping bills approved

The Senate Governmental Operations Committee met Tues., Mar. 6, and approved housekeeping bills for the Departments of Employee Relations and Administration.

The committee resumed its discussion of S.F. 1953, sponsored by committee chair Donald Moe (DFL-St. Paul), which makes various changes involving matters under the jurisdiction of the Dept. of Employee Relations. The primary focus of discussion at the meeting was a major amendment which, among its key provisions, ratifies state labor contracts, alters the salary range of administrative judges, and requires that progress toward affirmative action goals be a factor considered in establishing the salaries of state educational chancellors or directors. The amendment was adopted. The bill was then approved and re-referred to the Finance Committee.

Also considered was an amended version of S.F. 2114, a housekeeping bill for the Dept. of Administration. The bill is technical in nature, and was approved without controversy.

Wilkins memorial approved

A proposal to build a memorial in the Capitol area honoring civil-rights leader Roy Wilkins was approved at the Thurs., Mar. 8, meeting of the Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul).

Wilkins, who served for 22 years as executive director of the NAACP, moved to St. Paul at the age of five and earned a bachelor's degree from the University of Minnesota in 1923. Bill author Moe, and Bob Battle of the St. Paul Urban League, testified to the committee as to Wilkin's distinguished service to the civil rights movement. S.F. 1823 appropriates \$300,000 for construction of the memorial, and will be heard next in the Committee on Finance.

The committee approved S.F. 1739, authored by Sen. Richard Cohen (DFL-St. Paul), clarifying the acceptance of per diem payments by members of the Metropolitan Council. The bill now proceeds to the floor for further consideration.

Discussion began on two additional bills. S.F. 1963, authored by Sen. Gene Merriam (DFL-Coon Rapids), prohibits lump sum salary payments to employees not covered by collective bargaining agreements. A motion by Sen. Bob Decker (IR-Bemidji) to table the bill was defeated by a 5-5 vote. S.F. 1881, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), expands the definition of "killed in the line of duty" in relation to peace officers. The families of officers killed in the line of duty are eligible for a \$100,000 payment from the state. Discussion of the two bills will resume at the next meeting of the committee.

Health and Human Services

Sobering station bill advances

A bill authoring grant funds for various chemical dependency services, including pilot project sobering stations, was passed without recommendation at the Thurs., Mar. 1, meeting of the Health and Human Services Committee.

As amended, S.F. 1693, authored by committee Chair Linda Berglin (DFL-Mpls.), provides grant funds for sobering station programs, a state-wide detoxification transportation program, and other long-term chemical dependency services. In order to be eligible for grant funds, a sobering station program must be licensed to provide detoxification services, and must be located in a nonresidential area that is a requisite distance away from any establishment licensed to sell liquor. The pro-

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gram must also be designed to address the special needs of veterans and various minority populations. The transportation program created by the bill provides funds to counties, Indian reservations and local detoxification programs in order to defray the expenses incurred moving individuals into detoxification. These initiatives would be financed through an increased wine tax.

The original language of the bill specified that a number of programs be set up for the treatment of American Indians, who experience a high recidivism rate in traditional chemical dependency programs. However, an amendment proposed by Sen. Marilyn Lantry (DFL-St. Paul), and approved by the committee, expanded those provisions to include other minority groups.

Concerns about the wine tax led Berglin to move that the bill be passed without recommendation to the Tax Committee. The motion was approved.

The committee also approved S.F. 2073, authored by Sen. Don Samuelson (DFL-Brainerd), limiting the fiscal responsibility of counties in providing services to persons with mental retardation. According to Samuelson, local units are currently unable to meet the various mandates required of them, despite the fact that they are levying at their maximum capacity. The bill limits their fiscal responsibility to available funds except for services required by federal or state law, and services identified in an individual service plan as those the county will provide until the plan is amended. The bill also deletes the individual habilitation plan, involving the coordinating of methods to achieve client goals and objectives, from the list of available case management services.

Also approved was S.F. 1931, introduced by Berglin, which, as amended, creates and funds a variety of chemical dependency programs. Funding is provided for maternal and child health and social service programs for children born to mothers using controlled substances, as well as for child protection programs for at-risk children and families. Money is also provided for chemical dependency research grants. The commissioner of human services is required to study and help implement various treatment and after-care programs targeted at high-risk populations, and to develop standards to increase accountability of treatment programs. The bill would appropriate a total of \$2.71 million for the programs.

Nursing home reimbursement bill considered

The Senate Health and Human Services Committee met Fri., Mar. 2, and began consideration of a bill that would alter the property reimbursement rates paid to state nursing homes. Sen. Linda Berglin (DFL-Mpls.) chairs the committee.

As amended, S.F. 1828, authored by Berglin, addresses the financial concerns of 165 nursing homes that face property payment cuts on July 1, 1990, when over 200 other homes are scheduled to complete "phase-up" to the full rental property rate. The bill freezes the rates for homes that are currently receiving or phasing up to full rental payments. Homes currently receiving frozen rates are reduced by six percent, but not below allowable principal and interest plus the equipment allowance. The bill does allow for adjustments to meet the costs of federally mandated property improvements, including communication systems and hallway handrails. In addition, the commissioner of human services is required to recommend to the Legislature by Dec. 15, 1990, a new property reimbursement system, that takes into account a number of concerns, including encouraging long-term ownership, treating facilities equitably, and allowing for the accumulation of money to replace assets. The committee will resume consideration of the bill on Thurs., Mar. 8.

The committee approved S.F. 2019, authored by Sen. Pat Piper (DFL-Austin), that, as amended, revises the Dept. of Human Services licensing act and clarifies various mental health provisions. Among the changes proposed by the bill include an increase in the maximum amount of care per child in a drop-in child care program, from 40 to 45 hours per week. The bill also requires the commissioner of human services, prior to initially licensing a residential mental health program and every two years thereafter, to determine the need for the program. The bill was approved by the committee and re-referred to the Finance Committee.

Bills for children advance

The health and safety needs of children were the focus of the Tues., Mar. 6, Health and Human Services Committee hearing. S.F. 1835, the "Better Beginnings" bill authored by Sen. Michael Freeman (DFL-Richfield), was approved and re-referred to the Commerce Committee. According to Freeman the bill is designed to "insure that all pregnant women and children up to the age of five have basic nutrition and health care." The bill attempts to address the issue of the declining number of health care professionals providing obstetrical services to low income patients by setting up a mechanism to provide medical malpractice insurance premium discounts for qualified providers. In addition, the bill attempts to address the problem of the high cost of vaccinations by providing that the state make volume purchases of vaccine for sale to medical care providers with the condition that the medical care providers pass on the savings to patients.

The bill also declares that the goal of the Legislature is to achieve full funding for the Women, Infant and Children (WIC) program by 1993; requires the commissioner of human services to seek federal approval to eliminate eligibility redeterminations for pregnant women and infants; expands eligibility for the Children's Health Plan to include pregnant women and children up to age six; increases Medical Assistance income limits for pregnant women and children up to age seven; and increases the payment rates for prenatal care and delivery services.

A second bill, S.F. 2188, is the result, said chief author Sen. Ember Reichgott (DFL-New Hope), of the work done by the Child Protection Study Commission. The measure is designed to improve procedures to protect the safety and welfare of abused and neglected children, she added. The measure contains numerous sections, the majority of which fall under the jurisdiction of the Judiciary Committee. In the interest of time, the panel confined its discussion to the six sections of the bill under the Health and Human Services Committee's jurisdiction.

The bill specifies that the commissioner of health encourage liquor establishments to post signs informing pregnant women of the dangers of alcohol use; clarifies the Christian Scientist licensing exemption; provides for the promulgation of rules governing the use of restrictive techniques in licensed facilities serving emotionally disturbed children; requires juvenile court records of persons over the age of 13 living in the household where a licensed program will be provided to be included in the applicant background studies; and requires the commissioner of public safety, in consultation with the Dept. of Human Services, to evaluate the feasibility of establishing a statewide computerized data system containing information on child abuse perpetrators; A section of the bill authorizing a pilot program for screening to prevent child abuse was eliminated from the measure and language was inserted requiring health care professionals to include training in the recognition of child maltreatment as a part of continuing medical education.

The bill was amended to provide for the creation of a Legislative Commission on Children and to describe the powers and duties of the commission. In addition, a final amendment was adopted to provide for a grant to a nonprofit, statewide child abuse prevention organization. Again, in the interest of time, testimony was limited to a call for opponents to the measure. No one spoke against the bill. The measure was approved and re-referred to the Judiciary Committee.

Two additional bills were approved by the panel. S.F. 1952, authored by committee Chair Linda Berglin (DFL-Mpls.), was originally drafted to modify the duties of unlicensed mental health service providers and eliminate the Office of Social Work and Mental Health Boards. However, an amendment, offered by Berglin, alters the bill and simply requires a study of methods of improving systems for regulating social work and mental health occupations and professions. S.F. 2204, authored by Sen. John Brandl (DFL-Mpls.), establishes requirements, procedures and incentives for child support and medical support enforcement. S.F. 1952 was sent directly to the Senate floor and S.F. 2204 was re-referred to the Judiciary Committee.

Midwifery regulation considered

A bill establishing a traditional midwife certifying organization was debated at the Wed., Mar. 7, meeting of the Senate Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.).

S.F. 1097, as amended by author Sen. Carol Flynn (DFL-Mpls.), creates a nonprofit certifying organization, made up of at least three experienced traditional midwives, charged with adopting standards of care and certification. The board is responsible for adopting procedures for peer review and discipline, as well as collecting and making available information on birth outcome statistics for midwives. The bill also establishes that, in order to be certified, a midwife must have attended at least 75 births over at least a three-year period, 10 of which required active intervention; been present at one emergency transport and one nonemergency transport; passed a comprehensive written examination; submitted to a review of client records; and submitted to a skills evaluation by two experienced midwives. The committee adopted a delete-everything amendment, proposed by Sen. Pat Piper (DFL-Austin), that removed all of the provisions of the bill apart from a section requiring further study of the need for regulation of midwives. A motion to reconsider adoption of the amendment was defeated, and the bill as amended was approved and sent to the Finance Committee.

The committee also began consideration of S.F. 1940, authored by Sen. John Brandl (DFL-Mpls.). As amended, the bill clarifies existing law relating to HMO-guaranteeing organizations, which are used by the HMO to meet net worth and deposit requirements as these are stipulated by current law. The provisions of the bill attempt to insure that the guaranteeing organization is itself financially solvent, and that it has liquid assets with which to meet the HMO's financial obligations. In addition, the bill clarifies conflict of interest standards for HMO board members and officers, increases the maximum fine for violations of the HMO law, and clarifies the Dept. of Health's authority to order an HMO to provide covered medical care to enrollees.

The committee approved, and re-referred to the Government Operations Committee, S.F. 2011, authored by Sen. Tracy Beckman (DFL-Bricelyn), which clarifies training standards for ambulance attendants and establishes a state emergency medical services advisory council.

Abortion measure defeated

A bill establishing modest restrictions on abortion was defeated at the Wed., Mar. 7, meeting of the Senate Committee on Health and Human Services. Sen. Linda Berglin (DFL-Mpls.) chairs the committee.

S.F. 2244, authored by Sen. John Brandl (DFL-Mpls.), prohibits abortion after the 23rd week of pregnancy except when, in the judgement of the physician, the fetus is not viable, there are severe abnormalities in the fetus, or the abortion is necessary to preserve the life or health of the mother. The committee approved an amendment offered by Sen. Duane Benson (IR-Lanesboro) which defined the "health of the mother" exception in terms of "severe" physical or mental damage leading to "significant treatment."

As formulated after an author's delete-everything amendment, the bill also establishes informed consent requirements for women seeking abortion after the 12th week of pregnancy. However, an amendment offered by Benson, and adopted by the committee, expanded the provision to include the entire term of pregnancy. The pregnant woman is required to certify in writing that she received the proper information before performance of the abortion. The bill allows an exception to this requirement if the woman states that she is prepared to make the decision to have an abortion and is not likely to change her mind after further reflection. The requirement also does not apply in a medical emergency or when the pregnancy is a result of sexual assault or incest.

Among those testifying in support of the bill were Rabbi Harold Kravitz of the Religious Coalition for Abortion Rights and Professor Harvey Sarles of the University of Minnesota. Jackie Schweitz of Minnesota Citizens Concerned for Life and Monsignor James Habinger of the Minnesota Catholic Conference were included in those testifying against the proposal.

After a period of discussion among the committee members, a roll call vote was called for, and the bill was defeated by a 13-3 vote.

The committee approved S.F. 2216, authored by Sen. Pat Piper (DFL-Austin), expanding the size of the Board of Medical Examiners, and clarifying its disciplinary procedures. The bill also requires insurers authorized to sell medical liability insurance to submit to the board, four times a year, the names of physicians against whom medical malpractice

awards have been made to the plaintiff. The bill now proceeds to the floor for further consideration.

Also approved was S.F. 1726, sponsored by Berglin, requiring the commissioner of human services to authorize counties to pay care providers during a child's absence when payment is required by the provider. This measure will also be taken up on the floor.

S.F. 1940, establishing requirements for HMO-guaranteeing organizations, was approved, with the addition of an amendment allowing new factors to be included in net worth calculations. Brandl authored the proposal, which was sent to the floor.

Judiciary

Domestic abuse bill gains

Two measures designed to deal with the problem of domestic violence were the focus of discussion at the Thurs., Mar. 1, meeting of the Judiciary Committee. S.F. 1860 and S.F. 2189, both authored by Sen. Ember Reichgott (DFL-New Hope), are products of work done by the Minnesota Supreme Court Task Force for Gender Fairness in the Courts. Provisions of both bills were combined in the form of an amendment and redrafted as S.F. 1860. Thus, the bill authorizes courts to exclude a respondent of an order for protection from the place of employment of a petitioner; clarifies that a peace officer does not have to be present at a violation of an order for protections for an arrest to be made; authorizes bonds to ensure compliance with orders for protection; authorizes referrals to prosecuting authorities for violations of orders for protections; create a pilot program for improving prosecutorial procedures in domestic abuse cases; and requires the commissioner of public safety to study the feasibility and costs of a statewide computerized data base on domestic abuse.

Most of the debate on the bill centered on a provision that requires each county and city attorney to develop and implement a written plan to expedite and improve the efficiency and just disposition of domestic abuse cases. An amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), deleted that section from the bill. However, a later amendment, offered by Sen. Michael Freeman (DFL-Richfield), reinserting the language but specifying that the plan be devised and implemented as a pilot program by five county and five city attorneys, was adopted. The bill was approved and re-referred to the Finance Committee.

In other action the panel, chaired by Sen. Allan Spear (DFL-Mpls.), approved several additional bills. S.F. 354, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), permits the creation of custodial trusts and adopts the Uniform Custodial Trust Act. S.F. 1104, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), enacts the Uniform Anatomical Gift Act of 1987; contains the basic provisions for making, amending, revoking and refusing to make an anatomical gift by an individual donor; and provides for the making, revoking and objecting to anatomical gifts by persons other than the decedent. S.F. 1916, authored by Sen. Keith Langseth (DFL-Glyndon), makes it a crime for a driver to flee a peace officer from another state into Minnesota; authorizes a peace officer of another state to enter Minnesota in fresh pursuit for crimes and traffic violations; and authorizes the admissibility of relevant evidence obtained in another state into evidence at Minnesota civil and criminal trials.

S.F. 1757, sponsored by Sen. Randolph Peterson (DFL-Wyoming), validates conveyances by religious corporations; allows county boards to set fees charged by the examiner of titles; provides for the effect of dissolution on joint tenancy and permits the filing of summaries of dissolution judgements in real estate filings. S.F. 2046, authored by Spear, requires hospitals treating victims of sexual assault to provide the victims with an informational notice concerning the risk of developing sexually transmitted diseases.

Child custody bills heard

The Civil Law Division of the Judiciary Committee, chaired by Sen. Ember Reichgott (DFL-New Hope), met Fri., Mar. 2, to discuss three bills. S.F. 1745, authored by Sen. Allan Spear (DFL-Mpls.), regulates child custody and visitation, and makes a number of amendments to the statute dealing with contested custody mediation services. In cases involv-

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ing physical or sexual abuse, the court cannot refer the parties to mediation or any other process that requires the parties to meet and confer without counsel present. The bill was approved by the division and sent to the full committee.

A bill modifying dissolution statistical reporting requirements and standards for joint legal custody was also heard. S.F. 1948, also authored by Spear, clarifies that the information regarding custody in statistical report forms for marriage dissolutions must include whether joint legal or physical custody is awarded. In addition, it requires the courts to make specific findings on joint custody when it is awarded over the objection of a party. The bill was amended into S.F. 1745.

S.F. 1846, authored by Reichgott, amends the statute dealing with modification of visitation rights. It establishes a procedure for the suspension of visitation rights if a noncustodial parent has been convicted of murder, manslaughter, assault, kidnapping, criminal sexual conduct, or incest. If the victim of the crime is a family or household member, the court must find by clear and convincing evidence that visitation rights are in the best interests of the child. An amendment was approved requiring investigators in child custody cases to consider the same factors as the court for making custody determinations. The measure was amended into S.F. 1745.

Division hears bill for drug program grants

The Judiciary Criminal Law Division met Fri., Mar. 2, to hear a bill, S.F. 1945, that increases "sin" taxes to fund drug programs, and a bill, S.F. 2058, that prohibits abuse and culpable neglect of patients in licensed health care facilities.

S.F. 1945, authored by division Chair Michael Freeman (DFL-Richfield), increases the excise tax on cigarettes, beer, wine, and alcoholic beverages to fund local drug and alcohol abuse prevention programs. The bill also specifies that the Drug Abuse Prevention Resource Council be expanded and that the council, in developing a coordinated, state-wide drug and alcohol abuse prevention policy, pay particular attention to programs that are geared to reducing the demand for drugs and alcohol. The measure also specifies the procedure for grant applications and for awarding grants.

Discussion on the bill centered on the inclusion of alcohol along with drugs in anti-abuse efforts. Freeman argued, successfully, that alcohol abuse is seen as the most serious problem in Greater Minnesota and among young people throughout the state. Sen. John Marty (DFL-Roseville) argued, unsuccessfully, for the inclusion of nicotine in the demand reduction portions of the bill. The bill was referred to the full committee with no formal recommendation.

S.F. 2058, authored by Sen. Allan Spear (DFL-Mpls.), set forth new criminal provisions prohibiting the abuse and culpable neglect of health care patients. The bill defines abuse and culpable neglect and provides defenses to the charges. After considerable discussion, committee members laid the bill over for further work.

Security guard bill advances

A bill providing for regulation of security guards and recodifying provisions of last year's security guard bill was approved Mon., Mar. 5, by members of the Judiciary Committee. S.F. 1485, authored by Sen. John Marty (DFL-Roseville), also changes the licensing authority from the Board of Private Detectives and Protective Agents to the commissioner of public safety; requires the registration of their employees and of proprietary guards; and sets standards and training requirements for the employees of private detective and protective agent services. The bill was re-referred to the Committee on Governmental Operations.

Two bills dealing with juveniles were combined into one measure and approved by the committee. S.F. 2209 providing that it is a prima facie case for reference for prosecution as an adult if a child is alleged to have committed a felony offense as part of, or subsequent to, the escape from a local juvenile correctional facility, was amended into S.F. 2208. S.F. 2208 makes it a crime for an alleged or adjudicated juvenile delinquent who is 18 years old to escape from a local juvenile correctional facility. Both measures are carried by Sen. Carol Flynn (DFL-Mpls.).

In other action the panel also advanced two bills authored by Sen. Randolph Peterson (DFL-Wyoming) to the full Senate. S.F. 1032 provides reciprocal access to courts and administrative agencies for injuries

caused by transboundary pollution. S.F. 1891 makes several highly technical clarifications to the new trust law chapter that was enacted last year.

Omnibus drug bill advances

The omnibus drug package, sponsored by Sen. Allan Spear (DFL-Mpls.), gained the approval of the Judiciary Committee after two hearings Wed., Mar. 6. The bill, S.F. 1759, focuses more intently on the drug problem than the omnibus crime package enacted last year and contains tougher sentencing provisions, additional education and prevention programs and an innovative alternative—intensive supervision—to prison sentences for some offenders.

Panel members devoted all of the morning hearing and a good portion of an evening hearing to discussing the bill and various amendments. A number of amendments were debated and several were adopted. An amendment, incorporating the language of S.F. 2042, authored by Sen. Linda Berglin (DFL-Mpls.), and providing for chemical use assessments of juveniles adjudicated of violating the state's drug laws was adopted.

An amendment, offered by Sen. Jim Ramstad (IR-Minnetonka), authorizing an income tax return checkoff for the Drug Abuse Resistance Education (DARE) program, was also adopted. An amendment aimed at assisting the communication impaired in the appeal procedures after the administrative forfeiture of property by allowing the use of public defenders, interpreters and the plain language statement of the right to appeal was adopted by the panel. The amendment was sponsored by Sen. Gene Merriam (DFL-Coon Rapids). An amendment incorporating the language of S.F. 1875, authored by Sen. Richard Cohen (DFL-St. Paul), and specifying that possession of controlled substances and marijuana in a vehicle parallel the "open bottle law" for possession of alcohol, was also adopted. The final amendment gaining committee approval, sponsored by Sen. Pat McGowan (IR-Maple Grove), specifies that an offender may not serve more than six months of the intensive supervision sentence in a residential treatment program that does not require the offender to spend at least 40 hours a week performing approved work or activities designed to gain employment. The bill was approved and re-referred to the Committee on Taxes and Tax Laws.

Committee members, chaired by Spear, approved several additional bills. S.F. 1674, the grasshopper control bill authored by Sen. Charles Berg (DFL-Chokio), was before the panel because of the liability provisions contained in the bill. The measure provides that counties and townships are not liable for damages under the grasshopper control program for actions conducted with due care according to the law. In addition, the bill specifies that landowners will be liable for control costs on and damages caused by grasshoppers to adjoining property if the landowners have not taken steps to control the grasshoppers; specifies that the control program does not provide liability for damages to foraging bees and sets forth defenses. The committee adopted amendments to clarify the provisions, approved the measure and re-referred the bill to the Committee on Taxes and Tax Laws.

Several measures were advanced directly to the full Senate. S.F. 1150, authored by Sen. William Luther (DFL-Brooklyn Park), revises the statutes dealing with garnishment and execution. S.F. 2061, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), includes cordless telephones within the privacy laws. S.F. 1854, authored by Sen. Randolph Peterson (DFL-Wyoming), establishes procedures for computerized comparisons of data and requires matching agreements. S.F. 1934, authored by Cohen, modifies the requirements for the administration of neuroleptic medication to committed persons. S.F. 1753, authored by Merriam, provides for a cause of action for invasion of privacy. Members also began discussion of S.F. 1827, authored by Sen. Ember Reichgott (DFL-New Hope), the omnibus tort bill but were unable to complete work on the measure because of the lateness of the hour.

Local and Urban Government

Township bills advance

The Local and Urban Government committee, chaired by Sen. Robert Schmitz (DFL-Jordan), met Mon., Mar. 6, and advanced five bills to the full Senate.

Three of the measures dealt with various aspects of township government. S.F. 1979 permits towns to publish collections of town ordinances, resolutions, rules, and laws and provides that town ordinances, bylaws, resolutions and regulations have the same legal status as that currently granted to published copies of city and county ordinances. S.F. 1980 requires town boards to send written notice of hearings on proposed vacations of streets to each property owner affected by the proposed vacation at least ten days before the hearing. S.F. 2090 provides that if there is bad weather on the day scheduled for a town's annual meeting and election the meeting and election may be postponed until the following week. The bill also authorizes the appointment of a deputy town treasurer as long as the person is not currently serving as an elected official of the town. All three bills are authored by Sen. Jim Vickerman (DFL-Tracy).

Panel members also approved S.F. 2156, authored by Sen. James Pehler (DFL-St. Cloud), and S.F. 2092, authored by Sen. Dean Johnson (R-Willmar). S.F. 2156 allows municipalities to enter into performance based contracts to reduce energy and operating costs. S.F. 2092 authorizes a city council in a city with a municipal hospital to authorize the hospital board to establish a separate fund in the city treasury and provides a procedure under which claims are paid from the hospital fund.

Public Utilities and Energy

Flexible tariff bill okayed

The Public Utilities and Energy Committee, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Tues., Mar. 6, and approved a bill extending the use of flexible gas utility rates. Panel members also participated in a lengthy examination of two extended area service (EAS) bills.

S.F. 2158, sponsored by Dicklich, permits gas utilities to continue to use flexible tariffs beyond a scheduled July 1, 1990, legislatively-mandated sunset, and directs the Dept. of Public Service to study and report on the impact of flexible gas rates on alternative energy sources—including indigenous biomass energy. Committee members adopted an author's amendment that permits bypass customers to use flexible tariffs. Sen. Douglas Johnson (DFL-Cook), offered, and legislators adopted, an amendment that reinstates stricken language that prohibits gas utilities from applying flexible tariffs or otherwise reducing their rates to compete with indigenous biomass energy supplies or with customers of district heating facilities.

S.F. 2158 was re-referred to the Finance Committee.

S.F. 1743, authored by Sen. Robert Schmitz (DFL-Jordan), directs the Public Utilities Commission (PUC) to expand current Metropolitan EAS to include customers served by the central offices or wire centers of local telephone exchanges located within the seven-county Metropolitan Area. The bill specifies that additional EAS petitions from communities outside the metropolitan area to portions of the Metropolitan EAS area must not be precluded from consideration, provided that the state's boundaries are not crossed to provide the service. In addition, the measure requires the PUC to consider the interests of all parties when determining a fair and equitable rate structure for a local telephone exchange newly included in the EAS. Schmitz emphasized the convenience of having toll-free telephone service by joining an EAS, adding that only four communities within the seven-county Metropolitan Area—Belle Plaine, Waconia, Watertown, and New Prague—have not been granted EAS status by the PUC.

Panel members then turned their attention to examining a second measure relating to the EAS issue.

As amended, S.F. 1419, authored by Sen. Gene Waldorf (DFL-St. Paul), directs the PUC to grant EAS when: the proposed exchange is contiguous to an existing EAS area; a low-cost alternative to basic flat-rate service is made available to customers in the proposed EAS area; a majority of customers within the proposed EAS area favor its installation; and when at least 50 percent of the customers in the petitioning exchange make three or more calls per month to the proposed EAS exchange or wire center. The bill also specifies that 70 percent of the cost of providing EAS over the petitioned route must be apportioned to the petitioning exchange with the remaining 30 percent apportioned to the

established EAS exchange or exchanges. Waldorf said that the bill delineates reasonable criteria for establishing EAS areas, protects the interest of low-income customers whether they are in or out of an EAS area, allocates costs equitably between existing EAS customers and new EAS customers, and recognizes the significant investment utility companies have in EAS-related equipment and in toll revenues.

After hearing testimony from numerous witnesses who provided background information on EAS area issues, panel members decided to lay both bills over until the Thurs., Mar. 8, meeting.

Taxes and Tax Laws

Budget report heard

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Tues., Mar. 6, to hear presentations by Commissioner Peter Hutchinson and State Economist Tom Stinson, of the Dept. of Finance, on the governor's supplemental budget.

According to reports issued by the department, the budget outlook is largely unchanged from the November forecast; no recession is forecast in the short term; and the general fund shortfall is forecast to be \$145 million, about one percent of the biennial general fund budget.

Gubernatorial recommendations for supplemental budget reductions include: \$19 million in health care cost containment; \$66 million in local spending reductions; \$36 million in streamlining state government; \$11 million in consolidating state funds and activities; \$13 million in reducing business loans and credits; and \$27 million in updated actuarial costs.

The supplemental budget also includes funding increases for several items ranging from \$19 million for drug prevention and treatment to \$7 million for child care and early childhood education.

According to the department, the shortfall and the spending increases will be offset if the governor's recommendations for reductions are enacted. A key portion of the gubernatorial plan is the maintenance of the budget reserve at the current \$550 million level as a further safeguard against economic downturns.

"Taxpayer bill of rights" discussed

Immediately following the full committee hearing Tues., Mar. 6, members of the Income Tax Division met to review S.F. 1653, the Revenue Dept. administrative procedures bill. The measure, sponsored by division Chair Lawrence Pogemiller (DFL-Mpls.), contains numerous provisions aimed at simplifying state tax laws by consolidating and recodifying tax administration and compliance provisions now contained in several different chapters of the statutes. The bill attempts to make as uniform as possible all administrative procedures relating to the various tax types.

In addition, the bill includes a "taxpayer bill of rights" similar to legislation passed on the federal level. The proposal includes creating the office of taxpayer ombudsman; expanding taxpayer appeal rights with regard to proposed department administrative actions; providing that a taxpayer may sue for damages when the department has knowingly or willfully failed to release a lien or taken actions contrary to statute; providing that the department will give all taxpayers who are contacted on audit or collection matters a listing of their rights and responsibilities; and providing that the department cannot establish quotas for assessment or collection actions taken by employees.

Division members took no formal action on the measure and expect to continue discussion on the bill next week.

Sales tax bill okayed

The Taxes and Tax Laws Division on Sales Tax, chaired by Sen. LeRoy Stumpf (DFL-Plummer), met Wed., Mar. 7, and forwarded S.F. 2050 to the full committee. The bill, sponsored by Stumpf, contains technical provisions relating to sales taxes, special taxes and miscellaneous taxes. Debate on the measure centered on three sections of the bill. Accordingly, an amendment was adopted to delete a section of the bill that clarifies that manufacturer's rebates on motor vehicles are not subject to the motor vehicle excise tax, if the rebate is applied to the purchase price; another amendment was adopted to reduce the maximum lodg-

Committee Capsule

ing tax from the current six percent to three percent; and a final amendment was adopted to provide that meals furnished by employers to employees at hospitals, correctional facilities, day camps and the like are not subject to sales tax.

Levy limits discussed

Levy limits and commercial property taxes were the topics of discussion at the Wed., Mar. 6, meeting of the Taxes and Tax Laws Division on Property Taxes and Local Government Aids. Presentations by representatives of the Dept. of Revenue provided the basis of the discussion. The panel is chaired by Sen. Steven Novak (DFL-New Brighton).

Transportation

Committee advances bills

Approval of five bills pertaining to a wide-range of transportation regulations dominated the Transportation Committee's agenda during the panel's Tues., Mar. 6, meeting. Sen. Clarence Purfeerst (DFL-Faribault), serves as the committee's chair.

As amended, S.F. 2146, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), establishes and regulates auto manufacturer registration plates. Lantry and Ford Motor Company representative Paul Watson explained that passage of the technical bill will permit car manufacturers to legally comply with existing "lemon law" provisions.

As amended, S.F. 772, carried by Sen. Pat Pariseau (IR-Farmington), provides that handicapped parking space signs display penalties imposed for unlawful use. Pariseau said that the bill will serve as a deterrent for individuals that wrongly park in handicapped parking stalls. She noted that Mpls. has instituted such a policy, and that the policy has proven successful in reducing the number of parking violators. Current law specifies that violators can be subjected to fines of up to \$200 per violation.

As amended, S.F. 2039, carried by Sen. Steven Morse (DFL-Dakota), exempts water well driller vehicles from registration and taxation requirements when the vehicles are only incidentally moved over a highway. Morse pointed out that the bill stems from the Groundwater Protection Act that was enacted during the 1989 Legislative Session, and makes the state's special mobile equipment statute consistent with the Act's provisions.

As amended, S.F. 2074, sponsored by Purfeerst, requires brakes on vehicles weighing 3,000 pounds or more. Al Brody, Minnesota Campground Association, said that the bill increases the weight threshold from 1,500 pounds, and will bring Minnesota law into uniformity with similar laws enacted in the surrounding states of Iowa, Wisconsin, and South Dakota. Sen. John Bernhagen (IR-Hutchinson), offered, and panel members adopted, an amendment directing the Dept. of Public Safety to conduct a study on whether to require trucks to be equipped with back-up safety devices.

All four bills now go to the Senate floor.

As amended, S.F. 2060, authored by Sen. Gary DeCramer (DFL-Ghent), revises the commercial drivers' license law passed last year to make the law conform with the federal Commercial Motor Vehicle Safety Act of 1986 and federal rules. In addition, the measure requires that all school bus drivers have commercial drivers' licenses. Under current law, only drivers of school buses carrying more than 15 people must have commercial drivers' licenses. The bill was re-referred to the Finance Committee.

Legislators began deliberating S.F. 2213, a DeCramer-sponsored measure that, as amended, changes bottom-dump vehicle wheel flap mounting requirements and revises vehicle covered load requirements. Due to time constraints, the panel agreed to lay the measure over until the committee's Thurs., Mar. 8, meeting.

Seven bills gain

Approval of bills concerning covered loads, bridge bonding, drivers

licenses, vehicle lights, traffic citations, and road extensions dominated the Thurs., Mar. 8, meeting of the Transportation Committee. The committee is chaired by Sen. Clarence Purfeerst (DFL-Faribault).

Discussion continued on S.F. 2213, a bill that regulates wheel flaps and covered loads, sponsored by Sen. Gary DeCramer (DFL-Ghent), that was carried over from the committee's Tues., Mar. 6, meeting. Panel members adopted an amendment, offered by Sen. Jim Vickerman (DFL-Tracy), that requires bottom-dump cargo vehicles transporting sand, gravel, and similar material to be equipped with flaps that are mounted to the rear of the axles, that cover the entire vehicle width, and that have a ground clearance of six inches or less when the vehicle is fully loaded. Vickerman's amendment also exempts vehicles that transport garbage or debris from covered load requirements under specific circumstances. The adopted amendment also requires that a cargo vehicle's compartment be securely covered if the load is within six inches of the compartment's top or if the horizontal distance from the top of the cargo compartment's exterior wall to the load measures less than two feet. S.F. 2213 now goes to the Senate floor.

The following measures also gained committee approval.

As amended, S.F. 2309, authored by Sen. Keith Langseth (DFL-Glyndon), authorizes the issuance and sale of \$32 million in state transportation bonds to finance the construction and reconstruction of Minnesota bridges. The bill requires the transportation commissioner to award grants of approximately \$4.5 million to cities, \$18.9 million to counties, and \$8.6 million to towns for bridge building activities. The measure, which distributes the funding at the rate of \$8 million per year for the next four years, was re-referred to the Finance Committee.

As amended, S.F. 2290 allows driver's license or Minnesota identification card applicants to choose to have a designation on the card indicating that the applicant has made a health care declaration under the "living will" law enacted last year. The bill is sponsored by Sen. Ember Reichgott (DFL-New Hope).

As amended, S.F. 1162, carried by Vickerman, requires court administrators to forward driver's license and related fees and applications to the Dept. of Public Safety by the end of the first working day after the close of an established reporting period.

As amended, S.F. 2115, authored by Sen. Robert Schmitz (DFL-Jordan), exempts a licensed peace officer from specified lighting requirements for vehicles and watercraft when, in the officer's judgement, operation without lights is necessary to investigate a violation or suspected violation that is punishable by imprisonment.

S.F. 2267, carried by Sen. Richard Cohen (DFL-St. Paul), prohibits traffic citation quotas. In its final form, the bill provided that a law enforcement agency may not order, mandate, require, or suggest to a peace officer that he or she issue a specific number of citations on a daily, weekly, monthly, quarterly, or yearly quota basis.

As amended, S.F. 2381, authored by Purfeerst, changes the description of the trunk highway known as Legislative Route No. 298 to include an additional length of road that runs through the grounds of the new Minnesota Correctional Facility-Faribault.

S.F. 2290, S.F. 1162, S.F. 2115, S.F. 2267, and S.F. 2381 were sent to the full Senate.

Veterans and Military Affairs

Vets Home Board members approved

Members of the Veterans and Military Affairs Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), met Thurs., Mar. 8, and approved the appointments of two members of the Veterans Home Board and approved one bill.

The panel recommended the confirmation of the appointments of Harvey Aaron and Robert Hanson to the Veterans Home Board. In addition, the panel approved S.F. 2257, authored by Bertram, requiring public and private post secondary education institutions to give all veterans an opportunity to present evidence in support of college credit for activities and experience during the veteran's military service. The bill was re-referred to the Education Committee.

Preview

The Minnesota Senate Week at a Glance

Monday, March 12

Finance Division on Health and Human Services, Chair: Don Samuelson

8:30 a.m. Room 125 Capitol

Agenda: Governor's supplemental budget request for: Veterans homes, Dept. of Jobs and Training, Dept. of Corrections, Dept. of Health, Board of Social Work, Board of Psychology, and Board of Optometry.

Agriculture and Rural Development Committee, Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: To be announced.

Judiciary Division on Civil Law, Chair: Ember Reichgott

10 a.m. Room 107

Agenda: S.F. 1847-Reichgott: Department of Human Rights. S.F. 1571-Cohen: Allowing jury trials in certain discrimination cases.

Judiciary Division on Criminal Law, Chair: Michael Freeman

10 a.m. Room 15 Capitol

Agenda: S.F. 1843-Marty: Harassment task force bill. S.F. 2089-Brandl: Terroristic threats against human services employees. S.F. 2132-Marty: Telecommunications fraud. S.F. 2149-Dicklich: Regulation of security guard activities during a labor dispute.

Economic Development and Housing Committee, Chair: Don Frank

12 Noon Room 15 Capitol

Agenda: To be announced

Local and Urban Government Committee, Chair: Robert Schmitz

12 Noon Room 107 Capitol

Agenda: S.F. 1807-Freeman: Hennepin County; permitting the issuance of G.O. bonds by the county board for a Public Safety Building.

***The Senate will be in session at 2 p.m.**

Education Division on Education Funding, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

Agenda: S.F. 2413-Morse: Minnesota World Math and Science School. S.F. 2442-Pehler: Providing for alternative preparation licensing of teachers. S.F. 1910-Pehler: Increasing membership of the Minnesota Academic Excellence Foundation. Bonding requests by the Academies for the Blind and Deaf.

Finance Division on State Departments, Chair: Carl Kroening

3 p.m. Room 123 Capitol

Agenda: Organizational meeting; Commissioner Peter Hutchinson.

Tuesday, March 13

Ethics and Public Service Seminar,

9 a.m. Weyerhaeuser Room, Historical Society

Agenda: Seminar conducted by Professors Gary Orren and Martin Linsky, Kennedy School of Government.

Environment and Natural Resources Committee, Chair: Bob Lessard

1 p.m. Room 112 Capitol

Agenda: S.F. 1996-Merriam: Waste management amendment. S.F. 1784-Dahl: Battery regulation. S.F. 1826-Merriam: Seneca wastewater treatment.

Finance Division on Education, Chair: Gene Waldorf

3 p.m. Room 125 Capitol

Agenda: U of M budget adjustments.

Health and Human Services Committee, Chair: Linda Berglin

5 p.m. Room 118 Capitol

Agenda: S.F. 1903-Merriam: Bone marrow donations. S.F. 1896-Vickerman: Omnibus rural health care access. S.F. 1838-Berglin: Department of Health Administration. S.F. 2419-Lantry: Department of Human Services welfare reform. S.F. 1821-Lantry: Allows nurse practitioner to prescribe drugs. S.F. 2026-Piper: Creation of task force for emergency dispatch services.

Governmental Operations Committee, Chair: Donald Moe

7 p.m. Room 15 Capitol

Agenda: To be announced.

Wednesday, March 14

Commerce Committee, Chair: Sam Solon

8 a.m. Room 112 Capitol

Agenda: S.F. 2384-Flynn: Medigap insurance regulation. H.F. 1985-Luther: Authorizes Dept. of Commerce to issue cease and desist orders in certain circumstances. H.F. 2645-Flynn: Relates to change in domesticity of insurance companies. S.F. 2108-Solon: Multiple liquor provisions. S.F. 1942-Brandl: Relates to adverse medical exams for no fault auto insurance. H.F. 2343-Brandl: Relates to privacy of MCHA data. H.F. 1968-Luther: Relates to penalties for violations regarding Dept. of Commerce enforcement.

Agriculture and Rural Development Committee, Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: To be announced.

Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 1800-Langseth: Clay County child custody mediation pilot project. S.F. 1853-Reichgott: Charitable gambling penalties and enforcement. S.F. 1873-Cohen: Crime victim rights. S.F. 1905-Spear: Commitment Act definition of mentally retarded person; appeals filing time amendment. S.F. 1909-Bertram: Legal newspaper qualification. S.F. 1978-Freeman: Malicious punishment of a child resulting in injury. S.F. 2004-Luther: District court filing fee delay, exemption. S.F. 2141-Beckman: Plat monuments. S.F. 2175-Dahl: Wild land arson fires. S.F. 2204-Brandl: Child support enforcement.

Environment and Natural Resources Committee, Chair: Bob Lessard

1 p.m. Room 112 Capitol

Agenda: S.F. 2173-Lessard: Toxic emission reduction.

***Health and Human Services Committee**, Chair: Linda Berglin

1 p.m. Room 15 Capitol

Agenda: S.F. 2164-Johnson, D.E.: MR services in Willmar area. S.F. 1617-Frank: Study to provide assistance to those with high prescription drug costs. S.F. 1520-Lantry: Creating a technology assist. review panel. S.F. 1937-Berglin: Lead levels established. S.F. 1798-Piper: Physician Assistant prescription writing and administration. S.F. 1712-Samuelson: Nursing home geographic groups. H.F. 1907: Wages for employees of ICF for MR persons.

Finance Division on Education, Chair: Gene Waldorf

3 p.m. Room 125 Capitol

Agenda: Technical College and State University budget adjustments.

Finance Division on Health and Human Services, Chair: Don Samuelson

3 p.m. Room 123 Capitol

Agenda: Governor's supplemental budget request for the Dept. of Human Services.

*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.

***Taxes and Tax Laws Committee**, Chair: Doug Johnson

3 p.m. Room 15 Capitol

Agenda: S.F. 2018-Lantry: Gambling enforcement. S.F. 2034-Novak: Department property tax bill. S.F. 2297-Brandl: Equal access golf course facilities. S.F. 1775-Schmitz: Tax exempt license plates for driver education vehicles at nonpublic high schools.

Taxes and Tax Laws Division on Income Tax, Chair: Lawrence Pogemiller

5 p.m. or immediately following the full committee meeting

Agenda: S.F. 2050-Stumpf: Department miscellaneous bill. S.F. 1653-Pogemiller: Department of Administration procedures bill.

Judiciary Committee, Chair: Allan Spear

7 p.m. Room 15 Capitol

Agenda: S.F. 1365-Marty: Bias crimes prosecutor education. S.F. 1745-Spear: Omnibus family law bill. S.F. 1977-Pogemiller: Prostitution patrons. S.F. 1874-Cohen: Open meeting data privacy. S.F. 1945-Freeman: Alcohol, tobacco tax for alcohol, drug programs. S.F. 1986-Cohen: Revisor's bill-grammer and syntax. S.F. 2045-Spear: Workers' Compensation Court of Appeals. S.F. 2072-Cohen: Revisor's bill-technical corrections. S.F. 2134-Spear: Soft body armor crime; amendment re: dangerous weapon penalties (S.F. 1859-McGowan). S.F. 2178-Spear: Peace officer education. S.F. 2188-Reichgott: Omnibus child protection bill. S.F. 2200-Peterson: Omnibus data practices bill. S.F. 2237-Freeman: Discretionary PSI's.

Thursday, March 15

Employment Committee, Chair: Florian Chmielewski

8 a.m. Room 107 Capitol

Agenda: S.F. 1769-Lantry: Minimum wage.

Governmental Operations Committee, Chair: Donald Moe

8 a.m. Room 15 Capitol

Agenda: To be announced.

Transportation Committee, Chair: Clarence Purfeerst

8 a.m. Room 112 Capitol

Agenda: S.F. 2147-Frederickson, D.J.: Exempting fertilizer and ag-chemical retailers from certain regulations on transporting hazardous materials. S.F. 2138-Chmielewski: Intersection approach. S.F. 2356-Vickerman: MN/DOT housekeeping bill. S.F. 2084-Stumpf: Public Safety housekeeping bill. S.F. 2212-Vickerman: Driver license photos. S.F. 2400-Metzen: Establishing penalties for driving past railroad crossing warning devices.

Commerce Committee, Chair: Sam Solon

10 a.m. Room 112 Capitol

Agenda: S.F. 1770-Cohen: Regulates membership travel contracts. S.F. 2068-Cohen: Relates to auto assigned claims plan. S.F. 1795-Lantry: Flammability standards for furniture. S.F. 1995-Metzen: Compensation to terminated insurance agents. S.F. 2241-Solon: Relates to liquidation proceedings of industrial loan and thrifts. All bills not finished on Mar. 14.

Joint Electric Utility Service Area Task Force, Co-Chairs: Sen. Ron

Dicklich and Rep. Joel Jacobs

10 a.m. Room 15 Capitol

Agenda: Approval of task force report.

Public Utilities and Energy Committee, Chair: Ron Dicklich

11 a.m. Room 15 Capitol

Agenda: S.F. 2317-Dicklich: Municipal electric dispute assessments. TACIP economic impact study.

Local and Urban Government Committee, Chair: Robert Schmitz

12 Noon Room 107 Capitol

Agenda: S.F. 2433-Langseth: Metropolitan airport development; authorizing Metropolitan Council to review and approve changes in certain land uses.

***The Senate will be in session at 2 p.m.**

Education Division on Education Funding, Chair: Randolph Peterson

3 p.m. Room 15 Capitol

Agenda: To be announced.

Judiciary Committee, Chair: Allan Spear

7 p.m. Room 15 Capitol

Agenda: Bills reported from divisions on Mon., Mar. 12. Re-referrals from other committees. Bills remaining from Wed., Mar. 14 meeting.

Friday, March 16

Agriculture and Rural Development Committee, Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: To be announced.

Finance Division on Education, Chair: Gene Waldorf

10 a.m. Room 125 Capitol

Agenda: Community College, HECB, and Mayo budget adjustments.

Judiciary Committee, Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: Re-referrals from other committee. Bills remaining from previous meetings.

Agriculture and Rural Development Committee, Chair: Charles Davis

7 p.m. Room 112 Capitol

Agenda: To be announced.

For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.

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Briefly

The Minnesota Senate Week in Review

March 16, 1990

Pay equity revisions approved

A bill clarifying the responsibilities of local units of government in implementing pay equity programs received preliminary approval at the Mon., Mar. 12, Senate floor session. S.F. 488, authored by Sen. Linda Berglin (DFL-Mpls.), defines equitable compensation relationships, requires an implementation reporting process of political subdivisions, and provides for a review and appeal process. During floor debate, Sen. Bob Lessard (DFL-Int'l Falls), offered an amendment that would have allowed counties to raise their levy limits in order to more easily meet the financial burden imposed by the program. Lessard argued that passing the bill without such an increase would have the effect of burdening the counties with an unfunded mandate. In response, Berglin stated that the majority of counties have implemented extensive pay equity plans without the benefit of higher levy limits, and that raising them now would essentially reward those counties that were reluctant to work towards pay equity. The amendment was defeated on a 35-30 vote, and the bill was subsequently approved by a voice vote.

One bill was approved on the Consent Calendar. Bills on the Consent Calendar are non-controversial and are eligible for final passage. S.F. 2353, authored by Sen. Pat Piper (DFL-Austin), authorizes various supported employment programs.

Campaign financing bill advances

A comprehensive campaign reform bill was approved at the Fri., Mar. 9, meeting of the Senate Elections and Ethics Committee. The committee is chaired by Sen. Jerome Hughes (DFL-Maplewood).

Included in S.F. 2334, authored by Sen. William Luther (DFL-Brooklyn Park), are provisions requiring increased financial disclosure by lobbyists and limitations on legislative fund raising. Legislators and legislative candidates would be banned from soliciting or receiving contributions while the Legislature is in session. The bill also establishes voluntary spending limits on U.S. Senate and House of Representatives campaigns.

The committee approved an amendment offered by Sen. Lawrence Pogemiller (DFL-Mpls.) that extends the provisions of Minnesota's open meeting law to include the functions of the Legislature, with the exception of party caucuses and delegations of legislators representing geographic areas or political subdivisions. In response to committee concerns, Pogemiller stated that he was "strongly committed" to retaining this provision in the final draft of the bill.

Amendments incorporating certain provisions of S.F. 1606, sponsored by Sen. John Marty (DFL-Roseville), into the Luther bill were also adopted. Lobbyists employed by both local governments and private firms would be required to disclose all of the money they expend to influence policy, in terms of contributions and fees as well as various expenses incurred. In addition, local elected officials in jurisdictions with more than 10,000 residents would be required to disclose their financial interests.

An amendment proposed by Sen. Patrick McGowan (IR-Maple Grove) that would have banned caucus fund raisers during the session was defeated on a 5-4 vote. The full bill was then approved by the committee, and re-referred to the Finance Committee.

Minimum wage heard

A bill providing new and higher minimum wage levels in Minnesota was significantly amended in the Employment Committee meeting Thurs., Mar. 15. The committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), adopted an amendment offered by Sen. James Pehler (DFL-St. Cloud) that eliminates the automatic raises provided in S.F. 1769. Under the amendment, all employers making less than \$500,000 in gross sales must pay their employees \$3.95 per hour as of Apr. 1, 1991. All employers covered under federal law must pay employees at least \$4.25 per hour. The amendment also eliminates the special minimum wage for minors existing under current law.

Under another amendment adopted by the committee, an employer must pay compensation to an employee at a rate of one and one half times the regular rate for any time worked over 48 hours in a period of 7 consecutive days. The committee also adopted an amendment that prohibits high school students under 18 years from working after 11:30 p.m. on a school evening. The bill, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), was approved as amended and sent to the Senate floor.

Cigarette vending bill okayed

The Senate Commerce Committee approved a motion to take the cigarette vending machine bill from the table, amended the measure and approved the bill Wed., Mar. 14. As amended, S.F. 1923, authored by Sen. James Metzen (DFL-So. St. Paul), provides a floor of regulation regarding tobacco sales from vending machines; however, local units of government may pass stricter provisions. The bill limits the places where some establishments, such as bars, factories, and businesses, may have cigarette vending machines, and requires that other establishments locate the machines in an area plainly observable by an employee, and that the machines be operable only by activation of a special electronic switch operated by an employee or by insertion of tokens. The bill was sent to the floor.

In other action, the committee approved a bill extending the hours intoxicating liquor may be served for consumption on licensed premises from 1 a.m. to 1:30 a.m., although local units of government may limit those hours. The later time was added in an amendment, proposed by Sen. Betty Adkins (DFL-St. Michael), to S.F. 2108, which contains a number of liquor provisions. Other provisions in the bill include authorizing a municipality to issue an on-sale wine license to a licensed bed and breakfast facility and authorizing the city of Minneapolis to issue one or more on-sale intoxicating liquor licenses to the owner of the Timberwolves arena in Minneapolis or a consessions entity in that area. Senators deleted two sections of the bill, one authorizing the issuance of a wholesale license to a licensed brewer of malt liquor only if the brewer can show that it was selling its product wholesale in Minnesota as of Jan. 1, 1990; and a section prohibiting a manufacturer or brewer from owning a wholesale or retail intoxicating liquor or nonintoxicating malt liquor business. The bill, authored by committee Chair Sen. Sam Solon (DFL-Duluth), was sent to the floor.

Committee Capsule

Agriculture and Rural Development

Food safety bill okayed

Members of the Agriculture and Rural Development Committee met twice on Fri., Mar. 9, to approve bills concerning a food safety advisory committee, potato and natural wild rice promotion councils, and agricultural production input cash discounts. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

S.F. 2516, sponsored by Sen. Steven Morse (DFL-Dakota), establishes a food advisory committee. Morse said that the bill evolved from recommendations contained in a recently-completed Food Safety Task Force report. Specifically, the measure establishes a 13-member food advisory committee to advise the commissioner of agriculture and the Legislature on food issues and food safety. The committee is directed to coordinate food safety educational efforts; to serve as an informational and referral source for the public, news media, and others concerned with food safety issues; and to make recommendations to the U.S. Congress, the Legislature, and others about appropriate action to take to improve food safety in the state. The measure includes a \$773,800 general fund appropriation to fund two food inspection divisions and to support food inspection laboratory costs. The bill proposes that the Dept. of Agriculture's complement be increased by eight positions, and contains an additional \$75,000 general fund appropriation to cover emergency food safety costs. S.F. 2516 was re-referred to the Finance Committee.

S.F. 1889, authored by Sen. Roger Moe (DFL-Erskine), changes the composition of the state's potato research and promotion councils. Moe explained that the state is currently divided into four regional councils. The bill will consolidate the four councils into two councils, thereby making them more organizationally efficient. Moe concluded by saying that he hopes the measure's consolidation approach will help to build an even stronger potato industry in Minnesota. An amendment to permit Hubbard, Becker, and Ottertail counties to switch their membership from the present Area One council to the bill's proposed Area Two council, offered by Sen. Charles Berg (DFL-Chokio), failed to be adopted by the committee. The bill now goes to the Senate floor.

A bill that requires cash discounts on agricultural production inputs under specified circumstances also gained committee approval. As amended, S.F. 2207, carried by Berg, requires agricultural production input retailers to offer to sell the inputs to buyers at a discounted cash price if the retailer sells the inputs on credit at below-average interest rates. Berg explained that in some agricultural communities, small lending institutions are facing difficult times because agricultural production input retailers are unfairly luring farmers away by offering cut-rate financing deals that the banks aren't able to match due to regulations. If enacted, the bill will reduce the number of cut-rate financing deals offered by retailers, consequently encouraging buyers to use lending institutions to finance production input purchases, Berg concluded. S.F. 2207 is now headed to the full Senate.

S.F. 2299, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), establishes the Minnesota Natural Wild Rice Promotion Advisory Council. In its final form, the bill creates the advisory council to promote and market hand-harvested natural lake or river wild rice. The measure directs the commissioner of agriculture to appoint council members and provide technical assistance, and specifies that the council include natural wild rice hand harvesters, processors, dealers, and enrolled members of American Indian tribes. In addition, the bill requires that at least 51 percent of the council's membership be American Indians. S.F. 2299 now goes to the Senate floor.

Two bills debated

The Mon., Mar. 12, meeting of the Agriculture and Rural Development Committee was devoted to discussing a bill that establishes a restricted seed potato growing area and a measure that brings a portion of the state's food laws into uniformity with federal government

regulations. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

As amended, S.F. 1982, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), designates Kittson County and a portion of Marshall County as restricted seed potato growing areas. The bill applies to potatoes grown in plots of ten acres or more, and permits the agriculture commissioner to enter and inspect potato plots during the growing season. S.F. 1982 further stipulates that qualifying potatoes grown in the restricted area must be certified as seed potatoes, and provides for a \$100 per acre penalty for growers that fail to certify potatoes according to existing state regulations.

Stumpf said that the bill attempts to protect certified seed potatoes grown in the area—an area that produces 25 percent of all certified seed potatoes produced in the state—from diseases common to commercially-grown potatoes. Panel members decided to lay the bill over until their Fri., Mar. 16, meeting in order to further study the issue and to provide the measure's proponents and opponents additional time to develop compromise language.

Committee members also delayed action on a bill that makes Minnesota's fishery products rules consistent with federal regulations that took effect Apr. 1, 1989. Due to time constraints, the committee is scheduled to discuss S.F. 1902, carried by Sen. Steven Morse (DFL-Dakota), Wed., Mar. 14.

Ag extension bill gains

Approval of bills that amend county extension service laws, that change potato checkoff fee refund procedures, and that unify federal and state food law provisions highlighted the Wed., Mar. 14, meeting of the Agriculture and Rural Development Committee. Sen. Charles Davis (DFL-Princeton), serves as the panel's chair.

As amended, S.F. 2310, sponsored by Sen. Gene Waldorf (DFL-St.Paul), revises and updates agricultural extension laws. Minnesota Extension Service representative Patrick Borich said that the bill evolved from recommendations contained in a report issued by the Blue Ribbon Committee to Study the University-County Extension Partnership. He added that the measure attempts to broaden the definition of county extension work to reflect its current mission; to clarify the employment status of county extension agents; and to update language to reflect changes in University and county practices and organization.

S.F. 2012, authored by Sen. Roger Moe (DFL-Erskine), provides that checkoff fees from Area One potato producers are not refundable. Moe said that 80 percent of potato producers in Area One, an area located in the Northwestern corner of the state, have signed petitions supporting the legislation. Sen. Charles Berg (DFL-Chokio), questioned the constitutionality of refusing refunds to participants in such a voluntary checkoff program. After considerable discussion, panel members failed to reach a consensus on whether the measure is inherently unconstitutional.

Panel members also approved a bill, carried-over from the Mon., Mar. 12, meeting, relating to Minnesota food laws. S.F. 1902, sponsored by Sen. Steven Morse (DFL-Dakota), makes the state's fishery products rules uniform with existing federal laws. Committee members adopted an author's amendment that modifies provisions concerning dairy inspection procedures and that adds sheep milk to the list of milks covered by Minnesota's pasteurization regulations.

S.F. 2310, S.F. 2012, and S.F. 1902 now go to the Senate floor.

Commerce

Committee advances bills

In addition to S.F. 1923 and S.F. 2108, Senators approved a number of other measures at the Wed., Mar. 14, meeting of the Commerce Committee. Committee members amended and approved S.F. 2384, relating to Medicare supplement plans. Bill author Sen. Carol Flynn (DFL-Mpls.) said that the bill basically brings Minnesota into compliance with the changes in the federal catastrophic laws. The bill also authorizes two additional optional benefit riders to the supplement

plans, and requires insurance companies to submit specified data to the commissioner each year. S.F. 2384 was sent to the floor.

Also approved as amended was S.F. 2536, carried by Sen. John Brandl (DFL-Mpls.). The bill basically does three things: classifies the data on eligible persons and enrollees of the state comprehensive health insurance plan that is kept by the Minnesota Comprehensive Health Association (MCHA), the writing carrier, and the Dept. of Commerce as private data; extends the sunset date of MCHA's experimental use of alternative means of health care delivery from Aug. 1, 1990, to Aug. 1, 1991; and authorizes an eligible Minnesota resident to enroll in the plan with a waiver of the preexisting condition limitation if the person applies for coverage within 90 of termination of prior coverage. The bill was re-referred to the Judiciary Committee.

S.F. 1942, also authored by Brandl, was granted approval. The bill requires an order to be entered on an arbitration proceeding in a no-fault automobile insurance case within 90 days of the case's submission to arbitration, and extends the same 90 day requirement to an alternative arbitration proceeding available. If the insured prevails under the alternative method of arbitration, the bill authorizes the commissioner to impose on the insurer a 20 percent penalty on the amount to be paid to the insured. Senators approved an author's amendment deleting provisions requiring the insurer to pay the insured's attorney's fees if the insured prevailed in the arbitration. The bill was sent to the floor.

The committee also approved S.F. 2549, carried by Flynn, and S.F. 2547, carried by Luther. S.F. 2549 establishes procedures for approval of insurance companies as domestic insurers and for conversion of domestic insurers to foreign insurers. S.F. 2547 provides that a hearing on a cease and desist order entered by the commissioner of commerce may be scheduled after the seven days currently required in law, upon agreement of both parties. The bill also requires applicants for a license or licensees to respond to department requests for information within the time specified in the request or within 30 days, if no time is specified. S.F. 2549 and S.F. 2547 were sent to the floor.

Insurance agent bill approved

A bill requiring insurers to establish a termination review process for agents involuntarily terminated was advanced by the Commerce Committee Thurs., Mar. 15.

S.F. 1995, sponsored by Sen. James Metzen (DFL-So. St. Paul), creates a three-member board of review to hear termination cases and determine if the termination was justified. If the board determines it was not, and if there is no reasonable contractual financial provision for termination, the commissioner must order the insurer to pay compensation to the agent. In addition, the bill outlines the selection of the board and provides that either party may appeal on order of the commissioner in district court. The measure applies to insurance companies writing property or casualty loss insurance in Minnesota through agents.

After considerable discussion, Senators amended and approved S.F. 2241, authored by committee Chair Sen. Sam Solon (DFL-Duluth), regulating regulated lenders. Committee members discussed a provision in the bill which removes a cap on the closing costs that regulated lenders may charge on certain loans. Sen. Michael Freeman (DFL-Richfield) proposed an amendment which would have deleted the section and left the cap intact; however, the amendment was defeated. Thus, the bill removes the cap and applies a looser standard to the amount of closing costs the lenders may charge on such loans.

Senators did adopt an amendment, offered by Sen. Carl Kroening (DFL-Mpls.), deleting a section of the bill which would have raised the interest rates the regulated lenders can charge. The amendment was adopted on a 8-7 roll call vote.

Also approved was S.F. 1770, carried by Sen. Richard Cohen (DFL-St. Paul), giving the buyer of a membership travel contract a three-day right to cancel; S.F. 1795, carried by Sen. Marilyn Lantry (DFL-St. Paul), requiring the state fire marshal to adopt the California flammability testing and labeling procedures regarding public occupancies as they apply to seating furniture; and S.F. 2068, authored by Cohen, clarifying nonresident benefits under the No-fault Automobile Insur-

ance Act and imposing a stricter standard for determining whether a vehicle is inoperable for purposes of insurance coverage.

All the bills were sent to the floor.

Economic Development and Housing

Panel okays housing bill

The first of two meetings held Thurs., Mar. 8, by members of the Economic Development and Housing Committee was devoted to approving bills relating to section 8 housing, economic development, and enterprise zones. Sen. Don Frank (DFL-Spring Lake Park), serves as the committee's chair.

S.F. 1822, authored by Frank, requires a city Housing and Redevelopment Authority (HRA) to petition the county HRA for authorization to establish a local housing authority if the county HRA is operating a section 8 program; provides that a county or multicounty HRA is not required to obtain individual project approval for a section 8 program if the city or city authority has adopted a resolution declaring that there is a need for the county or multicounty authority to exercise its powers in the city; and authorizes an HRA to apply for and enter into contracts with the federal government, and administer and carry out section 8 programs with approval from the governing body or bodies creating the authority. Among other things, the measure also authorizes an HRA to initiate a low-rent housing project with the approval of the governing body or bodies creating the HRA in whose jurisdiction the project will be located; clarifies that shelter rental agreements apply to county and multicounty boards as well as cities; and removes an HRA's exemption from special assessments. Panel members adopted an author's amendment authorizing the Metropolitan Council to plan and administer a section 8 program in the Metropolitan Area without approval of local governmental units. S.F. 1822 now goes to the Senate floor.

S.F. 2435, sponsored by Sen. James Metzen (DFL-So.St.Paul), authorizes the use of \$2.5 million of state bond proceeds for a grant to the South St. Paul HRA. The grant is to be used to develop and improve land owned by the HRA and formerly used by the Swift and Armour packing companies. The measure mandates that the land remain publicly owned for at least 40 years after the grant is made, and requires the commitment of \$3.2 million of non-state money to the project before the grant can be made. S.F. 2435 was re-referred to the Finance Committee.

The committee also approved S.F. 2278, a bill that extends the designation of all enterprise zones from seven years to the time that all allocations for tax reductions have been spent. The measure, authored by Sen. Ronald Dicklich (DFL-Hibbing), was re-referred to the Taxes and Tax Laws Committee.

Committee approves measures

A second Economic Development and Housing Committee meeting held Thurs., Mar. 8, resulted in the approval of legislation concerning bonding procedures and establishing a government procurement assistance program. The committee chair is Sen. Don Frank (DFL-Spring Lake Park).

As amended, S.F. 2329, sponsored Sen. Lawrence Pogemiller (DFL-Mpls.), changes the procedure for allocating bonding authority for calendar year 1991. The bill also provides for an accelerated schedule of allocating bonding authority beginning June 1990, if the federal government does not extend the sunset on mortgage and small issue bonds past Sept. 30, 1990. In addition, the measure establishes new criteria to be applied to manufacturing projects and residential rental housing projects for which an allocation is awarded after the effective date of the proposed legislation. S.F. 2329 was re-referred to the Taxes and Tax Laws Committee.

A second bill sponsored by Pogemiller also gained committee approval. S.F. 2055 directs the Dept. of Finance to refund a bond allocation deposit of \$20,000 to the city of Minneapolis. Panel members adopted an author's amendment, which had been originally included

Committee Capsule

in S.F. 1756 and carried by Sen. Bob Lessard (DFL-Int'l Falls), that requires the department to refund a \$42,150 bond allocation application deposit to Koochiching County. S.F. 2055 was re-referred to the Finance Committee.

S.F. 2415, carried by Sen. Steven Morse (DFL-Dakota), was approved and re-referred to the Finance Committee. The bill directs the commissioner of economic development to transfer a \$125,000 appropriation from the Dept. of Trade and Economic Development to Winona State University to establish a statewide system of aiding small businesses in preparing proposals for and negotiating federal government contracts. The measure specifies that the program's funding must be matched on a dollar-for-dollar basis from non-state sources.

Prevailing wage bill gains

Approval of bills that widen Minnesota's prevailing wage law jurisdiction and that modify several state housing regulations highlighted the Mon., Mar. 12, meeting of the Economic Development and Housing Committee. The panel is chaired by Sen. Don Frank (DFL-Spring Lake Park).

As amended, S.F. 2465, sponsored by Sen. Sam Solon (DFL-Duluth), requires that prevailing wages be paid for all projects that receive economic development-related financial assistance from a governmental agency. Solon said that the bill, drafted in response to the International Falls Boise Cascade labor management dispute, will ensure that government agency-financed project site workers are paid equitably and will eliminate the incentive for project owners to reduce labor costs by importing lower-paid out-of-state workers. Specifically, the measure permits government agencies to provide financial assistance only to entities that certify with the commissioner of labor and industry that project site laborers, workers, and mechanics are paid the prevailing wage rate during the construction, installation, remodeling, and repair phases of projects funded, in whole or in part, by government agency financing.

As amended, S.F. 1848, authored by Sen. Steven Morse (DFL-Dakota), authorizes the Minnesota Housing Finance Agency (MHFA) to make forward commitments to purchase home equity conversion loans for low-or moderate-income elderly homeowners, to provide financial assistance for the conversion of manufactured home parks to resident ownership, and to make off-reservation tribal Indian housing program loans with bond proceeds or other mortgage financing. In addition, the bill permits municipalities to use debt service funds to invest in MHFA taxable bonds, changes the allowable maximum cost of an individual property purchased under the urban and rural homesteading program, provides that eligible mortgagor limitations do not apply to rehabilitation loans made for family rental housing or to rental housing for individuals with mental illnesses or low incomes, and eliminates a restriction contained in the innovative loan program that limits MHFA to loaning only appropriated funds under the program.

S.F. 2465 and S.F. 1848 now go to the Senate floor.

Education

Committee advances 14 bills

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), advanced 14 bills at an evening meeting Thurs., Mar. 8.

S.F. 2027, carried by Sen. John Brandl (DFL-Mpls.), establishing a state matching program of endowment gifts for undergraduate academic programs at colleges and universities, was approved. The bill outlines the elements of the program, which types of academic programs would qualify, and how the gift is to be matched. The program would basically apply to the University of Minnesota, the state universities, and Minnesota's private colleges that offer undergraduate academic programs leading to baccalaureate degrees at the institutions. The bill was re-referred to the Finance Committee.

Also approved was S.F. 2160, which provides for the Environmental Education Act. The bill outlines the goals of an environmental education program and establishes an Office of Environmental Education

within the State Planning Agency. The Dept. of Education is required to assist in establishing environmental education programs in all public elementary and secondary schools. The bill, which was authored by Gene Merriam (DFL-Coon Rapids), was sent to the Governmental Operations Committee.

In addition, Senators approved S.F. 2354, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), and S.F. 1966, authored by Sen. Gary DeCramer (DFL-Ghent). S.F. 2354 allows pupils at least 16 years old to enroll in any nonprofit, nonpublic school that has contracted with the district of residence to provide nonsectarian educational services. The option is limited to pupils who are eligible to enroll in nonpublic education under the High School Graduation Incentives Program. An amendment, offered by Sen. Steven Morse (DFL-Dakota), adds the requirement that the student must have been enrolled in a public school—if the student had been enrolled in any school—for one year immediately prior to transferring. The amendment was adopted and the bill was sent to the floor. S.F. 1966 extends the open enrollment act and authorizes Minnesota students to attend a school or a program in another state, as long as the school or program is in a county that borders Minnesota. Students in other states may also attend a school or a program in Minnesota if they live in a county that borders Minnesota and if the resident school board provides written consent and agrees to pay tuition. The bill also outlines provisions regarding tuition. The bill was sent to the floor.

Senators also approved S.F. 1844, authored by Morse, making permanent the \$25 per pupil unit penalty on districts not settling their teacher contracts by Jan. 15. In districts in which no settlement has been reached, if the district and the teachers submit all unresolved items to binding arbitration by the Dec. 31 preceding the deadline, and file final positions on all unresolved items by the deadline, no aid will be lost if the arbitration panel issues its decision within 60 days after the date the final positions were filed. S.F. 1844 was sent to the floor.

In addition, Senators approved S.F. 2191, carried by Morse, and S.F. 1926, authored by Sen. LeRoy Stumpf (DFL-Plummer). S.F. 2191 changes the limitations on child care grants to allow applicants to be eligible to receive postsecondary child care grants for the equivalent of four years of the grants. Senators approved an amendment including student scholarships in the bill. S.F. 1926 changes the name of the State Board of Vocational Technical Education to the State Board of Technical Colleges; the state director of vocational technical education to the chancellor; and the director of a postsecondary technical college to the president. S.F. 2191 was re-referred to the Committee on Finance; S.F. 1926 was sent to the Senate floor.

S.F. 1898, also carried by Stumpf, was approved with minor amendments. The bill contains mostly technical, clarifying and other minor changes to current education statute. The bill was sent to the floor.

In other action, Senators amended and approved two bills regarding the Cooperative Secondary Facilities Act. S.F. 1975, offered by Sen. David Frederickson (DFL-Murdock), allows a joint powers board formed under the Cooperative Secondary Facilities Act, and its member boards, to meet in any of the member districts at a location convenient to the public. Also approved as amended was S.F. 1976, also carried by Frederickson, which provides for notice requirements for a school board whose district is a member of a joint powers board under the Cooperative Secondary Facilities Act. The bill provides that individual boards must notify the joint powers board one year before the effective date of any reorganization under detachment and annexation, dissolution and attachment, or consolidation statutes. Both bills were sent to the floor.

Senators also approved S.F. 1958, authored by Sen. Duane Benson (R-Lanesboro), changing school consolidation election procedures; S.F. 2076, authored by Sen. Ronald Dicklich (DFL-Hibbing), allowing Independent School District (ISD) No. 712 to establish special accounts within its general fund; S.F. 2429, also authored by Dicklich, authorizing issuance of bonds for specified school districts; and S.F. 2300, carried by Morse, allowing the State University Board to purchase a hall on the campus of the former College of St. Teresa in Winona. S.F. 1958 was sent to the floor; S.F. 2076 and S.F. 2429 were

re-referred to the Taxes and Tax Laws Committee; and S.F. 2300 was sent to the Finance Committee.

Bills amended, advanced

The Senate Education Committee advanced four bills at its Fri., Mar. 9, meeting.

S.F. 2439, authored by Sen. Cal Larson (IR-Fergus Falls), allows the Pine Point School, which is an experimental school run by the White Earth Reservation Tribal Council, to qualify for federal impact aid. Currently, the aid is funneled to the school through Independent School District (ISD) No. 309, Park Rapids. However, Senators became embroiled in a discussion regarding the powers of Pine Point as a possible ISD and the lines of accountability within the language proposed in the bill. Ultimately, Senators approved an author's amendment simply stating that the school is a local education agency for the sole purpose of receiving federal impact aid.

Also approved was S.F. 2144, authored by Sen. Ronald Dicklich (DFL-Hibbing), regarding the sale of some trust fund lands for the Permanent School Fund. Currently, the lands are auctioned; however, the bill changes the procedure for selling the lands and requires that they be condemned and offered for sale, with the first option to buy given to the land's lessee. Senators approved an amendment deleting the \$1,000 limit for costs associated with the sale that could be charged to the lessee. The bill was re-referred to the Committee on Finance.

Also approved was S.F. 2159, sponsored by Sen. Ember Reichgott (DFL-New Hope), delaying the date by which the Regent Candidate Advisory Council must submit recommendations to the Legislature from Feb. 1 to Mar. 15; and S.F. 2136, carried by committee Chair Sen. James Pehler (DFL-St. Cloud), terminating the Task Force on Education Organization as of June 30, 1991, and adding four more members to the task force.

S.F. 2439, S.F. 2159, and S.F. 2136 were sent to the floor.

Four bills advanced

The Senate Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), advanced four bills Wed., Mar. 14. S.F. 1645, authored by Sen. Randolph Peterson (DFL-Wyoming), gives Cambridge full campus status in the Community College System. The bill was re-referred to the Committee on Finance.

Also approved was S.F. 1808, sponsored by Pehler, authorizing a regional library system to allocate levy authority for libraries. The bill also sets levy limits. S.F. 1808 was re-referred to the Committee on Taxes and Tax Laws.

Senators also advanced S.F. 2314, authored by Sen. Carol Flynn (DFL-Mpls.), which places seven specified positions in the Minneapolis School District in the unclassified service. The bill is effective the day after the district's governing body complies with the cited statute. S.F. 2314 was sent to the floor.

S.F. 2248 was also approved. The legislation enacts the Midwestern Higher Education Compact, and provides that Minnesota members to the compact are to be appointed if five states enact the law before Aug. 1, 1991. States eligible to join the compact are Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin. The purpose of the compact is to provide greater higher education opportunities in the Midwestern region. S.F. 2248, sponsored by Sen. Jerome Hughes (DFL-Maplewood), was re-referred to the Finance Committee.

Education Funding

Drug plan outlined

Representatives of the Dept. of Education outlined S.F. 1929, the department's initiatives for the governor's drug plan, at the Thurs., Mar. 8, meeting of the Education Funding Division. The bill appropriates money to various efforts to fight drugs; in addition, the bill involves the Dept. of Education in the Head Start program, which has been handled by the Dept. of Jobs and Training. No action was taken on the bill.

Members of the division, chaired by Sen. Randolph Peterson (DFL-Wyoming), also heard a presentation from representatives of the St. Paul public schools on a proposed plan regarding special education.

Division approves bill

The Education Funding Division of the Education Committee discussed four bills and took final action on one bill Tues., Mar. 13. S.F. 1910, carried by Sen. James Pehler (DFL-St. Cloud), adds five members to the board of directors of the Minnesota Academic Excellence Foundation, two of which must represent education groups and three of which must represent business groups. The bill also allows the foundation to accept in-kind goods or services from nonstate sources; and allows the foundation to accept direct or in-kind contributions of money, related goods, or services to meet the matching requirement for a portion of its appropriation. Pehler proposed an amendment deleting a \$50,000 appropriation for staff for the foundation; the amendment was approved. The bill was sent to the floor.

In other action, Senators discussed S.F. 2442, also authored by Pehler, providing an alternative preparation program leading to a teaching license. Senators adopted an author's amendment deleting appropriations for program evaluation, an assessment system, and a teacher education curriculum revision. Other minor amendments were adopted, but no final action was taken on the bill.

Senators also discussed S.F. 2528, authored by Sen. Mel Frederick (IR-Owatonna), relating to the consolidation of three school districts, and S.F. 2094, offered by Sen. William Luther (DFL-Brooklyn Park), relating to the General Education Fund balance reduction. No action was taken on either bill. In addition, a representative of the Minnesota Academy for the Blind and the Minnesota Academy for the Deaf presented the academies' bonding requests. The division is chaired by Sen. Randolph Peterson (DFL-Wyoming).

Elections and Ethics

Local election bill approved

A bill requiring that all local government elections be held on one of two potential dates was approved at the Wed., Mar. 14, meeting of the Senate Elections and Ethics Committee. The committee is chaired by Sen. Jerome Hughes (DFL-Maplewood).

As amended, S.F. 1944, authored by Sen. William Luther (DFL-Brooklyn Park), requires counties, cities, school districts and other political subdivisions to elect their officers on the Tuesday after the first Monday in November in either even or odd years. The local primary would be held the Tuesday after the second Monday in September of the chosen year. The first such elections would be held in 1993 (or 1994). The bill also requires uniform precinct and polling places for all state and local elections.

The committee approved an amendment, offered by Luther, deleting language from the bill requiring that questions such as city ordinance adoption or charter amendments be voted on at the local government election. However, a similar amendment involving bonding proposals was defeated. Sen. Roger Moe (DFL-Erskine) moved an amendment, adopted by the committee, exempting townships from the bill's provisions. The measure was then approved and re-referred to the Finance Committee.

Also approved was S.F. 2421, authored by Luther, amending the statutes governing Minnesota's Presidential primary. As amended, the substantive change made by the bill involves moving the date of the primary to the first Tuesday in March. This is also the date on which the California primary is held.

In other action, the committee approved, and re-referred to the Finance Committee, S.F. 2002, sponsored by Sen. Richard Cohen (DFL-St. Paul). The bill increases from 100 to 200 the vote margin that triggers an automatic recount in a state primary or general election.

Committee Capsule

Employment

Family leave bill gains

The Thurs., Mar. 15, meeting of the Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), was highlighted by the passage of a minimum wage bill. The committee also granted approval to S.F. 409, authored by Sen. Pat Piper (DFL-Austin). The bill provides that employers must grant employees leave for the care of a child, spouse or parent with serious health conditions. The measure allows 12 hours of leave per year to attend school conferences or classroom activities, and requires that in cases of premature birth, leave may not begin more than six weeks after the child leaves the hospital. The committee sent the bill to the Senate floor.

S.F. 2490, authored by Chmielewski, adds mental retardation as a condition of physical impairment that can be registered for eligibility of reimbursements from the Second Injury Fund. The measure also requires employers to furnish preventative treatment to employees exposed to rabies, and includes a provision regulating notice of insurance coverage and cancellation.

The bill was amended to require health care providers to notify employers if an injury will cause the employee to be absent from work for more than five working days. Under the amendment, the employer must then send an injury adjuster to determine the nature of the injury, assess the injured party, and confer with the provider about rehabilitation methods. The bill was sent to the Senate floor.

S.F. 2282, authored by Sen. Don Frank (DFL-Spring Lake Park), deals with collectively bargained conditions in sales and transfers of ownership and management. The bill defines "new employer" as any purchaser, assignee or transferee of a business whose employees are working under a collective bargaining agreement. In addition, the bill provides that the employer who is a party to a collective bargaining agreement with a successor clause must disclose the existence of the agreement to the new employer. The bill was approved and sent to the Senate floor.

Environment and Natural Resources

Lottery revenue bill approved

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Fri., Mar. 9, and approved S.F. 2321. Under the bill, authored by Sen. Steven Novak (DFL-New Brighton), one-half of the net lottery proceeds from any state-operated lottery must be credited to the Minnesota Environment and Natural Resources Fund until the principal reaches \$1 billion. An amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), directing 100 percent of the proceeds into the fund was not approved.

S.F. 2230, authored by Sen. Charles Berg (DFL-Chokio), was also heard by the committee. The bill regulates license requirements, fees, and pheasant release in private and commercial shooting preserves. An amendment regulating the size of private and commercial preserves and setting license fees for each was approved. The bill was sent to the Senate floor.

A bill, S.F. 2422, rolling back the game and fish license fee increase passed by the 1989 Legislature was also discussed. Lessard, author of the measure, explained that a 10 percent increase was approved last year, and that the bill reinstates the previous amounts. Dept. of Natural Resources Deputy Commissioner Steve Thorne expressed his opposition to the bill, stating that its passage would adversely affect the Game and Fish Fund. The bill was laid over.

S.F. 2306, authored by Lessard, appropriates \$50,000 to the commissioner of natural resources for a grant to the Mississippi Headwaters Board. Under the bill, the funds would be used for water quality testing on septic tanks along the Mississippi River, and for equipment to assist communities in cleanup projects. The bill was approved and re-referred to the Finance Committee.

S.F. 2434 appropriates funds to the town of Iron Range for the pur-

chase of park land on Hill Lake. The bill, authored by Lessard, was laid over.

S.F. 824, authored by Sen. Gregory Dahl (DFL-Ham Lake), requires recycling of chloroflourocarbons (CFCs) in salvage automobiles, refrigerators, and air conditioners. Under additional provisions in the bill, fire extinguisher halons must be captured and recycled, and the sale of motor vehicle coolants in containers weighing less than 15 pounds is prohibited. The bill was approved and re-referred to the Taxes and Tax Laws Committee.

Also gaining committee approval was S.F. 2236, authored by Dahl. The bill makes technical changes to provisions contained in the 1989 Infectious Waste Control Act. An amendment offered by Sen. LeRoy Stumpf (DFL-Plummer) prohibits local government units from preventing the establishment, operation, or expansion of an infectious or pathological waste incineration facility if the facility has obtained the necessary approvals from the Metropolitan Council and the Pollution Control Agency. The amendment was adopted, and the bill was sent to the Senate floor.

S.F. 1993, authored by Sen. Gene Merriam (DFL-Coon Rapids), enacts the Wetlands Heritage Act and provides for wetlands identification, preservation, and management. The bill also identifies wetlands that may not be filled, and creates an advisory board to review implementation of the program and recommend changes in the law for program improvements. The bill was laid over.

S.F. 1907, requires the Pollution Control Agency (PCA) to conduct emissions studies as part of its current study on the mix of air pollutants in the Metropolitan Area. The studies will determine if the inspection maintenance program should be altered to meet new federal requirements contained in the Clean Air Act amendments. In addition, the PCA must also determine the reduction in overall emissions that would result from requiring that all vehicles owned by the governmental units in the Metropolitan Area use block heaters. The bill, authored by Sen. Pat Pariseau (IR-Farmington), was approved and sent to the Senate floor.

Battery bill approved

S.F. 1784, regulating the disposal, labelling, and content of certain dry cell batteries, was approved at the Wed., Mar. 14, meeting of the Environment and Natural Resources Committee. The committee is chaired by Sen. Bob Lessard (DFL-Int'l. Falls). The bill, authored by Sen. Gregory Dahl (DFL-Ham Lake), prohibits the placement of a dry cell battery containing mercuric oxide electrolyte, silver oxide electrolyte, nickel-cadmium, or sealed lead-acid in mixed municipal solid waste. In addition, a manufacturer of a button cell battery must ensure that each battery is clearly identifiable as to the type of electrode used in it. Manufacturers are also prohibited from selling or distributing an alkaline manganese battery containing more than 0.025 percent mercury after Jan. 1, 1992. The bill was sent to the Senate floor.

S.F. 1826, authored by Sen. Steven Morse (DFL-Dakota), provides legislative approval for eleven wastewater treatment projects requiring a consumptive use of more than 2 million gallons of water per day. The measure also exempts legislative approval for consumptive uses of 2 million gallons per day for construction dewatering and pollution abatement. The bill was approved and sent to the Senate floor.

A bill appropriating \$175,000 from the General Fund for the construction of demonstration forest facilities at the Forest Resource Center in Lanesboro was approved by the committee. S.F. 2426, authored by Morse, was sent to the Committee on Finance.

S.F. 2126 makes technical changes to the 1989 Groundwater Protection Act. The bill, authored by Morse, adds definitions for "dewatering well" and "environmental bore hole" to the existing statutes, and requires the commissioner of natural resources to examine and license well contractors constructing unconventional wells. In addition, the bill provides regulations for constructing a monitoring well on another person's property.

An amendment was adopted that requires the seller of a property to indicate whether any wells exist on the property. If wells exist, the

seller must deliver a disclosure statement to the buyer indicating the legal description and location of the wells. The bill was approved and re-referred to the Agriculture Committee.

S.F. 1996, authored by Sen. Gene Merriam (DFL-Coon Rapids), makes several technical changes to the Waste Management Act. The bill clarifies the order of funding priority for grants for solid waste management projects, and changes the procedures for the creation of solid waste management districts. In addition, the measure adds procedures and requirements for cities to meet when they organize solid waste collection. Time periods are also established for local decision-making on siting of solid waste facilities. The bill was laid over.

Finance

Education division reviews U of M request

The Education Funding Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), heard a presentation on the University of Minnesota's capital budget request Fri., Mar. 9. There are 14 items in the request, totalling about \$129 million.

The top priority in the request is \$10 million for system-wide health and safety projects, as well as an Integrated Waste Management Facility. Other top priorities include a request for Wilson Library/St. Paul Central Library and a request for an addition of a music performance hall. In addition, representatives of the various campuses spoke about the requests for projects on their campuses.

The presentation was continued at the Mon., Mar. 13, meeting of the division. Included in the Monday presentation were requests for a biological sciences addition for the Twin Cities campus; for an architecture renovation and addition on the Twin Cities campus; and for ten separate items for the Minnesota Agricultural Experiment Station.

Budget adjustments presented

Representatives of the Technical College System and the State University System spoke to the Education Division of the Finance Committee about the governor's recommendations regarding the systems, Wed., Mar. 14. The division is chaired by Sen. Gene Waldorf (DFL-St. Paul).

Technical College representative Helen Henrie spoke in opposition to the governor's recommendation to raise tuition at the Technical Colleges. Henrie pointed out that the governor's recommendation that the additional tuition be used to pay debt service represents a change in policy.

Representatives of both systems also discussed the governor's recommendations for across-the-board cuts.

The Technical College System representatives also requested money for marginal enrollment adjustment and an expanded aviation technician training program; the State University System representatives requested money for lagged student funding, for leased space at the former College of St. Teresa, and to pay a court judgement.

Panel hears streamlining proposal

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met Mon., Mar. 12, to hear a brief budget presentation by Finance Commissioner Peter Hutchinson.

Hutchinson centered his remarks on the governor's supplemental budget proposal, which calls for a \$36 million reduction in state government base level expenditures in fiscal year 1991 by streamlining operations. He said that the budget proposal also recommends at least a \$36 million state government spending reduction in both fiscal year 1992 and fiscal year 1993.

In order to streamline their operations, state agencies will need to focus on their most important bottom line results and reduce spending accordingly, Hutchinson said. The proposal urges agencies to achieve this goal by reducing management layers, by simplifying work processes and reducing administrative controls, by consolidating functions and offices, by increasing productivity through the use of new technology or better work methods, and by eliminating lower priority activities. In addition, the proposal recommends the prepara-

tion of statutory language requiring the finance commissioner to submit to the even-year session of the Legislature a list of state programs constituting at least five percent of general fund spending that is either of the lowest priority or that merits a thorough budgetary review. Hutchinson noted that under the new statutory language, targeted programs would be removed from the next biennial budget base unless both the governor and the Legislature approved continued funding.

Upon completion of Hutchinson's presentation, Kroening informed panel members that the next division meeting, scheduled for Thurs., Mar. 15, would concentrate on the examination of individual state agency budgets.

Budget recommendations studied

The Finance Division on Agriculture, Transportation and Semi-states met Mon., Mar. 12, to review budget recommendations for a number of government units. The division is chaired by Sen. Keith Langseth (DFL-Glyndon).

The committee reviewed two building requests submitted by the Minnesota Historical Society, the largest of which involved a \$2.2 million appropriation for the construction of the State History Center. Renovation of the Split Rock Lighthouse Historic Site was also examined.

Joe Komro, Accounting Director for the Dept. of Agriculture, went over a number of requests being made by that agency. Included are projects dealing with haylift reimbursement, grasshopper control, an ethanol promotion program, and agricultural lime regulation.

In addition, the committee reviewed recommendations for an additional staff person for the Board of Animal Health, and for a small appropriation to the Transportation Regulation Board for space rental and furniture.

Gambling, drug proposals discussed

Supplemental budget recommendations for the Dept. of Gaming and the Dept. of Public Safety were reviewed at the Wed., Mar. 14, meeting of the Finance Division on Agriculture, Transportation and Semi-states, chaired by Sen. Keith Langseth (DFL-Glyndon).

The Dept. of Gaming brought a request for an additional \$1.62 million and 30 positions to the committee. This increase is for the purpose of better auditing, regulating and supervising the lawful gambling industry, described by Commissioner Tony Bouza as being "out of control."

Jan Smaby from the Office of Drug Policy of the Dept. of Public Safety provided committee members with a general overview of the drug package proposed by the governor, and also reviewed the specific funding requests of the department. Included among the proposals were requests for matching grants in order to obtain available federal dollars, as well as financing requests for a number of treatment and enforcement initiatives.

The committee also examined two capital budget proposals made by the Dept. of Public Safety. The department is requesting \$285,000 for three vehicle inspection facilities in the Twin Cities, and \$545,000 for various improvements within the department's central building.

Supplemental requests reviewed

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met Mon., Mar. 12, to examine supplemental budget requests for several state agencies and boards.

The Dept. of Corrections presented a number of projects to the committee, primarily dealing with overcrowded prisons and providing chemical dependency treatment to inmates. Opening up a 60 bed unit for women at the Moose Lake Regional Center was the largest request studied.

The Dept. of Health reviewed several programs facing funding cuts, including Community Health Services, the Health Occupations Advisory Council, and various anti-smoking initiatives. Additional money was requested for unanticipated rent increases.

Committee Capsule

The Dept. of Jobs and Training presented two supplemental funding proposals, for the Community Stabilization and Petroleum Violation Escrow programs.

The committee also reviewed small funding requests from the Boards of Social Work, Psychology and Optometry.

Supplemental budgets reviewed

A review of the supplemental budget recommendations for the Dept. of Human Services highlighted the agenda of the Wed., Mar. 14, meeting of the Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd). The committee examined approximately forty programs for which funding changes have been proposed. Among the programs most affected are child care, Medical Assistance, and Alternative Care Grants, which all would receive major supplementary appropriations. Funding reduction for initiatives such as Aid to Families with Dependent Children and parts of the food stamp program were also reviewed.

The committee also studied a Dept. of Corrections proposal for additional funding and personnel for county probation services, as well as an additional appropriation to the Head Start program administered by the Dept. of Jobs and Training.

General Legislation and Public Gaming

Resolution prohibiting flag burning approved

The General Legislation and Public Gaming Committee approved a resolution, authored by Sen. Don Storm (IR-Edina), Fri. Mar. 9. S.F. 1669 requests the United States Congress to propose an amendment to the U.S. Constitution to prohibit desecration of the American flag. The committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul), also discussed S.F. 1810 authored by Sen. Jerome Hughes (DFL-Maplewood), allowing health and law enforcement officials more authority to seize and to test a dog that has bitten a person.

The American flag is a unique and special symbol of this country's heritage, said Storm in introducing the subject of his bill. To show the United States where Minnesota stands, Storm urged the committee to approve the resolution. In response to a question regarding the history of the issue, Lantry gave a summary of federal legislative and judicial actions relating to the flag. With little debate the committee approved the resolution for full Senate consideration.

In further action, three additional bills were approved and sent to the Senate floor. S.F. 1737, offered by Sen. Richard Cohen (DFL-St. Paul), designates the first Sunday of June as Ethnic American Day. Sen. Gary DeCramer sponsored S.F. 1890, a bill that excludes FarmAmerica in Waseca county from a provision of law prohibiting all historical interpretive centers not owned by Minnesota from receiving any state operating or maintenance funding. S.F. 1968, offered by Sen. Don Frank (DFL-Spring Lake Park), permits punitive restrictions to be imposed on persons convicted of overworking or mistreating an animal. S.F. 2455, authored by Sen. Lyle Mehrkens (IR-Red Wing), providing that a cemetery corporation or association may transfer cemetery property accompanied by the transfer of any funds for the maintenance of that property to a religious corporation was recommended for placement on the Consent Calendar.

In testimony supporting S.F. 1810, Roseville officials explained the need for statewide legislation relating to a dog that is known to have bitten a person. Although Roseville has ordinances prescribing the immediate testing of dogs that victims claim to have been bitten by, the officials said that they have difficulties imposing regulations on dogs from other cities. Questions regarding the enforcement and practicality of the bill were raised by committee members. Alternative courses of legislative action were suggested with the result that the bill was laid over.

Governmental Operations

Technical college system defeated

A bill establishing a voluntary state system of technical colleges failed to win approval at the Fri., Mar. 9, meeting of the Senate Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul). As amended, S.F. 365, authored by Sen. James Pehler (DFL-St. Cloud), requires a school board that operates a technical college or that is a member of an intermediate school district to hold a public hearing and vote on a resolution to transfer the technical college into the state system. The bill also contains several provisions relating to the employees who would be affected by such a move. The committee adopted an amendment moved by Sen. John Brandl (DFL-Mpls.) deleting a requirement that the state reimburse a school district for the district's share of the real property transferred to the state board. A roll call vote was then called for, and the bill was defeated.

An amended version of S.F. 1881, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), clarifying the definition of "killed in the line of duty" in relation to peace officers, was approved by the committee. The state makes a payment of \$100,000 to the families of officers killed in the line of duty. The original language of the bill expanded the definition of "killed in the line of duty" to include all deaths occurring during the officer's hours of employment. However, an amendment moved by Brandl, and adopted by the committee, narrowed the language to include deaths resulting from performing duties peculiar to a peace officer that exposed the officer to the hazard of being killed. The bill will proceed to the floor.

Five additional bills were approved by the committee. S.F. 1915, authored by Sen. Pat Piper (DFL-Austin), creates the Minnesota Early Childhood Family Coordinating Board to coordinate and improve the quality of services for children from birth to eight years of age. The bill was re-referred to the Finance Committee. S.F. 2011, authored by Sen. Tracy Beckman (DFL-Bricelyn), clarifies training standards for ambulance attendants and creates a state emergency medical services advisory council. S.F. 1931, sponsored by Sen. Linda Berglin (DFL-Mpls.), provides for a variety of drug and alcohol prevention, research, and treatment programs; it now proceeds to the Finance Committee. S.F. 2412, sponsored by Moe, requires the State Board of Investment to invest assets currently managed by the Dept. of Commerce. S.F. 2346, sponsored by Beckman, creates an access review board to oversee matters dealing with the physically disabled.

S.F. 1963, authored by Sen. Gene Merriam (DFL-Coon Rapids), also failed to win committee approval. The bill would have prohibited lump sum payments to employees not covered by collective bargaining agreements.

Four bills advance

A bill affecting labor arbitration and employee elections was among the measures approved at the Thurs., Mar. 15, meeting of the Senate Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul). As amended, S.F. 2181, authored by Sen. Carol Flynn (DFL-Mpls.), provides that the parties in a labor dispute may, by mutual agreement, select persons who are members of the arbitration roster maintained by the state to act as the arbitration panel in their dispute. The bill also provides for the option of a mail ballot in carrying out employee elections, and makes technical support available to joint labor-management committees established to improve relations between employers and unions.

Also approved was S.F. 2252, sponsored by Sen. William Belanger (IR-Bloomington), which clarifies regulations relating to agency rule-making and procedures. The bill requires agencies to mail notices of a public hearing to those persons who submitted a written request for the hearing. In addition, the bill mandates that a statement of need and reasonableness be sent to the Legislative Commission to Review Administrative Rules by an agency when a rule change is proposed.

Two additional bills were approved by the committee. S.F. 1936, sponsored by Flynn, clarifies that graduate assistants in the State Uni-

versity System are not covered under the Public Employment Labor Relations Act. S.F. 2220, authored by Sen. Randolph Peterson (DFL-Wyoming), authorizes the Dept. of Administration to transfer to the city of Cambridge certain properties at the Cambridge Regional Human Services Center. S.F. 2220 was re-referred to the Committee on Finance.

Health and Human Services

Nursing home reimbursement gains

A bill altering the property reimbursement rate paid to state nursing homes was approved at the Thurs., Mar. 8, meeting of the Senate Health and Human Services Committee. As amended, S.F. 1828, authored by the chair of the committee, Sen. Linda Berglin (DFL-Mpls.), establishes four categories of reimbursement rates: rates for homes currently receiving the rental amount or phasing up to rental are frozen at the rate now in effect; rates for homes currently receiving frozen rates are reduced by six percent; rates for homes that qualify for a special reappraisal will be adjusted to reflect the reappraisal; rates for homes that qualify for the bail-out provisions enumerated in the bill will be the rates determined by those provisions. The proposal does allow for adjustments to meet the costs of federally mandated improvements, including communications systems and hallway handrails. The bill will now be considered in the Finance Committee.

S.F. 2417, sponsored by Berglin, was also approved by the committee. As amended, the bill allows higher payment rates for new day training and habilitation vendors when at least half of their clients are former regional treatment center residents. In addition, the bill establishes three levels of home care services funded by Medical Assistance, and sets property reimbursement limits for newly certified facilities for persons with mental retardation. The committee adopted an amendment incorporating S.F. 2023, authored by Berglin, into the bill. The amendment modifies the preadmission screening program, and revises the county allocation formula for the alternative care grant program. The bill was re-referred to the Finance Committee.

A number of other bills received the approval of the committee. S.F. 2217, sponsored by Berglin, allows for a continued level of reimbursement to a nursing home under a lease with an option to buy arrangement. S.F. 1888, sponsored by Sen. Douglas Johnson (DFL-Cook), allows Medical Assistance coverage of swing bed services to continue after June 30, 1990. Both bills were re-referred to Finance. Johnson also authored S.F. 2286, which increases the membership of the Health Care Access Commission. S.F. 2051, authored by Sen. Marilyn Lantry (DFL-St. Paul), allows a waiver of restrictions that may be placed upon controlling persons of a nursing home. S.F. 2224, also sponsored by Lantry, grants several exceptions to the nursing home expansion moratorium. The three bills were sent to the floor.

Ombudsman clarification okayed

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Fri., Mar. 9, and advanced four bills. S.F. 2370, sponsored by Berglin, revises and clarifies the duties and powers of the ombudsman for mental health and mental retardation by specifying that the ombudsman is not required to obtain consent for access to private data on decedents. The measure was approved and sent to the full Senate.

S.F. 2478, also sponsored by Berglin, makes a number of mostly technical changes to the laws governing Medical Assistance, General Assistance Medical Care and the Childrens Health Plan. The bill clarifies Medical Assistance payment rate procedures for hospitals; allows case management for recipients who use services inappropriately or are eligible for other managed care projects; clarifies eligibility requirements for Medical Assistance and General Assistance Medical Care; amends verification of pregnancy requirements for MA and GAMC; clarifies asset and income allowances for institutionalized spouses; clarifies services to be covered by MA; expands the home-stead exclusion for MA eligibility; establishes procedures for a vendor's request for a contested case proceeding; clarifies procedures for enforcement of medical support; and provides that MA covered den-

tal services include, with prior authorization, fixed cast metal restorations for persons with disabilities who cannot use removable dentures. Amendments were adopted to require the commissioner to adopt rules to allow a mental health practitioner with only a bachelor's degree to provide mental health services under clinical supervision under specific conditions and to establish requirements for claims against the estate of a recipient. The measure was approved and re-referred to the Judiciary Committee.

Two additional bills were approved and advanced to the full Senate. S.F. 1831, authored by Sen. Jim Vickerman (DFL-Tracy), requires the commissioners of human services and health to submit, by Feb. 1, 1991, a plan for simplification of rules and regulations governing services to persons with developmental disabilities and related conditions. The measure also specifies that the plan be developed in consultation with the affected parties. S.F. 1681, authored by Sen. Gene Waldorf (DFL-St. Paul), allows a graduate social work license to be issued without examination to an applicant who was unable to apply before the transition period ended.

Rural health care bill approved

The Senate Health and Human Services Committee, meeting Tues., Mar. 13, approved a measure designed to improve access to health care in Greater Minnesota. Sen. Jim Vickerman (DFL-Tracy), author of S.F. 1896, argued that the bill addresses three problems facing rural health care; a lack of emergency services, a shortage of trained medical personnel, and financially troubled hospitals. Among other provisions, the proposal, as amended, revises educational requirements for Emergency Medical Services ambulance personnel, and increases the reimbursement for voluntary ambulance personnel. A number of scholarships and loan forgiveness plans are created in order to attract medical personnel to rural Minnesota. In addition, the bill establishes a rural hospital subsidy fund to assure hospital services in isolated areas, and allows property tax special levies in 1990 and 1991 to help finance operating deficits. The bill was re-referred to the Transportation Committee.

Also approved was S.F. 2165, sponsored by Sen. William Luther (DFL-Brooklyn Park), regulating the performance of independent medical examinations (IMEs) by chiropractors. The bill establishes a number of requirements that must be met before a chiropractor is allowed to conduct an IME, provides for peer review committees to monitor performance, and establishes a fee ceiling. The requirements include devotion of a minimum of 60 percent of practice time to direct patient care; completion of five years of chiropractic practice; and completion of coursework related to carrying out IMEs. The bill establishes \$500 as the maximum fee that can be charged for an IME. The measure was re-referred to the Commerce Committee.

As amended, S.F. 1903, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), was approved by the committee, and re-referred to the Finance Committee. The bill addresses the shortage of donated bone marrow by requiring paid leave for employees who wish to donate, and mandating a bone marrow donor drive to encourage state employees to volunteer as donors.

Two other bills were approved by the committee, and will be reported to the floor. S.F. 1838, sponsored by committee Chair Sen. Linda Berglin (DFL-Mpls.), is the Dept. of Health's administrative bill, and makes largely technical changes in fee structures and reporting requirements. S.F. 2481, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), facilitates the clean-up of asbestos from underground tunnels.

The committee also began discussion of S.F. 1821, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), allowing nurses to prescribe and administer prescription drugs and therapeutic devices if the nurse has graduated from a nurse-practitioner education program, is certified by a nurse-practitioner certification organization, and has a written agreement with a physician regarding the responsibilities involved. The bill was laid over until the next meeting of the committee because of time constraints.

Committee Capsule

Welfare reform debated

A bill restructuring Minnesota's job training and child care programs was considered at the Wed. Mar. 14, afternoon meeting of the Senate Health and Human Services, chaired by Sen. Linda Berglin (DFL-Mpls.).

As amended, S.F. 2419, authored by Sen. Marilyn Lantry (DFL-St. Paul), divides the child care program into two separate funds; an appropriated fund for the working poor and an entitlement fund for AFDC families in the STRIDE job training program. Further bumping of working poor families from the sliding fee care program would be prohibited, although the subsidies for those currently being served by the program would be limited. No new entrants would be allowed into the sliding fee program for the remainder of the biennium. The bill also limits AFDC child care to STRIDE participants and those leaving AFDC who are entitled to transitional care, and narrows those eligible for voluntary STRIDE participation to families who have been on AFDC for four years, those families whose youngest child is age 16 or older, and caretakers under the age of 22 who do not have a high school diploma or GED. The committee adopted an amendment, moved by Berglin, extending child care funds to families who have used up their transition year funding. A second Berglin amendment, also adopted by the committee, establishes a program for random selection of AFDC families not otherwise eligible for child care to replace grandfathered families leaving the program. The bill was laid over until the committee's evening session.

Two additional bills were approved and re-referred to the Committee on Finance. S.F. 2164, sponsored by Sen. Dean Johnson (IR-Willmar), accelerates the schedule for construction of a variety of care facilities for mentally retarded persons in the Willmar area. S.F. 1712, authored by Sen. Don Samuelson (DFL-Brainerd), renews the authority of a nursing home to choose to be governed by the cost limits that normally apply to facilities in different geographic groups, for purposes of setting the home's payment rate.

Also approved, and sent to the floor, was S.F. 1821, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), authorizing nurses to prescribe prescription drugs and therapeutic devices under certain conditions.

In other action, the committee voted to confirm the appointment of Ann Wynia as Commissioner of the Dept. of Human Services.

Welfare fraud bill approved

A bill creating an administrative process for enforcing welfare regulations and recovering funds was approved by the Senate Health and Human Services Committee at the Wed., Mar. 14, evening meeting. As amended, S.F. 2277 allows for an administrative fraud disqualification hearing for individuals accused of wrongfully obtaining assistance or intentional program violations. Bill author Sen. Marilyn Lantry (DFL-St. Paul) explained that the measure was necessary to encourage local units to pursue violations, in that enforcement varies considerably throughout the state. The administrative hearing is an alternative to criminal proceedings, and may not be used in conjunction with such proceedings. A person found to have wrongfully obtained assistance would be disqualified from the program for six months on a first violation, 12 months for a second, and permanently on the third. If funds are recovered, the county retains 75 percent of the nonfederal share if the county was chiefly responsible for the recovery. The bill was re-referred to the Committee on Finance.

Two additional bills were approved and sent to the Finance Committee. S.F. 1520, authored by Lantry, creates a technology assistance review panel to aid in resolving disputes over the providing of health care benefits to persons who are technology-assisted for medical reasons, and who are members of a health care plan. Often health insurers are reluctant to cover the bills incurred by such an individual, Lantry explained. S.F. 1798, sponsored by Sen. Pat Piper (DFL-Austin), authorizes a physician to delegate the authority to prescribe and administer drugs and therapeutic devices to a physician assistant.

The committee also approved two bills that were sent to the floor for further consideration. S.F. 2026, sponsored by Piper, authorizes the creation of a technical advisory task force for emergency dispatch

services. S.F. 1937, authored by committee Chair Sen. Linda Berglin (DFL-Mpls.), makes technical changes in the statutes governing hazardous lead exposure testing and prevention.

In addition, members continued to discuss, and eventually approved, S.F. 2419, sponsored by Lantry, restructuring the state's child care and job training programs. The bill was re-referred to the Finance Committee.

Judiciary

Omnibus tort bill gains

A major portion of the Thurs., Mar. 8, evening hearing of the Judiciary Committee was devoted to discussion and amendment of S.F. 1827, the omnibus tort bill that resulted from work done by the Jury Compensation Study Commission. The bill, sponsored by Ember Reichgott (DFL-New Hope), contains numerous provisions concerning a variety of liability issues.

The measure addresses the reduction of damages in an actider no-fault automobile insurance by providing that the deduction for basic economic loss benefits must be made before the comparative damages are reduced under the comparative fault statute; prescribes common law tort law claims against adults who knowingly provide alcoholic beverages to minors; increases the amount of claims that may be settled without court approval under the municipal commission of claims statute from \$2,500 to \$10,000; changes the standard for awarding punitive damages from "willful indifference" to "conscious disregard;" modifies the provisions governing when a principal may be held liable for punitive damages for an act of the principal agent; requires a separate trial to address punitive damages; requires the court to review a punitive damages award; makes the contributory negligence rule apply to damages resulting from economic torts; redefines fault; abolishes the doctrine of last clear chance; provides immunity from liability for volunteer ski patrollers; allows recovery of attorney fees by good faith reporters under the child abuse reporting act; and repeals the limit on intangible loss damages and the requirement that a jury specify amounts for past, future, and intangible damages.

In other action, the panel approved an additional bill. S.F. 1400, authored by Sen. Jim Ramstad (IR-Minnetonka), providing for the right to counsel in certain guardianship and conservatorship proceedings. Panel members also discussed S.F. 1987. The bill, carried by Committee Chair Allan Spear (DFL-Mpls.), repeals the seat belt rule; the prohibition on introducing as evidence whether a person was wearing a seatbelt at the time of an accident. The measure provides that proof of a person's failure to use seatbelts as required is admissible in evidence in lawsuits involving personal injuries or property damage resulting from an accident to prove the person's fault. The measure, however, failed to gain the committee's approval.

Rent-to-own bill advances

Members of the Judiciary Committee met Fri., Mar. 9, and considered the remaining Senate bills from the agenda in time to meet the committee deadline.

A bill regulating rent-to-own companies and agreements was the focus of committee attention for most of the morning hearing. S.F. 1499, authored by Sen. Gregory Dahl (DFL-Ham Lake), removes rent-to-own agreements from the laws regulating consumer credit sales and provides for disclosures. In addition, the bill specifies that laws relating to consumer warranties and deceptive trade practices do apply; regulates the circumstances under which a default on a rental-purchase agreement is enforceable; and sets forth cash price limits. Most of the discussion centered on the definition and enforcement of cash price limits. A representative of Legal Aid argued the bill creates a new category of acquiring property outside of buying and sales and is, therefore, leaving consumers vulnerable to extreme "interest rates" included in the cash price. An amendment offered by Sen. William Luther (DFL-Brooklyn Park), requires the commissioner of commerce to adopt rules governing cash prices and specifies that the laws governing sales of goods apply

rules are published. The amendment was adopted. The bill was approved and sent to the full Senate.

S.F. 2115, authored by Sen. Robert Schmitz (DFL-Jordan), provides tort immunity for peace officers operating motor vehicles without lights during covert operations. S.F. 1704, authored by Sen. Charles Berg (DFL-Chokio), extends search warrant authority to conservation officers. Both measures were approved and sent to the floor.

S.F. 2423, authored by Luther, authorizes 12 additional trial court judgeships. S.F. 2483, authored by Sen. Ember Reichgott (DFL-New Hope), clarifies and modifies provisions relating to the organization and operation of nonprofit corporations. Both measures were approved and re-referred to the Committee on Finance.

S.F. 2054, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for staggering the terms of the chief judges and assistant chief judges, provides for the adoption of rules by the Supreme Court governing jury administration, and provides for penalties for rules violations. S.F. 2432, authored by Sen. Patrick McGowan (IR-Maple Grove), requires cemetery owners to report unlawful removal of bodies to law enforcement authorities and the next of kin of the deceased person. In addition, the bill sets a gross misdemeanor penalty for failure to report.

The afternoon portion of the hearing resulted in several bills relating to DWI laws being combined into one measure. S.F. 1901, authored by Reichgott, prohibits constructive possession of alcohol in a private motor vehicle. Under the bill possession means either that the person had actual possession of the bottle or container or that the person had dominion and control over the bottle or receptacle. S.F. 2047, authored by Spear, regulates alcohol and chemical use assessments, programs, and funding relating to persons convicted of offenses associated with driving under the influence of alcohol or a controlled substance and requires assessments of habitual offenders. S.F. 2193, carried by Spear, expands the crime of refusing to submit to an implied consent test and expands the crime of aggravated driving while intoxicated. S.F. 2177, authored by Spear, authorizes the impoundment of license plates by administrative action for repeat violations of the driving while intoxicated laws. S.F. 2176 and S.F. 1941, carried by Pogemiller and Spear, respectively, remove the requirement that negligence be proven for conviction of criminal vehicular operation if the driver's alcohol concentration was .10 or more and imposes penalties for criminal vehicular operation resulting in substantial bodily harm. All of the DWI bills were incorporated into the language of S.F. 2177. The measure was approved and re-referred to the Committee on Finance.

Two additional bills gained committee approval. S.F. 1653, sponsored by Pogemiller, is the departmental income tax bill. The penalty provisions were reviewed by committee members before the measure was approved and re-referred to the Taxes and Tax Laws Committee. S.F. 2192, authored by Sen. Michael Freeman (DFL-Richfield), expands the crime of first degree murder to include deaths caused by domestic abuse.

Human Rights Act amended

The Civil Law Division of the Judiciary Committee, chaired by Sen. Ember Reichgott (DFL-New Hope), met Mon., Mar. 12, to hear S.F. 1847. The bill amends the Human Rights Act by prohibiting an employer from discriminating against an employee due to disability, regardless of whether the employee is pursuing a claim for compensation under other law. The measure also adds "familial status" as a protected class under the employment discrimination statute, and provides that reasonable accommodations must be made for pregnant employees presenting written documentation of their inability to safely continue to perform job duties.

An amendment was adopted by the division specifying that an action carried out under this chapter is not precluded because a claim or action has arisen under common law or any other statute. The amendment also requires that bringing a cause of action under this chapter does not prevent the bringing of other claims or causes of action that arise out of the same facts or circumstances. The bill,

sponsored by Reichgott, was approved and sent to the full committee.

S.F. 1571, authored by Sen. Richard Cohen (DFL-St. Paul), provides that a party in a human rights action is entitled to a jury trial for recovery of damages resulting from a violation of the Human Rights Act. The bill was amended into S.F. 1847.

Harassment bill gains

A bill designed to increase penalties for harassment and to increase protection against harassment dominated the morning portion of the Judiciary Criminal Law Division meeting, Mon., Mar. 12. The bill, S.F. 1843, sponsored by Sen. John Marty (DFL-Roseville) allows individuals to request that the Dept. of Public Safety not release the individual's residential address to the public; increases penalties for some acts of harassment and authorizes courts to issue orders to restrain acts of harassment.

Most of the debate on the measure centered on provisions relating to the release of data by the Dept. of Public Safety. Currently, information about a registered owner's address, age, and insurance are public data and may be released to anyone. The question of whether such data should be private dominated the debate on the bill. Sen. Allan Spear (DFL-Mpls.), argued that individuals should have control of the release of information about themselves. However, panel members were reluctant to enact a dramatic change in current practice. The two sections of the bill were amended, deleted, reinstated and amended again. The final language authorized the registered owner of a motor vehicle to request that the owner's residence address be classified as private data. Further, the bill specifies that the commissioner grant the classification upon receipt of a signed statement by the owner that the classification is required for the safety of the owner or the owner's family. The bill was then recommended for approval by the full committee.

The afternoon portion of the hearing was marked by the approval of two additional bills. S.F. 2149, authored by Sen. Ronald Dicklich (DFL-Hibbing), prohibits security guards from performing specific acts during labor disputes. The measure lists the types of activities that are prohibited and specifies penalties. Under the bill security guards are prohibited from inciting, encouraging, or aiding in the incitement or encouragement of any participant to do unlawful acts against the person or property of anyone; prohibited from photographing a participant when neither that person nor the photographer is on the premises being protected; prohibited from stopping or detaining any vehicle that is not on the premises being protected; prohibited from conducting surveillance of a participant when neither the participant nor the person conducting the surveillance is on the premises being protected; and prohibited from any other activities that are outside the scope of the prescribed duties that have the purpose of intimidating or provoking a participant. The bill sets forth a gross misdemeanor penalty and provides for license suspension upon conviction.

The second measure, S.F. 2132, sponsored by Marty, makes it a crime to obtain telecommunication services by fraud, requires forfeiture of telecommunication devices used for fraudulent purposes and prescribes penalties that parallel the penalties for theft. Both bills were approved and sent to the full committee.

Child support enforcement bill gains

Most of the Wed., Mar. 14, morning Judiciary Committee hearing was devoted to discussion of a bill to strengthen various portions of the child supports laws. The measure, S.F. 2204, authored by Sen. John Brandl (DFL-Mpls.), establishes a medical support bonus incentive program for counties in order to increase the identification of dependent health insurance coverage for persons who are receiving medical assistance and for whom the county is providing child support enforcement services. In addition, the bill authorizes public authorities responsible for child support enforcement to act on behalf of other public authorities; modifies the definition of "net income" to include some types of in-kind payments; provides for withholding of child support from financial institutions where income withholding is

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ineffective; and makes several technical changes to the reciprocal enforcement statute.

Most of the debate on the measure centered on a provision dealing with a change made last year concerning the timing of an action for the establishment of the nonexistence of a father-child relationship and the requirements that a divorce occurred after service by publication and that the presumed father did not know the child was born during the marriage or within 280 days of the divorce. The measure deletes language specifying that a divorce by publication was a requirement for the action. Sen. Donald Moe (DFL-St. Paul), offered an amendment to delete the section but the amendment did not prevail. However, an amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), providing that an action is not barred until one year after the presumed father knows or reasonably should have known of the birth of the child or the child reaches the age of majority, was adopted. A second amendment, deleting a provision that exempted the medical support bonus incentive program from rulemaking requirements, was adopted. The amendment was sponsored by Sen. Fritz Knaak (IR-White Bear Lake). Merriam successfully offered another amendment that deleted the first two sections of the bill authorizing the use of photographic negatives for child support enforcement purposes. The bill was approved and re-referred to the Finance Committee.

Four additional bills also gained committee approval. S.F. 1800, authored by Sen. Keith Langseth (DFL-Glyndon), authorizes the establishment of a pilot project for a mediation service program to resolve contested child custody and visitation cases in Clay County. The measure was approved and re-referred to the Finance Committee. S.F. 2141, authored by Sen. Tracy Beckman (DFL-Bricelyn), requires that plat monuments be set at lot corners and provides a misdemeanor penalty for intentionally removing, destroying or defacing a lawfully erected monument. H.F. 2018, carried by Sen. Joe Bertram, Sr. (DFL-Paynesville), alters the filing date requirements for qualification as a legal newspaper. S.F. 2175, authored by Sen. Gregory Dahl (DFL-Ham Lake), prohibits wildfire arson, provides criminal penalties and provides for liability for fire suppression costs. The latter three bills were sent to the Senate floor.

Gambling penalties bill okayed

A bill tightening enforcement and increasing penalties for violations of the state's gaming laws gained the approval of the Judiciary Committee at the Wed., Mar. 14, evening hearing. S.F. 1853, authored by Sen. Ember Reichgott (DFL-New Hope), changes the gross misdemeanor penalty for counterfeiting with intent to defraud the state to provide a felony penalty; provides a felony penalty for possession of more than ten unstamped tipboard or pull-tab deals or for possession of unstamped video pull-tab devices or memory chips; prohibits altered or counterfeit gambling equipment; and makes it a felony to knowingly submit false information in a license application or to knowingly submit false information to the commissioner of revenue in connection with lawful gambling.

Debate on the bill centered primarily on three provisions. The first was a provision prohibiting local governments from adopting more stringent regulation of video pull-tab devices. The language was in the bill to insure that the information gathered from the experimental use of video pull-tab devices is accurate, however panel members argued that local units should have the authority to prohibit any form of lawful gambling. The provision was deleted from the bill. Another section prohibiting the use of checks for gambling purchases also generated debate. An attempt to delete the section was, however, unsuccessful. Finally, debate on a section setting gross misdemeanor and felony penalties for unlawful expenditures of gross profits resulted in the deletion of the section.

Committee members also devoted considerable time to discussion of the omnibus family law bill, S.F. 1745, authored by Chair Allan Spear (DFL-Mpls.). According to Spear, the bill is the result of the work of the Gender Fairness Task Force and work done by the family law section of the bar association. The measure regulates child custody and visitation in dissolution and other proceedings, provides for

suspension of visitation rights when a noncustodial parent has been convicted of specific crimes; requires expedited hearings of visitation motions alleging that a child is in danger of harm; provides for the issuance of no contact orders; modifies standards for joint legal custody; and provides for funding of legal representation in family law matters.

Discussion again centered on a few sections of the bill. An amendment to alter the funding for improving access of low income clients to legal representation by increasing fees, rather than by a direct appropriation, was first defeated, then reconsidered and approved. The amendment was offered by Reichgott. An amendment to provide a mechanism for filing a motion for a change of custody when the custodial parent has been convicted of specific crimes generated heated debate. The amendment, offered by Sen. Randolph Peterson (DFL-Wyoming), was adopted. Another section concerning the awarding of temporary attorney's fees also generated discussion. An attempt to delete the section was defeated but an amendment was adopted to provide that the court shall award attorney fees and costs to a party if the party shows that it will be unable to effectively pursue, in good faith, relief in family court without assistance and the opposing party has the ability to pay. The bill was approved and re-referred to the Committee on Finance.

S.F. 1945, the bill increasing cigarette and alcohol taxes to fund drug abuse prevention and education programs, was also approved and re-referred to the Taxes and Tax Laws Committee. The measure, sponsored by Sen. Michael Freeman (DFL-Richfield), also adds alcohol abuse prevention activities to the sphere of activities falling under the purview of the Office of Drug Policy and sets forth the responsibilities and duties of the Drug and Alcohol Abuse Prevention Resource Council. In addition, the measure sets forth the procedures for the awarding of grants and the eligibility requirements for grant recipients.

Committee members also advanced an additional eight measures. S.F. 1905, authored by Spear, clarifies the definition of mentally retarded person in the Minnesota Commitment Act; clarifies the findings needed in a hearing on continued commitment; and increases the time within which commitment appeals must be heard. The measure was sent to the full Senate. S.F. 2478, sponsored by Sen. Linda Berglin (DFL-Mpls.), clarifying medical assistance payment rate procedures and making other changes in the Medical Assistance and General Assistance Medical Care laws, was before the panel because of a data privacy provision. The measure was approved and re-referred to the Health and Human Services Committee.

S.F. 1986, authored by Sen. Richard Cohen (DFL-St. Paul), is a revisor's bill correcting grammar and syntax. S.F. 2072, also carried by Cohen, is another revisor's bill making technical corrections to the statutes. Both measures were approved and sent to the full Senate.

S.F. 1365, authored by Sen. John Marty (DFL-Roseville), requires the attorney general's office in cooperation with the Peace Officers Standards and Training Board, the Minnesota County Attorneys Association and the Dept. of Human Rights to create a course dealing with the prosecution of bias-motivated crimes. The measure also requires a report on the attendance figures for the course. S.F. 2355, also sponsored by Marty, establishes a three-year time limit to bring an action for penalty or forfeiture for violation of environmental statutes. Both measures were advanced to the full Senate.

S.F. 2064, authored by Sen. William Luther (DFL-Brooklyn Park), adopts an article of the Uniform Commercial Code that governs funds transfers. S.F. 1977, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), increases penalties for patrons of prostitutes and provides that when a patron uses a motor vehicle during commission of an offense, that fact will be noted on the person's driving record. Both measures were approved and sent to the floor of the Senate.

Local and Urban Government Metro waste bill approved

Members of the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), met Thurs., Mar. 8, and cleared

their agenda in order to meet the first committee deadline. The panel approved a total of seven measures.

S.F. 2205, authored by Sen. Donald Moe (DFL-St. Paul), extends criminal and civil penalties to pretreatment by industrial users that violate laws, rules or standards issued or adopted by the Metropolitan Waste Control Commission. The bill provides that a violation is subject to a criminal penalty of \$1,000 per day or 90 days in jail, or both. In addition, the bill provides for a civil penalty, payable to the state, of not more than \$1,000 per day. S.F. 2223, also sponsored by Moe, authorizes Ramsey County to issue General Obligation bonds up to \$2 million to finance the restoration of the St. Paul Union Depot. The measure was approved and re-referred to the Committee on Taxes and Tax Laws.

S.F. 2179, sponsored by Sen. John Marty (DFL-Roseville), authorizes the city of St. Paul and Ramsey County in their joint city-county purchasing law to waive performance bonds for contracts requiring labor and material, or labor alone, of less than \$15,000. S.F. 2383, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), authorizes the Upsala City Council to create a boundary commission to review metes and bounds descriptions within the city and to attempt to establish agreement between adjoining landowners as to the location of common boundaries.

S.F. 2119, sponsored by Sen. Mark Piepho (IR-Mankato), authorizes the Blue Earth County Board to provide for the appointment of the offices of county auditor, county recorder and county treasurer or to adopt a resolution to have the duties of those offices performed by department heads or to abolish the offices altogether. The measure also provides for a reverse referendum to give the county voters an opportunity to vote on the abolition or consolidation of the county offices. S.F. 2366, also authored by Piepho, authorizes the city of Mankato to adopt and enforce ordinances and regulations that relate to safeguarding life and property from the hazards of fire and exceed the applicable requirements of the Uniform Building Code.

S.F. 2373, authored by Sen. Nancy Brataas (IR-Rochester), authorizes the Olmsted County Board to combine the offices of county auditor and treasurer into a new position entitled "auditor-treasurer." The measure also contains a reverse referendum on the consolidation. All of the bills acted upon by the committee, with the exception of S.F. 2223, were sent on to the full Senate.

Hennepin jail bonds okayed

S.F. 1807, a bill authorizing Hennepin County to issue bonds for a new jail, was the sole agenda item before the Local and Urban Government Committee at the Mon., Mar. 12, hearing. The measure, sponsored by Sen. Michael Freeman (DFL-Richfield), allows Hennepin County to issue and sell General Obligation bonds of up to \$110 million to finance a public safety building and related facilities. According to Freeman, the overcrowding of the current facility and the increase in arrests because of drug offenses point to an overwhelming need for a new facility. Committee members, chaired by Sen. Robert Schmitz (DFL-Jordan), approved the bill and re-referred the measure to the Committee on Taxes and Tax Laws.

Public Utilities and Energy EAS bills approved

Approval of two extended area service (EAS) bills originally debated by members of the Public Utilities and Energy Committee during a hearing held earlier in the week highlighted the committee's Thurs., Mar. 8, meeting. The panel is chaired by Sen. Ronald Dicklich (DFL-Hibbing).

After continuing their Tues., Mar. 6, discussion of provisions contained in S.F. 1743, sponsored by Sen. Robert Schmitz (DFL-Jordan), and S.F. 1419, authored by Sen. Gene Waldorf (DFL-St. Paul), committee members adopted amendments to each EAS-related bill. An amendment specifying that rates within an existing Metropolitan EAS may not be raised as a result of the addition of a local exchange or wire center until specific conditions are met, offered by Sen. John Marty (DFL-Roseville), was included in S.F. 1743's language. An au-

thor's amendment that prevents EAS from crossing state boundaries, and that decreases the number of phone calls required by customers in petitioning exchanges from three to one per month, was added to S.F. 1419. In addition, an amendment to S.F. 1419 offered by Sen. Don Frank (DFL-Spring Lake Park), that directs the Public Utilities Commission to establish rates that are income neutral and that allow telephone companies to recover toll or access contributions lost as a result of the installation of EAS, was adopted by panel members by a roll call vote of 5-4.

S.F. 1743 and S.F. 1419 are now headed to the Senate floor.

As amended, S.F. 2488, carried by Dicklich, permits telephone companies to provide public schools with classes from kindergarten through 12th grade with flat rate local service and toll call blocking privileges. The measure specifies that the service be made available only to schools that agree to purchase the service for every classroom, library, gymnasium, and other work station used regularly by teachers. In addition, the bill contains a provision that permits participating school districts to levy up to \$5 per actual pupil unit to install and maintain the telephones. S.F. 2488 now goes to the Senate floor.

As amended, S.F. 1600, sponsored by Sen. Donald Storm (IR-Edina), directs the commissioner of administration to apply energy conservation measures to all state-owned and specified state-leased buildings, including all buildings within the postsecondary educational system. The commissioner must also improve state building construction or rehabilitation designs and lease standards so that Btu energy consumption for each gross square foot of the buildings during the fiscal year beginning July 1, 1993, is at least 15 percent less than Btu energy consumption during the fiscal year that began July 1, 1985. The measure also requires that the commissioner submit a report to the Legislature by Jan. 1, 1991, containing a comprehensive plan for promoting energy conservation in state buildings. S.F. 1600 was approved and re-referred to the Finance Committee.

Panel members also approved and sent to the Senate floor a bill that establishes a system of regularly updated data bases for identifying the origin of calls coming in to 911 systems. As amended, the measure requires providers of telephone services to supply public safety answering points with customer names, addresses, and telephone numbers, and to update the information according to a schedule set by county 911 plans. The bill, S.F. 2302, is authored by Sen. LeRoy Stumpff (DFL-Plummer).

Panel okays assessment bill

An abbreviated Public Utilities and Energy Committee meeting was held Thurs., Mar. 15, to approve a measure relating to municipal electric dispute assessments.

As amended, S.F. 2317, sponsored by Chair Ronald Dicklich (DFL-Hibbing), provides that expenses incurred by the Public Utilities Commission and the Dept. of Public Service when adjudicating service area disputes may be proportionately assessed to municipal electric utilities and cooperative electric associations. Assessments are limited to two-fifths of one percent of the gross operating revenue from retail sales of electricity within the state in the last calendar year. Panel members adopted an author's amendment extending the life-span of the Electric Utility Service Area Task Force from June 1, 1989, to Jan. 31, 1992, and directing the department to study issues raised by the task force. Committee members also adopted amendments offered by Sen. John Marty (DFL-Roseville), that direct the Telecommunications Access for Communication-Impaired Persons (TACIP) Board to reestablish and fill the position of program administrator in the unclassified service, and that add a penalty section to the state's telephone and telegraph regulatory statutes. S.F. 2317 now goes to the Senate floor.

Just prior to the committee meeting, panel members heard a presentation of findings from a report compiled by the Electric Utility Service Area Task Force. The report, mandated by the 1989 Legislature and issued last month, concentrates on issues relating to changes in electric utility service area boundaries. A second presentation, detailing general findings from a recently-completed economic impact

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study designed to ascertain the impact of a TACIP distribution program on the retail market, was heard by committee members during their scheduled hearing.

Taxes and Tax Laws

Major bills advance

Members of the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Wed., Mar. 14, and advanced several major bills in the legislative process. The measures, ranging from the omnibus drug bill to the grasshopper control bill, were before the committee because of tax related provisions.

S.F. 1759, the omnibus drug abuse prevention bill authored by Sen. Allan Spear (DFL-Mpls.), contained a section providing for an income tax return checkoff to fund the Drug Abuse Resistance Education (DARE) program. Committee members expressed a general reluctance to funding programs through income tax return checkoffs and subsequently approved an amendment deleting that section from the bill. The measure was approved and re-referred to the Finance Committee.

S.F. 2018, the lawful gambling enforcement bill sponsored by Sen. Marilyn Lantry (DFL-St. Paul), also contains several tax related provisions. An amendment authorizing the Lawful Gambling Control Board to require an organization to have an audit was adopted. A requirement for annual audits had been deleted earlier and the more permissive language was adopted as a compromise. A section limiting the total amount awarded in prizes on a pull-tab or tipboard deal to 77 percent of the ideal gross of the deal was also eliminated. Another amendment, specifying the requirements for the Minnesota gambling stamp, setting the deadline for a deal of pull-tabs or tipboards to be used if received by an organization before Sept. 1, 1989, and requiring that a copy of a written audit be made available to members of an organization was also adopted. The measure was approved and re-referred to the Committee on Finance.

The omnibus grasshopper control bill, sponsored by Sen. Charles Berg (DFL-Chokio), was also approved and re-referred to the Finance Committee. The measure was before the panel because of language authorizing levies however, there was little discussion before action was taken.

Committee members also advanced four additional measures to the full Senate. S.F. 2034, carried by Sen. Steven Novak (DFL-New Brighton), is a relatively technical departmental bill making numerous changes in the property tax laws. H.F. 1989, carried by Sen. Robert Schmitz (DFL-Jordan), authorizes tax exempt license plates for drivers education vehicles at parochial schools. S.F. 1850, authored by Sen. Lawrence Pogenmiller (DFL-Mpls.), establishes a procedure for the allocation of low-income housing tax credits. S.F. 2297, authored by Sen. John Brandl (DFL-Mpls.), requires equal access to food or beverage services or facilities for golf clubs under open space property tax treatment.

Transportation

Panel advances seven bills

The Thurs., Mar. 15, meeting of the Transportation Committee centered on approving a wide variety of transportation-related measures. The committee is chaired by Sen. Clarence Purfeerst (DFL-Faribault).

S.F. 1896, a rural health care access bill sponsored by Sen. Jim Vickerman (DFL-Tracy), was approved and re-referred to the Education Committee. Minnesota Ambulance Association representative O.J. Doyle said that the bill evolved from public meetings conducted throughout rural Minnesota during the past year. Specific transportation-related provisions contained in the measure include clarification of language concerning the exemption of ambulances from excise taxes and license and registration fees, along with the addition of language that establishes investigatory procedures regarding the appropriate use of special transportation services.

Panel members also approved the following measures.

As amended, S.F. 2400, authored by Sen. James Metzen (DFL-South St. Paul), establishes penalties for driving past railroad crossing warning devices and flaggers, provides for instruction in railroad crossing safety at driver improvement clinics, and establishes standards and procedures for closing railroad crossings. Metzen emphasized that the bill's purpose is to improve railroad crossing safety in the state. S.F. 2400 was re-referred to the Judiciary Committee.

As amended, S.F. 2147 exempts fertilizer and agricultural chemical retailers from a transportation commissioner rule that requires drivers of vehicles carrying hazardous materials to be at least 21 years of age. The proposed legislation lowers the minimum age to 18 years for retailers transporting fertilizer or agricultural chemicals directly to a farm for on-farm use within a 50-mile radius of the retailer's business location. Panel members adopted an amendment, offered by Sen. Gary DeCramer (DFL-Ghent), that exempts retailers and their employees from the transportation commissioner's maximum driving hours rules from Apr. 1st to June 1st as long as the transportation activity complies with the 50-mile radius and on-farm use provisions. S.F. 2147, sponsored by Sen. David Frederickson (DFL-Murdock), now goes to the Senate floor.

As amended, H.F. 1927, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), clarifies which driver has the right-of-way in a controlled intersection. Sen. Steven Novak (DFL-New Brighton), offered, and panel members adopted, an amendment that permits towing authorities to tow if a vehicle is unlawfully parked in a zone that is restricted by posted signs for use by taxicabs.

As amended, S.F. 2212, sponsored by Vickerman, provides for electronically produced images on drivers' licenses. Panel members adopted an author's amendment that permits the transportation commissioner to suspend drivers' licenses without a preliminary hearing if a driver fails to report a medical condition that if reported would have resulted in cancellation of driving privileges.

S.F. 2356, as amended, a housekeeping bill for the Dept. of Transportation carried by Vickerman, also gained committee approval. An author's amendment removing language from the bill that would have permitted regional development commissions to receive state financial assistance for public transit programs was adopted by committee members. A second housekeeping measure, S.F. 2084, authored by Sen. LeRoy Stumpf (DFL-Plummer), clarifying existing statutory language concerning the Dept. of Public Safety, also received panel approval.

The latter four bills are headed to the full Senate.

Veterans and Military Affairs

Panel okays board clarification

Members of the Veterans and Military Affairs Committee met Tues., Mar. 13, and advanced one bill to the Committee on Finance. S.F. 2531, authored by Sen. Tracy Beckman (DFL-Bricelyn), authorizes the Veterans Home Board to allow veterans organizations or public or private social service, educational, or rehabilitation agencies or organizations and their clients to use surplus facilities, staff, and other resources of the board and specifies that the board may require the participating agencies or organizations to pay for the use. Currently, the authority rests with the commissioner of veterans affairs and the bill simply clarifies that the board is to have the authority. The committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), referred the measure to Finance because of a provision that transfers responsibility for the Veterans Homes Resources Fund to the board.

Floor Action

Monday, March 12

In addition to the debate on the pay equity measure Mon., Mar. 12, members of the Senate also granted final passage to seven bills on the Calendar. All seven had received preliminary approval Thurs., Mar. 8. S.F. 1794, authored by Sen. James Metzen (DFL-So. St. Paul), redefines the term veteran. S.F. 1789, sponsored by Sen. Jim Vicker-

man (DFL-Tracy), requires licensed health care practitioners who dispense legend drugs for profit to file with the practitioner's licensing board. S.F. 1680, authored by Sen. Dennis Frederickson (IR-New Ulm), provides that absentee ballots are secret ballots in cooperative elections. S.F. 1717, authored by Sen. Gary DeCramer (DFL-Ghent), establishes a task force to coordinate educational opportunity on the border between Minnesota and South Dakota. S.F. 1820, sponsored by Vickerman, permits a county board to assign specific duties. S.F. 1691, authored by Sen. Linda Berglin (DFL-Mpls.), establishes procedures for the placement and removal of children in foster homes. S.F. 2130, authored by Sen. Richard Cohen (DFL-St. Paul), regulates the practices of record keeping of, and disclosures by, public adjusters.

Wednesday, March 14

Senators held a very brief floor session Wed., Mar. 14, in order to receive bills from the other body, to process committee reports and to provide for the re-referral of bills from one committee to another.

Thursday, March 15

The floor session Thurs., Mar. 15, was again devoted primarily to discussion and approval of bills on the General Orders Calendar. In addition, the Senate granted final passage, on a vote of 53-13, to the bill requiring an pay equity implementation report and defining equitable compensation relationships. The measure, which applies to public employees also provides for appeals and for the review of plans.

Much of the afternoon's debate involved S.F. 1675, authored by Sen. Charles Berg (DFL-Chokio), the aquiculture bill. The measure, designed to encourage the "fish farming" industry, removes aquiculture restrictions in private waters if public waters or groundwater is not degraded or public health is not affected; directs the promotion of and commercial licenses to take rough fish from Lake of the Woods, authorizes the Leach Lake Band of Chippewa Indians to conduct aquiculture; and provides restrictions for taking crayfish. An

amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), to delete the section lifting state agency restrictions on private waters was hotly debated. Proponents of the amendment argued that the lifting of agency regulation was an ominous precedent and that future water quality would be endangered. Opponents of the amendment argued that the agencies were preventing the establishment of the aquiculture industry. The amendment was adopted on a 46-19 role call vote. Berg subsequently requested progress, that no further action be taken on the measure for the moment.

A total of nine bills gained preliminary approval. H.F. 2143, sponsored by Sen. Allan Spear (DFL-Mpls.), clarifies the definition of "crime" for purposes of crime victims reparations. S.F. 1752, authored by Sen. James Pehler (DFL-St. Cloud), establishes a standard for the abandonment of rail tracks and clarifies that standard for abandonment of shops, terminals, and stations. In addition, the measure assures that interested parties have access to the hearing process. S.F. 1698, authored by Sen. Linda Berglin (DFL-Mpls.), codifies the existing law restricting, or placing a moratorium on, construction of new hospitals. H.F. 1555, sponsored by Sen. Randolph Peterson (DFL-Wyoming), changes the fees that may be charged by a county recorder.

S.F. 1686, sponsored by Pehler, allows school boards to hold school on Saturdays. S.F. 2048, authored by Sen. Gary Laidig (IR-Stillwater), clarifies the legislative intent concerning corporal punishment in schools. S.F. 1886, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), establishes the Minnesota Forage Task Force. S.F. 1870, authored by Sen. Marilyn Lantry (DFL-St. Paul), increases the per diem rate for racing commissioners, requires licenses for pari-mutuel clerks at county fairs; apportions money for promotion of the breeding and racing industry; allows supervision of administration of specific medications by designated persons; prohibits the acceptance of bets by telephone; and reduces state tax withholding on pari-mutuel winnings. S.F. 1729, authored by Sen. Lyle Mehrkens (IR-Red Wing), requires motorists to activate vehicle lights during inclement weather.

Preview

The Minnesota Senate Week at a Glance

Monday, March 19

Education Committee, Chair: James Pehler

8:30 a.m. Room 15 Capitol

Agenda: Confirmations: Commissioner, MN Dept. of Education, Tom Nelson; Board of the MN Center for Arts Education, Philip Brunelle, Joe Duffy, William Jones, Garland Wright; MN Higher Education Coordinating Board, Marilyn Bryant, Mark Bergmann, Paul Day, Roger Nierengarten, Duane Scribner; MN Higher Education Facilities Authority, Jack Amundson, Carol Blomberg; State Board of Community Colleges, James Collier, Jr., Pierre Mattei; and State Board of Education, Erling Johnson, Alan Zdon.

Finance Division on Health and Human Services, Chair: Don Samuelson

8:30 a.m. Room 125 Capitol

Agenda: Review of the Department of Human Services capital budget pages.

Finance Division on State Departments, Chair: Carl Kroening

9 a.m. Room 123 Capitol

Agenda: Supplemental budget, capital budget and other items.

*The Senate will be in session at 11 a.m.

Tuesday, March 20

Taxes and Tax Laws Committee, Chair: Douglas Johnson

9 a.m. Room 15 Capitol

Agenda: S.F. 1653-Pogemiller: Administrative procedures. S.F. 1807-Freeman: Hennepin County jail. S.F. 1925-Dahl: Wastewater treatment grants. S.F. 2174-Stumpf: Payment in lieu of taxes on federal land. S.F. 2223-Moe, D.M.: St. Paul Union Depot bonding. S.F. 2429-Dicklich: School district bonding. S.F. 2559-Solon: Jail levies. S.F. 2580-Vickerman: Agricultural property class rates. S.F. 2588-Diesner: Washington County truth in taxation.

Finance Division on Education, Chair: Gene Waldorf

10:30 a.m. Room 125 Capitol

Agenda: University of Minnesota budget adjustments bills.

Elections and Ethics Committee, Chair: Jerome Hughes

11 a.m. Room 107 Capitol

Agenda: Confirmation of governor's appointments of Vanne Hayes and Bruce Willis to the State Ethical Practices Board.

*The Senate will be in session at 12 noon.

*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6.

Wednesday, March 21

Finance Division on State Departments, Chair: Carl Kroening
9 a.m. Room 123 Capitol

Agenda: Supplemental budget, capital budget and other items.

Finance Division on Education, Chair: Gene Waldorf

10 a.m. Room 125 Capitol

Agenda: Budget adjustment allocations. Capital budget allocations.

***The Senate will be in session at 12 noon.**

Legislative Water Commission, Chair: Steven Morse

3 p.m. Room 107 Capitol

Agenda: Review recommendations for funding from the Environmental Agriculturist Education Program. Review once through cooling systems legislation. Discussion of wetlands legislation. Update on the Nitrogen Task Force. Review other water related proposals.

Thursday, March 22

Finance Division on State Departments, Chair: Carl Kroening

9 a.m. Room 123 Capitol

Agenda: Supplemental budget, capital budget and other items.

***The Senate will be in session at 12 noon.**

Friday, March 23

Finance Division on State Departments, Chair: Carl Kroening

9 a.m. Room 107 Capitol

Agenda: Supplemental budget, capital budget and other items.

Finance Division on Agriculture, Transportation and Semi-states, /m/Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Allocations.

Finance Division on Education, Chair: Gene Waldorf

10 a.m. Room 125 Capitol

Agenda: Finish allocations.

***The Senate will be in session at 12 noon.**

Editors Note: The Committee on Taxes and Tax Laws will meet during the week of March 19 – 23, but at press time agendas and times were not available.

For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.

Branches of government outlined

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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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 subscription procedures

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P248

Briefly

The Minnesota Senate Week in Review

March 23, 1990

Daily floor sessions begin

With the passing of the second committee deadline Fri., Mar. 16, Senators turned their attention to daily Senate floor sessions and to bills in the Finance and Taxes and Tax Laws Committees. In addition, some policy committees met this week to consider gubernatorial appointments and the Education Finance Division is still working on an omnibus bill.

During the floor sessions, Senators work from several "calendars." The General Orders Calendar, for instance, consists of bills that have had two readings and have been reported out of one or more standing committees. When Senators consider bills on the General Orders Calendar the Senate is acting as one large committee, the Committee of the Whole. Bills on General Orders may be debated and amendments may be offered. If a bill is given preliminary approval on the General Orders Calendar it is placed on the Senate Calendar. Bills on the Senate Calendar are up for final passage and may not be amended unless there is unanimous consent of the body. Just prior to the final vote on a bill on the Calendar, the bill is given its third reading. All votes taken on bills on the Senate Calendar are roll call votes. Bills on the Consent Calendar bypass the General Orders Calendar and are considered for final passage. Consent Calendar bills have been acted upon by one or more standard committees and are considered non-controversial in nature. Each bill on the Consent Calendar is given a third reading just prior to the final roll call vote.

After final passage in the Senate, bills are sent to the other body. Just as bills from the other body may be amended by the Senate, the other body may amend Senate bills. When a Senate bill has been acted upon by the other body and is returned to the Senate, the Senate has two choices: to accept the changes to the bill made by the other body and thus concur and repass the bill; or to refuse to accept the changes and appoint a conference committee. If the Senate grants concurrence and repassage, the bill is sent to the governor for his signature. However, if a conference committee is appointed, the bill is sent to the conference committee for further work. Once the conference committee has completed work on the bill, a conference committee report is sent to each body. Both bodies must then adopt the conference committee report and repass the bill before it is sent to the governor for signature.

Bar hours extension fails

One of the bills discussed on the Special Orders Calendar, Thurs., Mar. 22, generated debate on the hours bars must stop serving liquor. The measure, S.F. 2018, authored by Sen. Sam Solon (DFL-Duluth), contains numerous provisions relating to liquor sales. One provision, granting municipalities the authority to extend bar hours from 1 a.m. to 1:30 a.m., proved the focal point for debate. An amendment, offered by Sen. Allan Spear, authorizing municipalities to allow individual establishments to extend serving hours, failed on a close 30-33 roll call vote. A subsequent amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), deleted the provision from the bill with the result that the law mandating a 1 a.m. closing would remain in effect. The amendment was adopted on a 50-12 roll call vote. The bill, which also contains provisions that allow the sale of liqueur-filled candies at liquor stores; that authorize municipalities to issue on-sale wine licenses to bed and breakfast facilities; that authorize the re-

moval of partially consumed wine bottles from licensed premises; and that authorize the issuance of several licenses, was then granted final passage.

Bennett speaks on drug issues

National drug czar William Bennett addressed a joint session of the House and Senate Wed., Mar. 21. Bennett spoke for almost an hour, and urged the Legislature to increase penalties for possession of large quantities of marijuana. "Marijuana is not benign. Marijuana today is much more potent than several years ago," said Bennett.

He urged legislators to look at law changes in the areas of user accountability, preventative social services, and drug free workplaces. He also stressed the need for laws to motivate users to enter and complete treatment programs. "Sometimes legal sanctions must be imposed to spur people to get help," he said.

Bennett applauded the Legislature for its effort in the war against drugs. "Minnesota excels in a number of areas, such as sentencing, money laundering, and certainty of punishment. I urge the Legislature to keep up the good work, because many of the things you have done are exemplary," said Bennett.

Emergency appropriation approved

The Senate Finance Committee, meeting Wed., Mar. 21, approved a \$1.954 million emergency appropriation to replace the college center building at Inver Hills Community College. The building received significant damage due to a fire on February 28, 1990. Sen. James Metzen (DFL-South St. Paul), author of S.F. 2371, explained that state law prohibits agencies from carrying insurance for fire or other catastrophes, and thus an emergency appropriation is the only remedy available for prompt re-building of the structure. The approximate break down of the appropriation is \$300,000 for clean-up, \$1.4 million for reconstruction, and \$250,000 for Fire Code compliance. The committee approved a motion to adopt the language of a similar bill passed in the House before advancing the measure to the floor. The measure was given final passage on the Special Orders Calendar at the Thurs., Mar. 22, floor session.

The committee also approved a bill authorizing the appropriation of federal funds to establish an air traffic control training program at Flying Cloud Airport in Eden Prairie, through the Minneapolis Technical College. The program outlined in H.F. 2059, carried by Sen. Carl Kroening (DFL-Mpls.), would be the first of its kind, as previously air traffic controllers were trained exclusively at federally-owned and operated facilities. The federal funds cover the entire cost of the project.

Two additional bills were advanced to the floor. S.F. 1994, authored by committee Chair Sen. Gene Merriam (DFL-Coon Rapids), clarifies that it is not the policy of the Legislature to appropriate money from the general fund to pay for revenue bonds. Merriam stated that his legislation addresses the perception among certain bond-holders that the state has a "moral obligation" to pay for the bonds. S.F. 1725, authored by Sen. Steven Novak (DFL-New Brighton), relates to the Petroleum Tank Release Fund, changing the fund balances required to impose a clean-up fee, and raising the cap on eligible costs for clean-up from \$250,000 to \$1 million.

Committee Capsule

Agriculture and Rural Development

Ag products measures gain

The Agriculture and Rural Development Committee met twice on Fri., Mar. 16, to discuss, amend, and approve eight bills prior to the Senate's midnight deadline prohibiting further action on measures that fail to gain policy committee approval during this legislative session. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

As amended, S.F. 1982, carried over from the committee's Mon., Mar. 12, meeting, designates Kittson County as a restricted seed potato growing area. The bill also directs the Dept. of Agriculture's Certified Seed Division to study the effect of diseases on seed potatoes in the historic seed area of Marshall County, including the effect of diseases from commercial potatoes. The measure further stipulates that a report detailing the study's results, prepared by the agriculture commissioner, must be submitted to the Legislature by Dec. 15, 1991. S.F. 1982, authored by Sen. LeRoy Stumpf (DFL-Plummer), is now headed to the full Senate.

Panel members also approved S.F. 2468, a bill carried over from the committee's Wed., Mar. 14, meeting pertaining to artificial cheese. As amended, the bill, sponsored by Sen. Jim Vickerman (DFL-Tracy), requires restaurants, with \$500,000 or more in gross sales whose principal business is serving or selling foods for consumption on the premises that contain artificial cheese, to post signs or affix menu notices stating that fact. Sen. Steven Morse (DFL-Dakota), offered, and the committee adopted, an amendment broadening the scope of the disclosure to include all artificial dairy products. Committee members also adopted an amendment offered by Davis specifying that individuals who offer and charge for an artificial dairy product, or that serve an artificial dairy product with food or drink for which there is a charge, must provide the real dairy product on request. The bill now goes to the Senate floor.

In addition to the two previous measures, panel members also amended and approved the following six bills.

As amended, S.F. 2527, authored by Davis, establishes an agricultural liming material law to regulate the state's liming materials industry. Minnesota Limestone Producers representative Mike McCormick said that the bill, if enacted, will implement a standards and methods system that will help to guarantee the quality of liming materials. The measure also contains a \$60,000 general fund appropriation to administer and enforce the provisions until June 30, 1991. Davis said that the regulatory fees collected by the bill will be sufficient to meet administration and enforcement costs beyond that date. S.F. 2527 was re-referred to the Finance Committee.

As amended, S.F. 1779, also carried by Davis, contains numerous recommendations made by the legislatively-mandated Agricultural Contracts Task Force. The bill requires mediation or arbitration for agricultural commodity contract disputes; outlines parent company responsibilities for subsidiary contracts; requires the recapture of capital investment by an agricultural contract; requires an implied promise of good faith in all agricultural contracts; creates an agriculture ombudsman position within the Dept. of Agriculture to provide information, investigate complaints, and provide or facilitate dispute resolutions; specifies agricultural input prepayment procedures; permits agricultural producer's liens for specific agricultural commodity producers; extends funding for a forage and turf seed specialist position located at the University's Crookston campus; and permits the agriculture commissioner to adopt the necessary rules to implement the bill's provisions, including the prohibition of specific trade practices. S.F. 1779 was re-referred to the Finance Committee.

As amended, S.F. 2126, sponsored by Morse, makes technical corrections to the 1989 Groundwater Protection Act. In addition, the bill contains provisions that terminate once-through cooling system water use permits using in excess of five million gallons annually by the end of their design life but not later than Dec. 31, 2010, that require existing once-through systems to convert to water efficient

alternatives within the design life of existing equipment, and that restrict the issuance of new water use permits that will appropriate water from the Mt. Simon-Hinckley aquifer unless specific circumstances are met. Panel members adopted author's amendments modifying bulk pesticide storage facility permit procedures and revising well contractor license issuance policies. The bill was re-referred to the Finance Committee.

As amended, S.F. 2037, also authored by Morse, makes technical corrections and clarifies language to Minnesota's Wholesale Produce Act. Provisions that require wholesale produce dealers operating as brokers to issue written documents containing the price, delivery date, quality, and other transaction details to both the buyer and seller, that revise produce payment procedures, and that establish a wholesale produce dealers' trust to satisfy outstanding obligations to unpaid sellers are also contained in the measure. The bill now goes to the Senate floor.

As amended, S.F. 2345, carried by Sen. Joe Bertram, Sr., (DFL-Paynesville), provides for a comprehensive farm safety audit pilot project. The measure directs the Minnesota Extension Service to coordinate and carry out the pilot project in cooperation with selected farm mutual insurance companies. Bertram said that the project's ultimate goal is to lower insurance rates for "safe" farmers, adding that approximately 600 farm audits will be examined during the project's two-year life-span. The bill was re-referred to the Finance Committee.

As amended, S.F. 2477, also sponsored by Bertram, prohibits the sale of light butter that fails to meet specific requirements, and provides definitions for reduced fat cheese, light cheese, frozen yogurt, frozen low-fat yogurt, frozen nonfat yogurt, reduced-fat ice cream, low-fat ice cream, and nonfat ice cream. Due to time constraints caused by the committee's midnight deadline, Morse attempted to offer an amendment restricting the use of biosynthetic bovine somatotropin (bST) for three years, and authorizing the use of bST by licensed veterinarians for three years under specific conditions. Panel members did not consider the bST amendment because Acting Committee Chair Sen. Gary DeCramer (DFL-Ghent), ruled that the amendment was not germane to provisions contained in Bertram's light butter bill. S.F. 2477 is now headed to the full Senate.

Commerce

Seven bills advanced

The Commerce Committee advanced seven bills at its Fri., Mar. 16, meeting. The committee is chaired by Sen. Sam Solon (DFL-Duluth).

As amended, S.F. 2493, authored by Sen. Gene Merriam (DFL-Coon Rapids), exempts vehicles used to transport children as part of family and group family day care from the provision that, if the driver or other occupants are injured in an accident while the vehicle is being used to transport people or property, the security for payment of basic economic loss benefits is the security covering the vehicle. In addition, the bill provides that no plan of reparation security may exclude coverage for a vehicle when used to transport children as part of a family and group family day care program.

Also amended and approved was S.F. 2566, sponsored by Solon. The bill deletes the word "medically" from the phrase "medically prescribed long-term care." According to testimony, the change means that insurance companies will be able to use an assessment of activities of daily living or cognitive abilities as a trigger for benefits under long-term care policies. In addition, the legislation allows that a registered nurse or a licensed social worker may provide a plan of care. The bill also prohibits a long-term care policy from being offered or delivered until the insured has given the insurer a written designation of one additional person to receive a policy cancellation notice due to premium nonpayment; and requires that a notice of cancellation be sent to the insured and that person at least 30 days before the cancellation of a long-term care policy for premium nonpayment. Testifiers explained that this was because forgetting to pay premiums could be one of the first signs of Alzheimer's disease.

In other action, Senators amended and approved S.F. 2498, increasing the minimum amount of bond or liability insurance coverage that an abstractor must carry from \$20,000 to \$100,000; in a county with more than 200,000 inhabitants, the amount is raised from \$50,000 to \$250,000. Senators adopted an amendment providing for abstractors to go into an inactive status. Sen. Carol Flynn (DFL-Mpls.) offered an amendment relating to asbestos abatement contractors licensing; however, the amendment was withdrawn. S.F. 2498 is authored by Sen. Robert Schmitz (DFL-Jordan).

In addition, Senators approved S.F. 2253, authored by Sen. Mark Piepho (IR-Mankato), making technical and clarifying changes in the automobile lemon law; S.F. 2391, authored by Sen. John Marty (DFL-Roseville), prohibiting a contract from providing the exclusive right to display free newspapers for distribution in a place of public accommodation; and S.F. 2514, carried by Sen. Michael Freeman (DFL-Richfield), clarifying the law prohibiting insurers from maintaining subrogation actions against insured persons. Senators also amended and approved S.F. 2571, sponsored by Sen. Richard Cohen (DFL-St. Paul), regarding exceptions to the licensing requirements for real estate brokers.

Senators also amended and discussed S.F. 2165, authored by Sen. William Luther (DFL-Brooklyn Park), providing for independent examinations by doctors of chiropractic; however, Senators then approved a motion, offered by Sen. Cal Larson (IR-Fergus Falls), to lay the bill over for interim study.

All of the approved bills were sent to the floor.

Economic Development and Housing

Committee okays development bills

Bills relating to a financial assistance organization, two economic development programs, along with the expansion of officer titles for port authorities were approved Thurs., Mar. 15, by members of the Economic Development and Housing Committee. The committee is chaired by Sen. Don Frank (DFL-Spring Lake Park).

Panel members approved and sent to the Senate floor a bill modifying the Minnesota Project Outreach Corporation's board membership makeup and duties. As amended, S.F. 2360, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), also requires lenders, under the Capital Access Program, to notify the commissioner of trade and economic development of borrower delinquencies within 60 days of the initiation of the delinquent actions. The measure directs the commissioner to inform the delinquent borrower of technical assistance providers located within the borrower's area that can assist the borrower with business or management problems.

H.F. 1924, authored by Sen. Richard Cohen (DFL-St. Paul), revises the rural and urban homestead program by increasing the maximum size of a designated home ownership area from four blocks to 16 contiguous blocks. H.F. 2149, also carried by Cohen, provides that a port authority may elect a president or chair, along with a vice-president or vice-chair. Both bills are now headed to the full Senate.

Committee members also approved a measure that authorizes the towns of Bradbury, Dailey, East Side, Isle Harbor, Kathio, Lewis, Mudgett, Onamia, and South Harbor, located in Mille Lacs County, and the town of Haybrook, located in Kanabec County, to appropriate \$10,000 annually to an incorporated development corporation for the purpose of promoting, advertising, improving, or developing the economic and agricultural resources of each respective town. The bill, H.F. 1893, sponsored by Sen. Charles Davis (DFL-Princeton), now goes to the Senate floor where it will be placed on the Consent Calendar.

Education

Committee advances six bills

The Education Committee met in the morning Fri., Mar. 16, re-

cessed, and continued the meeting later that afternoon. Six bills were approved.

Much of the discussion focused on the education portions of S.F. 1896, the Rural Health Care Bill, authored by Sen. Jim Vickerman (DFL-Tracy). The bill provides that the Higher Education Coordinating Board (HECB) shall provide a dollar for dollar match of nonstate grants or gifts contributed to a fund according to the recommendations of a Nursing Advisory Task Force. The fund is for licensed practical nurse or registered nurse scholarships for students who agree to practice outside a metropolitan statistical area. The bill also creates a Rural Physician Education Fund to be used to establish a loan forgiveness program for medical students agreeing to practice in designated rural areas. The bill also establishes a nursing grant program.

Senators adopted an amendment, offered by Sen. Gen Olson (IR-Minnetrista), regarding eligibility for nursing scholarships awarded under the matching program. The bill was approved.

Senators amended and approved S.F. 2318, authored by Sen. Linda Berglin (DFL-Mpls.), regarding rules governing the use of aversive and deprivation procedures by school district employees providing instruction to handicapped pupils. Originally, the bill enumerated various specific prohibited actions, such as use of a noxious smell, taste, substance, or spray, as an aversive stimulus. However, the committee approved an amendment, offered by Sen. Randolph Peterson (DFL-Wyoming), deleting the list of prohibited actions. As amended, the bill requires that the rules adopted by the State Board of Education governing the procedures include a list of prohibited procedures.

Also approved was S.F. 1910, authored by Committee Chair Sen. James Pehler (DFL-St. Cloud). The bill increases the membership of the Minnesota Academic Excellence Foundation from 15 to 20 members and clarifies the ability of the board to accept in-kind contributions for matching purposes. The committee adopted an author's amendment making the bill effective the day following final enactment.

S.F. 394, carried by Sen. Ronald Dicklich (DFL-Hibbing), was also amended and advanced. Senators adopted an author's proposal to delete the "legislative intent" section of the bill. In its final form, the bill requires that each postsecondary governing board examine programs that provide education for its administrators and faculty in order to improve their administrative, teaching and advising skills; the boards must report back to the Legislature by Jan. 15, 1991.

Also amended and approved were S.F. 2332 and S.F. 1971, authored by Sen. Tracy Beckman (DFL-Bricelyn) and Sen. Howard Knutson (IR-Burnsville), respectively. S.F. 2332 establishes the Minnesota Education in Agriculture Council. Members adopted an amendment stating that board members shall not receive compensation or expenses. S.F. 1971 establishes the third week in March as Automobile Safety Awareness Week.

Senators discussed and rejected S.F. 1791, carried by Sen. Sam Solon (DFL-Duluth), establishing Students' Day.

S.F. 1896 was re-referred to the Committee on Taxes and Tax Laws. All other bills were sent to the floor.

Appointments confirmed

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), recommended a number of appointments for confirmation Mon., Mar. 19.

Recommended for confirmation to the Board of the Minnesota Center for Arts Education were: Philip Brunelle, Joe Duffy, Dr. William Jones, and Garland Wright. Recommended for confirmation to the Higher Education Coordinating Board were: Marilyn Bryant, Mark Bergmann, Paul Day, Roger Nierengarten, and Duane Scribner. Recommended for confirmation to the Higher Education Facilities Authority were: Jack Amundson and Carol Blomberg. Recommended for confirmation to the Minnesota Board of Community Colleges were: James Collier, Jr., and Pierre Mattei. Recommended for confirmation to the State Board of Education were: Dr. Erling Johnson and Alan Zdon. Tom Nelson was recommended for confirmation as commissioner of the Dept. of Education.

Committee Capsule

Education Funding

Three bills discussed

The Education Funding Division of the Education Committee met Thurs., Mar. 15, and discussed S.F. 2009, S.F. 2420, and S.F. 2413.

S.F. 2009, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), gives intermediate districts health and safety aid and levying power. Senators adopted a technical amendment to the bill but took no further action. S.F. 2420, authored by Sen. David Frederickson (DFL-Murdock), appropriates money to the commissioner of state planning for a grant to the Way to Grow/School Readiness Program. No action was taken on the bill.

In addition, Sen. Steven Morse (DFL-Dakota), presented some information regarding math and science education trends and problems. S.F. 2413, carried by Morse, establishes a planning committee for the Minnesota World Math and Science School. Morse proposed the campus of the former College of St. Teresa, in Winona, as the site for the school. In addition, a number of people from Winona spoke about a report on a proposed Minnesota Academy of Science, Mathematics and International Studies in Winona.

Bills discussed and amended

Senators discussed and amended a number of bills at the Tues., Mar. 20, meeting of the Education Funding Division of the Education Committee. Final action on the bills was delayed in anticipation of adding them to an omnibus bill.

S.F. 2581, sponsored by division Chair Sen. Randolph Peterson (DFL-Wyoming), allows the commissioner of education to approve up to 10 proposals by districts to explore alternative programs to special education and other compensatory programs. The point of the alternative programs would be to provide prevention services for students who would probably be identified as needing special education. The bill also outlines the requirements for the proposals and the revenue available. Senators adopted a number of minor clarifying amendments.

Senators also adopted a number of minor amendments answering concerns previously expressed about S.F. 2442, authored by Sen. James Pehler (DFL-St. Cloud). The bill provides an alternative means of acquiring a teaching license. The measure lays out the requirements a candidate must meet to participate in the alternative preparation program, including: the candidate must have a bachelor's degree; the candidate must have been offered a job to teach in a school district, group of districts, or an education district approved to offer the alternative program; and the candidate must have a college major in the subject area to be taught or five years experience in a field related to the subject area to be taught. Included in the legislation are specific requirements of the preparation program and grants for minorities wishing to pursue alternative licensure.

In addition, Senators discussed S.F. 2388, also sponsored by Pehler, the Minnesota in the World and the World in Minnesota Act. The bill appropriates money to the Dept. of Education to award grants to education districts, school districts, or Educational Cooperative Service Units (ECSUs) for the cost of a sabbatical leave given to a teacher to participate in a teacher exchange program to another country. The grants may not exceed \$10,000 or be greater than 50 percent of the cost of the leave. Grants may also be issued to help defray the costs associated with hosting teachers from other countries.

Senators also discussed and amended S.F. 2254, sponsored by Sen. Jerome Hughes (DFL-Maplewood), greatly expanding the powers of education districts. Under the legislation, education districts would be allowed to obtain revenue under specified sections for general education, community education and early childhood family education. To obtain the revenue, the provision must be in the education district agreement and adopted by a majority of each of the full membership of each of the boards of the member school districts. The bill also contains provisions regarding transferring the member districts' levy authority to the education district.

A number of Senators expressed the feeling that the bill had far-reaching affects and would require a great deal of thought.

Senators select omnibus bill

Members of the Education Funding Division of the Education Committee began to amend bills onto S.F. 2570, the division's omnibus bill, Thurs., Mar. 22. S.F. 2570 is authored by division Chair Sen. Randolph Peterson (DFL-Wyoming.)

The original S.F. 2570 eliminated the performance bond requirements for the purchase of finished tangible goods by school districts. Under the bill, the board may require the bonds at their discretion. According to Tom Deans from the School Board Association, the bonds add to the cost of items.

Senators amended and adopted an amendment, offered by Sen. Steven Morse (DFL-Dakota), to S.F. 2570. The Morse amendment, which grew out of a concept originally offered in S.F. 2413, expands the membership of a gubernatorial task force on mathematics, science, technology, and international education. The amendment lays out the duties of the task force, including the study of the feasibility of a resource and education center for mathematics, science, technology, and international education, in Minnesota, and requires that the task force report back to the Legislature. Senators defeated a motion, offered by Sen. Gen Olson (IR-Minnetrista), to delete a provision of the amendment making available a \$200,000 grant to preserve and maintain buildings on the campus of the former College of St. Teresa in Winona that are donated to the state. There has been discussion of using the facilities for a school for math, science, and international education.

Senators also added the contents of S.F. 2442, sponsored by Pehler, and S.F. 2581, sponsored by Peterson, to S.F. 2570. Both bills had been discussed at the Tues., Mar. 20, meeting. S.F. 2442 providing an alternative means to receive a teaching license, was slightly amended to transfer an appropriation for fellowship grants from the Board of Teaching to the Higher Education Coordinating Board (HECB). S.F. 2581 allows the commissioner of education to approve proposals by districts to explore alternative programs to special education and other compensatory programs.

Senators also amended S.F. 2009, authored by Sen. Fritz Knaak (IR-White Bear Lake), and added its language to S.F. 2570. The bill gives intermediate school districts health and safety aid and levying authority. The amendment clarifies that the revenue may not be used for a building or property used primarily for postsecondary instruction or administration, or for purposes unrelated to elementary and secondary education.

In addition, the division amended the contents of S.F. 2600, sponsored by Peterson, on to S.F. 2570. S.F. 2600 is meant to allow the North Branch School District, the Center in Cambridge, and Intermediate District No. 916 to cooperate to meet the needs of all three, Peterson said. The only clearly new authority granted in the measure is to allow transportation aid for transportation between the facilities, Peterson said.

S.F. 2420, sponsored by Sen. David Frederickson (DFL-Murdock), was also added to the omnibus bill. As amended, he measure provides \$150,000 for up to three grants for the Way to Grow/School Readiness Program for applicants from outside of the Metropolitan Area.

Also amended to S.F. 2570 was a provision authorizing a \$30,000 grant for a leadership program in Independent School District No. 695, Chisholm; and a provision requiring members or the executive director of the Higher Education Facilities Authority and members of the board of directors or president of the Minnesota World Trade Center Corporation to submit statements of economic interest.

Elections and Ethics

Appointments confirmed

The Senate Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), met Tues., Mar. 20, and confirmed the appointments of Vanne Hayes and Bruce Willis to the State Ethical Practices Board.

Environment and Natural Resources

Waste management bill approved

The Environment and Natural Resources Committee met Fri., Mar. 16, and approved S.F. 1996, making technical changes to the Waste Management Act. The committee is chaired by Sen. Bob Lessard (DFL-Int'l. Falls). The bill, authored by Sen. Gene Merriam (DFL-Coon Rapids), was amended several times by committee members.

The committee approved an amendment requiring that buffer areas around solid waste disposal facilities must protect the surrounding land from adverse or incompatible impacts due to landfill operations and related activities. Another amendment, offered by Sen. Steven Morse (DFL-Dakota), provides that newspaper distributors must pay a fee of five cents per pound on glossy and highly calendered stock distributed in the state. The amendment was approved, and the bill was re-referred to the Finance Committee.

S.F. 2408, authored by Sen. Gregory Dahl (DFL-Ham Lake), authorizes the commissioner of natural resources to designate persons employed outside the Division of Parks and Recreation to sell state park permits. Under the bill, any proceeds collected from the sale of permits must be returned to the commissioner by the end of the calendar year, and the agent selling the permits may keep up to four percent of the price of the permit. The bill was approved and sent to the Senate floor.

S.F. 1473, authored by Dahl, was approved and re-referred to the Finance Committee. The bill requires the commissioner of natural resources to report to the Legislature on carbon dioxide emissions. The report must identify carbon dioxide emission sources, evaluate potential methods of offsetting emissions, evaluate the feasibility of a tree planting plan for carbon dioxide absorption, and suggest a fee structure on sources of carbon dioxide emissions.

A bill regulating the disposal of low-level radioactive waste disposal was also heard by committee members. S.F. 2195, authored by Morse, requires that no low-level radioactive waste may be treated, recycled, stored, or disposed of except in a facility that is specifically licensed for these purposes regardless of whether or not the waste has been reclassified as "below regulatory concern" by the U.S. Nuclear Regulatory Commission. The bill also creates an advisory task force to study radioactive waste deregulation. The committee approved the bill and sent it to the Senate floor.

Another Morse bill, S.F. 2396, sets up a mechanism for the Pollution Control Agency (PCA) to dispose of tax forfeited land acquired for cleanup reasons. The bill provides for the transfer of ownership of buildings and equipment on the property to the commissioner of administration, a state agency, or a political subdivision. The committee approved the bill and sent it to the Senate floor.

S.F. 2347, authored by Sen. Sam Solon (DFL-Duluth), grants legislative approval for the state's membership in the Great Lakes Protection Fund. The purpose of the fund is to advance the principles, goals, and objectives of the Great Lakes Toxic Substances Control Agreement executed by the governors of the eight Great Lakes states in 1986. The bill was approved and re-referred to the Finance Committee.

S.F. 1706, authored by Sen. Charles Berg (DFL-Chokio), allows the commissioner of natural resources to enter into cooperative farming agreements with farmers near any public hunting, game refuge, or wildlife management area lands for the purpose of establishing or maintaining wildlife food or cover for habitat purposes. The bill also creates "Take a Kid Hunting Weekend," allowing anyone over 18 years to hunt small game without a license during one Saturday and Sunday if accompanied by a child under 16 years. Members approved the bill and sent it to the Senate floor.

S.F. 2230, authored by Berg, regulates pheasant release, license fees, and license requirements for private and commercial shooting preserves. The bill was amended into S.F. 1706.

Committee members also approved S.F. 2173, authored by Lessard. The bill creates the Minnesota Toxic Pollution Prevention Act, and

establishes guidelines for its implementation. Under the bill's provisions, a pollution prevention assistance program is set up for persons who use, generate, or release toxic pollutants. In addition, the director of the Office of Waste Management may award grants to eligible recipients to aid pollution prevention efforts. The bill was re-referred to the Committee on Finance.

Finance

Department budgets discussed

The Thurs., Mar. 15, meeting of the Finance Division on State Departments was devoted to hearing brief budget presentations by the Dept. of Gaming and the Dept. of Revenue. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

Dept. of Gaming Commissioner Tony Bouza told panel members that his department has scaled-back its original budget request of 112.5 new positions for FY91 to 59 new positions. He noted that under the revised budget proposal, the much-needed increased complement will consist of 30 positions within the Dept. of Gaming, 13 positions within the Dept. of Revenue, 15 positions within the Dept. of Public Safety, and 1 position within the Attorney General's Office. Bouza emphasized that the creation of the lawful gambling auditing, inspecting, and enforcement positions, at a cost of approximately \$3.6 million for FY91, is essential to regulate the state's growing \$1.2 billion lawful gambling industry.

Revenue Commissioner John James also briefly appeared before the division. He echoed Bouza's earlier comments concerning the need for increased enforcement of lawful gambling activities in Minnesota, and informed panel members that the proposed 13-position increase in the Dept. of Revenue's complement for FY91 will be used to promote greater tax compliance by lawful gambling organizations. The cost for the new positions is projected at \$621,000 for FY91. He also said that the supplemental budget proposal includes a request for 12 new positions within the department to carry out the FY91 provisions of the Omnibus Tax Bill passed by the 1989 Legislature, with \$875,000 needed to fund the new positions. He added that the Revenue Dept. has developed a list of recommended budget cuts amounting to \$511,000. However, implementing some of the proposed reductions will require statutory changes, James concluded.

Panel examines DNR budget

Budget presentations continued during the Finance Division on State Department's Mon., Mar. 19, meeting. Division Chair Carl Kroening (DFL-Mpls.), along with other panel members, heard the Dept. of Natural Resources' (DNR) latest budget cutting proposal.

DNR Deputy Commissioner Steven Thorne told panel members that the department's proposal contains approximately \$4 million in spending reductions for FY91. He said that of that figure, \$2 million is attributable to actual expenditure reductions, while the remaining \$2 million involves revenue increases achieved by raising water permit fees. Thorne said that the DNR is seeking supplemental budget increases totalling \$280,000 for FY90 and FY91 to fund grasshopper control efforts, \$117,000 for FY90 to finance an Environmental Impact Statement for a proposed taconite mine, \$250,000 for FY91 to support snowmobile trail activities, and \$100,000 in FY90 to initiate publicity for the Corporate Endangered Resources Checkoff program.

Thorne said that the following activities are targeted for budget cuts under the proposal. The recommendations include a \$300,000 reduction for FY91 for the Parks and Recreation Division's maintenance and operations efforts; a \$200,000 cut for FY91 for the Forestry Division's Paper Science and Engineering Grant program; a \$300,000 funding decrease for FY91 for mineral diversification research projects; a \$200,000 reduction for FY91 for the Shoreland Management Grant program; a \$300,000 cut for FY91 for administrative costs associated with the 1989 Groundwater Protection Act; a funding decrease totalling \$100,000 for FY90 and FY91 for a grant to develop wild rice value-added projects; a \$100,000 reduction for FY91 for beaver dam control efforts; along with an \$810,000 cut for

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FY91 for the County Forest Management Grants program. Thorne added that the proposal contains recommendations to raise \$58,000 in FY91 by increasing lease and license fees for state land and public waters utility crossings, and to generate an additional \$2.4 million in revenues per year by increasing water appropriation permit fees.

Anti-drug budget detailed

The Wed., Mar. 21, meeting of the Finance Division on State Departments centered on the supplemental budget requests of the Office of Drug Policy and the Supreme Court.

Jan Smaby, director, Office of Drug Policy, informed division members that the governor's supplemental budget request includes a provision for \$18.6 million in additional funding to establish a coordinated drug and alcohol abuse program for Minnesota. Of that figure, approximately \$10 million will be used to cover an anticipated deficit in the Chemical Dependency Consolidated Fund, with the remaining \$8.6 million targeted to enhance a wide variety of existing programs. She explained that the state has successfully applied for, and is slated to receive, three separate pools of federal funding for anti-drug efforts. The three pools include \$6.8 million to be used primarily for the criminal justice system, \$13 million for chemically-dependent treatment purposes, and \$6 million to support the Drug Free School and Community Prevention Educational Program. Smaby added that over \$4 million from the latter program will be distributed directly to Minnesota's school districts.

Minnesota Supreme Court Chief Justice Peter Popovich also appeared before the panel. He said that the Supreme Court is seeking a supplemental appropriation of \$750,000 to offset an unexpected budgetary deficiency in a legislatively-mandated pilot program. The pilot project, created by the 1989 Legislature to identify issues connected with transferring the financing of trial court system costs from counties to the state, targets the 8th District. Popovich explained that due to the fact the pilot project was passed during the final hours of the 1989 Legislature, the affected 13 counties had insufficient time to accurately calculate all costs associated with the transfer and to inform legislators of their funding needs. Consequently the pilot project was underfunded by the \$750,000 figure, he concluded.

Due to time constraints, Division Chair Carl Kroening (DFL-Mpls.), announced that the Chief Justice would be invited to return at a later date to address several additional budget requests.

Agencies present proposals

Representatives from the Attorney General's Office, the Pollution Control Agency (PCA), the Office of Waste Management (OWM), the Dept. of Administration, the Minnesota Zoo, the State Retirement System, and the Dept. of Labor and Industry made brief supplemental budget request presentations during the Thurs., Mar. 22, meeting of the Finance Division on State Departments. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

Joe Reed, office administrator, Attorney General's Office, told panel members that the agency's proposal includes recommendations to restore funding cuts made last year by the Legislature in the office's anti-trust enforcement division. The restoration involves four positions at a cost of \$135,000 for both FY90 and FY91. He added that a funding request of \$45,000 for FY91 is also being sought by the agency to establish one additional position to provide legal support for lawful gambling regulation and enforcement activities.

PCA Deputy Commissioner Barbara Sims said the agency is seeking appropriations totalling \$875,000 during both FY90 and FY91 to cover costs associated with preparing Environmental Impact Statements for four new or expanding manufacturing facilities in Minnesota. The agency is also requesting a FY91 appropriation of \$80,000 to create two positions within the PCA's Site Response Property Transfer program, along with a \$70,000 appropriation for FY91 to add a position to the PCA's Resource Recovery Facilities Operator Training and Certification program. Sims noted that the agency supports the governor's recommendation to cut \$1 million from the

state's FY91 Super Fund budget due to higher-than-anticipated receipts from penalties assessed during FY90, and to reduce the agency's comprehensive recycling program (SCORE) appropriations by \$459,000 in FY91 by scaling back a proposed study and by slowing down the implementation of parts of the Household Hazardous Waste program.

OWM Director Michael Robertson said that his office's proposal includes a recommendation to reappropriate \$2.5 million from the SCORE Fund to enhance the OWM's operating budget, to create seven new positions within the Solid Waste Capital Assistance program, and to pay bonding-related debt service. He added that the OWM has targeted \$200,000 worth of salary reductions during FY90 in an effort to trim overall budget costs.

Dept. of Administration Deputy Commissioner Jeff Zlonis informed division members that the governor's supplemental budget request recommends appropriations of \$400,000 for FY91 to support the development of the Statewide Telecommunications Access and Routing System, \$133,000 for FY91 to cover legal fees associated with asbestos litigation started in 1984, and \$31,000 for FY91 to provide administrative support to the Governor's Committee on Youth Community Services. Zlonis said that the agency supports the proposal's recommendation to save \$28,000 in FY91 by reducing the scope of a study slated to be conducted under the SCORE program.

Minnesota Zoo Director Kathryn Roberts said the zoo is seeking a supplemental appropriation of \$194,000 in FY91 to meet increased staffing and operating costs for the Coral Reef/Shark Exhibit scheduled to open in FY91. She said that the zoo is also requesting an additional state appropriation of \$130,000 for FY90 to finance 50 percent of the costs associated with bringing the Dinosaurs Alive Exhibit to the facility from July 27 to Oct. 3, 1990. Roberts noted that the remaining \$130,000 will be paid through zoo revenue sources.

Paul Groschen, executive director, Minnesota State Retirement System, told panel members that the governor's proposal to reduce employer contribution rates for the Correctional Employees Pension Plan and the General Pension Plan should not be adopted. He said that while implementing the recommendation will generate an additional \$3 million in state revenues during FY91, the proposed contribution rate might prove insufficient to guard against future fund shortfalls caused by economic downturns or statistical errors. Instead, an employer contribution rate "cushion" of at least .3 percent should be maintained, Groschen concluded.

David Abrams, deputy commissioner, Dept. of Labor and Industry, briefly addressed the division to inform members that the department is seeking legislative authority to charge student registration and graduation fees for its Apprenticeship program. He estimated that by implementing a user fee of \$60, a total of \$71,000 can be raised during FY91.

Psychiatric facilities renovation studied

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met Mon., Mar. 19, to review a funding request by the Dept. of Human Services for significant renovation of the Anoka, Moose Lake, and Fergus Falls Regional Treatment Centers.

Department officials testified that the three treatment centers are all over 50 years old, and were not designed for the kind of active, programmatic treatment prevalent today in mental health care. Each requires extensive mechanical and structural renovation, in terms of adding modern heating, ventilating and air conditioning systems, as well as constructing new housing cottages. The initial drawings presented to the committee indicate that large portions of the existing facilities will be torn down when the new construction commences. The proposal envisions a 300 bed capacity at the Anoka facility, 105 at Fergus Falls, and 225 at Moose Lake.

The department estimates that the cost for the entire project will be approximately \$112 million. The governor is recommending \$35 million for planning, working drawings, and initial construction and remodeling of the three facilities.

Several committee members questioned the wisdom of signifi-

cantly adding to the capacity of the regional treatment centers, because of the department's overall emphasis on deinstitutionalization and community involvement. The department responded that the persons affected by the project were the severely mentally ill, who require a great degree of supervision. Other committee concerns focused on the necessity of maintaining six regional treatment centers, including five in Greater Minnesota. The need to attract trained mental health care professionals to the rural parts of the state, as well as provide a facility near to the home of the patient, were among the justifications cited by the department for this policy.

The committee also discussed the possibility of using some of the buildings scheduled for demolition as prison facilities, in light of the overcrowding problem facing the Dept. of Corrections. The difficulties involved with incorporating a medium-security prison, which is the type of facility needed by the Dept. of Corrections, into a mental health center were raised as drawbacks to such a proposal.

Capital requests reviewed

The Finance Division on Health and Human Services met Tues., Mar. 20, and continued to review the capital budget recommendations for the Dept. of Human Services. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Among the recommendations made by the governor is an appropriation for designing, constructing, and equipping 16 State Operated Community Service Units (SOCS), that will serve 96 developmentally disabled individuals who are currently residents of the regional treatment centers. This proposal is in conjunction with a 1989 appropriation for eight SOCS. SOCS are intended to provide persons with developmental and physical disabilities a home-like atmosphere that encourages participation in normal everyday activities. Sites have been selected for the 24 units, and Dept. of Human Services officials testified that two of the units authorized in 1989 may begin operating by Oct. 1 of this year. The governor is recommending a \$537 million appropriation for the new facilities.

The committee also reviewed a requested appropriation for redesigning a portion of the roadway, sidewalk, and parking system at the Fairbault Regional Center. The 1989 Legislature appropriated funds to convert a part of the regional center into a medium-security correctional facility. As a result, the Dept. of Corrections is constructing a security fence and perimeter surveillance road, incorporating some of the regional center's existing roads, walks, and parking lots. The cost of re-configuring the transportation system is estimated at \$537,000.

The final project brought before the committee involves construction of additional skilled nursing facility beds at the Regional Treatment Centers in Brainerd, Cambridge, and Fergus Falls. The new beds will be filled by persons currently living in the Oak Terrace Nursing Home, which is being vacated. Skilled nursing facilities beds are occupied by elderly persons with behavior problems or complex medical conditions who cannot be adequately served in other settings.

Bone marrow donation bill advances

The Finance Division on Health and Human Services met Thurs., Mar. 22, and advanced four bills to the full committee, including a measure providing programs and incentives for persons to volunteer as bone marrow donors. S.F. 1903, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), appropriates funds for a bone marrow donor education program as well as a donor drive aimed at state employees. The bill also requires employers to grant paid leaves of absence to an employee who wishes to donate marrow.

S.F. 2382, authored by Sen. Ronald Dicklich (DFL-Hibbing), appropriates money from the oil overcharge fund to the commissioner of jobs and training for energy conservation projects that serve low-income Minnesotans. The oil overcharge fund is money received by the state as a result of litigation of alleged violations of federal petroleum pricing regulations. Sen. Marilyn Lantry (DFL-St. Paul) offered an amendment appropriating money from the fund to an energy con-

servation project in the St. Paul school system. However, the amendment was withdrawn due to a consensus among members that the project be reviewed by the Legislative Commission on Minnesota Resources.

Two bills carried by Sen. Pat Piper (DFL-Austin) were also approved by the committee. S.F. 576 provides that medical certification for General Assistance benefits may be made by a licensed chiropractor. S.F. 1798 gives registered physician assistants, acting under the supervision of a physician, the authority to prescribe and administer legend drugs and medical devices.

Ed division hears from TCs, HECB

The Education Division of the Finance Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), heard presentations from the Community College System and the Higher Education Coordinating Board (HECB) Fri., Mar. 16.

Dr. David Powers, executive director of the HECB, said that, because of changes at the federal level, Minnesota has received more money in federal Pell grants than expected. Although the board requested no new appropriations, Powers discussed recommendations for reallocations of the board's appropriations. In addition, representatives of the board also outlined various aspects of the grant programs and Minnesota-North Dakota reciprocity.

Eric Radtke from the Community College System outlined the system's request for the supplemental funding and the system's reaction to the governor's recommendations regarding the system.

Panel considers bills

Members of the Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), considered four bills at their Tues., Mar. 20, meeting. The division will consider the measures again when acting on an omnibus bill.

S.F. 2027, carried by Sen. John Brandl (DFL-Mpls.), establishes a program for the state to match gifts to endowments for nonsectarian undergraduate academic programs. The bill outlines the program, including which academic programs are eligible for the match, when the match would be made, etc. Originally, the matching program applied only to the University of Minnesota, the State Universities and private colleges meeting specific requirements. However, Senators approved an amendment expanding the program to include the community colleges and the technical colleges. The program would not begin until July 1, 1991.

Also discussed was S.F. 1645, authored by Sen. Randolph Peterson (DFL-Wyoming), giving Cambridge full campus status in the Community College System; and S.F. 2300, sponsored by Sen. Steven Morse (DFL-Dakota), authorizing the State University Board to purchase Lourdes Hall on the campus of the former College of St. Teresa. Members approved S.F. 2308, carried by Waldorf, changing the permitted kinds of investments for the Permanent University Fund and permitting capital gains of the fund to be used to support endowed academic chairs.

In addition, Gus Donhowe from the University of Minnesota spoke to the division regarding budget adjustments for the University. Donhowe said that, if the question is one of a trade-off between bonding and program money, the University would prefer to receive program money.

Members adopt budget reductions, new language

The Education Division of Finance adopted budget reductions and new language at its Wed., Mar. 21, meeting. Budget reductions approved were: a total reduction of about \$9.8 million for Fiscal Year (F.Y.) 1990 and a total reduction of \$3.95 million for F.Y. 1991 for the Higher Education Coordinating Board (HECB); a total reduction of about \$2.8 million for F.Y. 1991 for the Technical Colleges; a total reduction of about \$1.5 million for F.Y. 1991 for the Community Colleges; a total reduction of about \$2.7 million for F.Y. 1991 for the

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State University System; and a total reduction of \$4.06 million for FY. 1991 for the University of Minnesota.

Senators also approved a number of language items, with the understanding that the items would be included in the omnibus bill. In addition to housekeeping items for the HECB, the division amended and adopted the language of S.F. 2300, sponsored by Sen. Steven Morse (DFL-Dakota), allowing the State University Board to purchase Lourdes Hall on the campus of the former College of St. Teresa by a contract for deed agreement. Members amended the measure to ensure that the board consult with the Legislature before finishing the purchase agreement. Senators also agreed to adopt the language of S.F. 2308, sponsored by division chair Sen. Gene Waldorf (DFL-St. Paul), changing the permitted kinds of investments for the Permanent University Fund and permitting capital gains of the fund to be used to support endowed academic chairs.

In addition, the division approved language to include S.F. 2027, sponsored by Sen. John Brandl (DFL-Mpls.), in the omnibus bill. The measure creates a state matching program for endowments to eligible undergraduate academic programs. The matching program applies to the University of Minnesota, the State University System, the Community College System, and the Technical College System, as well as to most Minnesota private colleges and universities. The program does not begin until July 1, 1991.

Senators also spent time discussing language regarding enrollment limitations at the Community College System, the State University System, and the Technical College System. As amended, the language provides that those systems must submit a plan in the 1991 biennial budget document for accommodating no more than the following number of full-year equivalent students in each year of the 1992-93 biennium: 34,000 in the Community College System; 40,200 in the Technical College System; and 53,600 in the State University System.

Governmental Operations

Lake Superior bill gains

The Senate Governmental Operations Committee, meeting Fri., Mar. 16, approved seven bills, including proposals establishing a public corporation relating to Lake Superior, expanding the public employees insurance plan, and creating a Minnesota Environmental Education Board.

S.F. 1866, authored by Sen. Sam Solon (DFL-Duluth), establishes the Lake Superior Center Authority, a public corporation intended to provide support to the nonprofit Lake Superior Center in Duluth. The corporation would be governed by a board of directors consisting of the commissioner of natural resources and four members appointed by the governor, who would serve six-year terms. The authority would not be subject to laws governing state agencies, except that it would be covered by the open meeting law and the state tort claims act, and its directors would be required to file statements of economic interest with the Ethical Practices Board. Debate on the measure focused on the amount of authority that the state would have in operating the corporation, as members expressed concern over creating a state body that dealt with a fairly localized concern. The measure was forwarded to the floor.

Four additional bills were approved by the committee and advanced to the floor. S.F. 2245, authored by Sen. Carl Kroening (DFL-Mpls.), authorizes the commissioner of jobs and training to establish the position of director of the state job training office in the unclassified service category. S.F. 1880, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), authorizes the veterans home board to appoint an executive director. S.F. 2431, sponsored by Sen. John Marty (DFL-Roseville), alters the definition of public building in the state building code, and ratifies the interstate compact on industrialized/modular buildings. S.F. 2105, carried by committee Chair Sen. Donald Moe (DFL-St. Paul), makes various technical changes in a number of state retirement and pension plans.

Two other bills were approved and re-referred to the Finance Committee. S.F. 2246, authored by Kroening, expands the breadth of

coverage of the public employees insurance plan. S.F. 2160, sponsored by Sen. Gene Merriam (DFL-Coon Rapids) creates the office of environmental education in the state planning agency, and provides for an advisory board.

Health and Human Services

Health care cuts discussed

Review of a bill containing the governor's health care cost containment cuts highlighted the Fri., Mar. 16, meeting of the Senate Health and Human Services Committee. The cost reduction proposals were attached as amendments to S.F. 2478, the Dept. of Human Services housekeeping bill, sponsored by the committee Chair, Sen. Linda Berglin (DFL-Mpls.). The amendments make a number of changes in the Medical Assistance (MA) and General Medical Assistance Care (GAMC) programs. The method of calculating inpatient hospital mental health and chemical dependency payment rates is altered, with hospital stays that are less than the average stay being paid on a per diem rather than an average length of stay basis. The bill also requires the payment of a fee by parents of institutionalized children, and delays annual rate increases for day training and habilitation services. In addition, there are included in the measure several proposals intended to tighten access to health care programs, and ensure the necessity of services presently being rendered. For example, a peer review system is set up to determine the medical necessity of MA services, and to develop criteria for prior authorization.

Members expressed concerns regarding both the substance of the changes, including the inpatient short-stay rate adjustments, and the limited amount of time for review available to the committee. The committee ultimately approved a motion offered by Berglin to re-refer the bill without recommendation to the Finance Committee.

In addition, the committee approved, and re-referred to the Finance Committee, S.F. 2563, authored by Berglin. As amended, the bill creates a task force on compensation and training of employees in mental retardation and mental illness programs, with the members to be appointed by the commissioner of human services. The purpose of the task force is to address staff turnover, recruitment, and training in order to have a significant number of qualified people working in programs for mentally-ill persons. The final version of the bill was passed in the form of a delete-everything amendment offered by Berglin.

The committee also approved S.F. 1617, authored by Sen. Don Frank (DFL-Spring Lake Park), requiring the commissioners of human services, commerce and revenue to study the feasibility of a state assistance program for persons with high out-of-pocket expenses for prescription drugs. Recipients would be persons ineligible for MA or GAMC who do not have insurance, and have a family income equal to or less than 185 percent of poverty. The study must make recommendations regarding the levels of prescription drug costs that would qualify a person for assistance, examine the practicality and costs of various methods of providing assistance, and provide cost estimates and recommendations for coordinating the program with other programs. The bill was re-referred to the Finance Committee.

Judiciary

Child protection bill approved

A bill designed to provide improved procedures to protect the safety and welfare of abused and neglected children was the focus of discussion during much of the evening hearing of the Judiciary Committee, Thurs., Mar. 15. The bill, S.F. 2188, authored by Sen. Ember Reichgott (DFL-New Hope), also establishes a legislative commission on children; improves data practices concerning children; includes mental injuries and threatened injuries as kinds of abuse to be reported as maltreatment of minors; increases the penalties for assault against a child when there is a past pattern of child abuse; increases the penalty for malicious child punishment; and establishes a statewide child maltreatment toll-free helpline for the purpose of provid-

ing families with support, information, and assistance in resolving parenting crises.

Several amendments to the bill were considered and subsequently adopted. Sections of the bill requiring doctors and nurses to incorporate training in the recognition of child maltreatment were deleted, as were sections of the bill relating to the disposition of cases involving children in need of protection or services. A section changing the fourth degree assault statute to include the assault of child protection worker was also deleted. An amendment, offered by Reichgott adding references to the federal Indian Child Welfare Act was adopted. Another amendment, offered by Sen. Michael Freeman (DFL-Richfield), specifies that the shaking of a child that results in great bodily harm is malicious punishment and that use of reasonable force is not a defense. Another Reichgott amendment, requiring the Dept. of Human Services to report and make recommendations regarding the use of permanency planning and alternative dispositions for children who are placed in out-of-home care, cannot be returned to their families, and for who termination of parental rights is not in the child's best interest, was also adopted. The measure was approved and re-referred to the Committee on Rules and Administration.

A bill proposing an amendment to the constitution abolishing the Workers' Compensation Court of Appeals and establishing a new Court of Compensation Appeals in the judicial branch was also approved. S.F. 2045, authored by Chair Allan Spear (DFL-Mpls.), also makes changes to the administration of the current Workers' Compensation Court of Appeals, a court that is currently in the administrative branch of government, to apply to the administration of the court until the constitutional amendment is adopted. The measure requires that judges be licensed to practice law and requires that court rules must include procedures and schedules to insure that the court complete work on each case within 180 days of the date that the record is certified to the court. The bill was approved and re-referred to the Committee on Finance.

Seven additional bills were advanced by the committee. S.F. 1873, authored by Sen. Richard Cohen (DFL-St. Paul), provides victims of delinquent acts the right to request notice of the release of juvenile offenders from juvenile correctional facilities and makes changes to the Crime Victims Reparations Act. S.F. 1874, also sponsored by Cohen, clarifies that meetings may not be closed on the basis of data classification statutes and clarifies provisions of the data practices laws relating to data classified as not public. S.F. 2089, sponsored by Sen. John Brandl (DFL-Mpls.), originally imposed penalties for assaulting social workers and other medical and social service employees. The measure was amended to clarify that whoever threatens, directly or indirectly, to commit any crime of violence with purpose to terrorize another is guilty of a crime. All three measures were sent to the full Senate.

S.F. 2178, authored by Spear, requires the Peace Officer Standards and Training Board to study and report on the training and education requirements, including the need to require a baccalaureate degree, prerequisite to licensure as a peace officer. S.F. 2004, authored by Sen. William Luther (DFL-Brooklyn Park), delays the effective date requiring counties to pay District Court filing fees until Jan. 1, 1992, and exempts public authorities from paying filing fees in court actions involving child support enforcement, Medical Assistance enforcement, parentage actions, child or medical support enforcement conducted by an administrative law judge, civil commitment, guardianship proceedings, wrongfully obtaining public assistance or overpayments of public assistance, juvenile code, forfeiture and recovery of other amounts of public assistance by public institutions. The latter two measures were approved and re-referred to the Committee on Finance.

The final two bills were approved and sent directly to the full Senate. S.F. 2134, authored by Spear, provides that it is a felony for a person to commit or attempt to commit a gross misdemeanor or felony while wearing a bullet-resistant vest. The measure also adds bullet-resistant vests to the items considered contraband and subject to forfeiture. An amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), clarifying the law regarding possession of machine guns or

short-barreled shotguns by federal or state agencies or political subdivisions, was adopted. S.F. 2149, authored by Sen. Ronald Dicklich (DFL-Hibbing), prohibits security guards from performing specific acts during labor disputes.

Wetterling investigation bill amended, approved

A bill providing for state reimbursement to Stearns County for costs incurred during the Jacob Wetterling kidnapping investigation was amended to instead authorize a special Stearns County tax levy before being approved by members of the Judiciary Committee. The panel, chaired by Sen. Allan Spear (DFL-Mpls.), while sympathetic, decided against a direct appropriation because of the precedent setting nature of the appropriation. The bill, S.F. 1749, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), was re-referred to the Committee on Taxes and Tax Laws.

In other action during the morning portion of the Fri., Mar. 16, hearing, committee members approved an addition five measures. S.F. 2564, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), expands the definition of "sexual contact" in fifth degree criminal sexual conduct to include the intentional removal or attempted removal of clothing when the action is performed with sexual or aggressive intent. H.F. 2481, authored by Sen. Michael Freeman (DFL-Richfield), makes the preparation of a written presentence investigation report discretionary when a defendant is convicted of a felony for which the court must impose an executed sentence. S.F. 2400, sponsored by Sen. James Metzen (DFL-So. St. Paul), establishes penalties for driving past railroad crossing warning devices and flaggers. In addition, the measure provides that if a person violates the DWI laws and violates the provisions about driving past railroad crossings warning devices or flaggers the penalty under the DWI laws will be a gross misdemeanor. S.F. 2536, sponsored by Sen. John Brandl (DFL-Mpls.), provides for the classification and disclosure of comprehensive health insurance data. All four measures were sent to the full Senate.

S.F. 2395, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), makes various technical changes to the laws dealing with unemployment compensation and was before the panel because of several data privacy provisions. The measure was approved and re-referred to the Finance Committee.

Human rights law changes okayed

The Judiciary Committee wrapped up work for the year with a late afternoon hearing Fri., Mar. 16. Members advanced a bill, S.F. 1847, making several changes in the human rights laws. The measure, sponsored by Sen. Ember Reichgott, amends the definition of age as used in the prohibition against unfair employment or education practices; clarifies the medical information obtainable from prospective employees; clarifies protections for pregnant employees; prohibits threats against home owners and renters; prohibits discriminatory business practices; and clarifies the meaning of business necessity and continuing violations. Debate on the measure centered on two provisions that were later deleted under an amendment offered by Reichgott. The first provision stated that a lawsuit is not precluded by the filing of a workers' compensation claim. The second provision specified that a party bringing a human rights action is entitled to a trial by jury. Both provisions were deleted under the Reichgott amendment which was, after considerable debate, adopted. The bill was approved and sent to the Senate floor.

Committee members also approved and sent to the full Senate a bill increasing the penalties for acts of harassment and authorizing the courts to issue orders to restrain acts of harassment. S.F. 1843, authored by Sen. John Marty (DFL-Roseville), was amended to specify that a restraining order granted under the measure must contain a conspicuous notice to the respondent of the conduct that will constitute a violation of the order; that a violation of the order is a misdemeanor; and that a peace officer must arrest without warrant if the peace officer has probable cause to believe there has been violation

Committee Capsule

of the order. The amendment was offered by Sen. Patrick McGowan (IR-Maple Grove).

A second bill authored by Marty, S.F. 2132, was also approved and sent directly to the full Senate. The measure makes it a crime to obtain telecommunication services by fraud, requires forfeiture of telecommunication devices used for fraudulent purposes and prescribes penalties.

Committee members also approved the omnibus data practices bill. The measure, S.F. 2200, sponsored by Sen. Randolph Peterson (DFL-Wyoming), proposes classifications of data as private and non-public, clarifies access to data and changes classification nomenclature as it relates to medical examiner's data. Several amendments were adopted to the measure including one amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), deleting sections of the bill dealing with data relating to commitments. Another amendment, offered by Pogemiller, providing a civil penalty for the unauthorized taping of telephone conversations was adopted. A third amendment, offered by Peterson, specifies that data collected by the office of the state auditor relating to an audit are protected nonpublic data or confidential data until the final report of the audit has been completed. The amendment was adopted and the bill was sent to the full Senate.

Appointees approved

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), held a final meeting Thurs., Mar. 22, to consider confirmation of several gubernatorial appointees. The committee approved the appointments of Charlotte Anderson, Leone Altman and Robert Johnson to the Board on Judicial Standards. In addition, the panel endorsed the appointment of Debra McBride to the Harmful Substance Compensation Board.

Taxes and Tax Laws

Division approves department bill

The Income Tax Division of the Taxes and Tax Laws Committee, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), met Fri., Mar. 16, to conclude discussion on S.F. 1653. The bill, authored by Pogemiller, makes technical changes to the state tax laws and recodifies tax administration and compliance provisions. The bill also includes a Taxpayers Bill of Rights.

An amendment was approved that makes an exception for taxes withheld for nonresident public speakers if the compensation paid to the speaker is less than \$2,000. The division approved the bill as amended and sent it to the full committee.

Technical tax bill sent to Senate floor

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Tues., Mar. 20, and approved S.F. 1653, incorporating recommendations from the Dept. of Revenue relating to simplification and recodification of the state tax laws. The bill, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), also contains a section on taxpayer rights. Under one provision in this section, a taxpayer may apply for a taxpayer assistance order, and the Dept. of Revenue may determine that the manner in which the state tax laws are being administered is creating an inequitable result for the taxpayer. If so, the department may refrain from enforcing the state tax laws against the taxpayer. The bill was approved and sent to the Senate floor.

S.F. 2034, authored by Sen. Steven Novak (DFL-New Brighton), was also heard by the committee. The bill makes technical corrections and administrative changes to the property tax laws. An amendment allowing that tax forfeited property in targeted neighborhoods can be transferred to the city without county board approval was adopted, and the bill was amended into S.F. 1653.

S.F. 2050 contains numerous provisions relating to sales, income, franchise, and insurance tax statutes. Under the bill, authored by Sen. LeRoy Stumpf (DFL-Plummer), meals furnished by employers to em-

ployees at day camps, hospitals, and correctional facilities are not subject to sales tax. In addition, the maximum lodging tax is changed from six percent to three percent. The bill was amended into S.F. 1653.

A bill providing payments in lieu of taxes for certain federal land leased to the state was approved by the committee. S.F. 2174, authored by Stumpf, allows counties to receive compensation for lost revenue from proceeds derived from the state's lease of land in lieu of tax payments. The bill was sent to the Senate floor.

S.F. 1925, authored by Sen. Gregory Dahl (DFL-Ham Lake), changes the eligibility requirements for state grants used for water pollution control projects. The bill also increases the bonding authority of the Minnesota Public Facilities Authority from \$100 million to \$150 million. The bill was approved and re-referred to the Committee on Finance.

S.F. 2223, authored by Sen. Donald Moe (DFL-St. Paul), provides Ramsey County with the authority to issue up to \$2 million in general obligation bonds for the restoration of the St. Paul Union Depot concourse. Under the bill, no referendum would be required on the issuance of the bonds, and the bonds would not be subject to the county's net debt limits. The bill was approved and sent to the Senate floor.

A bill authorizing eight school districts to issue bonds was also heard by the committee. Under S.F. 2429, authored by Sen. Ronald Dicklich (DFL-Hibbing), the proceeds from the bonds will be used to construct, repair, and equip school buildings. Dicklich explained that the debt service issued by two of the districts will be wholly paid out of production tax proceeds, and do not require a referendum. Only 80 percent of the debt service for the bonds issued by the other districts will be paid from production tax proceeds, however, and will be subject to a referendum. The bill was approved and sent to the Senate floor.

The committee heard testimony but took no action on two other bills. S.F. 2559, authored by Sen. Sam Solon (DFL-Duluth), authorizes a special levy to pay the costs of per diem jail or correctional facility services if the county is operating under a directive from the Dept. of Corrections limiting the capacity of its jails or correctional facilities. S.F. 2580, authored by Sen. Jim Vickerman (DFL-Tracy), changes the class rates that apply to homesteaded and nonhomesteaded agricultural property by maintaining the class rates in effect for taxes payable in 1990.

Monday, March 19

Fetal tissue amendment adopted

Senators granted final approval to eight bills on the Senate Calendar, and preliminary approval to a number of bills on General Orders, at the early portion of the Mon., Mar. 19, floor session.

Given final approval were: H.F. 2143, carried by Sen. Allan Spear (DFL-Mpls.), defining "crime" for purposes of crime victims reparations; S.F. 1752, authored by Sen. James Pehler (DFL-St. Cloud), establishing a standard for abandonment of railroad tracks and clarifying the standard for abandonment of shops, terminals, and stations; H.F. 1555, carried by Sen. Randolph Peterson (DFL-Wyoming), providing for fees charged by county recorder; S.F. 1686, authored by Pehler, allowing school boards to hold school on Saturday; S.F. 2048, carried by Sen. Gary Laidig (IR-Stillwater), clarifying legislative intent regarding corporal punishment; S.F. 1886, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville), establishing the Minnesota Forage Task Force; S.F. 1870, carried by Sen. Marilyn Lantry (DFL-St. Paul), increasing the per diem rate for racing commissioners, requiring licenses for pari-mutuel clerks at county fairs, apportioning money for promotion of the breeding and racing industry, allowing supervision of administration of certain medications by designated persons, prohibiting acceptance of bets by telephone, and reducing state tax withholding on pari-mutuel winnings; and S.F. 1729, authored by Sen. Lyle Mehrkens (IR-Red Wing), requiring motorists to activate vehicle lights during inclement weather conditions.

Of items on the General Orders Calendar, an amendment proposed to S.F. 1104 generated the most discussion. S.F. 1104, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), enacts the Uniform Anatomical Gift Act of 1987 and repeals the existing Uniform Anatomical Gift Act that was enacted in 1969. However, the amendment, proposed by Laidig, adds a section excluding the donation of all or part of an unborn child or newborn child who has been the subject of an induced abortion. A number of Senators, including Spear and Sen. Linda Berglin (DFL-Mpls.), argued in opposition to the amendment. Spear pointed out that this area was already addressed in other areas of the law; Berglin argued that, while she didn't believe in encouraging women to have abortions to provide tissue for research, if a woman was going to have an abortion, there was no reason the tissue should not be used. However, a number of Senators, including Laidig and Sen. Gene Waldorf (DFL-St. Paul), argued, successfully, in favor of the amendment. After adoption of the amendment on a 42-21 vote, Pogemiller progressed the bill.

Senators approved, without amendment, a number of bills on the General Orders Calendar. S.F. 2046, carried by Spear, provides for a notice for victims of sexual assault concerning their risk of developing sexually transmitted diseases. S.F. 1879, authored by Bertram, amends a requirement relating to the sale of state timber. S.F. 1927, authored by Sen. Gary DeCramer (DFL-Ghent), changes State Board of Vocational Technical Education powers. S.F. 1980, authored by Sen. Jim Vickerman (DFL-Tracy), requires additional notice of various vacation proceedings. H.F. 2188, sponsored by Vickerman, permits towns to publish collections of town ordinances, resolutions, rules, and laws. S.F. 2090, authored by Vickerman, regulates town meetings and provides for town deputy treasurer. S.F. 2172, authored by Sen. Bob Lessard (DFL-Int'l. Falls), requires the commissioner of natural resources to establish a plan for drought emergencies and changes the completion date for the Metropolitan Council's long-term water supply plan.

S.F. 2281, authored by Sen. Don Frank (DFL-Spring Lake Park), allows a port authority to use foreign trade zone powers, if granted, outside its port district. S.F. 2208, authored by Sen. Carol Flynn (DFL-Mpls.), provides that it is a prima facie case for reference for prosecution as an adult if a child is alleged to have committed a felony offense as part of, or subsequent to, the delinquent act of escape from confinement in a local juvenile correctional facility and makes it a crime for an alleged or adjudicated juvenile delinquent who is 18 years old to escape from a local juvenile correctional facility. S.F. 2039, authored by Sen. Steven Morse (DFL-Dakota), exempts certain water well drilling equipment and vehicles from registration and taxation requirements. S.F. 1920, carried by Sen. Jerome Hughes (DFL-Maplewood), makes various changes in laws applicable to school district elections. S.F. 2079, sponsored by Sen. Pat Piper (DFL-Austin), renames Helmer Myre and Nerstrand Woods State Parks. S.F. 2264, carried by Flynn, exempts some antique automobiles and recreational vehicles from rental vehicle coverage. S.F. 1551, authored by Morse, provides for students on Higher Education Coordinating Board advisory groups if requested. S.F. 1768, carried by Spear, regulates electronic fund transfer facilities and provides for access by other transmission facilities.

Approved after amendment were S.F. 1851, authored by Pehler, which authorizes appointment of an executive director of the Dept. of Military Affairs. S.F. 2092, authored by Sen. Dean Johnson (IR-Willmar), regulates financial operation of municipal hospitals. An amendment, which Senators approved, changes the status of three members of a hospital district board from elected members to appointed members; two members to be appointed by the St. Louis County Board and one to be appointed by the Koochiching County Board. The amendment, offered by Sen. Douglas Johnson (DFL-Cook), also addresses a failure by a governmental unit to comply with filing requirements. S.F. 2127, authored by Sen. John Bernhagen (IR-Hutchinson), was approved after adoption of an author's clarifying

amendment. The bill implements a statewide program to encourage maintenance and expansion of community and urban forests and assigns responsibilities to various state agencies and municipalities.

Measures granted preliminary approval

The afternoon portion of the Mon. Mar. 19, floor session was devoted to granting preliminary approval to several bills on the General Orders Calendar. S.F. 1670, authored by Sen. William Luther (DFL-Brooklyn Park), prohibits transport of Eurasian milfoil and provides penalties for not removing Eurasian water milfoil from watercraft. S.F. 1895, carried by Sen. John Marty (DFL-Roseville), provides an alternative dispute resolution pilot project in the Second Judicial District. S.F. 2153, authored by Marty, clarifies an insurer's duty to provide loss or claims experience data to an insured. S.F. 951, authored by Sen. Ronald Dicklich (DFL-Hibbing), provides for the establishment of competitive electric utility rates for customers subject to effective competition.

S.F. 1897, carried by Sen. Betty Adkins (DFL-St. Michael), clarifies employment terms of city and town assessors. S.F. 838, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), provides for special license plates for disabled persons and sets the fee for duplicate personalized plates. S.F. 1983, authored by Sen. Joe Bertram (DFL-Paynesville), authorizes the metropolitan airports commission to issue off-sale liquor licenses for the sale of Minnesota wines. S.F. 772, carried by Sen. Pat Pariseau (IR-Farmington), provides that signs for handicapped parking spaces state the penalty imposed for unlawful use. S.F. 1739, authored by Sen. Richard Cohen (DFL-St. Paul), clarifies provisions for compensation for Metropolitan Council members and Metropolitan Commission members. S.F. 1726, authored by Sen. Linda Berglin (DFL-Mpls.), authorizes the commissioner of human services to promulgate rules directing county boards to establish certain payment policies.

S.F. 1162, carried by Sen. Jim Vickerman (DFL-Tracy), sets deadlines for court administrators to forward driver's license or permit applications and fees to the Dept. of Public Safety. S.F. 2179, authored by Marty, eliminates certain performance bonds and permits fees for inspections by the county surveyor. S.F. 2383, carried by Sen. Joe Bertram, Sr. (DFL-Paynesville), permits the establishment of a boundary commission for the city of Upsala. S.F. 2119, authored by Sen. Mark Piepho (IR-Mankato), permits the appointment of the auditor, recorder, and treasurer in Blue Earth County. S.F. 2373, carried by Sen. Nancy Brataas (IR-Rochester), permits the consolidation of the offices of auditor and treasurer in Olmsted County.

S.F. 2024, carried by Sen. Steven Novak (DFL-New Brighton), authorizes the sale or exchange of land in Anoka County. S.F. 2381, authored by Sen. Clarence Purfeerst (DFL-Faribault), substitutes Legislative Route 298 in the trunk highway system. S.F. 2267, authored by Sen. Richard Cohen (DFL-St. Paul), bars traffic citation quotas. S.F. 2424, authored by Sen. James Metzen (DFL-South St. Paul), regulates life insurance policies with accelerated benefits. S.F. 2224, carried by Sen. Marilyn Lantry (DFL-St. Paul), grants an exception to the nursing home moratorium. S.F. 2216, authored by Sen. Pat Piper (DFL-Austin), specifies requirements for membership of the Board of Medical Examiners and contains procedural requirements for disciplinary actions.

S.F. 2302, authored by Sen. LeRoy Stumpf (DFL-Plummer), requires local location identification data bases for 911 systems. S.F. 2229, authored by Sen. Jerome Hughes (DFL-Maplewood), clarifies language and changes procedures for voter registration, absentee voters, and polling place rosters. S.F. 1150, carried by Sen. William Luther (DFL-Brooklyn Park), revises the statutes dealing with garnishment and execution. S.F. 1968, carried by Sen. Don Frank (DFL-Spring Lake Park), permits penalties to be imposed on person convicted of mistreating animals. S.F. 2354, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), allows pupils of at least age 16 a greater range of programs to attend under the high school graduation incentives and private alternative school programs.

S.F. 2159, carried by Sen. Ember Reichgott (DFL-New Hope), delays the date by which the Regent Candidate Advisory Council must

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submit recommendations to the legislature. S.F. 1822, authored by Sen. Don Frank (DFL-Spring Lake Park), provides for the administration of Section 8 existing housing and low-rent public housing programs and removes the exemption for special assessments for housing and redevelopment authorities. S.F. 2115, authored by Sen. Robert Schmitz (DFL-Jordan) authorizes licensed peace officers to operate motor vehicles and watercraft without lights under certain circumstances.

Tuesday, March 20

Senate acts on a variety of bills

The Tues., Mar. 20, Senate floor session was devoted to debating and passing a large number of bills. The Senate granted concurrence and repassage to S.F. 956, a bill sponsored by Sen. LeRoy Stumpf (DFL-Plummer), that requires counties to hold binding referendums on whether to implement contracts with the state for the siting and development of stabilization and containment facilities. Final passage was also given to all bills granted preliminary approval during the Mon., Mar. 19, Senate floor session, with the following exceptions: S.F. 2264, sponsored by Sen. Carol Flynn (DFL-Mpls.), exempting specified antique automobiles and recreational vehicles from rental vehicle coverage; S.F. 2024, authored by Sen. Steven Novak (DFL-New Brighton), authorizing the sale or exchange of specified land in Anoka County; S.F. 1551, sponsored by Sen. Steven Morse (DFL-Dakota), providing for students on HECB advisory groups, if requested; and S.F. 2153, sponsored by Sen. John Marty (DFL-Roseville), clarifying an insurer's duty to provide loss or claims experience data to an insured. The latter four bills were out for comparison with their House companions.

Final passage was also given to S.F. 1698, authored by Sen. Linda Berglin (DFL-Mpls.), codifying existing law restricting new hospital construction. In addition, legislators granted final passage to a bill placed on the Senate Consent Calendar that permits the transfer of specified cemetery property to a religious corporation. The measure, H.F. 2650, was carried by Sen. Lyle Mehrkens (IR-Red Wing).

Senators also granted preliminary approval to the following bills on the General Orders Calendar. Bills on General Orders have been reported out of one or more policy committees, and may be considered by the Senate acting as one large Committee of the Whole. S.F. 2061, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), includes cordless telephones in the Communications Privacy Act. S.F. 1958, authored by Sen. Duane Benson (IR-Lanesboro), changes school consolidation election procedures. S.F. 1400, carried by Sen. Jim Ramstad (IR-Minnetonka), provides the right to counsel in specified guardianship and conservatorship proceedings. S.F. 2299, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), establishes the Minnesota Natural Wild Rice Promotion Advisory Council. S.F. 2207, authored by Sen. Charles Berg (DFL-Chokio), requires cash discounts on agricultural production inputs if there are discounts on credit terms for seller-financed sales. S.F. 1940, carried by Sen. John Brandl (DFL-Mpls.), modifies specific procedures relating to health maintenance organizations.

As amended, S.F. 2051, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), allows a waiver of restrictions that may be placed upon controlling persons of nursing homes. S.F. 2370, authored by Berglin, revises and clarifies the mental health and mental retardation ombudsman's duties and powers. S.F. 1831, carried by Sen. Jim Vickerman (DFL-Tracy), states a policy and requires a plan relating to rules and regulations affecting services provided to individuals with mental retardation and related conditions. S.F. 2439, sponsored by Sen. Cal Larson (IR-Fergus Falls), allows the Pine Point School to qualify for federal impact aid. S.F. 2432, authored by Sen. Patrick McGowan (IR-Maple Grove), requires cemetery owners to report the unlawful removal of bodies to law enforcement authorities and the deceased person's next of kin. S.F. 1848, carried by Morse, makes changes in the home equity conversion loan program, authorizes manufactured

home park loan assistance, and requires limits and regulates securities relating to specified home loans.

S.F. 1838, sponsored by Berglin, requires a surcharge fee for hearing instrument sellers, allows cease and desist orders against individuals violating occupation regulations, and requires that positive toxicology test results of a pregnant woman or infant be recorded on the birth certificate or fetal death report. H.F. 2407, authored by Sen. Tracy Beckman (DFL-Bricelyn), requires an asbestos abatement rule change. S.F. 1821, carried by Lantry, allows nurse practitioners to prescribe and administer drugs and therapeutic devices. S.F. 1952, sponsored by Berglin, requires a study of methods to improve regulation systems for social work and mental health occupations and professions.

Covered load bill gains

In the latter part of the Tues., Mar. 20, floor session the Senate, acting as one large Committee of the Whole, granted preliminary passage to six bills. A bill regulating wheel flaps and covered loads on trucks generated considerable debate. S.F. 2213, said author Gary DeCramer (DFL-Ghent), is carefully crafted to protect both the driving public and the transport industry. The bill specifies that bottom-dump vehicles transporting sand, gravel, aggregate, dirt, lime rock, silica, or similar material must be equipped with flaps that are mounted to the rear of the axles, cover the entire width of the vehicle, and have a ground clearance of six inches or less when the vehicle is fully loaded. Current law exempts farm produce from wheel flap and cover regulation. The bill, however, specifies that only small grains, shelled corn, soybeans, or other farm produce of a size and density not likely to cause injury or damage are exempted. The bill also provides that loads do not have to be securely covered if the vehicle is loaded properly according to specifications set forth in the bill. If the loading specifications are not met, the trucks must be securely covered. In addition, under the bill, vehicles transporting garbage do not have to be covered as long as the vehicle is operated at a speed under 30 miles per hour, is not on an interstate, and no part of the load escapes. The measure also specifies that loose sand, gravel and so forth must be cleaned off the vehicle before the vehicle is moved on a road, street or highway after loading or unloading.

Debate on the bill centered on two issues: that of transporting farm produce and whether all load should be covered. The farm produce issue was a concern to members because under the bill, larger items such as sugar beets and ear corn would have to be covered. An amendment, offered by Sen. Keith Langseth (DFL-Glyndon), reducing the penalty provision to a petty misdemeanor, was adopted. An amendment, offered by Sen. Charles Berg (DFL-Chokio), exempting all types of farm produce from the regulations, failed to gain adoption.

On the issue of requiring all loads to be covered without regard to whether the trucks met the loading specifications outlined in the bill, Sen. Fritz Knaak (IR-White Bear Lake) argued that the bill's specifications were unenforceable. Knaak offered an amendment requiring all loads to be covered. DeCramer argued against the amendment by citing information from other states requiring covered loads that indicated material could still be blown from the vehicles and cause damage. DeCramer said that properly loading the vehicles is the best method of preventing material from escaping. The amendment was not adopted.

In other action, Senators also granted preliminary approval to S.F. 2156, authored by Sen. James Pehler (DFL-St. Cloud), allowing municipalities to enter into performance based contracts to reduce energy and operating costs. S.F. 1999, sponsored by Pehler, also gained approval. The measure specifies Dept. of Agriculture duties, procedures and requirements relating to organic food labeling. S.F. 2136, authored by Pehler, adds four members to the Task Force on Education Organization to assure minority representation on the task force. The measure was granted preliminary passage. S.F. 1942, authored by Sen. John Brandl (DFL-Mpls.), making changes in arbitration proceedings concerning no-fault automobile insurance, was also approved.

A final bill gaining preliminary passage, S.F. 1827, is the tort reform

bill incorporating several recommendations of the Injury Compensation Commission. The measure, sponsored by Sen. Ember Reichgott (DFL-New Hope), addresses the reduction in damages in an action under no-fault automobile insurance by providing that the deduction for basic economic loss benefits must be made before the claimant's damages are reduced under the comparative fault statute; preserves the common law tort law claims against adults who knowingly provide alcoholic beverages to minors; increases the amount of claims that may be settled without court approval under the municipal compromise of claims statute from \$2,500 to \$10,00; changes the standard for awarding punitive damages from "willful indifference" to "deliberate disregard;" modifies provisions governing when a principal may be held liable for punitive damages for an act of the principal's agent; requires a separate trial to address punitive damages; requires the court to review a punitive damages award; makes the contributory negligence rule apply to damages resulting from economic loss; redefines fault; abolishes the doctrine of last clear change; provides immunity from liability for volunteer ski patrollers; and allows recovery of attorney's fees by good faith reporters under the Child Abuse Reporting Act.

Discussion on the bill revolved around an amendment, offered by Sen. David Frederickson (DFL-Murdock), providing immunity from liability for board members of County Agricultural Societies. The amendment was adopted on a 38-23 roll call vote.

Wednesday, March 21

Preliminary approval granted

The first portion of the Wed., Mar. 21, floor session was devoted to granting preliminary approval to 12 bills on the General Orders Calendar. S.F. 1869, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), requires employers to prepare and implement a written program describing how they will reduce the extent and severity of work-related injuries. S.F. 2129, authored by Sen. Sam Solon (DFL-Duluth), modifies the effective date of the statutory notice requirement for cancellation or nonrenewal of individual life insurance policies. S.F. 1703, carried by Sen. Charles Berg (DFL-Chokio), allows conservation officers to arrest individuals using snowmobiles and all-terrain vehicles in the course of violating game and fish laws.

S.F. 1976, authored by Sen. David Frederickson (DFL-Murdock), provides for certain notice and education board membership requirements under certain joint powers arrangements. S.F. 1975, authored by Frederickson, provides for the notice of and place for meeting of certain joint powers organizations. S.F. 1966, carried by Sen. Gary DeCramer (DFL-Ghent), expands open enrollment to bordering states. S.F. 1681, authored by Sen. Gene Waldorf (DFL-St. Paul), allows a graduate social work license to be issued without examination to an applicant who was unable to apply before the transition period ended.

S.F. 2508, authored by Sen. Carol Flynn (DFL-Mpls.), places certain positions in special School District 1 in Minneapolis in the unclassified service. S.F. 2541, carried by Sen. Dennis Frederickson (IR-New Ulm), provides for the filing and recording of maps or plats for proposed rights-of-way by local governing bodies. S.F. 1937, authored by Sen. Linda Berglin (DFL-Mpls.), establishes standards for safe levels of lead and requires lead assessments of some residences. S.F. 2149, authored by Sen. Richard Cohen (DFL-St. Paul), provides that a port authority may elect a president or chair, along with a vice-president or vice-chair. S.F. 2297, carried by Sen. John Brandl (DFL-Mpls.), requires equal access to food or beverage services or facilities for golf clubs under open space property tax treatment.

Rent-to-own, aquiculture, PCB burning ban bills gain

The latter half of the Wed., Mar. 21, floor session was dominated by discussion on three measures on the General Orders Calendar. All

three bills were amended and subsequently approved. S.F. 1499, authored by Sen. Gregory Dahl (DFL-Coon Rapids), sets forth a number of regulations and consumer protections for rent-to-own agreements. Debate on the bill centered on the question of whether rent-to-own agreements are credit-sales transactions and whether laws governing credit-sales apply to rent-to-own agreements. Under the bill, the rent-to-own agreements are not credit-sales and are exempt from the law. However, amendments offered by Sen. Gary Laidig (IR-Stillwater) and Ember Reichgott (DFL-New Hope), and adopted by the committee, altered the bill to provide that rent-to-own agreements are covered by the laws. In addition, Dahl offered, and the committee adopted, an amendment to redefine cash-price under the bill. According to Dahl, the bill sets an absolute ceiling of double the cash price as the amount a lessor could be required to pay.

S.F. 1675, the aquiculture bill sponsored by Sen. Charles Berg (DFL-Chokio), was also the subject of discussion during the session. Berg offered an amendment that requires state agency uniformity in the regulation of all aquiculture activities. The amendment further specifies that the uniformity must apply to discharges into the waters of the state where the aquiculture is being conducted, to discharges to other bodies of water, to permits required, to standards for waters of the state where the aquiculture is being conducted, and to monitoring required for permits. The amendment was adopted and the bill given preliminary passage.

Debate on S.F. 2063, a bill dealing with the burning of PCB contaminated oil, centered on a provision that specifies that oil with PCBs may only be burned in sparsely populated areas if the oil is also burned in heavily populated areas. The measure, authored by Sen. David Frederickson (DFL-Murdock), also requires permits and local approval before PCB contaminated oil may be burned. An amendment, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), to delete the population references in the bill failed on an 18-45 roll call vote. The bill was then granted preliminary approval.

Members also discussed, but delayed action on S.F. 1743. The measure, sponsored by Sen. Robert Schmitz (DFL-Jordan), provides for the expansion of the metropolitan extended area telephone service plan. The measure was progressed to allow further time for refining an amendment, offered by Sen. Gene Waldorf (DFL-St. Paul), that deals extensively with telephone rates.

In addition to acting on the General Orders Calendar, the Senate also approved one measure on the Consent Calendar; granted final passage to all the bills given preliminary passage Tues., Mar. 20; and adopted the Conference Committee report on S.F. 60 and repassed the bill.

H.F. 1893, sponsored by Sen. Charles Davis (DFL-Princeton), authorizes several towns to contribute to economic development organizations. The bill, on the Consent Calendar, was given unanimous approval.

The Conference Committee report on S.F. 60, a recodification of water statutes was also adopted and repassed on a unanimous vote. The measure is sponsored by Sen. Gary DeCramer (DFL-Ghent).

Facts about the Minnesota Legislature

Minnesota 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 a "B" portion to designate the House of Representatives 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 meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. The Legislature usually adjourns earlier in even numbered years.

Preview

The Minnesota Senate Week at a Glance

Monday, March 26

Editor's note: The Committee on Finance and various divisions may meet during the week of March 26-30. However, at press time agendas and times were not available.

Taxes and Tax Laws Committee, Chair: Douglas Johnson
9 a.m. Room 15 Capitol

Agenda: S.F. 1894-Dahl: Water Management Act. S.F. 1896-Vickerman: Rural health care. S.F. 2146-Lantry: Establishing and regulating manufacturer's motor vehicle license plates. S.F. 2329-Pogemiller: Public finance. S.F. 2593-Berglin: Fiscal disparities. S.F. 2612-Johnson, D.J.: Taconite.

Finance Division on Education, Chair: Gene Waldorf
10 a.m. Room 125 Capitol
Agenda: Capital budget allocations.

Finance Division on Agricultural, Transportation and Semi-States, Chair: Keith Langseth
10 a.m. Room 123 Capitol
Agenda: Allocations.

*The Senate will be in session at 12 noon.

Tuesday, March 27

Legislative Commission on Pensions and Retirement, Chair: Sen. Donald Moe
8 a.m. Room 112 Capitol
Agenda: To be announced.

Taxes and Tax Laws Division on Property Taxes and Local Government Aids, Chair: Steven Novak
8 a.m. Room 15 Capitol
Agenda: Omnibus tax bill provisions.

Finance Division on Education, Chair: Gene Waldorf
10 a.m. Room 125 Capitol
Agenda: Review bonding bill.

Public Utilities and Energy Committee, Chair: Ron Dicklich
10 a.m. Room 107 Capitol
Agenda: Discussion on S.F. 2006-Marty: Integrated resource planning for electric utilities.

Taxes and Tax Laws Division on Income Tax, Chair: Lawrence Pogemiller
10 a.m. Room 15 Capitol
Agenda: Income tax portion of omnibus tax bill.

*The Senate will be in session at 12 noon.

Wednesday, March 28

Taxes and Tax Laws Committee, Chair: Douglas Johnson
9 a.m. Room 15 Capitol
Agenda: Omnibus tax bill.

Finance Division on Agriculture, Transportation and Semi-States, Chair: Keith Langseth
10 a.m. Room 123 Capitol
Agenda: Allocations.

Agriculture and Rural Development Committee, Chair: Charles Davis
11 a.m. Room 112 Capitol
Agenda: Confirmation of governor's appointments: Board of Animal Health, Theodore Huisinga; MN Rural Finance Authority, David Velde and Paul Sobocinski.

*The Senate will be in session at 12 noon.

Thursday, March 29

Taxes and Tax Laws Committee, Chair: Douglas Johnson
9 a.m. Room 15 Capitol
Agenda: Various bills and education funding.

The Senate will be in session. The convening time will be announced.

Friday, March 30

Taxes and Tax Laws Committee, Chair: Douglas Johnson
9 a.m. Room 15 Capitol
Agenda: To be announced

*The Senate will be in session. The convening time will be announced.

Finance Division on Agriculture, Transportation and Semi-States, Chair: Keith Langseth
10 a.m. Room 123 Capitol
Agenda: Allocations.

For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.

*Indicates live television coverage by Senate Media Services on Regional Cable Channel 6. Live coverage will end at 5:30 p.m. daily.

SENATE COMMITTEE ASSIGNMENTS

AGRICULTURE AND RURAL DEVELOPMENT (14)

CHAIR: Davis
OFFICE NO: G-24
MEETS: M, W; Room 112; 10-12 noon
MEMBERS:
Anderson Brandl Frederickson, D.J. Renneke
Beckman Davis Frederickson, D.R. Vickerman
Berg Decker Larson
Bertram DeCramer Morse

COMMERCE (17)

CHAIR: Solon
OFFICE NO: 303
MEETS: T, Th; Room 112; 10-12 noon
MEMBERS:
Adkins Flynn Luther Solon
Anderson Frederick McQuaid Spar
Belanger Freeman Metzen
Cohen Kroening Purfeerst
Dahl Larson Samuelson

ECONOMIC DEVELOPMENT AND HOUSING (13)

CHAIR: Frank
OFFICE NO: G-10
MEETS: M, Th; Room 15; 12-2 p.m.
MEMBERS:
Beckman Decker Kroening Reichgott
Bernhagen Dicklich McGowan Storm
Cohen Frank Morse
Dahl Gustafson Pogemiller

EDUCATION (21)

CHAIR: Pehler
OFFICE NO: G-9
MEETS: M, W, F; Room 15; 8-10 a.m.
MEMBERS:
Beckman Frederickson, D.J. Mehrkens Ramstad
Dahl Hughes Morse Reichgott
Decker Knaak Olson Stumpf
DeCramer Knutson Pehler
Dicklich Langseth Peterson, R.W.
Flynn Larson Pogemiller

EDUCATION AIDS DIVISION (14)

CHAIR: Peterson, R.W.
OFFICE NO: G-9
MEETS: M, Th; Room 15; 3-5 p.m.
MEMBERS:
DeCramer Knaak Olson Pehler
Dicklich Knutson Peterson, D.C. Reichgott
Frederickson, D.J. Langseth Peterson, R.W. Stumpf
Hughes Mehrkens Pogemiller

ELECTIONS AND ETHICS (12)

CHAIR: Hughes
OFFICE NO: 328
MEETS: T; Room 107; 12 noon-2:00 p.m.
MEMBERS:
Cohen Johnson, D.J. McGowan Moc, R.D.
Hughes Laidig McQuaid Pogemiller
Johnson, D.E. Luther Metzen Samuelson

EMPLOYMENT (11)

CHAIR: Chmielewski
OFFICE NO: 325
MEETS: T, Th; Room 107; 8-10 a.m.
MEMBERS:
Adkins Chmielewski Gustafson Piper
Beckman Diessner Kroening Ramstad
Brataas Frank Pehler

ENVIRONMENT AND NATURAL RESOURCES (16)

CHAIR: Lessard
OFFICE NO: 111
MEETS: T, W, F; Room 112; 1-3 p.m.
MEMBERS:
Berg Frederickson, D.R. Marty Olson
Bernhagen Knaak Merriam Pariscou
Dahl Laidig Morse Peterson, R.W.
Davis Lessard Novak Stumpf

FINANCE (30)

CHAIR: Merriam
OFFICE NO: 122
MEETS: T, W, F; Room 123; 3-5 p.m.
MEMBERS:
Berg Hughes Luther Renneke
Brataas Johnson, D.E. Mehrkens Samuelson
Dahl Knutson Merriam Solon
DeCramer Kroening Metzen Spear
Dicklich Laidig Moc, D.M. Storm
Frederick Langseth Piper Waldorf
Frederickson, D.R. Lantry Purfeerst
Freeman Lessard Ramstad

GENERAL LEGISLATION AND PUBLIC GAMING (9)

CHAIR: Lantry
OFFICE NO: 328
MEETS: W, F; Room 107; 8-10 a.m.
MEMBERS:
Berg Diessner McGowan
Bertram Johnson, D.E. McQuaid
Davis Lantry Samuelson

GOVERNMENTAL OPERATIONS (13)

CHAIR: Moc, D.M.
OFFICE NO: 309
MEETS: T, Th; Room 15; 8-10 a.m.
MEMBERS:
Brandl Freeman Pariscou Taylor
Decker Marty Piepho
Frederickson, D.J. Moc, D.M. Pogemiller
Frederickson, D.R. Morse Renneke

HEALTH AND HUMAN SERVICES (15)

CHAIR: Berglin
OFFICE NO: G-29
MEETS: T, W, F; Room 15; 1-3 p.m.
MEMBERS:
Adkins Brandl Flynn Solon
Anderson Brataas Knutson Storm
Benson Chmielewski Lantry Vickerman
Berglin Diessner Piper Waldorf

JUDICIARY (17)

CHAIR: Spear
OFFICE NO: G-27
MEETS: M, W, F; Room 15; 10-12 noon
MEMBERS:
Belanger Laidig Moc, D.M. Spear
Berglin Luther Peterson, R.W. Stumpf
Cohen Marty Pogemiller
Freeman McGowan Ramstad
Knaak Merriam Reichgott

LOCAL AND URBAN GOVERNMENT (11)

CHAIR: Schmitz
OFFICE NO: 235
MEETS: M, Th; Room 107; 12-2 p.m.
MEMBERS:
Adkins Lessard Pariscou Schmitz
Bertram McQuaid Piepho Vickerman
Frederickson, D.J. Metzen Renneke

PUBLIC UTILITIES AND ENERGY (12)

CHAIR: Dicklich
OFFICE NO: 235
MEETS: T, Th; Room 15; 10-12 noon
MEMBERS:
Dicklich Johnson, D.E. Novak Piper
Frank Johnson, D.J. Olson Storm
Gustafson Marty Pehler Waldorf

RULES AND ADMINISTRATION (31)

CHAIR: Moc, R.D.
OFFICE NO: 208
MEETS: On Call
MEMBERS:
Belanger Frank Lantry Peterson, R.W.
Benson Frederick Lessard Purfeerst
Berglin Hughes Luther Renneke
Bernhagen Johnson, D.E. Merriam Schmitz
Bertram Johnson, D.J. Moc, D.M. Solon
Chmielewski Knaak Moc, R.D. Spar
Davis Knutson Novak Storm
Dicklich Laidig Pehler

TAXES AND TAX LAWS (24)

CHAIR: Johnson, D.J.
OFFICE NO: 205
MEETS: T, W, F; Room 15; 3-5 p.m.
MEMBERS:
Anderson Chmielewski Knaak Reichgott
Belanger Cohen Larson Schmitz
Benson Davis Novak Stumpf
Berglin Diessner Olson
Bernhagen Frank Pehler
Bertram Gustafson Peterson, R.W.
Brandl Johnson, D.J. Pogemiller

TRANSPORTATION (12)

CHAIR: Purfeerst
OFFICE NO: 303
MEETS: T, Th; Room 112; 8-10 a.m.
MEMBERS:
Bernhagen Langseth Mehrkens Purfeerst
DeCramer Lantry Metzen Schmitz
Frederick McQuaid Novak Vickerman

VETERANS AND MILITARY AFFAIRS (11)

CHAIR: Bertram
OFFICE NO: 323
MEETS: T, Th; Room 107; 10-12 noon
MEMBERS:
Beckman Laidig Mehrkens Schmitz
Bertram Langseth Pariscou Vickerman
Diessner Lessard Piepho

MINNESOTA STATE SENATE

Senate Members—1990 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	IR	5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	8869	Luther, William	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	2159	McGowan, Patrick D.	121 SOB	48
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	4261	Berglin, Linda	G-29 Cap.	60	IR	8075	Mehrkens, Lyle G.	127 SOB	26
IR	4131	Bernhagen, John	113 SOB	21	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	4370	Metzen, James	303 Cap.	39
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	4264	Moe, Donald M.	309 Cap.	65
IR	4848	Brataas, Nancy	139 SOB	33	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	5649	Morse, Steven	309 Cap.	34
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5003	Dahl, Gregory L.	111 Cap.	50	IR	1282	Olson, Gen	133 SOB	43
DFL	2302	Davis, Charles R.	G-24 Cap.	18	IR	5252	Pariseau, Patricia	151 SOB	37
IR	0415	Decker, Bob	109 SOB	4	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	IR	9457	Piepho, Mark J.	105 SOB	24
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	9248	Piper, Pat	325 Cap.	31
DFL	4274	Flynn, Carol	G-27 Cap.	61	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	129 SOB	38	DFL	5650	Vickerman, Jim	G-29 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	124 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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90, March 30

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Briefly

The Minnesota Senate Week in Review

March 30, 1990

Higher ed finance, vending bill approved

Senators approved S.F. 2618, the omnibus higher education finance bill, and H.F. 2042, the cigarette vending bill, Wed., Mar. 28.

S.F. 2618, authored by Sen. Gene Waldorf (DFL-St. Paul), contains a \$24.2 million total reduction to the budgets of the Community College System, the State University System, the Technical College System, the University of Minnesota and the Higher Education Coordinating Board (HECB). The bill contains provisions for a state matching program for gifts made to nonsectarian undergraduate academic programs. The University of Minnesota, the Community College System, the State University System, the Technical College System, and most four-year private colleges and universities are eligible for the program. There is no appropriation in the bill for the program.

Another element in the bill establishes a community college at Cambridge; however, the administrative structure now in place at the Cambridge Center must remain until legislative approval of recommendations for a new administrative structure. The State Board of Community Colleges will make the recommendations to the Legislature in its 1991 biennial budget document.

Discussion on the bill centered on a provision prohibiting technical colleges from contracting for administrative services with a school board unless the services are approved by the state director as part of an administrative services plan. Each school board affected by the provision must submit an administrative services plan to the state director. However, attempts to remove or alter the section were unsuccessful.

The bill was granted final approval.

Also given final approval was H.F. 2042, sponsored by Sen. James Metzen (DFL-So. St. Paul), the cigarette vending bill. Metzen originally moved to strike the rule 49 amendment and adopt the House language; however, a number of Senators raised questions as to whether the House language would allow local units of government enough flexibility to pass stronger laws regulating the machines. Metzen withdrew his motion to accept the House language, but amended the Senate version to strike the immediate effective date, thus making the bill effective Aug. 1, 1990.

As amended, the bill clearly outlines where cigarette machines may and may not be located. Generally, the bill allows the machines in areas within places, such as factories and businesses, where minors generally are not permitted access and strictly regulates the possible locations in other establishments.

Higher ed, semi-states omnibus bills gains

Passage of the higher education omnibus bill and the agriculture, transportation and semi-states omnibus bill highlighted the Tues., Mar. 27, meeting of the Senate Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids).

As amended, S.F. 2618, sponsored by Sen. Gene Waldorf (DFL-St. Paul), contains a \$24 million reduction in the funds allocated to the four higher education systems, as well as the Higher Education Coordinating Board, for FY1990 and FY1991. Other provisions of the bill include authorization for tuition reciprocity agreements with contiguous Canadian provinces; establishment of a state matching grant program to match private gifts to endowment funds; and contribution adjustments for the state system retirement plan.

The committee adopted an amendment offered by Sen. Lyle Mehrkens (IR-Red Wing), deleting from the bill a provision requiring technical colleges to conduct a public hearing on the question of whether or not to transfer the college to a state-operated system. However, an amendment offered by Sen. Carl Kroening (DFL-Mpls.) deleting those sections of the bill relating to state retirement plans was defeated. Kroening had argued that the provisions

would be more appropriately addressed by the Finance Division on State Departments.

The committee also approved the omnibus appropriations bill for Agriculture, Transportation and Semi-states. Authored by Sen. Keith Langseth (DFL-Glyndon), the committee bill provides for a \$20 million reduction in expenditures, financed primarily through cuts in appropriations to several funds administered by the Dept. of Transportation. Sen. Marilyn Lantry (DFL-St. Paul) offered an amendment transferring 50 percent of the funds appropriated for grasshopper control to the unfunded light rail transit program. Lantry argued that work had begun on the program with the expectation that an appropriation would be made this session. After discussion, the amendment was defeated.

(The agriculture, transportation and semi-states bill was granted final passage during the Thurs., Mar. 29, floor session. Senators considered numerous amendments and then granted the measure final approval on a 42-21 roll call vote.)

In other action, the committee approved S.F. 1799, sponsored by Waldorf, authorizing an appropriation for a parking deck at Moorhead State University to be used to acquire land and construct parking spaces.

The committee also began consideration of S.F. 2334, sponsored by Sen. William Luther (DFL-Brooklyn Park), dealing with lobbyist regulation, state and congressional campaign financing reform, and conflict of interest reporting. Two amendments introduced by Luther were criticized by several committee members as containing substantive policy changes, rather than technical adjustments or finance-related provisions. The bill was laid over to allow the committee more time to study the proposed changes.

Omnibus tax bill approved

The Taxes and Tax Laws Committee, authored by Sen. Douglas Johnson (DFL-Cook), met Wed., Mar. 28, and approved S.F. 2540, the omnibus tax bill. The measure, authored by Johnson, makes several changes to the Minnesota property, income, gross premiums, and franchise tax laws. The bill also reduces aids to local government by \$43 million in an effort to offset the budget shortfall.

An amendment was adopted that divides the income tax structure for "C" corporations into five graduated categories. Under the amendment, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), the tax is \$100 if the sum of the corporation's Minnesota property, payrolls, and sales or receipts is less than \$1 million. The scale increases to a \$4,000 tax if the corporation's income is \$20 million or more. The measure also deletes the \$175 flat fee for "S" corporations.

Committee members adopted three other amendments to S.F. 2540. Under one amendment, offered by Pogemiller, the Dept. of Revenue must conduct a study of the state and local tax burden for representative businesses of various sizes, legal structures, and levels of profitability. Sen. Don Frank (DFL-Spring Lake Park) offered an amendment specifying that a government agency may provide financial assistance to a person for business improvements if that person certifies that laborers on a given project site will be paid the prevailing wage rate for the county or other areas from which labor for the project is secured. Sen. Jim Gustafson (IR-Duluth) offered an amendment that requires Duluth school boards to publish a resolution in a legal newspaper if they propose to issue general obligation bonds.

A controversial amendment creating a Crime and Social Services Disparity Fund out of the growth in the fiscal disparities pool for criminal justice and social services programs in the Metropolitan Area was also considered by the committee. The amendment, offered by Sen. Linda Berglin (DFL-Mpls.), failed to be adopted. The committee approved the bill as amended and sent it to the Senate floor.

Committee Capsule

Agriculture and Rural Development

Appointment recommendations okayed

An abbreviated meeting of the Agriculture and Rural Development Committee was held Wed., Mar. 28, to consider the confirmation of three gubernatorial appointees. The committee, chaired by Sen. Charles Davis (DFL-Princeton), approved the appointments of Theodore Huisinga to the Board of Animal Health, and David Velde and Paul Sobocinski to the Minnesota Rural Finance Authority.

Economic Development and Housing

Committee approves appointees

Members of the Economic Development and Housing Committee met Fri., Mar. 23, to confirm appointments to the Greater Minnesota Corporation (GMC) Board of Directors, the Public Facilities Authority, the World Trade Center Corporation Board of Directors, and the Minnesota Housing Finance Agency. The committee is chaired by Sen. Don Frank (DFL-Spring Lake Park).

Recommended for appointment to the GMC Board were Glen Taylor, William Norris, Francis Ryan, Elroy Webster, Howard Fortier, Donald Fredrickson, D. Bruce Merrifield, Laurence Osterwise, May Yue, and Dale Olseth. Don Cole and Marilyn Krueger were approved by panel members for appointment to the Public Facilities Authority.

In addition, the committee approved the appointments of Paul Rexford Thatcher, Arnold Aberman, and Ronald Bosrock to the Board of Directors of the World Trade Center Corporation, along with the appointments of Shirley Van Dyck, Bruce Bakken, and Maureen Bye to the Minnesota Housing Finance Agency.

Education

Omnibus bill approved

The full Education Committee met immediately following the Education Funding Division meeting on Tues., Mar. 28. Senators approved H.F. 493, the omnibus education funding bill that had been approved by the Education Funding Division on Monday.

One amendment, proposed by bill author Sen. Randolph Peterson (DFL-Wyoming), was adopted by the committee. The amendment changes the amounts in the bill which will cancel from the General Education Aid appropriation for Fiscal Year 1990 (FY90) and FY91 back into the General Fund. Once in the General Fund, the money may be used for a variety of purposes.

The committee, chaired by Sen. James Pehler (DFL-St. Cloud), re-referred the bill to the Committee on Finance.

S.F. 2206, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), which had been re-referred to the committee, was not taken up because its language has been included in another bill. S.F. 2206 contains language relating to levy and bonding authority for Minneapolis, St. Paul, and Duluth.

Construction bill approved

Senators in the Education Committee met briefly Wed., Mar. 28, and adopted a minor amendment to S.F. 1787, modifying the Maximum Effort Education Facility Aid Program. The bill, authored by committee chair Sen. James Pehler (DFL-St. Cloud), was approved and re-referred to the Rules and Administration Committee.

In other action, Senators recommended confirmation for a number of appointees to various boards. Recommended for confirmation to the State Board of Vocational Technical Education were: Douglas Knowlton, John O'Connor, and Gerald Mullen. Recommended for confirmation to the State University Board were: Eliza-

beth Pegues and Paula Dykstra. Recommended for confirmation to the State Board for Community Colleges was John Borchert.

Education Funding

Senators continue work on omnibus bill

Senators in the Education Funding Division of the Education Committee met Thurs., Mar. 22, and Fri., Mar. 23, to continue work on S.F. 2570, the omnibus education funding bill. The bill is authored by division Chair Sen. Randolph Peterson (DFL-Wyoming).

At the beginning of Thursday's meeting, Peterson presented three proposals designed to deal with the school building problems facing school districts. Many of Minnesota's districts have school buildings that are 50 or more years old; some of the buildings are not considered up to code.

One proposal creates a new form of revenue called depreciation revenue. The revenue is equal to two percent of the value of all the school buildings in a district and is a combination of local levy and state aid. Peterson explained that the money could be used for two purposes: in districts with an existing debt service levy, the money could be used to make debt service payments; after the debt service payments were completed, or in districts without a debt service levy, the money would be put into a special account managed by the state. That account could only be used for future building projects.

The proposal also involves restructuring the tax increment financing laws to recapture some of the aid paid to local governments. That aid would then go toward construction of school buildings.

Another proposal addresses the Maximum Effort Education Facility Aid Capitol Loan Program, under which districts may receive state assistance for construction projects. The proposal, part of which is taken from S.F. 1787, authored by Sen. James Pehler (DFL-St. Cloud), limits the types of projects for which the loans may be used and expands the requirements the projects must meet before approval by the State Board of Education. Requirements include the requirement that the district be projected to have a continuous increase in its average daily membership over the next ten years or be eligible for sparsity revenue, and the requirement that the district will enroll, on average, at least 80 pupils per grade or be eligible for sparsity revenue. The proposal would also provide a discounted interest rate for districts that use the building for year-round learning programs or enter into agreements to share the building with the city or county, as long as the educational portion of the building is not more than 75 percent of the total project cost.

Another idea put forth by Peterson requires a district submitting a proposal for a new building to send a copy of the proposal to the other districts located in its serving area. The districts must then assent to, dissent from, or make no decision regarding the proposal. The districts' responses can effect their eligibility for depreciation revenue. The proposal also prohibits a district from proceeding with a construction project if the commissioner gives the project a negative review and comment.

Senators also discussed S.F. 1787, which also modifies the Maximum Effort Education Facility Aid Loan Program, as a separate bill.

In other action, Senators adopted a number of amendments to the omnibus bill. One amendment, adapted from S.F. 1929, sponsored by Peterson, cleans up and slightly expands language relating to the High School Graduation Incentives Program. New language in the amendment expands the program to allow most pupils at least 16 years old to enroll in any nonprofit, nonpublic school that has contracted with the district of residence to provide nonsectarian educational services. The pupil must have been enrolled only in a public school for the previous year, if the student had been enrolled in school at all. Senators defeated an amendment, proposed by Sen. Ember Reichgott, to delete the pro-

vision. Reichgott argued that allowing the students to attend sectarian schools could raise legal questions.

Senators also adopted language, proposed by Sen. Fritz Knaak (R-White Bear Lake), providing for grants to develop interdistrict school desegregation programs. Other language adopted removes the requirement that the commissioner of finance contract with an independent evaluator to provide an independent market valuation of the Minnesota Educational Computing Corporation (MECC). The new language allows that the commissioner may still contract for the valuation.

A provision included in the omnibus bill allows districts to levy for the severance pay of teachers who lose their jobs due to secondary tuition agreements and are unable to find a new job. In addition, Senators approved language funding deficiencies under Cooperation and Combination and Early Childhood Family Education. Members also adopted a \$691,000 reduction to the Dept. of Education for Fiscal Year 1991 (FY91). The reduction is a 5 percent cut on the 1989 base. Also approved was language canceling designated amounts of general education aid for FY90 and FY91 back to the General Fund, if the amounts are not needed for general education payments to districts. The amount canceled shall not be included in the transfer of excess appropriations under the cited statute.

Senators also approved language, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), relating to levy and bonding authority for the Minneapolis, St. Paul and Duluth School Districts.

One major amendment, offered by Sen. Ember Reichgott (DFL-New Hope), allows five school districts to grant a charter for a school. The amendment defines a charter as a binding agreement between a school district or the State Board of Education and parents, educators and others to establish and operate a public school to provide innovative learning opportunities for children. A chartered school is a public school, and the courses of study must meet the state standards unless a waiver has been granted.

Under the amendment, if five school districts have not granted a charter by June 30, 1993, the State Board of Education may grant a charter to an applicant. The amendment was approved and included in the omnibus bill.

In addition, Senators adopted an amendment offered by Knaak. The amendment alters the way pupil units are calculated for the purpose of determining if a district's operating fund balance exceeds the legal limit. Districts that exceed the limits receive a revenue reduction. The Knaak amendment also allows the White Bear Lake district to recover the levy it lost by inadvertently exceeding the fund balance limits.

Some minor amendments adopted include: exempting school districts that do not participate in the school lunch program from the school breakfast program requirements; language from S.F. 1910, authored by Pehler, expanding the membership of the Minnesota Academic Excellence Foundation and clarifying the foundation's ability to accept in-kind contributions for matching purposes; and establishing the Minnesota Education in Agriculture Council to promote education about agriculture. Senators also adopted an amendment that removes a requirement that an architect, engineer, landscape architect or land surveyor provide related services for any public work or public improvement that costs more than \$100,000 and is done by a public body. The amendment is not effective until Mar. 15, 1991.

Senators approve new ed funding bill

In a surprising meeting Mon., Mar. 26, Senators approved a new omnibus education funding bill and took no final action on a proposal relating to school building construction.

The new omnibus funding bill, which is drafted as an amendment to H.F. 493, was described by division Chair Sen. Randolph Peterson (DFL-Wyoming), as a "bare bones" bill. The measure contains no new spending, Peterson said, although it does fund some of the outstanding deficiencies in the budget. Peterson said he was proposing the new measure because he didn't think it was appro-

priate to fund new legislation when there were still unfunded deficiencies in the education budget. S.F. 2570 will remain in the division barring future action.

The bill alters the manner in which pupil units are calculated for the purposes of determining if a district exceeds the legal limit in its operating fund balance. Districts exceeding the limit receive a revenue reduction.

The bill also removes the districts' authority to purchase buildings and sites under installment purchase agreements, lease purchase agreements, or certain other deferred payment agreements without holding a referendum. The authority to purchase buildings through these arrangements was granted last year.

The bill fully funds aid deficiencies in the Early Childhood Family Education Program and the Cooperation and Combination Program. Other deficiencies will be reduced according to the funds available, Peterson said. The bill also cuts the appropriation to the Dept. of Education for Fiscal Year 1991 (FY91) by \$691,500, reflecting a five percent cut on the 1989 base. In addition, the bill cancels specific amounts for FY90 and FY91 from the General Education Aid appropriation back to the General Fund, if the amounts are not needed for General Education Aid payments. Also contained in the bill is language making adjustments Teacher Retirement Association aid.

The measure was approved.

In other action, Senators spent quite a bit of time amending and discussing a delete-everything amendment to S.F. 1787, authored by Sen. James Pehler (DFL-St. Cloud), addressing the Maximum Effort Education Facility Capital Aid Loan Program. The program provides districts with state assistance for large construction projects. The delete-everything contains items from the original S.F. 1787, as well as items from the proposals Peterson presented at the Thurs., Mar. 22, meeting.

The measure restricts the types of construction projects for which the loans may be used and outlines review procedures, levy limitations, voter approval, and other details of the program. However, discussion of the measure centered on a provision expanding the education commissioner's review and comment criteria. The commissioner uses the criteria to arrive at a positive or negative review and comment of the proposals. The provision requires the commissioner to take a number of criteria into account when making a review and comment, including: whether the district will enroll an average of at least 100 pupils per grade or be eligible for sparsity revenue; whether no form of cooperation with another district would provide the necessary facilities; and whether the district is projected to have a continuous increase in the average daily membership over the next ten years or is eligible for sparsity revenue.

A number of Senators expressed confusion about the criteria, saying that it was difficult to determine what would lead to a positive review and comment and what would lead to a negative review and comment. Tom Deans, representing the School Boards Association, pointed out that the bill was written so that the criteria would apply to all capital projects over \$400,000, regardless of how the projects were financed. Deans also objected to a section requiring districts to send copies of construction proposals of over \$400,000 to adjacent districts, and requiring the adjacent districts to respond. A district that assents to the proposal may not construct or buy a facility for instructional purposes unless it meets other criteria. Deans said that the section was confusing.

Senators laid the bill over.

In other action, Senators amended and approved S.F. 2206, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), regarding desegregation levies and bonding authority for the Minneapolis, St. Paul and Duluth School Districts. Pogemiller explained that the bill continues the levy and bonding authority previously granted to Minneapolis, gives St. Paul one additional mill for desegregation and grants the city new bonding authority, and continues Duluth's desegregation levy and authorizes new bonding authority.

Senators approved an amendment, offered by Sen. Fritz Knaak

Committee Capsule

(IR-White Bear Lake), allowing intermediate districts to receive health and safety revenue, and allowing the White Bear Lake school district to recover the levy it lost by inadvertently exceeding the legal fund balance limits. Although identical or similar measures to the Pogemiller and Knaak proposals had been approved earlier by the division, they had been adopted into S.F. 2570, the old omnibus bill, which will remain in the division. S.F. 2206 will be sent to the full committee.

In addition, Senators discussed and heard testimony on an amendment relating to Elementary Secondary Vocational (ESV) regions, which provide computing support and service to school districts and serve as a conduit for information from the districts to the Dept. of Education.

Construction bill advanced

The Education Funding Division of the Education Committee met briefly Tues., Mar. 27, and approved an amended version of S.F. 1787, authored by Sen. James Pehler (DFL-St. Cloud). The bill modifies the Maximum Effort Education Facility Aid Capital Loan Program.

Senators adopted a number of amendments answering concerns that had been expressed at Monday's meeting. Regarding the provision requiring a district applying for a capital loan to notify adjacent districts, the amended version requires the district to present the proposed project to the school board of each adjacent district; the board of each adjacent district must then submit an evaluation of the proposed project to the commissioner. The evaluation must be kept by the commissioner as part of a permanent record of the district submitting the evaluation.

The division also amended the portion of the bill regarding the commissioner's review and comment. Under the provision, the commissioner must take a number of provisions into account when determining whether to make a positive review, including: that the facilities are needed for pupils for whom no adequate facilities exist or will exist; that no form of cooperation with another district would provide the necessary facilities; and that the district is projected to maintain or increase the average daily membership over the next five years or is eligible for sparsity revenue. One of the criteria stated that the district will enroll an average of at least 80 pupils per grade or is eligible for sparsity revenue; however, Senators changed that criteria to specify that the district enroll at least 400 pupils in grades 7-12. These criteria apply only to districts applying for capital loans.

In addition, the bill changes the vote required for districts to proceed with a construction project if the commissioner has given the project a negative review and comment from a 60 percent vote to a two-thirds vote. The requirement applies to all projects over \$100,000.

Senators also approved an amendment allowing Independent School District No. 738, Holdingford, to enter into construction contracts for facilities for which a capital loan was granted within 24 months of when the loan was granted. The time limit is normally 18 months.

The division, chaired by Sen. Randolph Peterson (DFL-Wyoming), approved the bill and sent it to the full committee.

Finance

Division approves capital budget

The Finance Division on Agriculture, Transportation and Semistates, chaired by Sen. Keith Langseth (DFL-Glyndon), met briefly on Fri., Mar. 23, and approved a \$25.6 million capital budget proposal. Approximately \$21 million of the funding is directed at various Dept. of Transportation projects, including local bridge replacement, construction of a headquarters in Brainerd, and underground tank replacement. The Historical Society, Dept. of Public Safety, and Board of Water and Soil Resources each received small appropriations.

The \$25.6 million proposal compares with the governor's recommendation of \$31.6 million; the state bodies involved had originally requested approximately \$95 million in new funding. Among the proposed projects that did not receive appropriations were various rest area constructions, and developmental funding for the central office building. In addition, the appropriation for local bridge replacement constituted approximately 20 percent of the original request.

Operating budget approved

The Finance Division on Agriculture, Transportation and Semistates, meeting Tues., Mar. 27, approved an omnibus appropriations bill affecting a number of state agencies and boards. Division Chair Sen. Keith Langseth (DFL-Glyndon) opened the meeting by reviewing the fiscal constraints facing the state, and stated that the budget proposals contained in the bill reflected the necessity of making "unpopular cuts." The budget reduces overall expenditures by approximately \$20 million.

The Dept. of Transportation is among the bodies targeted for funding reductions. A total of \$14 million is cut from the Trunk Highway fund, the County State Aid Highway fund, the Municipal State Aid Street fund, and the Transit Assistance fund. The bill specifies that the trunk highway fund decrease must not be applied to appropriations for highway development. Included in the transit assistance fund reduction are the monies earmarked for light rail transit.

In addition, the Regional Transit Board will take a \$1.5 million cut in 1991 under this proposal, due to the transfer of the metro mobility program to the Dept. of Human Services.

The Dept. of Agriculture receives a \$612,000 increase for 1990. The additional money is to be used for reimbursing counties and townships for up to 50 percent of the costs incurred for grasshopper control activities during 1989. In 1991 the department's funding will be decreased by \$391,000, achieved primarily through the elimination of certain subsidies and a reduction of interest adjustments, as well as a general, non-specific, decrease.

The budget contains \$750,000 and six positions for the drug initiatives under the auspices of the Dept. of Public Safety. The number of new positions is equal to the governor's recommendation, while the funding has been reduced from slightly over \$1 million. Also included is an additional \$550,000 for lawful gambling enforcement, including five staff positions.

Other programs facing significant budget reductions include the Board of Water and Soil Resources, World Trade Center, Minnesota Historical Society, and the Board of the Arts.

Division approves welfare reform

A bill restructuring Minnesota's job training and child care programs was among five measures approved at the Fri., Mar. 23, meeting of the Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd).

S.F. 2419, authored by Sen. Marilyn Lantry (DFL-St. Paul), creates two distinct child care funds, one serving the working poor and the other AFDC families in the STRIDE job training program. Further bumping of families currently using the sliding fee program would be prohibited, although the subsidies they receive will be limited, and no new entrants will be allowed into the program for the remainder of the biennium. The bill also tightens the eligibility requirements for the STRIDE program. Lantry told the committee that while she is not happy with the impact of the bill, it is a necessary measure due to the serious financial difficulties caused by increased federal mandates and high participation rates in the programs.

S.F. 1022, authored by Sen. Don Frank (DFL-Spring Lake Park), addresses the problems that face displaced workers. The bill requires that a government unit prepare a job impact statement if a proposed development could result in job displacement. The unit is also responsible for coordinating the securing of benefits for

displaced workers, such as retraining funds. In addition, the bill requires that an employer who carries out a mass layoff within three years after an acquisition pay to the state ten percent of 12 months wages of the affected employees, to be used for economic development grants, wage subsidies, and emergency grants. Severance payments and continued health insurance coverage is also mandated.

In other action, the committee approved S.F. 2019, sponsored by Sen. Pat Piper (DFL-Austin), amending the Dept. of Human Services licensing procedures and various mental health provisions. Among the changes made is a requirement that the department determine the need for a residential program upon initial licensure and every two years thereafter. Drop-in day care is redefined, and the language pertaining to voluntary and involuntary receivership modified. S.F. 1731, sponsored by Sen. Linda Berglin (DFL-Mpls.), makes a number of changes in Minnesota's Mental Health Acts for adults and children. An amendment offered by Samuelson, clarifying the appeal process for counties charged with not complying with state regulations, was adopted by the committee. The final bill approved was S.F. 1520, sponsored by Lantry, creating a technology assistance review panel to aid in resolving disputes over the providing of health care benefits to persons who are technology-assisted for medical reasons, and who are members of a health care plan.

Omnibus bill considered

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met Wed., Mar. 28, and began consideration of the committee's omnibus appropriations bill. The bill appropriates \$40 million for FY 1990 and \$49 million for FY 1991, representing a reduction from anticipated spending levels of approximately \$36 million. Samuelson told the committee that the majority of the cuts are projected for the second year of the biennium, and involve deleting new programs scheduled to be initiated in 1991, as well as holding down increases for established programs. The bulk of the reductions come from various Medical Assistance programs, as well as child and family support initiatives. The proposed sex offender treatment facility and the anti-smoking campaign are among the specific programs facing funding cuts.

A number of bills were attached on to the committee bill in at least partial form. Among those included are S.F. 1617, sponsored by Sen. Don Frank (DFL-Spring Lake Park), requiring the Dept. of Human Services to study the feasibility of a program to provide assistance to persons with high prescription drug costs; S.F. 2419, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), altering the eligibility for STRIDE work and training services and child care assistance; S.F. 1728, sponsored by Samuelson, changing allocations of Community Social Services block grants; S.F. 2417, sponsored by Sen. Linda Berglin (DFL-Mpls.), changing the procedures and requirements for long-term care programs administered by the Dept. of Human Services; and S.F. 2478, sponsored by Berglin, altering eligibility and coverage under the Medical Assistance, General Assistance Medical Care, and Children's Health Plan programs.

The committee approved an amended version of S.F. 1828, sponsored by Sen. Linda Berglin (DFL-Mpls.), establishing nursing home property rates. Under the measure, those homes phasing down to rental will receive 88 percent of the rate in effect on July 1, 1989. Homes phasing up to rental receive 112 percent of that rate. Berglin acknowledged that the bill satisfies neither group, but argued that the adjustment was necessary given the serious financial problems confronting homes experiencing funding phase-down.

The committee also adopted an amendment to S.F. 2419, authored by Lantry, establishing additional priority groups for inclusion into the STRIDE program if those already established by the bill are insufficient to utilize the available funds. The highest priority group created by the amendment is custodial parents under the age of 22 who have not completed high school and who, at

the time of application for AFDC, were not enrolled in high school or an equivalent program.

Omnibus crime bill approved

Passage of an omnibus crime bill highlighted the agenda of the Wed., Mar. 28, evening meeting of the Finance Division on Health and Human Services. Sen. Don Samuelson (DFL-Brainerd) serves as committee chair.

The committee's review of S.F. 1759, sponsored by Sen. Allan Spear (DFL-Mpls.), centered on the appropriations made by the bill to the Dept. of Corrections, totaling \$1.28 million. This appropriation funds a variety of proposals, including intensive probation and supervised release programs; chemical dependency programs in local correctional facilities; chemical dependency assessment of convicted drug offenders; developing drug testing as a condition of probation and pretrial release; and developing various service, work release, and intermediate sentencing alternatives.

The committee also approved a \$41 million human resources capital budget proposal. The largest recipient is the Dept. of Human Services, allocated \$24 million. Major projects receiving funding include remodeling of nursing facilities at Fergus Falls, Cambridge, and Brainerd, and the recapitalization and renovation of psychiatric facilities at Anoka, Fergus Falls, and Moose Lake. However, a proposal for construction of 16 State Operated Community Service facilities was not funded.

The Dept. of Corrections received a \$13 million appropriation. Construction of two new cottages in Lino Lakes and renovation of the Fairbault prison facility are the largest funded proposals.

Other projects receiving money include renovation of veterans homes in Hastings and Minneapolis, relocation of the Dept. of Jobs and Training's job service facilities, and lab remodeling undertaken by the Dept. of Health.

In other action, the committee continued to discuss, and eventually approved, the health and human services omnibus appropriations bill.

Health and human services bill gains

The Senate Finance Committee, meeting Thurs., Mar. 29, approved the omnibus appropriation bill for health and human services. The bill allocates \$89 million over the next two years, a \$36 million reduction from original spending forecasts combined with the costs of new initiatives passed this session. The Dept. of Human Services absorbs most of the reduction, in terms of both programs and administration. Committee members expressed concern at the rapid escalating percentage of the overall state budget devoted to health and human services programs. Sen. Keith Langseth (DFL-Glyndon) stated that other areas of concern are being "crowded out" of the budget, and argued that some programs as currently constituted are unnecessary and abused. In response, bill author Sen. Don Samuelson (DFL-Brainerd) commented that federal mandates and rising health care costs are in part responsible for increased state spending, and that the state is starting to do a better job of creating programs aimed at self-sufficiency and removing individuals from state assistance.

Six additional bills were approved and sent to the floor. S.F. 1520, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), creates a technology assistance review panel to review disputes over the provision of health care benefits to persons who are technology-assisted for medical reasons. S.F. 1798, authored by Sen. Pat Piper (DFL-Austin), provides limited prescription privileges for physician assistants. S.F. 1903, sponsored by committee Chair Sen. Gene Merriam (DFL-Coon Rapids), provides programs and incentives for persons to volunteer as bone marrow donors. S.F. 1994, sponsored by Merriam, prohibits general fund payments for state revenue bonds. S.F. 2347, authored by Sen. Sam Solon (DFL-Duluth), approves state membership in the Great Lakes Protection Fund. S.F. 2382, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), appropriates oil overcharge money for energy conservation projects that directly serve low-income persons.

Committee Capsule

Bonding proposals offered

A lengthy Thurs., Mar. 22, evening meeting of the Finance Division on State Departments was devoted to hearing bonding requests from Senators and state departmental representatives. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

Sen. Sam Solon (DFL-Duluth), proposed bonding amounting to \$6.4 million for the city of Duluth to complete public improvements on the Lake Superior Zoological Gardens, a project originally undertaken by the Legislature in 1984. Solon is also seeking bonding authority of \$2 million to fund the continued development of the Lake Superior Center, an educational facility designed to address the cultural and historical importance of fresh water supplies, and \$1.7 million for construction of an expanded Wolf Center in Ely.

Sen. John Marty (DFL-Roseville), urged panel members to approve a \$4 million bonding proposal to build a speed skating sports and recreation facility in Roseville. Sen. Linda Berglin (DFL-Mpls.), requested \$500,000 in bonding authority to purchase and demolish a liquor store located next to Peavey Park in Minneapolis. She said that the liquor store's close proximity to the park has proven to be a public nuisance because an alarming number of people take advantage of the liquor store's easy access, purchase alcohol, and then return to the park and become inebriated. Division members also heard a \$2.5 million request from Sen. James Metzen (DFL-South St. Paul), to finance sewer and road improvements for a parcel of land in South St. Paul that will eventually be developed as the Minnesota Agribusiness Center.

Other legislator-sponsored bonding requests include \$5.5 million for the acquisition of right-of-ways for a proposed 100-mile Paul Bunyan Trail connecting Brainerd and Bemidji, offered by Sen. Don Samuelson (DFL-Brainerd); \$2.5 million for construction of the Holmenkollen Ski Jump, requested by Sen. Michael Freeman (DFL-Richfield); \$2 million for the acquisition and preservation of wetland property by the city of Savage, proposed by Sen. Robert Schmitz (DFL-Jordan); \$10 million for the rehabilitation of transitional housing, presented by Sen. Lawrence Pogemiller (DFL-Mpls.); and \$2.5 million for the further development of a nature trail in Ramsey County, offered by Sen. Jerome Hughes (DFL-Maplewood). Panel members also heard bonding requests of \$21.4 million for the construction of parking ramps for the Minneapolis Convention Center; \$50.5 million for capital improvements to Metropolitan Area parks presented by the Metropolitan Parks and Open Spaces Commission; and a total of nearly \$8.2 million for the renovation of a dolphinarium, construction of a bird show amphitheater, along with the repair of several facilities at the Minnesota Zoo.

In addition to the previous bonding proposals, the division also heard brief presentations by representatives of several state agencies, including the Dept. of Military Affairs and the Dept. of Administration, concerning the governor's proposed capital budget bonding requests. Gov. Perpich's capital budget bonding request proposal contains a total of \$202 million in new state funding.

State court budget request heard

Discussion of supplemental budget requests by the state court system, the Dept. of Trade and Economic Development, and the Dept. of Human Rights dominated the Fri., Mar. 23, meeting of the Finance Division on State Departments. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

Minnesota Supreme Court Chief Justice Peter Popovich continued his presentation of the judicial system's supplemental spending proposal originally heard by the panel during its Wed., Mar. 21, meeting. He argued that because a large portion of the state court's budget is constitutionally protected from cuts due to laws prohibiting reductions in judicial salaries, the governor's recommendation to trim five percent from state government agency direct operation budgets will, if implemented, result in an unusually harsh \$1.1 million reduction in the state court system's FY91 ap-

propriation. He explained that because the cuts can not be made in judicial salaries, the reduction will need to be directed at severely restricting many of the court system's essential service delivery functions. Popovich added that among other things, the court system is currently seeking funding to create an additional 12 judgeships to handle existing caseloads and to cover costs associated with Worker's Comp litigation and drug offender activities.

Division members then turned their attention to a presentation by Dept. of Trade and Economic Development Commissioner David Speer. He said that the governor's proposal includes budget reductions totalling \$3.986 million in FY91 by sunseting the Job Skills Partnership Board and by deleting an existing appropriation to pay the principal and interest on specific locally issued bonds. Speer said that the supplemental budget proposal includes funding increases amounting to \$435,000 in FY91 to provide a matching grant for the 1992 Superbowl, to support administrative costs related to the Celebrate Minnesota 1990 campaign, and to fund Minnesota Quality Council activities.

Dept. of Human Rights Commissioner Stephen Cooper briefly addressed the division. He stressed that the department identified, and the governor supports, more than \$500,000 worth of cost reductions for FY91. The savings include recovering costs associated with court, investigative, and certification activities. Cooper noted that the Dept. of Human Rights is seeking supplemental appropriations of \$64,000 in FY90 for unanticipated litigation fees it has incurred, and \$292,000 in FY91 for installation of a computer system and creation of four additional positions to meet increased service demands.

Due to time constraints, State Planning Agency Deputy Commissioner Jack Ditmore was unable to present all of his agency's budget proposals. Panel members asked Ditmore to address the division during its Tues., Mar. 27, meeting.

Panel hears additional budget requests

Members of the Finance Division on State Departments met Tues., Mar. 27, to continue hearing supplemental budget requests from the State Planning Agency and the Indian Affairs Council.

State Planning Agency Deputy Commissioner Jack Ditmore continued the presentation that he had briefly started during the panel's Fri., Mar. 23, meeting. Discussion centered on an item contained in the governor's supplemental appropriation proposal recommending \$100,000 in FY91 to fund the initiation of a timber harvest Generic Environmental Impact Statement (GEIS), designed to support and promote the orderly expansion of Minnesota's timber industry. Ditmore said that a required study preceding issuance of the GEIS, expected to eventually cost an additional \$1 million over the next two and one-half years, will also serve to benefit the state's tourism, recreation, and wildlife industries by providing much-needed data on existing natural resources. Several division members suggested that the proposed study's costs be paid for by private sector individuals who will eventually benefit from the information generated by the study. Ditmore replied that current statutes do not provide the agency or the Environmental Quality Board with the authority to assess individuals for GEIS costs, consequently justifying a General Fund appropriation. Sen. Don Samuelson (DFL-Brainerd), expressed support for the state funding, emphasizing that the study's results can be used to entice timber-related industries to relocate in Minnesota.

Indian Affairs Council Executive Director Roger Head briefly addressed the division. He said that the governor's supplemental budget proposal includes appropriations of \$120,000 in FY91 to support an Indian remains reburial project, and \$50,000 in FY91 to finance an Indian business low-income revolving loan program.

The meeting was concluded after Division Chair Carl Kroening (DFL-Mpls.), supplied members with compilations of all capital and supplemental budget requests submitted to the division during the legislative session, and after instructing the panel to develop funding recommendations for inclusion in the State Department's appropriation bill.

Streamlining proposal presented

A brief presentation by Finance Commissioner Peter Hutchinson highlighted the Wed., Mar. 28, meeting of the Finance Division on State Departments. The panel is chaired by Sen. Carl Kroening (DFL-Mpls.).

Hutchinson outlined a recent effort to merge the State Planning Agency and the Dept. of Finance. He said that in Sept., 1987, the governor directed the two state agencies to develop a merger plan in time for consideration during the 1988 legislative session. A five-member advisory committee was then formed to study streamlining issues and to develop implementation recommendations. After eight meetings, the advisory committee endorsed the formation of a new Dept. of Policy and Fiscal Management, a department combining portions of the State Planning Agency with the Dept. of Finance. Hutchinson stated that Gov. Perpich supports the recommendation, noting that enacting the proposal is consistent with the executive branch's current streamlining goals.

Sen. Donald Moe (DFL-St. Paul), in objecting to further consideration of the recommendation by division members, said that the Governmental Operations Committee was the appropriate legislative entity to study the merger issue. Sen. Dennis Frederickson (IR-New Ulm), expressed agreement with Moe, adding that the current legislative session should focus its energies on providing strong fiscal leadership instead of diverting its attention by undertaking a large-scale state government reorganization effort. Panel members took no action on the recommendation.

Higher ed approves bill

The Education Division of the Finance Committee completed work on its operating budget bill at its Fri., Mar. 23, and Mon., Mar. 26, meetings. The bill was advanced to the full committee at the Monday meeting.

The bill cuts appropriations to the four higher education systems and the Higher Education Coordinating Board (HECB) by a total of about \$24.2 million over Fiscal Year 1990 and Fiscal Year 1991 (FY91). In addition, the bill makes a number of other changes.

One key provision in the bill, added by an amendment proposed at Friday's meeting, requires the State Board of Vocational Technical Education, by Aug. 1, 1990, to develop procedures necessary for creating a voluntary state system of technical colleges. Each local board operating a technical college must, between Nov. 15, 1990, and Dec. 15, 1990, conduct a public hearing on the question of whether or not to transfer the technical college to a voluntary state system. The local board must then vote on the subject at a later meeting, and report its decision to the state director. The director must, by Feb. 15, 1991, report the boards' responses to the Legislature, and, if the state board determines that there is sufficient interest, the report must include proposed legislation necessary to permit the voluntary transfer.

Also included in the bill is language including Cambridge as a community college site. However, the bill requires that the State Board of Community Colleges recommend an appropriate administrative structure for the new community college, and mandates that the present administrative structure remain at Cambridge until the recommendations are approved by the Legislature.

The bill establishes a state matching program for gifts made to undergraduate academic programs. The University of Minnesota, the State University System, the Community Colleges, the Technical Colleges, and most four-year private colleges and universities are eligible for the program. The bill outlines the specifics of the matching program.

The bill also contains language relating to the Lourdes Hall purchase on the campus of the former College of St. Teresa; language relating to system plans for meeting the state's educational needs; and language relating to retirement funds.

In other action, the division, chaired by Sen. Gene Waldorf (DFL-St. Paul), discussed the proposal recently made by Sen.

Roger Moe (DFL-Erskine) to use part of the lottery proceeds for bonding purposes. Sen. Michael Freeman (DFL-Richfield) explained that the proposal would mean more money for debt service for higher education, but higher education would have to help support the debt service with operating funds. Representatives from each of the four systems then responded to the proposal, basically saying that the systems need new construction, but are concerned about obtaining the funds to support the debt service. Dr. Gerald Christenson, chancellor of the Community College System, said that a bonding bill is so important to the system that the system is receptive to the idea.

Public Utilities and Energy

Energy efficiency bill examined

Members of the Public Utilities and Energy Committee met Tues., Mar. 27, to discuss a bill that provides for integrated resource planning by electric utilities. The measure, S.F. 2006, sponsored by Sen. John Marty (DFL-Roseville), will be introduced during the 1991 legislative session.

As currently proposed, the bill directs the Public Utilities Commission (PUC) to order electric utilities to investigate cost-effective energy delivery methods that meet customer service needs if the PUC makes a factual determination that utility expenditures are not sufficiently encouraging cost-effective improvements in the control of customer loads or energy conservation. The measure requires electric public utilities, beginning in 1991, to submit to the PUC a plan designed to achieve a more cost-effective delivery of services. Among other things, the plan must include a description of the utility's plan for meeting the needs of its customers over a specified forecast period, along with an analysis of the resource options considered by the utility and an explanation for acceptance or rejection of the options. The PUC is authorized to grant, deny, or modify the utility's proposed energy-savings plan and to mandate implementation of its provisions. In addition, S.F. 2006 permits the PUC to reject any application by a public utility for construction of a large-scale energy facility not approved in the utility's most recently filed plan, unless under emergency circumstances.

Marty said that the bill will be laid over and reintroduced in the next legislative session in order to provide panel members with additional time to study its provisions.

The committee is chaired by Sen. Ronald Dicklich (DFL-Hibbing).

Rules and Administration

Abortion prohibition bill re-referred

Debate on the fate of two bills prohibiting abortion dominated the Tues., Mar. 27, meeting of the Rules and Administration Committee. The committee is chaired by Sen. Roger Moe (DFL-Erskine).

In a letter to the committee, Sen. Gene Waldorf (DFL-St. Paul) who does not sit on the committee, requested that Senate Rule 40 be invoked to withdraw S.F. 1688, the abortion prohibition bill, from the Health and Human Services Committee and send it to the floor of the Senate. Sen. Joseph Bertram, Sr. (DFL-Paynesville), made the motion, however Sen. Gary Laidig (IR-Stillwater) proposed an amendment to the motion specifying that the bill be sent to the Judiciary Committee, rather than to the floor of the Senate. Debate centered on the Laidig motion. Proponents argued that the bill contained numerous provisions that fall under the jurisdiction of the Judiciary Committee and that the original motion defeated in the Health and Human Services committee last month had been that the bill be re-referred to the Judiciary Committee. Opponents argued that the bill should be sent directly to the Senate floor so that the issue could be debated by the entire body. The Laidig motion was approved on an 18-13 roll call vote.

Committee Capsule

The Bertram Rule 40 motion was then approved on a 16-15 roll call vote.

Earlier, a bill concerning the prohibition of the use of public facilities or employees for abortions had sparked committee debate. A Bill Referral Subcommittee report had recommended that S.F. 2320, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), be sent to the Committee on Health and Human Services. Chmielewski objected to the subcommittee's decision and asked that the report concerning S.F. 2320 be separated from other bills and voted upon as a separate issue. Further, Chmielewski asked that the subcommittee's recommendation be defeated so that he could move that the bill be sent directly to the full Senate, bypassing the policy committees. Chmielewski's motion was defeated on a 20-11 roll call vote.

In other action, the panel sent two measures to the Senate floor and one bill to the Committee on Finance. S.F. 1790, authored by Sen. Sam Solon (DFL-Duluth), establishing a legislative task force to study regulation of health insurance premium rates and S.F. 2468, authored by Sen. Jim Vickerman (DFL-Tracy), requiring disclosures about artificial cheese were both sent to the Senate floor. S.F. 2188, authored by Sen. Ember Reichgott (DFL-New Hope), establishing a legislative commission on children was re-referred to the Committee on Finance.

Two additional bills contained in the Bill Referral Subcommittee Report were also sent to the full Senate. S.F. 2282, authored by Sen. Don Frank (DFL-Spring Lake Park), provides for the enforcement of specific contracts and S.F. 1847, sponsored by Reichgott, makes changes to the Human Rights laws.

Taxes and Tax Laws

Committee hears bonding authority bill

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Mon., Mar. 26, to hear five bills. H.F. 2457, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), changes the procedure for allocating authority to issue tax exempt revenue bonds for 1991. It provides for an accelerated schedule of allocating bonding authority beginning in June of this year if the federal government does not extend the sunset on mortgage and small issue bonds past Sept. 30, 1990. In addition, the bill increases the amount allocated to the manufacturing pool in 1991 by \$1 million, and increases the amount allocated to the housing pool in 1991 by \$16 million. Under the bill's provisions, the amount allocated to the public facilities pool in 1991 decreases by \$11 million.

The bill was amended to provide that interest on residential rental bonds is taxable if the project for which the bonds were issued does not comply with rent and income limits set in the bill. The committee approved the bill and sent it to the Senate floor.

S.F. 1894, authored by Sen. Gregory Dahl (DFL-Ham Lake), amends the statutes relating to water management. Tax provisions in the bill include a levy limit exemption for levies by counties in the Metropolitan Area to pay the costs of water planning, plan implementation and the financing of capital projects. In addition, the bill specifies that watershed districts may accumulate the proceeds of their levies as an alternative to issuing bonds to finance capital improvements. The bill was approved and re-referred to the Committee on Finance.

A bill relating to ambulance services, health care professionals, and hospitals was also approved by the committee. S.F. 1896, authored by Sen. Jim Vickerman (IR-Tracy), provides that ambulances owned by licensed ambulance services are exempt from the annual motor vehicle registration law. The bill also exempts purchases and leases of ambulances by licensed ambulance services from the motor vehicle excise tax. The committee voted to delete a section in the bill that provides a tax credit for physicians who serve as medical directors or advisors for an ambulance service. As amended, the bill was re-referred to the Finance Committee.

S.F. 2612, authored by Johnson, amends the definition of "real property" used in the property tax law. The new definition includes iron ore and taconite minerals not otherwise exempt, and excludes mine shafts, tunnels, and other underground openings used to extract ores and minerals. The bill excludes all clays from the net proceeds tax on mining, and provides that the value of unmined iron ore is the present value of future income from the ore. The measure also changes the production tax rate from \$1.90 to \$1.975 per gross ton of merchantable iron ore. The committee approved the bill and sent it to the Senate floor.

S.F. 2146, authored by Sen. Marilyn Lantry (DFL-St. Paul), establishes and regulates special number license plates for motor vehicle manufacturers. The bill defines "motor vehicle manufacturer" as an individual, firm, partnership or corporation engaged in the business of manufacturing, assembling, or distributing motor vehicles. Under the bill's provisions, the motor vehicle manufacturer is provided with one or more plates for the same fees and limitations that currently apply to dealer plates. Motor vehicles owned by the manufacturer and bearing the number plate may be driven for demonstration purposes by a prospective buyer for a period of 48 hours, by a full-time employee of the manufacturer, in a promotional event that lasts no longer than four days, or by a part-time employee when the use is directly related to a particular business transaction. The bill was laid over.

Income tax provisions granted approval

The Income Tax Division of the Taxes and Tax Laws Committee, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), met Tues., Mar. 27, to discuss S.F. 2540, the omnibus tax bill. The committee focused its efforts on Article I, relating to changes in the income, gross premiums, and franchise state tax laws. The measure establishes a new add-on, minimum fee for Minnesota corporations in the amount of \$250 for "C" corporations whose Minnesota property, payroll and sales factors total less than \$1 million, and establishes a \$500 fee for "C" corporations whose factors total \$1 million or more. A \$175 flat fee applies to "S" corporations, limited partnerships and general partnerships beginning in tax year 1991.

In addition, the Minnesota alternative minimum tax is changed from 7 percent to 5.8 percent of alternative minimum taxable income, and the regular corporate income tax rate changes from 9.5 percent to 9.8 percent. The bill also incorporates the changes made in the Omnibus Budget Reconciliation Act of 1989, relating to the computation of gross income, the credit for research and experimental expenditures, the credit for state death taxes, and the federal alternative minimum taxable income. Committee members approved Article I and amended it into S.F. 2540.

Division approves property tax provisions

Tues., Mar. 27, the Property Taxes and Local Government Aids Division of the Taxes and Tax Laws Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met to discuss the omnibus tax bill. Discussion centered on Articles II, III, and IV of S.F. 2540, authored by Sen. Douglas Johnson (DFL-Cook), and the committee amended each section into S.F. 2540.

Article II, relating to property tax, deletes changes in the agricultural homestead property class rates and nonhomestead property class rates occurring in 1991 and 1992. This section also creates a new special levy for the operating or maintenance costs of a county jail or a correctional facility provided that the levy is a result of a rule, minimum requirement, minimum standard or directive of the Dept. of Corrections. Under an amendment offered by Sen. Richard Cohen (DFL-St. Paul), an assessor must take environmental factors into account when calculating the market value of a property.

The committee adopted another amendment requiring that the principal residence of an individual who has a permanent disability shall be classified as a homestead for tax purposes if the resi-

dence is wholly owned by a parent or both parents of the individual. Members also adopted an amendment to include the commercial boarding of horses in the definition of "agricultural purposes."

Article III makes several changes to the state property tax aids and credits statutes. The bill makes a \$43 million reduction in local government aids for counties, cities, townships and special taxing districts for taxes payable in 1990. In addition, the measure delays the starting date for state payments to counties of one half of the cashflow shortfall resulting from the state Income Maintenance takeover. The measure also defines "equalized tax capacity" as a city or township's tax capacity computed using equalized market values. Under the bill, if the total of the reductions in aids and credits under this article for 1992 is not at least \$174 million, the commissioner of revenue shall reduce state aids payable to cities, counties, towns and special taxing districts by an amount that will equal \$174 million.

Property tax refunds are addressed in Article IV. The appropriation limit for property tax refunds is changed from \$7 million to \$12 million, and "property taxes payable" for mobile home owners is redefined to include 20 percent of the lot rent. The owner of a rental unit is required to retain a duplicate certificate of rent for three years, and must make copies of the certificate available to the renter or to the commissioner of revenue if either requests a copy. Additionally, "rent constituting property taxes" is redefined to be 20 percent of the gross rent when applying for the property tax refund for renters.

Article V changes several miscellaneous sections of the tax statutes. An amendment was adopted that requires the commissioner of revenue to report to the legislature on the overall incidence of the income tax, sales and excise taxes, and property tax. At the request of the chair of the House or Senate Tax Committees, the commissioner must prepare an incidence impact analysis of a bill or a proposal to change the tax system. The measure also allows the school districts of Coleraine, Lake Superior, Chisholm, Ely, Eveleth, Gilbert, Babbitt, and St. Louis County to issue bonds for school building acquisition, construction, or improvements.

Thursday, March 22

Emergency appropriation approved

Among the bills receiving approval during the first portion of the Thurs., Mar. 22, Senate floor session was H.F. 2609, sponsored by Sen. James Metzen (DFL-South St. Paul), appropriating funds to repair the damage caused by a major fire to the college center building at Inver Hills Community College. Metzen explained that the structure needed to be rebuilt quickly, because it contained the school's library and cafeteria. In order to speed up passage of the bill, the Senate suspended its usual rules, bypassed the preliminary approval process, and granted the bill final passage.

Several bills on the Special Orders Calendar were approved. S.F. 2018, authored by Sen. Sam Solon (DFL-Duluth), contains a number of provisions related to liquor sales, including authorizing the removal of partially consumed wine bottles from licensed premises, and allowing municipalities to issue on-sale wine licenses to bed and breakfast facilities. Before approving the bill, members adopted an amendment offered by Sen. Fritz Knaak (IR-White Bear Lake), deleting a provision granting municipalities the authority to extend bar hours to 1:30 a.m. S.F. 2109, sponsored by Sen. Betty Adkins (DFL-St. Michael), regulates cancellations, reductions, and nonrenewals of commercial property and liability insurance. S.F. 2412, authored by Sen. Donald Moe (DFL-St. Paul), requires the State Board of Investment to invest certain assets currently managed by the Dept. of Commerce. S.F. 1743, authored by Sen. Robert Schmitz (DFL-Jordan), requires the expansion, under some circumstances, of the metropolitan extended area telephone service. H.F. 1987, sponsored by Sen. Lawrence Pogemiller (DFL-

Mpls.), establishes a procedure for the allocation of low-income housing income tax credits.

S.F. 2355, sponsored by Sen. John Marty (DFL-Roseville), establishes a three-year time limit to bring an action for violation of environmental statutes. S.F. 1995, authored by Metzen, regulates the termination of insurance agents. S.F. 2026, authored by Sen. Pat Piper (DFL-Austin), authorizes the creation of a technical advisory task force for emergency dispatch services. S.F. 2498, authored by Schmitz, increases the minimum insurance coverage required for abstracters. S.F. 1365, sponsored by Marty, requires prosecutor training in bias-motivated crimes. S.F. 1971, sponsored by Sen. Howard Knutsen (IR-Burnsville), creates an automobile safety awareness week. S.F. 394, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), requires a report on preparation of post-secondary education administrators and faculty. S.F. 2072, authored by Sen. Richard Cohen (DFL-St. Paul), corrects ambiguous and obsolete references in the Minnesota Statutes. S.F. 1955, also authored by Cohen, changes the definition of designated home ownership area for the Minnesota rural and urban homesteading program.

In addition, several bills previously granted preliminary approval gained final passage. S.F. 2204, authored by Marty, clarifies an insurer's duty to provide loss or claims experience data to the insured. S.F. 2242, authored by Sen. Carol Flynn (DFL-Mpls.), exempts antique automobiles and recreational vehicles from rental vehicle no-fault insurance coverage. H.F. 1067, authored by Sen. Steven Morse (DFL-Dakota), requires students on all HECB advisory groups if the students request participation. H.F. 2135, sponsored by Sen. Steven Novak (DFL-New Brighton), authorizes the sale or exchange of lands in Anoka County. S.F. 1869, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), requires employers to prepare and implement a written program describing how they will reduce the extent and severity of work-related injuries. S.F. 1675, authored by Sen. Charles Berg (DFL-Chokio), authorizes the Leech Lake Band of Chippewa Indians to conduct aquaculture, and requires state agency uniformity in the regulation of all aquaculture activities. S.F. 1703, also authored by Berg, allows conservation officers to arrest individuals using snowmobiles and all-terrain vehicles in the course of violating game and fish laws. S.F. 2063, sponsored by Sen. David Frederickson (DFL-Murdoch), requires an environmental impact statement for burning of PCBs, and specifies that oil with PCBs may only be burned in sparsely populated areas if the oil is also burned in heavily populated areas. S.F. 1976, sponsored by Frederickson, provides for various board membership requirements relating to education. S.F. 1681, sponsored by Sen. Gene Waldorf (DFL-St. Paul), allows a graduate social work license to be issued without examination to an applicant unable to apply before the transition period ended.

S.F. 1499, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), regulates rental-purchase agreements. H.F. 2508, sponsored by Flynn, places positions in special school district #1, Minneapolis, in the unclassified service. S.F. 2541, sponsored by Sen. Dennis Frederickson (IR-New Ulm), provides for filing and recording of maps or plats for proposed rights-of-way by local governing bodies. S.F. 1937, sponsored by Sen. Linda Berglin (DFL-Mpls.), establishes standards for safe levels of lead. S.F. 1975, sponsored by Sen. David Frederickson, provides for meeting notice of educational joint powers organizations. S.F. 2149, authored by Cohen, expands the range of titles for port authority offices. S.F. 2297, sponsored by Sen. John Brandl (DFL-Mpls.), requires equal access to food or beverage services or facilities for golf clubs under open space property tax treatment. H.F. 1989, authored by Schmitz, allows tax-exempt license plates for vehicles used for driver education programs at nonpublic high schools.

Presidential primary bill approved

The late afternoon portion of the Thurs., Mar. 21, floor session was highlighted by debate on S.F. 2421. The bill, authored by Sen. William Luther (DFL-Brooklyn Park), makes several changes to the rules of the presidential primary in Minnesota. One controversial

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provision requires persons voting in the presidential primary to indicate their political affiliation on their voter registration card. Under this section of the bill, the information is available to anyone entitled to inspect the registration file or receive a copy of a current precinct list. An amendment offered by Sen. Douglas Johnson (DFL-Cook) eliminating this provision failed to be adopted. Another amendment, offered by Sen. Dean Johnson (IR-Willmar), eliminating the caucus system and rolling back the date of the primary from September to June also failed to be adopted. The bill was granted final approval by the Senate.

Several other bills were also granted final approval. S.F. 2068, authored by Sen. Richard Cohen (DFL-St. Paul), clarifies eligibility for economic loss benefits for no-fault auto insurance. S.F. 2431, carried by Sen. John Marty (DFL-Roseville), changes the definition of public building in the state building code, and ratifies the interstate impact on industrialized/modular buildings. S.F. 2181, authored by Sen. Carol Flynn (DFL-Mpls.), regulates public employee elections and provides for the selection of arbitrators by mutual agreement. S.F. 1866, authored by Sen. Sam Solon (DFL-Duluth), establishes the Lake Superior Center Authority as a public corporation.

S.F. 2445, carried by Sen. Carl Kroenig (DFL-Mpls.), establishes several positions in the unclassified service and authorizes the commissioner of jobs and training to establish a position in the unclassified service. S.F. 409, authored by Sen. Pat Piper (DFL-Austin), provides for employee leave of absences for school conferences and other educational activities. S.F. 2360, authored by Sen. Tracy Beckman (DFL-Bricelyn), clarifies the appointing authority for the board of the Minnesota Outreach Corporation; specifies the duties of the Minnesota Outreach Corporation; removes the requirement that employees of the Greater Minnesota Corporation file statements of economic interest; and changes the procedure for adopting a neighborhood revitalization program.

Friday, March 23

Measures granted final passage

The early afternoon portion of the Fri., Mar. 23, Senate floor session was devoted to granting final passage to a large number of bills appearing on the Special Orders Calendar.

H.F. 1859, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), exempts volunteer drivers of private passenger vehicles from specified Dept. of Transportation rules governing driver qualifications. S.F. 2349, offered by Sen. Don Samuelson (DFL-Brainerd), regulates uninsured and underinsured motorist coverages for motorcycles. H.F. 2521, carried by Sen. Douglas Johnson (DFL-Cook), increases the membership of the Health Care Access Commission. H.F. 2336, sponsored by Sen. Gary DeCramer (DFL-Ghent), excludes FarmAmerica in Waseca County from an existing statute that prohibits historical interpretive centers not owned by the state from receiving any state operating or maintenance funds. H.F. 1919, authored by Sen. Richard Cohen (DFL-St. Paul), designates the first Sunday of June as Ethnic American Day. H.F. 2058, carried by Sen. LeRoy Stumpf (DFL-Plummer), changes the names of state board and state director of vocational technical education and local directors of technical colleges. H.F. 2212, sponsored by Sen. Gene Waldorf (DFL-St. Paul), revises and updates county extension service laws. H.F. 2018, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville), changes filing requirements for qualification as a legal newspaper.

As amended, S.F. 2011, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), clarifies variance authority regarding ambulance attendant training standards and establishes a state emergency medical services advisory council. H.F. 1984, sponsored by Sen. Sam Solon (DFL-Duluth), provides for the coordination of benefits between group and individual insurance contracts. Legislators adopted an author's amendment exempting specified accident, hospital indemnity, disease, or other limited benefit insurance policies from the bill's provisions. As amended, H.F. 2002, authored by Sen. A.W.

"Bill" Diessner (DFL-Afton), repeals a law prohibiting the location of cemeteries within $\frac{3}{4}$ mile of the University of Minnesota or the Minnesota Veterans Home. S.F. 1946, carried by Sen. Charles Berg (DFL-Chokio), provides for deficiency judgements relating to foreclosure and sale of mortgages on property used in agricultural production, requires fair market value to be determined by the court, and extends the period for execution of a judgement. Sen. Dennis Frederickson (IR-New Ulm), offered, and Senators adopted, an amendment that gives the commissioner of agriculture the authority to waive all or part of a late filing fine if good cause can be shown as to why the timely filing wasn't met. As amended, S.F. 1772, sponsored by Stumpf, modifies provisions pertaining to the delineation of wetlands and marginal lands, exempts land classification agreement lands from specified requirements, and establishes Lake of the Woods State Forest.

S.F. 2054, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), staggers the elections of chief judges and assistant chief judges, and provides for the adoption of rules by the Supreme Court governing jury administration. Senators adopted an author's amendment specifying that individuals should not be barred from serving on juries due to discriminatory practices. As amended, H.F. 1785, carried by Beckman, requires that plat monuments be set at lot corners and provides a misdemeanor penalty for intentionally removing, destroying, or defacing a lawfully erected monument. As amended, H.F. 1983, authored by Sen. Carol Flynn (DFL-Mpls.), regulates coverages under Medicare supplement plans, and requires insurers to submit claims experience and earned premiums data. S.F. 1704, sponsored by Berg, permits conservation officers to seek the issuance of, and to serve, search warrants.

Later, after gaining final passage, Berg moved to reconsider S.F. 1704 and the motion prevailed. He then offered, and legislators adopted, an amendment establishing restrictions and setting conditions on the development of aquaculture in Minnesota. Berg explained that the amendment, formerly known as S.F. 1675, included all provisions contained in the original bill with the exception of a section relating to crayfish. S.F. 1704 was then re-passed by a vote of 39-14.

Prostitution penalties altered

A bill setting tougher penalties for prostitution patrons was a focus of debate during the latter half of the Fri., Mar. 23, floor session. H. F. 1846, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for a mandatory minimum fine for patrons of \$500 or \$1500 and specifies that if a motor vehicle is used during the commission of the offense that fact will be noted on the person's driving record.

Debate on the measure concerned the use of driving records as misdemeanor conviction records. Sen. Fritz Knaak (IR-White Bear Lake), offered an amendment that would require misdemeanor convictions of assault, allowing a dog to harm another, and prostitution to be recorded on driving records. The amendment failed to be adopted. Sen. Allan Spear (DFL-Mpls.) then offered an amendment to delete the provision from the bill. That amendment, too, failed to gain adoption. An amendment, offered by Sen. Pat McGowan (IR-Maple Grove), was adopted. The amendment deletes the mandatory fine and specifies that both prostitute and patron serve 40 hours of community service after a misdemeanor conviction and 80 hours of community service after a gross misdemeanor conviction. The measure was granted final passage on a vote of 54-1.

In other action an additional seven bills were given final passage on the Special Orders Calendar. H.F. 1883, carried by Sen. Steven Morse (DFL-Dakota), provides for the approval of permits for consumptive water use in excess of two million gallons per day in two kinds of situations. H.F. 2594, sponsored by Sen. John Marty (DFL-Roseville), prohibits contracts from providing an exclusive right to display free newspapers for distribution in any place of public accommodation. H.F. 2045, sponsored by Spear, clarifies the definition of mentally retarded person in three provisions of the

Minnesota Commitment Act. S.F. 2147, authored by Sen. David Frederickson (DFL-Murdock), exempts fertilizer and agricultural chemical retailers from specific regulations on transporting hazardous materials.

H.F. 1857, sponsored by Sen. Jim Vickerman (DFL-Tracy), provides greater restrictions on eligibility of debarred persons for public contracts and increases the scope of interstate motor carrier registration agreements. The measure was amended to further define a relative of a debarred person, to provide for the laying of fiber optic cable along a stretch of I-94, and to eliminate the duplicate registration of some transit systems. H.F. 2294, also carried by Vickerman, provides for electronically produced images on drivers' licenses. Members of the Senate adopted an amendment, offered by Sen. Ember Reichgott (DFL-New Hope), authorizing a living will designation on drivers' licenses. H.F. 2062, sponsored by Sen. Carol Flynn (DFL-Mpls.), repeals the exclusion of graduate assistants from coverage under the Public Employment Labor Relations Act.

Finally, Senators granted final passage to one measure on the Senate Calendar. S.F. 1966, authored by Sen. Gary DeCramer (DFL-Ghent), expands the open enrollment program to bordering states.

Monday, March 26

Security guard limits during strikes okayed

Senators devoted the Mon., Mar. 26, floor session to action on bills on the Special Orders Calendar. Only one measure generated much debate. H.F. 1928, authored by Sen. Ronald Dicklich (DFL-Hibbing), sets forth a number of types of activity that security guards may not engage in during a strike or lockout. The measure prohibits security guards from photographing employees or engaging in surveillance away from the workplace. Debate centered on the definition of labor dispute as used in the bill. Sen. Fritz Knaak (IR-White Bear Lake) argued that the definition was too broad and that legitimate business investigations would be crimes under the measure. Dicklich responded that the bill was intended to apply only to strikes and lockouts. Knaak offered, and the Senate adopted, an amendment deleting the words "labor dispute" from two lines in the bill. The measure gained final passage on a vote of 48-13.

In addition, Senators gave final passage to a number of other relatively noncontroversial measures on the Special Orders Calendar. H.F. 1921, carried by Sen. Gregory Dahl (DFL-Ham Lake), prohibits the placement of button batteries in mixed municipal solid waste; requires the labeling of some batteries by electrode content; establishes maximum content levels of mercury in batteries and provides penalties. H.F. 1927, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), regulates approaches of vehicles to intersections where all vehicles are required to stop. H.F. 1981, authored by Sen. LeRoy Stumpf (DFL-Plummer), provides for temporary permits while awaiting delivery of special vehicle license plates; requires the registered owner of a motor vehicle to list an address or mailing address of a primary residence on an application for registration; permits owners to classify residence addresses as private data and to use mailing addresses; clarifies when the inspection fee must be paid to receive certificate of inspection for salvage vehicles; and clarifies disclosure requirements for motor vehicle pollution control systems. The bill was amended to authorize special plates for the 1991 U.S. Open tournament.

H.F. 2321, sponsored by Sen. Mark Piepho (IR-Mankato), clarifies provisions of the "lemon car" law by requiring an itemized statement for automobile purchase price refunds. H.F. 1913, sponsored by Sen. Sam Solon (DFL-Duluth), regulates dividends on claims in liquidation proceedings and clarifies other provisions regulating lending practices. H.F. 1730, carried by Sen. Marilyn Lantry (DFL-St. Paul), requires seating furniture in public occupancies to meet flammability and labeling standards. H.F. 1960, sponsored by Sen. Charles Berg (DFL-Chokio), changes provisions

concerned with the management of wildlife. S.F. 2564, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), expands the definition of "sexual contact" in fifth degree criminal sexual conduct to include the intentional removal or attempted removal of clothing when the action is performed with sexual or aggressive intent.

H.F. 2305, sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville), sets forth specifications for "light butter." S.F. 2318, authored by Sen. Linda Berglin (DFL-Mpls.), clarifies that the laws governing aversive and deprivation procedures apply to handicapped pupils and requires that rules by the state board of education contain a list of prohibited procedures. H.F. 2343, sponsored by Sen. John Brandl (DFL-Mpls.), provides for the classification and disclosure of comprehensive health insurance data; makes changes in the regulation of the Minnesota Comprehensive Health Insurance Plan; and requires insurers to provide written materials on the Minnesota Comprehensive Health Insurance Plan.

S.F. 2134, authored by Sen. Allan Spear (DFL-Mpls.), imposes penalties on persons who commit a gross misdemeanor or felony while wearing or possessing a bullet-resistant vest; increases the penalties for furnishing firearms to a minor, for intentionally discharging a firearm under circumstances that endanger another, and for selling a firearm with a silencer; provides for forfeiture of weapons used to commit a controlled substance crime and for forfeiture of bullet-resistant vests. S.F. 2089, authored by Brandl, clarifies that terroristic threats include threats made indirectly. S.F. 1725, authored by Sen. Steven Novak (DFL-New Brighton), makes several changes to the laws relating to the Petroleum Tank Release Compensation Board; specifies that some tank facilities and refineries are ineligible for reimbursement; and changes the terms for reimbursement of petroleum tank release costs by the board. H.F. 2059, carried by Sen. Carl Kroening (DFL-Mpls.), permits Special School District No. 1 to remodel the Aviation Training Center with federal funds.

Senators also granted passage to the one bill listed on the Senate Calendar. H.F. 2500, carried by Sen. Sam Solon (DFL-Duluth), modifies the effective date of the statutory notice requirement for cancellation or nonrenewal of individual life insurance policies.

Fire code bill passed

The latter portion of the Mon., Mar. 26, Senate floor session was highlighted by Senators granting concurrence and repassage to a Dept. of Public Safety measure that modifies provisions contained in the state's fire code statutes. The bill, S.F. 1692, carried by Sen. Linda Berglin (DFL-Mpls.), was passed by a unanimous vote.

The following bills also gained final passage on the Special Orders Calendar. As amended, H.F. 1985, sponsored by Sen. William Luther (DFL-Brooklyn Park), regulates insurance-related cease and desist orders and communications with the Dept. of Commerce. H.F. 2056, authored by Sen. Keith Langseth (DFL-Glyndon), makes it a crime for a driver to flee a peace officer from another state into Minnesota, authorizes a peace officer of another state to enter Minnesota in fresh pursuit for traffic and misdemeanor offenses, and authorizes the admissibility of relevant evidence obtained in another state into evidence at Minnesota civil and criminal trials. H.F. 2131, carried by Sen. Gregory Dahl (DFL-Ham Lake), prohibits wild land arson fires. As amended, H.F. 1841, sponsored by Sen. Richard Cohen (DFL-St. Paul), regulates membership travel contracts and provides a right to cancel such contracts. H.F. 2156, authored by Sen. Steven Morse (DFL-Dakota), regulates county performance bonds. H.F. 2481, carried by Sen. Michael Freeman (DFL-Richfield), makes preparation of a written presentence investigation report discretionary with the court when a defendant is convicted of a felony for which the court must impose an executed sentence under sentencing guidelines.

As amended, S.F. 2317, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), provides for the assessment of expenses for adjudicating service area disputes to municipal electric utilities, reestablishes the position of program administrator of the Telecommunications Access for Communication-Impaired Persons Board, and extends

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the Electric Utility Service Area Task Force until 1992. As amended, H.F. 1952, sponsored by Sen. John Marty (DFL-Roseville), permits individuals to request that the public safety commissioner hold specified information on the individual as private, increases penalties for acts of harassment, expands the crime of terroristic threats to include threats made through an intermediary, and permits courts to issue orders to restrain acts of harassment. S.F. 2132, also authored by Marty, makes it a crime to obtain telecommunication services by fraud, and requires forfeiture of telecommunication devices used for fraudulent purposes. S.F. 1873, authored by Cohen, provides victims of delinquent acts the right to request notice of release of juvenile offenders from juvenile correctional facilities, provides notice to sexual assault victims when a juvenile offender is released from pretrial detention, requires that victims be informed of their right to request the withholding of public law enforcement data that identifies them, and clarifies the duty of court administrators to disburse restitution payments. S.F. 2174, authored by Sen. LeRoy Stumpf (DFL-Plummer), allows counties to receive compensation for lost revenue from proceeds derived from the state's lease of land in lieu of tax payments. Also granted final passage was H.F. 1673, authored by Sen. Ember Reichgott (DFL-New Hope), the Minnesota Pharmacy Board's housekeeping measure.

Tuesday, March 27

Bovine hormone use debated

The controversy over the use of a synthetic growth hormone on dairy cows erupted on the floor of the Senate Tues., Mar. 27. The issue surfaced in the form of an amendment, offered by Sen. Steven Morse (DFL-Dakota), that would prohibit use of biosynthetic bovine somatotropin for three years. Morse argued that the moratorium on the use of the growth hormone would allow time for more research on whether use of the hormone on dairy cows affects the milk produced by the treated cows. Opponents of the amendment, led by Sens. Charles Berg (DFL-Chokio) and John Brandl (DFL-Mpls.), argued that biosynthetic bovine somatotropin is a naturally occurring protein that will soon be approved by the federal government and that use of the hormone will enable small dairy farmers to increase production. Sen. Ronald Dicklich (DFL-Hibbing) countered that the federal government had made mistakes in the past and that consumers had a genuine concern about substances being added to milk. The amendment was approved on a close 35-29 roll call vote.

The discussion on the bovine growth hormone occurred when members were considering S.F. 1758 on the Special Orders Calendar. The measure, sponsored by Sen. Don Samuelson (DFL-Brainerd), requires the licensing of wholesale drug distributors. After adoption of the Morse amendment, the bill was given final passage on a 48-16 vote.

In other action, Senators continued processing bills on the Special Orders Calendar and granted final passage to an additional 12 measures. H.F. 2393, sponsored by Sen. Sam Solon (DFL-Duluth), provides for the regulation of automatic garage door systems in residential buildings. Sparked by two incidents in which children were killed because of the failure of automatic garage doors to retract, the bill sets forth standards to insure that doors meeting resistance will automatically reverse and retract. Debate on the measure centered on a provision that would allow dealers to sell remaining inventory after the effective date of the measure. Sen. Gene Merriam (DFL-Coon Rapids), successfully offered an amendment deleting that provision of the bill. The measure was unanimously passed.

A bill specifying the narrow conditions under which a governmental body may close a meeting to discuss data classified as private also gained final passage. S.F. 1874, authored by Sen. Richard Cohen (DFL-St. Paul), also defines final disposition of a disciplinary action regarding personnel records and provides an exception

to the open meeting law for preliminary discussions concerning allegations of misconduct against government employees or evaluations of government employees.

S.F. 354, authored by Merriam, permits the creation of custodial trusts and adopts the Uniform Custodial Trust Act. H.F. 2124, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), changes the allowed dimensions of travel trailers and requires brakes on vehicles weighing 3,000 pounds or more. H.F. 2386, sponsored by Dicklich, provides an exemption from the bond requirement for a contract for the construction of a solid waste facility in Kanabec County. H.F. 2084, authored by Cohen, is the revisor's bill that removes redundant and obsolete language, simplifies grammar and syntax and improves the style of language without causing changes in the meaning of laws.

S.F. 2012, authored by Sen. Roger Moe (DFL-Erskine), provides that checkoff fees from potato producers are not refundable. H.F. 2374, also sponsored by Moe, changes the makeup of potato research and promotion councils and provides for the certification of seed potatoes. S.F. 2493, authored by Merriam, promotes availability of automobile insurance for family or group family day care providers. H.F. 2637, sponsored by Sen. Michael Freeman (DFL-Richfield), clarifies the law prohibiting insurers from maintaining subrogation actions against insureds. S.F. 2433, sponsored by Sen. Keith Langseth (DFL-Glyndon), authorizes the Metropolitan Council to review and approve changes in land uses relating to Metropolitan Airport development. H.F. 2462, sponsored by Sen. William Belanger (R-Bloomington), makes a number of changes to the laws governing administrative procedures including requiring agencies to send the Legislative Commission to Review Administrative Rules statements of need and reasonableness; requiring agencies to provide notice of hearings to those who request it; and setting forth a statement of purpose.

Appointments confirmed

In addition to granting final passage to the omnibus higher education bill and the cigarette vending machine bill, Senators also granted confirmation to a number of gubernatorial appointments. Liz Anderson, Dirk DeVries, David Fischer, Mary Hauser, Ken Kunzman, Dottie Rietow, Margaret Schreiner and James Senden were all approved for the Metropolitan Council. Paul Toren was approved for the Minnesota Environmental Quality Board and Michael Robertson was approved as director of the Office of Waste Management. Tony Bouza was approved as commissioner of the Dept. of Gaming. Thomas Anzelc was approved as the director of the Dept. of Gaming Gambling Control Division, and Robert Fragnito, Barbara Grove and Raymond Joachim, Sr. were approved to the Gambling Control Board.

Thomas Borman was approved as commissioner of the Dept. of Commerce. Carol Connolly, Marilyn Rose and Ralph Strangis were approved to the Minnesota Racing Commission. George Andersen was approved as director of the Dept. of Gaming State Lottery Division and Robert Zevnick was approved to the Minnesota Racing Commission. Richard Faricy, Dee Knaak and Benjamin Vander Kooi, Jr. were approved to the Board of the Arts. Peter Hutchinson was approved as commissioner of the Dept. of Finance. Harvey Charles Aaron and Robert Hansen were approved to the Minnesota Veterans Home Board of Directors. Ann Wynia was approved as commissioner of the Dept. of Human Services. Vanne Hayes and Bruce Willis were approved to the State Ethical Practices Board.

Charlotte Anderson, Leone Altman and Robert W. Johnson were approved to the Board on Judicial Standards and Debra McBride was approved to the Harmful Substance Compensation Board.

Howard Fortier, Dr. Donald Fredrickson, D. Bruce Merrifield, Dale Olseth, Laurence Osterwise, Elroy Webster, May Yue, William C. Norris, Francis Ryan and Glen Taylor were all approved to the Greater Minnesota Corporation Board of Directors. Arnold Aberman, Paul Rexford Thatcher and Ronald Bosrock were approved to the Minnesota World Trade Center Corporation Board of Directors. Bruce Bakken, Shirley Van Dyke and Maureen Bye were approved

to the Minnesota Housing Finance Agency. Don Cole and Marilyn Krueger were approved to the Minnesota Public Facilities Authority.

Finally, two bills were approved on the Special Orders Calendar and one measure received concurrence and repassage. S.F. 2432, authored by Sen. Patrick McGowan (IR-Maple Grove), requiring cemetery owners to report the unlawful removal of bodies to law enforcement authorities was granted concurrence and repassage. According to McGowan, the primary change made by the other body was the reduction of the penalty from a gross misdemeanor to a misdemeanor. H.F. 1977, carried by Sen. Joe Bertram, Sr. (DFL-Paynesville), providing for and executive director appoint by the Veterans Home Board was given final passage. H.F. 2474, sponsored by Sen. Sam Solon (DFL-Duluth), also received final passage. The bill modifies the definition of medically prescribed long-term care, allows additional licensed health care providers to prepare plans of care, regulates assessments and regulates cancellations.

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 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 bodies, 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 a hearing.

The committee chair decides a hearing date for the bill. During the hearing, proponents and opponents give testimony on the merits of the proposal. 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. The members 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 the floor or another committee without a recommendation for passage; keep it in committee indefinitely; recommend that the bill be passed and sent to another committee; 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 or opponents.

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body on the General Orders Calendar. The entire body then resolves itself into a Committee of the Whole to consider the bill and discuss the merits of the proposal. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least 24 hours before being placed on the Senate Calendar and 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 Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If one body makes a change to the bill and the other body does not accept that change, a conference committee is established to work out a compromise version. The compromise version must then be repassed by both bodies.

If a proposal survives all these obstacles, it is sent to the governor, 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 bodies repass the bill with a two-thirds majority vote.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of afternoon committee hearings this year. The hearings will run on the cable Twin Cities Regional Channel 6. Currently, Media Services broadcasts gavel-to-gavel coverage of all Senate floor sessions on the Twin Cities Regional Channel 6.

In addition, Media Services produces a variety of television programs for both broadcast and cable stations. Senate Journal, in its seventh season, is a one-half hour public affairs program that examines legislative issues through a moderated discussion format. Senate Journal is co-hosted by Majority Leader Roger Moe and Minority Leader Duane Benson and is broadcast throughout the state.

The office also produces several region television programs for broadcast on PBS stations outside the Metro Area and on Regional Cable Channel 6 in the Metro Area. Check your local programing guide for the times and dates of Media Services television shows.

Branches of government outlined

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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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.

Facts about the Minnesota Legislature

Minnesota 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 a "B" portion to designate the House of Representatives 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 meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. The Legislature usually adjourns earlier in even numbered years.

Preview

The Minnesota Senate Week at a Glance

Monday, April 2

***The Senate will be in session.**

Tax Conference Committee, Chair: Sen. Douglas Johnson and Rep. Paul Ogren
Time and place will be announced.

Finance Committee, Chair: Gene Merriam
7 p.m. Room 123 Capitol
Agenda: Agenda to be announced

Conference Committees

Conference committees will be meeting throughout the day on a variety of bills. Call 296-8088 or 296-0504 for more information.

Tuesday, April 3

Judiciary Committee, Chair: Allan Spear
8 a.m. Room 123 Capitol
Agenda: S.F. 1688-Waldorf: Prohibiting abortions.

Governmental Operations Committee, Chair: Donald Moe
9 a.m. Room 237 Capitol
Agenda: H.F. 257/S.F. 257-Moe: Dept. of Administration house-keeping bill for 1989.

***The Senate will be in session.**

Finance Committee, Chair: Gene Merriam
7 p.m. Room 123 Capitol
Agenda: Agenda to be announced.

Conference committees

Conference committees will be meeting throughout the day on a variety of bills. Call 296-8088 or 296-0504 for more information.

Wednesday, April 4

***The Senate will be in session.**

Conference committees

Conference committees will be meeting throughout the day on a variety of bills. Call 296-8088 or 296-0504 for more information.

Thursday, April 5

***The Senate will be in session.**

Conference Committees

Conference committees will be meeting throughout the day on a variety of bills. Call 296-8088 or 296-0504 for more information.

Friday, April 6

***The Senate will be in session.**

Conference committees

Conference committees will be meeting throughout the day on a variety of bills. Call 296-8088 or 296-0504 for more information.

For updated information on committee schedules and agendas call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.

Service for hearing-impaired available

The Minnesota Senate is continuing to offer TDD service for the hearing impaired. Located in Senate Index, the TDD telecommunications service allows deaf or hearing-impaired persons to communicate with Index staff in order to find out bill status, bill content and bill authorship. The telephone number for the TDD service is (612) 296-0250.

Information Office services profiled

The Senate Information Office is located in Room 231 of the Capitol. The office distributes all public materials and handles inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request, through the office, copies of bills or ask to be put 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. Senate staff members are available to answer general questions about the Senate and the legislative process.

Briefly subscription procedures

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SENATE COMMITTEE ASSIGNMENTS

AGRICULTURE AND RURAL DEVELOPMENT (14)

CHAIR: Davis
OFFICE NO: G-24
MEETS: M, W; Room 112; 10-12 noon
MEMBERS:
Anderson Brandl
Beckman Davis
Berg Decker
Bertram DeCramer
Frederickson, D.J. Renneke
Frederickson, D.R. Vickerman
Larson
Morse

COMMERCE (17)

CHAIR: Solon
OFFICE NO: 303
MEETS: T, Th; Room 112; 10-12 noon
MEMBERS:
Adkins Flynn
Anderson Frederick
Belanger Freeman
Cohen Kroening
Dahl Larson
Luther Solon
McQuaid Spear
Metzen
Purfeerst
Samuelson

ECONOMIC DEVELOPMENT AND HOUSING (13)

CHAIR: Frank
OFFICE NO: G-10
MEETS: M, Th; Room 15; 12-2 p.m.
MEMBERS:
Beckman Decker
Bernhagen Dicklich
Cohen Frank
Dahl Gustafson
Kroening Reichgott
McGowan Storm
Morse

EDUCATION (21)

CHAIR: Pehler
OFFICE NO: G-9
MEETS: M, W, F; Room 15; 8-10 a.m.
MEMBERS:
Beckman Frederickson, D.J.
Dahl Hughes
Decker Knaak
DeCramer Knutson
Dicklich Langseth
Flynn Larson
Mehrkens Ramstad
Morse Reichgott
Olson Stumpf
Pehler
Peterson, R.W.
Pogemiller

EDUCATION AIDS DIVISION (14)

CHAIR: Peterson, R.W.
OFFICE NO: G-9
MEETS: M, Th; Room 15; 3-5 p.m.
MEMBERS:
DeCramer Knaak
Dicklich Knutson
Frederickson, D.J. Langseth
Hughes Mehrkens
Olson Pehler
Peterson, D.C. Reichgott
Peterson, R.W. Stumpf
Pogemiller

ELECTIONS AND ETHICS (12)

CHAIR: Hughes
OFFICE NO: 328
MEETS: T, Th; Room 107; 12 noon-2:00 p.m.
MEMBERS:
Cohen Johnson, D.J.
Hughes Laidig
Johnson, D.E. Luther
McGowan Moe, R.D.
McQuaid Pogemiller
Metzen Samuelson

EMPLOYMENT (11)

CHAIR: Chmielewski
OFFICE NO: 325
MEETS: T, Th; Room 107; 8-10 a.m.
MEMBERS:
Adkins Chmielewski
Beckman Diessner
Brataas Frank
Gustafson Piper
Kroening Ramstad
Pehler

ENVIRONMENT AND NATURAL RESOURCES (16)

CHAIR: Lessard
OFFICE NO: 111
MEETS: T, W, F; Room 112; 1-3 p.m.
MEMBERS:
Berg Frederickson, D.R.
Bernhagen Knaak
Dahl Laidig
Davis Lessard
Marty Olson
Merriam Pariseau
Morse Peterson, R.W.
Novak Stumpf

FINANCE (30)

CHAIR: Merriam
OFFICE NO: 122
MEETS: T, W, F; Room 123; 3-5 p.m.
MEMBERS:
Berg Hughes
Brataas Johnson, D.E.
Dahl Knutson
DeCramer Kroening
Dicklich Laidig
Frederick Langseth
Frederickson, D.R. Lantry
Freeman Lessard
Luther Renneke
Mehrkens Samuelson
Merriam Solon
Metzen Spear
Moe, D.M. Storm
Piper Waldorf
Purfeerst

GENERAL LEGISLATION AND PUBLIC GAMING (9)

CHAIR: Lantry
OFFICE NO: 328
MEETS: W, F; Room 107; 8-10 a.m.
MEMBERS:
Berg Diessner
Bertram Johnson, D.E.
Davis Lantry
McGowan
McQuaid
Samuelson

GOVERNMENTAL OPERATIONS (13)

CHAIR: Moe, D.M.
OFFICE NO: 309
MEETS: T, Th; Room 15; 8-10 a.m.
MEMBERS:
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Decker Marty
Frederickson, D.J. Moe, D.M.
Frederickson, D.R. Morse
Pariseau Taylor
Piepho Waldorf
Pogemiller
Renneke

HEALTH AND HUMAN SERVICES (15)

CHAIR: Berglin
OFFICE NO: G-29
MEETS: T, W, F; Room 15; 1-3 p.m.
MEMBERS:
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Anderson Brataas
Benson Chmielewski
Berglin Diessner
Flynn Solon
Knutson Storm
Lantry Vickerman
Piper Waldorf

JUDICIARY (17)

CHAIR: Spear
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Berglin Luther
Cohen Marty
Freeman McGowan
Knaak Merriam
Moe, D.M. Spear
Peterson, R.W. Stumpf
Pogemiller
Ramstad
Reichgott

LOCAL AND URBAN GOVERNMENT (11)

CHAIR: Schmitz
OFFICE NO: 235
MEETS: M, Th; Room 107; 12-2 p.m.
MEMBERS:
Adkins Lessard
Bertram McQuaid
Frederickson, D.J. Metzen
Pariseau Schmitz
Piepho Vickerman
Renneke

PUBLIC UTILITIES AND ENERGY (12)

CHAIR: Dicklich
OFFICE NO: 235
MEETS: T, Th; Room 15; 10-12 noon
MEMBERS:
Dicklich Johnson, D.E.
Frank Johnson, D.J.
Gustafson Marty
Novak Pehler
Olson Storm
Piper Waldorf

RULES AND ADMINISTRATION (31)

CHAIR: Moe, R.D.
OFFICE NO: 208
MEETS: On Call
MEMBERS:
Belanger Frank
Benson Frederick
Berglin Hughes
Bernhagen Johnson, D.E.
Bertram Johnson, D.J.
Chmielewski Knaak
Davis Knutson
Dicklich Laidig
Lantry Peterson, R.W.
Lessard Purfeerst
Luther Renneke
Merriam Schmitz
Moe, D.M. Solon
Moe, R.D. Spear
Novak Storm
Pehler

TAXES AND TAX LAWS (24)

CHAIR: Johnson, D.J.
OFFICE NO: 205
MEETS: T, W, F; Room 15; 3-5 p.m.
MEMBERS:
Anderson Chmielewski
Belanger Cohen
Benson Davis
Berglin Diessner
Bernhagen Frank
Bertram Gustafson
Brandl Johnson, D.J.
Knaak Reichgott
Larson Schmitz
Novak Stumpf
Olson
Pehler
Peterson, R.W.
Pogemiller

TRANSPORTATION (12)

CHAIR: Purfeerst
OFFICE NO: 303
MEETS: T, Th; Room 112; 8-10 a.m.
MEMBERS:
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DeCramer Lantry
Frederick McQuaid
Mehrkens Purfeerst
Metzen Schmitz
Novak Vickerman

VETERANS AND MILITARY AFFAIRS (11)

CHAIR: Bertram
OFFICE NO: 323
MEETS: T, Th; Room 107; 10-12 noon
MEMBERS:
Bertram Laidig
Diessner Langseth
Lessard
Mehrkens Schmitz
Pariseau Vickerman
Piepho

MINNESOTA STATE SENATE

Senate Members—1990 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	IR	5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	8869	Luther, William	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	2159	McGowan, Patrick D.	121 SOB	48
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	4261	Berglin, Linda	G-29 Cap.	60	IR	8075	Mehrkens, Lyle G.	127 SOB	26
IR	4131	Bernhagen, John	113 SOB	21	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	4370	Metzen, James	303 Cap.	39
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	4264	Moe, Donald M.	309 Cap.	65
IR	4848	Brataas, Nancy	139 SOB	33	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	5649	Morse, Steven	309 Cap.	34
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5003	Dahl, Gregory L.	111 Cap.	50	IR	1282	Olson, Gen	133 SOB	43
DFL	2302	Davis, Charles R.	G-24 Cap.	18	IR	5252	Pariseau, Patricia	151 SOB	37
IR	0415	Decker, Bob	109 SOB	4	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	IR	9457	Piepho, Mark J.	105 SOB	24
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	9248	Piper, Pat	325 Cap.	31
DFL	4274	Flynn, Carol	G-27 Cap.	61	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	129 SOB	38	DFL	5650	Vickerman, Jim	G-29 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	124 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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90, April 6

Briefly

The Minnesota Senate Week in Review

April 6, 1990

State depts., bonding bills gain

The last two major finance bills cleared the full Senate Wed., Apr. 4, making way for conference committees to arrive at final versions of the state departments bill and the bonding authorization bill.

The 14 page omnibus state departments bill, H.F. 2419, provides a \$23.6 million reduction in state spending for the remainder of the biennium. The measure, carried by Sen. Carl Kroening (DFL-Mpls.), contains \$2.7 million in new spending, primarily for redistricting, the continued state takeover of costs for the 8th Judicial District, and for six environmental impact statement programs. According to Kroening, the measure implements a two percent reduction for all state agencies plus a ten percent reduction for the Dept. of Employee Relations, the Dept. of Finance and the State Planning Agency. The measure also contains a provision requiring the governor to "unallot" rather than draw upon the reserve fund in the event the budget is not balanced.

Debate on the measure centered on an amendment, offered by Sen. David Frederickson (DFL-Murdock), placing restrictions on the burning of PCB's. The amendment had passed the Senate as S.F. 2631 but is contained in the other body's version of the state departments bill. Sen. Gene Merriam (DFL-Coon Rapids), argued unsuccessfully against including the amendment in the bill on the grounds that the Senate needed to maintain discipline to uphold the integrity of the legislative process. Frederickson countered that the amendment offered protection to the people of Minnesota and that it was relevant to the bill under discussion. The amendment was adopted on a 34-29 roll call vote.

Several additional amendments were ruled not germane to the bill. However, an amendment, offered by Sen. Duane Benson (IR-Lanesboro) requiring the Dept. of Finance to assume responsibility for fiscal notes mandated by state action was adopted. The bill gained final passage on a 58-4 roll call vote.

The second major finance bill, authorizing \$367 million in bonding for capital construction and improvements also gained final passage. The measure, H.F. 2651, carried by Sen. Michael Freeman (DFL-Richfield), directs most of the bonding, \$185 million, to the state's higher education systems with \$70.6 million earmarked for the U of M and \$13.6 million to develop the Metro State U campus in St. Paul. In addition, the measure authorizes bonding of \$120 million for state departments, \$41 million for health and human services, \$15 million for agriculture, transportation and semi-states, and \$5 million for K-12 education.

Freeman explained that the measure allows for the debt service on over \$100 million in additional bonding because of the inclusion of Sen. Roger Moe's (DFL-Erskine) "infrastructure development fund" concept. Under the bill, one third of proceeds from the new state lottery will be designated for payment of the debt service on higher education bonds and environmental bonds. In addition, the bill contains a provision placing a constitutional amendment before the voters that would specify that 40 percent of the proceeds from the lottery go to the Environmental Trust Fund.

Most of the discussion on the bill centered on a section that provides for the sale of the proposed site for the Center for Arts Education in downtown St. Paul. Sen. Don Moe (DFL-St. Paul), offered an amendment deleting that portion of the bill because city officials had

not been notified that the new arts school would not be built. However, Sen. Randolph Peterson (DFL-Wyoming), argued successfully that the state could not afford the \$30 to \$35 million needed to build the new school and that the current Golden Valley site was acceptable. An amendment, offered by Sen. Gene Waldorf (DFL-St. Paul), specifying that industrial revenue bonds are not state obligations and that the Legislature intends not to appropriate money from the General Fund to pay for the industrial revenue bonds, was approved. The bill gained final passage on a 55-11 roll call vote.

Restrictive abortion bill defeated

The Judiciary Committee, meeting Tues., Apr. 3, defeated a measure banning approximately 90 percent of the abortions currently performed in Minnesota. Sen. Gene Waldorf (DFL-St. Paul), author of S.F. 1688, explained that the bill prohibits performing or attempting to perform an abortion as a method of birth control. The procedure would remain legal under four categories of circumstances, including when the pregnancy is the result of incest or rape; when continuing the pregnancy would endanger the life of the mother; and when, in the judgement of a physician, the child would not survive for an extended period after birth due to serious physical or mental disabilities.

Much of the debate at the meeting focused on the constitutionality of the bill, and the direction in which the U.S. Supreme Court is moving with regards to abortion. Burke Balch of the National Right to Life Committee argued that recent abortion decisions indicate that five justices would likely vote to uphold the Waldorf legislation, if approved. Balch thus urged Senators supporting the policy of the bill to vote for it despite its incompatibility with present governing Court decisions. Speaking in opposition to the bill, Prof. Suzanna Sherry of the Univ. of MN Law School disputed Balch's testimony, claiming that only one justice would vote to uphold the legislation. She also asserted that voting for a measure so blatantly unconstitutional would be a violation of the legislative oath.

Questions were also raised about the source of the proposed legislation. Committee Chair Sen. Allan Spear (DFL-Mpls.) and Sen. Fritz Knaak (IR-White Bear Lake) expressed concern that the bill was being foisted on Minnesota by a national organization searching for a "guinea pig." Both questioned whether the bill was written to address the needs of the people of Minnesota, and suggested that it may have the affect of freezing debate on abortion through a drawn-out court battle. In response, Waldorf stated that while the bill was indeed influenced by the National Right to Life Committee, he had formulated the provisions of the bill based on his view of prudent state policy. Proponents also argued that even the most moderate attempt to restrict abortion would inevitably be challenged in court.

A motion that the bill be approved and referred to the Finance Committee was defeated on a 12-5 vote.

Editor's note

This issue of Briefly contains no Preview section; at press time, no conference committees or floor sessions for next week had been announced. Please call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504 for updated information.

Committee Capsule

Finance

Higher ed bonding bill discussed

Senators approved a number of items for the higher education portion of the capital bonding bill at the Thurs., Mar. 29, meeting of the Education Division of Finance. The division is chaired by Sen. Gene Waldorf (DFL-St. Paul).

Waldorf stressed that the bonding proposals contained in the bill were contingent upon approval of Sen. Roger Moe's (DFL-Erskine) proposal to take some of the lottery proceeds to fund the bonding effort, and to have the higher education systems support one-third of the debt service on the bonding.

Included in the bill for Technical Colleges are: \$4 million for systemwide improvements; \$4 million for a new aviation center and campus addition in Winona; \$3.5 million for a facility renovation at Anoka Technical College; and \$2.2 million for work at the Hibbing Technical College. Sen. Ronald Dicklich (DFL-Hibbing) indicated that he would like to further explore the possibility of providing planning money for an addition at the Evelyth Technical College. The total for the system is \$21.409 million.

Included in the bill for the Community College System are: \$5 million for systemwide improvements; \$5.398 million for remodeling and building at Brainerd Community College; \$4.449 million for a project at Lakewood Community College, which the system says is 30 percent too small for the population it serves; and \$8 million for the addition of classrooms, office systems and developmental learning labs, renewal and expansion of student services and the bookstore, faculty offices, and additional parking at Normandale Community College. Sen. Gregory Dahl (DFL-Ham Lake) said that he would like to further discuss the possibility of granting planning money to Anoka Ramsey Community College. The total for the Community College System is \$55.782 million.

The bill also provides \$17 million for work at the Greater Rochester Area University Learning Center.

Included in the bill for the State University System is \$4.3 million for a heating plant at Bemidji State University; \$4 million for systemwide roof work, systemwide land acquisition, and systemwide tuckpointing; \$13.6 million for construction and renovation for an administrative and student services center at Metropolitan State University; \$6.3 million for a recreation/athletic building at Southwest State University; and \$200,000 for a study to provide a model for a college campus library. The total for the system is \$39.990 million.

Included in the bill for the University of Minnesota is \$15 million for a Biological Sciences addition on the Twin Cities campus; \$12 million for an engineering building on the Twin Cities campus; \$7.5 million for a veterinary diagnostic laboratory on the Twin Cities campus; and \$5 million for an Agricultural Operations Management Center at the Crookston campus. In addition, a number of Senators requested additional information on some items or wanted to further discuss some of the items. The total for the University of Minnesota is \$60.3 million.

Some of the Senate proposals only partially fund the systems' requests for each individual project. In some cases, the members indicated the specific part of the proposal for which they desired to provide bonding.

In other action, the division approved a number of fairly minor riders. The only rider that generated much discussion was one requiring all higher education systems to develop and implement a parking fee for each campus. The fee established under the provision would be set at a level which would provide adequate revenue to maintain the parking lots. The general consensus of the division was that the rider should not require the systems to do this immediately, but rather to study the situation and determine what actual maintenance costs are.

Senators also discussed a proposal for a Development and

Learning Center of Minnesota. The proposal was offered by Sen. Jerome Hughes (DFL-Maplewood).

Community stabilization bill approved

A bill dealing with displaced workers was one of several measures approved at the Fri., Mar. 30, meeting of the Senate Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids). S.F. 1022, authored by Sen. Don Frank (DFL-Spring Lake Park), requires a government unit to prepare a job impact statement if a proposed development could result in job displacement. The bill also requires that an employer who carries out a mass layoff within three years after an acquisition pay the state ten percent of 12 months wages of the affected employees, to be used for economic development grants, wage subsidies, and emergency grants. Sen. Don Storm (IR-Edina) voiced concerns about the complexity of the job impact statement required, arguing that it may be unduly time-consuming for many smaller governmental units. Other members commented that the bill might have the affect of discouraging mergers between small, marginally viable businesses. The bill was eventually approved on a 14-10 roll call vote.

The committee also adopted H.F. 493, the education finance appropriations bill, authored by Sen. Randolph Peterson (DFL-Wyoming). The bill funds aid deficiencies in the Early Childhood Family Education Program and the Cooperation and Combination Program, while reducing the Fiscal Year 1991 appropriation to the Dept. of Education. In addition, the bill alters the pupil units used in calculating fund balance reductions.

S.F. 2346, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), creates a review board to study accessibility for the physically disabled. The board is charged with considering applications for waivers from the state building code to permit the installation of stairway chair lifts. S.F. 2173, sponsored by Sen. Bob Lessard (DFL-Int'l Falls), provides financial assistance to research alternative means of preventing toxic pollution, and requires facilities to develop plans to prevent toxic pollution. S.F. 2158, authored by Sen. Ronald Dicklich (DFL-Hibbing), regulates flexible gas utility rates, and repeals sunset provisions relating to these rates. S.F. 1731, sponsored by Sen. Linda Berglin (DFL-Mpls.), makes a number of changes in Minnesota's Mental Health Act for adults and children. As amended, S.F. 1962, sponsored by Merriam, cancels an appropriation for a cooperative agreement with the Cuyuna Development Corporation for a wild rice and grains economic development project, and restores a wild rice management account. S.F. 2619, carried by Sen. Gregory Dahl (DFL-Ham Lake), appropriates funds to the Dept. of Corrections, the Dept. of Transportation, and the Dept. of Veterans Affairs for the payment of various claims against the state. S.F. 2395, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), makes numerous technical corrections to Minnesota's unemployment compensation statutes. Chmielewski said that the bill includes a provision that enables the state to comply with federal rules and consequently receive \$200,000 for electronic data processing equipment purchases. S.F. 576, sponsored by Sen. Pat Piper (DFL-Austin), provides that medical certification for General Assistance benefits may be made by licensed chiropractors.

The bills were approved with minimal controversy, and were referred to the Senate floor.

Lawful gambling bill gains

The Senate Finance Committee, meeting Mon., Apr. 2, approved a measure designed to strengthen regulation of Minnesota's lawful gambling operation. The committee is chaired by Sen. Gene Merriam (DFL-Coon Rapids).

S.F. 2018, authored by Sen. Marilyn Lantry (DFL-St. Paul), makes more specific the charitable, educational, religious, or governmental organizations eligible to receive lawful gambling

profits. The bill also expands state oversight of expenditures by organizations receiving the profits, provides for suspension of gambling licenses, and authorizes a limited number of video pull-tab devices. The committee approved an amendment offered by Sen. Don Samuelson (DFL-Brainerd) limiting the prizes awarded on a pull-tab or tipboard to 77 percent of the game's total gross. One aspect of the bill debated by the committee was its sunset provision, which some members felt would discourage potential gambling operators, while others argued that the provision was essentially meaningless.

The committee also approved S.F. 2075, authored by Sen. Betty Adkins (DFL-St. Michael), establishing a preference system for awarding government contracts. The bill designates that businesses owned by females, minorities, and individuals with handicaps be designated as "targeted group businesses" within purchasing categories. These businesses would be granted a six percent preference in the amount bid on state contracts. "Economically disadvantaged" areas are also required to be identified, and these would receive a four percent preference.

Four additional measures were advanced by the committee. S.F. 2419, sponsored by Lantry, alters the eligibility requirements for Minnesota's job training and child care programs. Lantry stated that the requirements were tightened due to a shortage of funds brought on by increased federal mandates and an unexpectedly high demand for the programs. H.F. 2081, sponsored by Sen. Donald Moe (DFL-St. Paul), ratifies state labor contracts, and requires that progress toward affirmative action goals be a factor considered in establishing the salaries of state educational chancellors and directors. S.F. 2483, sponsored by Sen. Ember Reichgott (DFL-New Hope), exempts non-profits from secretary of state filing fees if they are filing for change of address purposes. S.F. 824, authored by Sen. Gregory Dahl (DFL-Ham Lake), requires recycling of chloroflourocarbons (CFCs) contained in salvage automobiles, refrigeration and air conditioning equipment, and fire extinguishers. The bill also requires facilities that work with some types of CFCs to file reports to the Emergency Response Commission.

Education bonding bill okayed

The Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), approved the education portion of the bonding bill at an evening meeting Mon., April 2.

Senators discussed the amount of bonding granted for various individual projects for the four postsecondary education systems. The division decided to leave the bonding amounts for the Technical College System and the State University System unchanged from last Thursday's meeting.

However, under the Community College System, members approved a \$250,000 reduction in the previous recommendation of \$5,398 million for a project at Brainerd Community College; a \$1.4 million reduction in the previous recommendation of \$2,898 million for a project at Rainy River Community College; an additional \$1.5 million for the \$8 million previously recommended for a project at Normandale Community College; and an additional \$1.05 million for the \$50,000 previously recommended for a project at Vermilion Community College.

For the University of Minnesota, the division approved an additional \$10 million in bonding for the Duluth Campus Center, for which there had previously been no recommended authority; and \$6 million for the rec sports/physical education center on the Twin Cities Campus, for which there had previously been no recommended bonding. The division also approved a motion to delete the recommended \$7.5 million of bonding for a veterinary diagnostic laboratory on the Twin Cities Campus.

As Senators had previously discussed, the bonding proposal was predicated on approval of a plan to use some of the lottery proceeds to support the bonding effort while requiring the higher

education systems to support one-third of the debt service on the bonding.

The division also approved a number of language items and agreed to incorporate several clarifying changes offered by Sen. Michael Freeman (DFL-Richfield). The bill was sent to the full Finance Committee.

Capital, supplemental budgets okayed

A lengthy meeting of the Finance Division on State Departments was held Mon., Apr. 2, to approve and send to the full committee the capital budget and comprehensive state departments appropriations bills. The division is chaired by Sen. Carl Kroening (DFL-Mpls.).

Under the division's \$120 million 1990-91 capital budget bonding proposal, the Dept. of Administration is slated to receive a total of \$15.3 million in bonding funds. The proposal recommends \$5 million to complete the renovation of the first and second floors of the Centennial Building; \$4.5 million to test for, manage, and remove asbestos from state-owned facilities; \$3.3 million to complete the Phase I construction of the Judicial Center; \$2 million to cover relocation costs for various state agencies; and \$500,000 to develop plans for remodeling a portion of the State Capitol.

The proposal contains nearly \$5.2 million in bonding for the Dept. of Natural Resources. The largest single item, \$3 million, is to fund the Reinvest in Minnesota program. In addition, the proposal recommends \$500,000 to seal inactive wells on state-owned lands; \$725,000 to support flood hazard mitigation efforts at the Chaska and Brown's Valley projects; \$350,000 to acquire land under the Water Bank program; \$250,000 to replace underground fuel storage tanks; and \$365,000 to construct a tree seedling distribution center and a nursery office building at the Badoura Nursery.

The following capital budget recommendations are also contained in the bonding proposal: to the Minnesota Zoological Gardens, \$2.9 million to construct a dolphinarium; to the Capitol Area Architectural and Planning Board, \$300,000 to establish a Roy Wilkins memorial in the Capitol area; to the Public Facilities Authority, \$44.7 million to fund the State Independent Grants program and to obtain federal grants to capitalize the state's Water Pollution Control Revolving Fund; to the Pollution Control Agency, \$23.7 million to fund the Combined Sewer Overflow Abatement Grant program; to the Office of Waste Management, \$10 million to fund the Solid Waste Processing Facilities Capital Assistance program; to the Dept. of Trade and Economic Development, \$2 million to complete public improvements on the Lake Superior Zoological Gardens and to fund the continued development of the Lake Superior Center in Duluth; to the Minnesota Amateur Sports Commission, \$13 million to construct the Holemolen Ski Jump in Bloomington, to expand the seating capacity of the National Sports Center in Blaine, and to construct an indoor national shooting sports center at Giant's Ridge in Biwabik; to the Dept. of Military Affairs, \$1 million to prepare plans for an education center at Camp Ripley and to replace underground fuel storage tanks at departmental facilities; and to the Minnesota Housing Finance Agency, \$1.5 million to fund transitional housing efforts.

Panel members failed to adopt two amendments offered by Sen. Donald Moe (DFL-St. Paul), to eliminate the funding specified for the National Sports Center in Blaine and for the indoor national shooting sports center in Biwabik. An amendment to provide \$1 million to finance sewer and road improvements for a parcel of land in South St. Paul that will eventually be developed as the Minnesota Agri-Business Center, offered by Sen. William Luther (DFL-Brooklyn Park), also failed to be adopted.

Panel members then turned their attention to the state departments appropriations bill. Kroening said that the division's 1990-91 supplemental budget proposal recommends downsizing

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state government agency direct operating budgets by two percent, instead of the original five percent sought by the governor, with the exception of the Dept. of Employee Relations, the State Planning Agency, and the Dept. of Finance. The latter three agencies are scheduled for an additional 10 percent budget cut. He said that all told, the downsizing effort is expected to result in savings of nearly \$7.8 million in Fiscal Year 1991 (FY91). The division proposal also calls for state departments expenditure reductions totaling \$1.2 million in FY90 and \$26.9 million in FY91, along with the generation of \$8 million in new revenues in FY91. In addition, the proposal includes \$3.5 million in new expenditure recommendations during the biennium.

After hearing a detailed description of items contained in the supplemental budget proposal, panel members offered amendments to incorporate additional budget requests into the bill. Division members adopted an amendment providing \$15,000 to study long-term care Workers' Compensation cases, offered by Sen. Sam Solon (DFL-Duluth), and an amendment appropriating \$130,000 to the Minnesota Zoo for a dinosaur exhibit, offered by Sen. Gary Laidig (IR-Stillwater).

Panel members rejected an amendment to appropriate \$50,000 for Celebrate Minnesota 1990 administrative costs, offered by Luther; an amendment to create an optical disk imaging system demonstration project in Dakota and Olmsted Counties, offered by Sen. Nancy Brataas (IR-Rochester); and an amendment to include public school buildings in a handicap accessibility survey currently being conducted by the State Council on Disability, offered by Sen. Gregory Dahl (DFL-Ham Lake).

Committee approves bonding bill

Approval of the capital budget and state departments appropriations bills highlighted the Tues., Apr. 3, meeting of the Finance Committee.

Committee members heard a description of provisions contained in the capital budget appropriations bill, approved by the Finance Committee's Division on State Departments Mon., Apr. 2. As proposed, the measure contains a total of \$366 million in new bonding authorization, including \$185 million for Higher Education, \$120 million for State Departments, \$41 million for Health and Human Services, \$15 million for Agriculture, Transportation and Semi-states, and \$5 million for K-12 Education. Members incorporated a technical revision for state agency relocation expenses, increasing the bonding level from \$2 million to \$2.8 million.

The committee then adopted the following major amendments to the comprehensive bill: \$500,000 to fund the Minnesota Agri-Business Center, offered by Sen. James Metzen (DFL-South St. Paul); \$1.6 million to construct the Wellner-Hageman Dam, offered by Sen. Dennis Frederickson (IR-New Ulm); \$1 million to build a parking facility for the Minneapolis Convention Center, offered by Sen. Allan Spear (DFL-Mpls.); \$1.8 million to purchase a supercomputer for the University of Minnesota, offered by Sen. Donald Moe (DFL-St. Paul); and \$1 million to fund light rail transit planning efforts, offered by Sen. Marilyn Lantry (DFL-St. Paul). Revenues of \$400,000 were released by canceling an existing unobligated balance for a proposed Dept. of Agriculture building in an amendment offered by Sen. William Luther (DFL-Brooklyn Park). An amendment, offered by Sen. Gary DeCramer (DFL-Ghent), lengthening from five to ten years the amount of time a portion of state lottery net proceeds can be diverted to the Greater Minnesota Corporation, was also adopted by the committee. Panel members failed to adopt an amendment to provide \$575,000 for a Development and Learning Center, offered by Sen. Jerome Hughes (DFL-Maplewood), and an amendment to provide \$2.9 million for residential service support to individuals with mental illness, offered by Sen. Donald Storm (IR-Edina).

Panel members also heard a brief presentation of items contained in the state departments appropriations bill, also

approved by the Finance Division on State Departments during the Mon., Apr. 2, meeting. Committee members noted revised bill figures showing proposed total agency spending reductions of \$27.6 million and spending increases of \$3.3 million in Fiscal Year 1991 (FY91). Luther offered, and members adopted, an amendment to provide a \$50,000 appropriation to support Celebrate Minnesota 1990 activities. The funding came from a \$50,000 reduction in out-of-state travel appropriations to the Minnesota Trade Office.

The committee then turned its attention to approving several other bills. Panel members approved S.F. 1759, the omnibus drug bill, sponsored by Spear. Spear explained that, as amended, the measure's financial provisions include appropriation requests of \$650,000 to fund a new intensive supervision program, \$500,000 to support sentencing for service and work release programs, \$83,000 to fund local correctional facility pilot chemical dependency programs, \$19,000 to establish pilot programs to require drug testing as a condition of probation, and \$31,000 to create pilot programs to provide chemical dependency assessments for drug offenders and other offenders with drug histories.

In addition, the committee approved S.F. 1745, a bill relating to child custody and visitation issues, also carried by Spear. As amended, the measure appropriates \$890,000 in FY91 to the Supreme Court to improve the access of low-income clients to legal representation in family law matters. Spear explained that the appropriation will be offset by increases in marriage dissolution and specified court administrator surcharge fees. Panel members adopted an amendment offered by Sen. Gene Waldorf (DFL-St. Paul), that requires courts in principal residence dissolution matters to advise parties on income tax laws relating to the capital gain tax exclusion for individuals over 55 years of age.

The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), sent all of the bills to the full Senate.

Panel approves measures

The Wed., Apr. 4, meeting of the Finance Committee was devoted to approving and sending to the Senate floor the following ten bills. The committee is chaired by Sen. Gene Merriam (DFL-Coon Rapids).

As amended, S.F. 1787, sponsored by Sen. James Pehler (DFL-St. Cloud), modifies the Maximum Effort Capital Loan program. Pehler said that the program is designed to assist school districts that, due to low tax bases, are unable to meet costs associated with constructing, remodeling, or improving educational facilities. The bill includes a Fiscal Year 1991 (FY91) General Fund appropriation of \$15,000 to support the activities of the Task Force on Education Organization. He explained that the task force is charged with developing criteria to review the physical condition of, and address the handicap accessibility and general health and safety issues associated with, educational facilities. Committee members adopted an amendment offered by Sen. Michael Freeman (DFL-Richfield), that specifies an \$8 million limit for individual loans requested by school districts under the program.

As amended, S.F. 1950, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), contains revisions to the omnibus housing bill enacted last year. Pogemiller noted that the measure, if enacted, is projected to cost a total of \$400,000 for both FY92 and FY93 due to changes in fee collection procedures.

S.F. 1473, as amended, carried by Sen. Gregory Dahl (DFL-Ham Lake), provides for a study on carbon dioxide emissions and incentives to reduce those emissions. Dahl explained that while the original bill requested an appropriation to fund the study efforts, the revised version will have no fiscal impact because two major Minnesota power suppliers have agreed to donate the necessary financing.

As amended, S.F. 1996, sponsored by Merriam, modifies

provisions contained in the 1980 Waste Management Act. The committee adopted author's amendments appropriating \$75,000 to the Legislative Commission on Waste Management to conduct an incinerator ash study, and removing a provision from the bill requiring that a resource recovery facility study be conducted. Sen. Bob Lessard (DFL-Int'l Falls) offered, and panel members adopted, an amendment removing a bill provision that establishes a newspaper fee of five cents per pound for distributors who use glossy or calendered stock.

As amended, S.F. 2194, also sponsored by Merriam, directs the commissioner of public safety to plan a system for a Regional Hazardous Materials Incident Response program. In addition, the measure establishes a Hazardous Materials Incident Response Advisory Council. Merriam noted that as modified, the measure will have no state fiscal impact.

As amended, H.F. 851, carried by Sen. Gary DeCramer (DFL-Ghent), increases specified fees collected by court administrators. S.F. 2060, also authored by DeCramer, provides conformity with the changes made last year to the state's commercial drivers license statutes.

S.F. 2375, as amended, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), provides for loggers Workers' Compensation, and directs the commissioner of labor and industry to study specified issues concerning loggers. In addition, the bill imposes a 30 cents per cord of wood fee on specified amounts of wood purchased by Minnesota mills. Revenues raised from the fee are designated, in part, to be used to fund a safety and education program for loggers.

S.F. 2188, the omnibus child protection bill, carried by Sen. Ember Reichgott (DFL-New Hope), creates a legislative commission on children, provides improved procedures to protect the safety and welfare of abused and neglected children, includes mental injuries and threatened injuries as abuse to be reported as maltreatment of minors, and increases the penalties for assault against a child when there is a past pattern of child abuse. Panel members adopted author's amendments allowing for up to \$45,000 from the Children's Trust Fund to provide financing for a telephone "hotline," and eliminating funding for the Child Abuse Prevention Grant program.

By a roll call vote of 12-8, panel members also approved S.F. 1944, the uniform local election bill sponsored by Sen. William Luther (DFL-Brooklyn Park). As amended, the measure requires that local elections be conducted on the same date as chosen for traditional November elections once Minnesota has completed its scheduled 1992 redistricting efforts. Luther emphasized that the intent of the proposed legislation is to achieve maximum voter participation by scheduling all elections on the same day, and added that the bill will have a fiscal impact of only \$7,000 in FY92.

Campaign reform bill approved

A major campaign financing and ethics reform bill was approved at the Wed., Apr. 4, meeting of the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids). As amended, H.F. 2666, carried by Sen. William Luther (DFL-Brooklyn Park), includes voluntary spending limits for U.S. Senate and House of Representatives candidates. The bill also prohibits legislators and legislative candidates from soliciting or receiving contributions while the Legislature is in session, and extends the open meeting law to cover most functions of the Legislature.

An amendment offered by Sen. Charles Berg (DFL-Chokio), and adopted by the committee, deleted from the bill provisions expanding lobbyist regulation, primarily through greater financial disclosure. In place of the deleted provisions, the Berg amendment sets up a 13 member legislative ethics commission to study the need for greater disclosure requirements. Berg argued that the original language of the bill was too sweeping, and was premature. The amendment was adopted on a 11-9 roll call vote.

The committee also approved an amendment, offered by Sen. Lyle Mehrkens (IR-Red Wing), mandating that congressional candidates receive no more than 40 percent of their campaign contributions from PACs. Mehrkens stated that his amendment would help to hold down campaign expenditure levels. Sen. Michael Freeman (DFL-Richfield) charged that the amendment was partisan in nature, because Democrats typically receive greater support from PACs than do Republicans. However, the amendment was adopted.

Sen. Gary Laidig (IR-Stillwater) proposed an amendment, adopted by the committee, limiting political candidates to one campaign committee. However, on a 15-11 vote, the committee rejected an amendment, offered by Sen. Dean Johnson (IR-Willmar), deleting the congressional campaign spending limits from the bill. Johnson argued that the limits were clearly unconstitutional, citing a recent judgement to that effect by the Federal Election Commission.

S.F. 2177, making a number of changes in the state's DWI laws, was also approved. The committee reviewed two articles of the bill having a fiscal impact. The first creates a system for administrative impoundment of the license plates of all vehicle driven or owned by a person who commits three DWIs within five years, or four within ten. The second article eliminates the requirement that counties provide alcohol problem screenings for persons convicted of DWI. Chemical use assessments must still be provided. The bill, sponsored by Sen. Allan Spear (DFL-Mpls.), was then approved in its entirety by a voice vote.

Also approved was S.F. 2126, sponsored by Sen. Steven Morse (DFL-Dakota), revising provisions contained in the 1989 Groundwater Protection Act. Before approval, the committee adopted an amendment, offered by Luther, adding a surcharge to the sale of several pesticides deemed to be particularly damaging to the environment. The funds raised would be used to research alternatives to these pesticides.

Four additional bills were advanced by the committee. S.F. 2037, sponsored by Morse, expands the definition of farm products and changes provisions related to wholesale produce dealers. S.F. 1925, carried by Sen. Gregory Dahl (DFL-Ham Lake), relates to wastewater, proposing minor changes to the Individual On-Site Treatment Grants Program. The bill also increases the Public Facilities Authority's bonding limitation from \$100 million to \$300 million. S.F. 1779, authored by Sen. Charles Davis (DFL-Princeton), attempts to protect agricultural producers by providing for mediation and arbitration between producers and contractors, and by allowing for the recapture of capital investments. S.F. 2073, sponsored by Sen. Don Samuelson (DFL-Brainerd), limits the fiscal responsibility of counties in providing services to persons with mental retardation.

Taxes and Tax Laws

Panel concludes work

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Fri., Mar. 30, and approved four bills. S.F. 2609, authored by Sen. Steven Novak (DFL-New Brighton), creates several new provisions for the management and sale of contaminated tax forfeited property. The bill provides that the state may recover funds spent to clean up tax forfeited land by including those costs in the sale price of the property. In addition, the bill provides counties with an alternate sale procedure that may be used to recover state cleanup costs. The measure also provides that an environmental lien to recover state cleanup costs is not discharged when the tax forfeited property is sold.

An amendment, offered by Sen. Ember Reichgott (DFL-New Hope), allowing a special tax levy for Lake County was adopted by committee members. Under the amendment, Lake County may levy a tax within a tax increment district to pay for the

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preparation and approval of an environmental impact statement for a project to be funded by tax increments from the district. The bill was approved by the committee and sent to the Senate floor.

S.F. 1787, authored by Sen. James Pehler (DFL-St. Cloud), modifies the Maximum Effort Education Facility Aid Law Capital Loan Program. Under the bill's provisions, the levy required for a school district receiving a debt service loan for a debt service levy payable in 1991 and thereafter is 20 percent of the adjusted net tax capacity for taxes payable in 1991 and thereafter. In addition, the measure specifies the amount that may be loaned to a district. The committee approved the bill and re-referred it to the Committee on Finance.

A bill authorizing Hennepin County to issue up to \$110 million in general obligation bonds to finance the acquisition and construction of a public safety building was also approved. Under S.F. 1807, authored by Sen. Michael Freeman (DFL-Richfield), the bonds are not subject to a referendum, and are not counted against Hennepin County's capital bonding limits. An amendment requiring the first \$20 million in bonds to be included in the calculation of Hennepin County's bond and building fund levy limitation was approved by the committee. The bill was sent to the Senate floor.

S.F. 1950, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), establishes a Local Government Housing Account in the Housing Development Fund to be used for transitional housing, public housing modernization and rehabilitation, and subsidized rental housing preservation. The bill provides that interest accruing on bond application deposits and nonrefunded deposits must be deposited in the Housing and Trust Fund Account. The measure also makes an unspecified appropriation from the Bond Proceeds Fund to the account, and authorizes the sale of bonds to provide the funding.

The committee deleted a section of the bill providing that, if a housing and redevelopment agency sells or leases property to a nonprofit corporation to be used as a housing project, the housing and redevelopment agency may pay a service charge in lieu of property taxes on units occupied by low-income residents. As amended, the bill was re-referred to the Finance Committee.

Thursday, March 29

Bills gain final passage

Final passage of the Agriculture, Transportation, and Semi-states omnibus appropriations bill, a measure that contains a total of \$19 million in budget reductions, highlighted the Thurs., Mar. 29, Senate floor session. In addition, the Senate also removed, from an anatomical gift measure, a provision banning the research use of aborted fetal tissue.

Just prior to gaining final approval by a vote of 42-21, S.F. 2617, the agriculture, transportation, and semi-states omnibus appropriations bill carried by Sen. Keith Langseth (DFL-Glyndon), underwent lengthy discussion by legislators. Senators adopted an amendment directing the commissioner of finance to publish Minnesota's revised spending plan in the State Register, offered by Sen. Duane Benson (IR-Lanesboro), and an amendment providing \$112,000 to the commissioner of agriculture to support county and district agricultural societies, presented by Sen. David Frederickson (DFL-Murdock). The Frederickson amendment was later reconsidered by the Senate and stricken from the bill. Amendments that were not adopted included: an amendment to transfer \$3.4 million in funding from the Greater Minnesota Corporation to light rail transit efforts, offered by Sen. Phyllis McQuaid (IR-St. Louis Park); an amendment to restore the Motor Vehicle Excise Tax (MVET) transfer to 35 percent, offered by Sen. Mel Frederick (IR-Owatonna); an amendment to propose a constitutional amendment dedicating MVET proceeds for highway and transit purposes, offered by Sen. Mark Piepho (IR-Mankato);

an amendment to increase ethanol fuel promotion funding, offered by Sen. Pat Pariseau (IR-Farmington); and an amendment to restore \$275,000 in cuts to the governor's proposed drug initiatives programs, offered by Sen. Jim Ramstad (IR-Minnetonka).

On a roll call vote of 32-30, Senators adopted an amendment offered by Sen. Gary Laidig (IR-Stillwater), deleting a section from S.F. 1104 that prohibits the use of aborted fetal tissue for research or transplant purposes. The bill, enacting the Uniform Anatomical Gift Act, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), then gained final passage by a unanimous vote.

The following measures were also granted final passage on the Special Orders Calendar. S.F. 2195, carried by Sen. Steven Morse (DFL-Dakota), prohibits specified types of low-level radioactive waste from being disposed of at other than licensed facilities, and provides for a task force on radioactive waste deregulation. H.F. 2457, authored by Pogemiller, allocates authority to issue tax exempt revenue bonds, and restricts loans from mortgage revenue bond proceeds under specific conditions. As amended, S.F. 2236, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), makes technical corrections to the 1989 Infectious Waste Control Act. As amended, H.F. 2350, also authored by Dahl, authorizes the commissioner of natural resources to designate agents to sell state park permits.

H.F. 2480, sponsored by Pogemiller, simplifies and recodifies state tax laws and contains a section on taxpayers rights. Senators adopted an amendment offered by Sen. Dennis Frederickson (IR-New Ulm), exempting 1992 Minnesota High School Prep Bowl tickets from the state sales tax. An amendment directing the Dept. of Revenue to supply pre-posted envelopes to retailers who collect sales tax revenues for the state, offered by Sen. Don Anderson (IR-Wadena), an amendment removing a sales tax exemption for 1992 Super Bowl tickets, presented by Sen. Richard Cohen (DFL-St. Paul), and an amendment modifying existing statutes relating to the purchase and maintenance of tax-forfeited land by local governmental units, offered by Sen. Randolph Peterson (DFL-Wyoming), all failed to be adopted.

S.F. 1790, carried by Sen. Sam Solon (DFL-Duluth), establishes a legislative task force to study the regulation of health insurance premium rates and health care costs. Members adopted an author's amendment directing the proposed task force to also investigate why health insurance premium costs are increasing at a rate in excess of the general inflation rate, and an amendment offered by Sen. John Bernhagen (IR-Hutchinson), requiring the task force to examine procedures used by medical care providers for billing recipients when payment is to be made by a third-party. S.F. 1790 was granted final approval.

By a roll call vote of 46-15, Senators adopted a motion to reject the conference committee report to H.F. 796, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizing the sale of tax-forfeited lands that border public waters in Pine and Fillmore Counties, and adding rabies exposure to the list of injuries eligible for Workers Comp. Sen. Gene Merriam (DFL-Coon Rapids), urged rejection of the report because of an existing Senate rule specifying that amendments must be germane to the subject matter of the originally proposed bill.

Minimum wage bill approved

The latter portion of the Senate floor session Thurs., Mar. 29, was devoted to discussion and final passage of H.F. 1839, the minimum wage bill. The Senate sponsor of the bill is Sen. Marilyn Lantry (DFL-St. Paul).

The bill requires that, effective Jan. 1, 1991, large employers must pay their employees at least \$4.25 an hour and small employers must pay their employees at least \$4.00 an hour. A large employer is defined as one whose annual gross volume of sales made or business done is not less than \$362,500. Lantry explained that the bill contains no provisions regarding different

wages for workers under age 18 or different wages for a "training" period.

An amendment, proposed by Sen. Betty Adkins (DFL-St. Michael), would have added a lower minimum wage for employees receiving an average of \$25 per week in gratuities; the amendment also paid a different wage to adults and minors and included different wages to be paid by large and small employers. The amendment would have been effective until Jan. 1, 1992, giving time to study the issue, Adkins said. The motion was defeated.

Senators also defeated an amendment, proposed by Sen. Fritz Knaak (IR-White Bear Lake), to change the large employer/small employer threshold to \$500,000. H.F. 1839 was approved on a 47-17 vote.

In other action, Senators approved a number of appointments, including: Philip Brunelle, Joe Duffy, William Jones, and Garland Wright to the Board of the Minnesota Center for Arts Education; Tom Nelson as commissioner of the Dept. of Education; Mark Bergmann, Marilyn Bryant, Paul Day, Roger Nierengarten, and Duane Scribner to the Minnesota Higher Education Coordinating Board; Jack Amundson and Carol Blomberg to the Minnesota Higher Education Facilities Authority; James B. Collier and Pierre Mattei to the State Board for Community Colleges; and Erling O. Johnson and Alan T. Zdon to the State Board of Education.

Friday, March 30

Omnibus human services bill approved

The health and human services omnibus appropriations bill was granted approval during the Fri., Mar. 30, Senate floor session. Bill sponsor Sen. Don Samuelson (DFL-Brainerd) explained that the bill appropriates \$89 million over the next two years, a \$36 million reduction from original spending forecasts combined with the costs of new initiatives. Samuelson commented that the majority of cuts will take place during the second year of the biennium, with an emphasis placed on reducing the funding of new programs scheduled for initiation, such as the proposed sex offender treatment facility. Rapidly rising health care costs and increased federal mandates were cited by Samuelson as being responsible for increased state spending in this area.

Prior to passage of the bill, an amendment offered by Sen. Duane Benson (IR-Lanesboro), creating a task force to study wage disparities between state and community-operated intermediate care facilities for the mentally retarded, was approved. An amendment moved by Sen. William Luther (DFL-Brooklyn Park), directing that any deficit remaining after the legislature adjourns be made up by "unallotment" rather than drawing on the reserve fund, was also approved.

However, the Senate defeated a series of amendments increasing the funding for individual programs, primarily through reducing funding for Dept. of Human Services administration costs. Alternative Care Grants and MA payments for the treatment of mental illness were among the programs for which higher funding was proposed. Speaking in opposition to the amendments, Samuelson argued that program administration is already at a minimal level, and that further reductions would leave the department seriously understaffed.

The bill was eventually approved on a 49-16 vote.

Tax bill approved

Members of the Senate granted final passage to the omnibus tax bill, H.F. 2478, during the latter portion of the Fri., Mar. 30, floor session.

Sen. Douglas Johnson (DFL-Cook), chief sponsor of the measure, outlined the various provisions of the bill. Johnson said that the bill tries to address expenditures at the state level and the

expected revenues, yet protect the budget reserve. "Minnesota is one of the best fiscally best run states in the country and this bill protects the state from future economic downturns," he said. "Although this bill has pain in the short term it is the best alternative for the future of this state," Johnson said. "It is a fiscally responsible measure."

Sen. Lawrence Pogemiller (DFL-Mpls.) explained the first article of the bill dealing with personal and corporate income taxes. The most important change, Pogemiller said, was the elimination of the factors tax with new minimum taxes for "C," corporations "S," corporations and partnerships. In 1987, the Legislature added the factors tax in an attempt to bring in those businesses that were not paying the appropriate amount of taxes. However, some businesses were included that shouldn't have been, Pogemiller said. "The goal has been to broaden the corporate tax base but keep the rate as low as possible," he said. "This proposal brings us federal conformity and is better tax policy." Thus, under the bill, corporations are treated uniformly, no matter how they are organized. "We tried to minimize the impact on very small corporations and those that are not making much money," he said. The fees are graduated according to the value of income, assets, size, and property. "This is not a proposal without pain but members must keep in mind the broader perspective," Pogemiller concluded. "This proposal has broad business support but not unanimous support."

Sen. Steven Novak (DFL-New Brighton) explained the second, third and fourth articles dealing with property taxes. The measure requires the Dept. of Finance to prepare fiscal notes whenever the legislature proposes an unfunded mandate on local units of government. In addition, the measure includes a one year levy authority to Stearns County to cover the costs of the Wetterling investigation as well as numerous changes to classifications and rates. Article three is the aids and levy portion of the bill and includes a \$43 million reduction in aids to local governments. Article four is the property tax refund portion and makes several changes in property tax definitions and includes an increase for property tax refunds. Novak also said that the measure was an endeavor to be fiscally responsible and to provide sound tax policy.

Johnson offered an amendment, supported by Minority Leader Duane Benson (IR-Lanesboro), that requires the governor to "unallot" to reduce spending rather than turn to the budget reserve in the event that budget reconciliation efforts are not successful this biennium. The amendment was adopted 58-4 on a roll call vote. Johnson offered a second amendment to insure that all communities, even those that do not receive local government aid, would have some reductions. The amendment reduces transportation aid for those communities that would not be affected by other reductions contained in the bill. The amendment was adopted 40-23.

A third amendment, offered by Sen. Gary Laidig (IR-Stillwater), deleting a section relating to a provision concerning Washington County, was also adopted. An amendment, offered by Sen. LeRoy Stumpf (DFL-Plummer), deleting sections of the bill requiring employers to pay the prevailing wage for state funded projects, was adopted on a 39-27 vote. Sen. Jim Ramstad (IR-Minnetonka) offered an amendment relating to the homestead classification for permanently and disabled persons. The amendment was adopted. Another amendment, offered by Sen. Jim Gustafson (IR-Duluth), to exempt telemarketing firms from the tax on long distance telephone calls, was also adopted. Sen. Bob Lessard (DFL-Int'l. Falls) proposed an amendment allowing power companies to recapture revenue for lines crossing specific Northern Minnesota counties. The proposal was also adopted. Sen. Randolph Peterson (DFL-Wyoming) offered a technical amendment to a provision relating to moving a mobile home that would exempt a new owner or the manufacturer from the requirement of obtaining a tax clearance. The amendment was also adopted.

Commenting on the measure, Benson said that the bill passes along the problem of federal government mandates to the local

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government units. In addition, Benson said that much of what was done in the Special Session is being undone and that businesses in Minnesota would suffer. Johnson reiterated that the measure was setting the course for sound fiscal responsibility. The bill was given final passage on a roll call vote of 37-28.

Monday, April 2

Final passage granted to 10 bills

Ten bills were granted final passage on the Special Orders Calendar during the first portion of the Mon., Apr. 2, floor session. H.F. 2025, authored by Sen. LeRoy Stumpf (DFL-Plummer), creates a restricted seed potato growing area in Kittson County and an historic certified seed potato area in portions of Marshall County. Members adopted an amendment, offered by Sen. Mel Frederick (IR-Owatonna), that allows potato growers in Freeborn, Steele, or Mower Counties to seek certification of seed potatoes grown exclusively for the grower's own use. Under additional provisions in the amendment, "grower's own" seed potatoes may not be sold or exchanged as seed, and may not represent more than 15 percent of the acreage a grower plants in potatoes in one year.

S.F. 2282, carried by Sen. Don Frank (DFL-Spring Lake Park), relates to collectively bargained conditions in sales and transfers of business ownership and management. The bill provides that if a collective bargaining agreement contains a clause regulating the rights and obligations of a new employer, that clause shall be binding for the new employer until the expiration date of the contract, but not for more than three years. An amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), providing that the agreement is binding only if the new employer agrees to it in writing was defeated on a 26-37 vote.

S.F. 1891, authored by Sen. Randolph Peterson (DFL-Wyoming), makes several clarifications relating to trust laws and changes various trust requirements. S.F. 1854, also authored by Peterson, establishes procedures for computerized comparisons of data and requires matching agreements. S.F. 2489, carried by Sen. Bob Lessard (DFL-Int'l. Falls), authorizes the sale of tax-forfeited, surplus, wildlife, and trust fund lands in several Minnesota counties.

S.F. 2396, authored by Sen. Steven Morse (DFL-Dakota), regulates the disposition of property acquired by the Minnesota Pollution Control Agency for response action. S.F. 1799, carried by Sen. Gene Waldorf (DFL-St. Paul), authorizes an appropriation for a parking deck at Moorhead State University to be used to acquire land and construct parking spaces. S.F. 1520, authored by Sen. Marilyn Lantry (DFL-St. Paul), creates a technology assistance review panel to aid in resolving disputes over the provision of health care benefits to various persons.

S.F. 2382, carried by Sen. Ronald Dicklich (DFL-Hibbing), appropriates oil overcharge money for energy conservation projects that directly serve low-income Minnesotans. S.F. 1994, authored by Sen. Gene Merriam (DFL-Coon Rapids), states the intent of the legislature not to appropriate money from the General Fund to pay for revenue bonds or notes.

Education bill advances

The entire latter half of the Mon., Apr. 2, floor session was devoted to discussing and amending H.F. 2200. The bill, sponsored by Sen. Randolph Peterson (DFL-Wyoming), contains much of the policy language normally found in the omnibus education funding bill, but does not contain funding. H.F. 2200 was amended by Peterson on the floor to include many of the provisions that had been adopted in the Education Funding Division and had been intended for inclusion in the omnibus education funding bill. (A separate bill was approved by the division and includes the appropriations language.)

The measure addresses numerous education issues including: requiring prior notice to the commissioner of education of referendum levies; including drug or crime hazards in the definition of excess transportation and providing levy authorization; modifying requirements for school district receipt of General Education Revenue for alternative programs with independent study components; authorizing the commissioner to approve proposals for a program to reorganize the delivery of specialized instructional services; altering adult high school graduation aid to conform to aid for other secondary pupils; expanding eligibility under the High School Graduation Incentives Program; modifying the calculation of capital expenditure facilities revenue; modifying the Cooperation and Combination Program; and authorizing the payment of severance pay to teachers who lose their jobs under cooperative agreements and are unable to find new teaching jobs.

Other provisions of the measure include: authorizing districts to transport nonresident pupils on a regular transportation route; eliminating the requirement for members of cooperating or education districts to belong to the same Education Cooperative Service Unit; authorizing school board agreements with postsecondary institutions for secondary or postsecondary courses at secondary schools or postsecondary institutions; requiring the department to ensure the proper use of textbooks loaned to nonpublic school children; establishing an alternative teacher preparation licensing program; extending the deadlines for reports on the implementation of the Teacher Mentorship Program; increasing the membership of the board of directors of the Academic Excellence Foundation; exempting school districts not participating in the national school lunch program from school breakfast program requirements; establishing the Minnesota Education in Agriculture Council; providing for the purchase of technical educational equipment by the Minnesota Center for Arts Education; providing for the continued availability of learner outcome appropriations; and prohibiting establishment of a larger annual base appropriation for future fiscal years.

In addition, over 20 amendments were adopted by members of the Senate during discussion of the bill. Most of the amendments had been individual bills considered by the division. The amendments included prescribing minimum procedures for auditors; authorizing school boards to hold school on Saturdays; providing for career teacher aid; setting forth sexual education guidelines; specifying that telephone companies providing services to public schools must provide the schools a flat rate local service with blocking of all toll call privileges; specifying that teachers must not distribute to or provide students with questions or answers for any district, state, or national examination; specifying that an education district within the seven county Metro Area may have fewer than five member districts and that each school board that is a member of an education district must form a community council; and providing that the consolidating school boards, rather than the county auditor, call for the election.

Additional amendments were adopted specifying that a joint powers board and the board of each of its member districts may hold meetings in any of the member districts and that the joint powers board must give notice of regular and special meetings; providing for telecommunications grants; making permanent the Jan. 15 deadline for teacher contracts and providing for a \$25 per pupil reduction in aid upon failing to complete negotiations or enter arbitration; specifying that a school district that is a member of a joint powers board and is planning to reorganize must notify the joint powers board one year in advance; altering provisions relating to revenue for an American Indian-controlled contract school eligible for tribal contract school aid; specifying that excess appropriations to the Dept. of Education must be transferred back to the General Fund; specifying aid and revenue for cooperation and combination; and requiring the state board to adopt rules containing standards for financial, property, student and personnel data and requiring the standard compliance.

Tuesday, April 3

Human rights bill debated, approved

Senators amended and approved S.F. 1847, the human rights bill, in the early portion of the Tues., April 3, floor session.

Discussion on the bill centered around a provision of the bill stating that an action under the human rights statutes is not precluded if a claim or action has arisen under other statutes, as long as total damages are not awarded in excess of actual, common law or other statutory damages allowed.

Bill author Sen. Ember Reichgott (DFL-New Hope) offered an amendment to the section specifying that employees who receive compensation for permanent partial disability under the workers' compensation laws, and who are not rehired for a qualifying job within 90 days of reaching their maximum medical improvement or of completing a retraining program, may only bring a disability discrimination action if the employer, without reasonable cause, refused to rehire the employee when suitable employment, within the employee's limitations, was available. In addition, the amendment limited recovery under the provision to one year's wages. Reichgott said that the amendment, if adopted, would guarantee a day in court for those people who are not rehired.

A number of Senators spoke in opposition to the amendment. Their arguments focused on maintaining claims under workers' compensation laws as an exclusive remedy. The amendment was defeated on a 33-34 vote.

Following defeat of the Reichgott amendment, Senators discussed and adopted an amendment deleting the entire section. The amendment was offered by Sen. LeRoy Stumpf (DFL-Plummer).

Senators also amended and adopted an amendment providing for investigation costs, litigation and hearing costs, and fees. Under the amendment, the commissioner may order a party accused of unfair discriminatory practices to reimburse the Dept. of Human Rights for appropriate costs, if the commissioner's determines after investigation that probable cause exists to believe the allegations of unfair discriminatory practices. In addition, if the accused is later determined to have engaged in unfair discriminatory practices, the administrative law judge must order the accused to reimburse the Dept. of Human Rights for all appropriate costs. The amendment also establishes a fee for the certificates of compliance that companies receive for compliance with affirmative action requirements. No state department or agency can enter into a contract with any person who has more than 20 full-time employees, or has had more than 20 full-time employees within the last year, unless that person has a certificate of compliance. The amendment was offered by Sen. Gene Merriam (DFL-Coon Rapids).

S.F. 1847 was given final approval.

Senators also granted final approval to S.F. 1903, which provides programs and incentives for persons to volunteer as bone marrow donors; requires the commissioner of health to educate residents about the need for volunteer bone marrow donors requires paid leave for employees to donate bone marrow; requires a bone marrow donor drive to encourage state employees to volunteers as bone marrow donors; and appropriates money. Senators adopted an amendment, offered by bill author Merriam, to delete a section of the bill making it effective immediately; hence, the bill will be effective Aug. 1, 1990.

Wednesday, April 4

Lawful gambling bill approved

The first portion of the Wed., Apr. 4, floor session was dominated by debate on S.F. 2018, the lawful gambling regulation bill. The measure, sponsored by Sen. Marilyn Lantry (DFL-St. Paul),

defines lawful purposes for expenditures of gambling profits; establishes licensing qualifications for organizations and manufacturers; provides for the suspension of gambling licenses; requires the inspection and testing of gambling equipments; requires that employees of organizations conducting lawful gambling be registered with the board; authorizes the experimental use of 100 video pull-tab devices; and provides for a tax to be used for enforcement purposes. Lantry said that the measure incorporates numerous recommendations from the legislative auditor and the attorney general in order to exercise more control over the rapidly growing industry.

Several amendments to the measure were considered. Sen. Ember Reichgott offered an amendment to include the provisions of S.F. 1853 in the regulation bill. Those provisions, Reichgott said, set forth the criminal and civil penalties for violations of lawful gambling laws. The Reichgott amendment also adds gambling devices to the definition of contraband and provides for the forfeiture of property. The amendment was adopted. A later amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), altering the penalties for a person who knowingly makes unlawful expenditures from gross profits according the amount of the expenditure, making it a felony to knowingly submit false information, defining the conduct punishable by gross misdemeanor penalties, and changing several other penalty provisions, was also adopted.

A controversial provision abolishing lawful gambling on July 1, 1993 was deleted from the bill under an amendment offered by Sen. Bob Lessard (DFL-Int'l. Falls). The amendment was adopted on a vote of 46-9.

Debate on the measure included discussion on the inadequacy of the bill, in light of current budget constraints, to address the problems in the lawful gambling field. However, Lantry argued successfully that the measure was a beginning step in gaining control over the industry. Lantry and others emphasized the positive contributions made by charitable gambling and pointed out that the various provisions in the bill will help lawful gambling operators learn the intricacies of state laws. The bill was approved on a 34-30 roll call vote.

In other action, members granted final passage to two additional bills on the Special Orders Calendar. S.F. 2704, authored by Sen. Michael Freeman (DFL-Richfield), removes a real estate licensing prohibition. An amendment, offered by Sen. Fritz Knaak (R-White Bear Lake), sets forth a "home buyers' bill of rights" that regulates mortgage lenders and mortgage bankers. The amendment was adopted. S.F. 1807, also sponsored by Freeman, authorizes Hennepin County to issue bonds in order to finance the acquisition and construction of a new jail.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of afternoon committee hearings this year. The hearings will run on the cable Twin Cities Regional Channel 6. Currently, Media Services broadcasts gavel-to-gavel coverage of all Senate floor sessions on the Twin Cities Regional Channel 6.

In addition, Media Services produces a variety of television programs for both broadcast and cable stations. Senate Journal, in its seventh season, is a one-half hour public affairs program that examines legislative issues through a moderated discussion format. Senate Journal is co-hosted by Majority Leader Roger Moe and Minority Leader Duane Benson and is broadcast throughout the state.

The office also produces several region television programs for broadcast on PBS stations outside the Metro Area and on Regional Cable Channel 6 in the Metro Area. Check your local programing guide for the times and dates of Media Services television shows.

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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 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 bodies, 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 a hearing.

The committee chair decides a hearing date for the bill. During the hearing, proponents and opponents give testimony on the merits of the proposal. 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. The members 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 the floor or another committee without a recommendation for passage; keep it in committee indefinitely; recommend that the bill be passed and sent to another committee; 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 or opponents.

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body on the General Orders Calendar. The entire body then resolves itself into a Committee of the Whole to consider the bill and discuss the merits of the proposal. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least 24 hours before being placed on the Senate Calendar and 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 Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If one body makes a change to the bill and the other body does not accept that change, a conference committee is established to work out a compromise version. The compromise version must then be repassed by both bodies.

If a proposal survives all these obstacles, it is sent to the governor, 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 bodies repass the bill with a two-thirds majority vote.

Branches of government outlined

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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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 subscription procedures

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Facts about the Minnesota Legislature

Minnesota 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 a "B" portion to designate the House of Representatives 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 meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. The Legislature usually adjourns earlier in even numbered years.

Information Office services profiled

The Senate Information Office is located in Room 231 of the Capitol. The office distributes all public materials and handles inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request, through the office, copies of bills or ask to be put 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. Senate staff members are available to answer general questions about the Senate and the legislative process.

Service for hearing-impaired available

The Minnesota Senate is continuing to offer TDD service for the hearing impaired. Located in Senate Index, the TDD telecommunications service allows deaf or hearing-impaired persons to communicate with Index staff in order to find out bill status, bill content and bill authorship. The telephone number for the TDD service is (612) 296-0250.

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Bertram DeCramer
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Frederickson, D.R.
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Morse
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Cohen Kroening
Dahl Larson
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Flynn Larson
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ELECTIONS AND ETHICS (12)

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Hughes Laidig
Johnson, D.E. Luther
McGowan
Moe, R.D.
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Samuelson
Luther
Morse
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Pogemiller
Reichgott
Schmitz
Stumpf

TRANSPORTATION (12)

CHAIR: Purfeerst
OFFICE NO: 303
MEETS: T, Th; Room 112; 8-10 a.m.
MEMBERS:
Bernhagen Langseth
DeCramer Lantry
Frederick McQuaid
Mchrkens
Metzen
Novak
Purfeerst
Schmitz
Vickerman

VETERANS AND MILITARY AFFAIRS (11)

CHAIR: Bertram
OFFICE NO: 323
MEETS: T, Th; Room 107; 10-12 noon
MEMBERS:
Beckman Laidig
Bertram Langseth
Diessner Lessard
Mchrkens
Pariseau
Piepho
Schmitz
Vickerman

MINNESOTA STATE SENATE

Senate Members—1990 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	IR	5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	8869	Luther, William	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	2159	McGowan, Patrick D.	121 SOB	48
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	4261	Berglin, Linda	G-29 Cap.	60	IR	8075	Mehrkens, Lyle G.	127 SOB	26
IR	4131	Bernhagen, John	113 SOB	21	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	4370	Metzen, James	303 Cap.	39
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	4264	Moe, Donald M.	309 Cap.	65
IR	4848	Brataas, Nancy	139 SOB	33	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	5649	Morse, Steven	309 Cap.	34
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5003	Dahl, Gregory L.	111 Cap.	50	IR	1282	Olson, Gen	133 SOB	43
DFL	2302	Davis, Charles R.	G-24 Cap.	18	IR	5252	Pariseau, Patricia	151 SOB	37
IR	0415	Decker, Bob	109 SOB	4	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	IR	9457	Piepho, Mark J.	105 SOB	24
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	9248	Piper, Pat	325 Cap.	31
DFL	4274	Flynn, Carol	G-27 Cap.	61	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	129 SOB	38	DFL	5650	Vickerman, Jim	G-29 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	124 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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Briefly

The Minnesota Senate Week in Review

April 12, 1990

Adjournment delayed

The final days of the 1990 session have seen a slowdown in the workload of the full Senate, as the Senate awaits the resolution of a budget dispute and observes religious holidays. The subject of the dispute is the state's Budget Reserve, known as the "rainy day fund", established as an emergency source of revenue in the event of an economic downturn. Senate leadership has indicated a desire not to tap into the \$550 million fund to resolve the current budget shortfalls, and instead prefers to balance the budget through spending cuts. However, the other body has argued that the reductions proposed by the Senate are too sweeping, and that approximately \$50 million of the reserve should be used to meet funding needs. There has been some movement toward compromise in recent days, as Sen. Roger Moe (DFL-Erskine), the Senate Majority Leader, has indicated that dipping into the reserve may be acceptable if House leaders agree on the necessity for extensive spending cuts in the next biennium. However, at press time no agreement has been reached and it was determined that the session will continue into the week of Apr. 16.

As a result of the budget dispute, as well as the normal process of negotiation, a number of major bills remain in conference committee. The purpose of conference committees is to resolve differences in the Senate and House versions of a bill before final language is presented to the full membership of both bodies for approval. An equal number of Senators and Representatives, including the chief authors of the bill, are appointed to serve on the committee. Major omnibus bills dealing with health and human services, bonding, higher education and education funding, and state departments, as well as a lawful gambling bill, are among the measures currently in conference. Senators are working long hours attempting to formulate compromises on these bills, as well as numerous smaller measures.

Child protection measure okayed

The Senate amended and approved H.F. 2390, the child protection bill, Mon., Apr. 9. The bill is authored by Sen. Ember Reichgott (DFL-New Hope).

The bill creates a Legislative Commission on Children to study and make recommendations regarding current child protection efforts and the funding for those efforts. In addition, the bill also states that the primary consideration in all cases in which a child is alleged to need protection or services is the best interests of the child. The measure also prohibits the adjournment or continuance of child protection hearings and termination of parental rights hearings for more than one week unless the court specifically finds that longer adjournment or continuance is in the child's best interest. The bill makes it easier to terminate parental rights in cases in which a parent is chemically dependent and either refuses treatment or has failed at least twice to complete a treatment program. Under the measure, counties are required to establish a multidisciplinary child protection team.

Senators debated and adopted an amendment, offered by Sen. Bob Lessard (DFL-Int'l Falls), which allows counties to levy over their levy limits for the costs of providing the services in the bill. An amendment, offered by Sen. Donald Storm (IR-Edina), would have

included child protection workers and assistant county attorneys in the definition of "essential employee" under the public employment labor relations statutes, thus making it illegal for them to strike; however, the amendment was ruled not germane.

The bill was given final approval.

Senate passes grasshopper control measure

During the Wed., Apr. 11, floor session, Senators granted final passage, on a roll call vote of 53-5, to a bill that implements a statewide grasshopper control program. The measure, S.F. 1674, sponsored by Sen. Charles Berg (DFL-Chokio), provides for a \$500,000 contingency fund to finance 1990 grasshopper control efforts; grants special tax levying authority to counties to help defray future control program costs; and delineates county, township, and individual landowner liability issues related to pesticide spraying.

By a vote of 40-16, members adopted an amendment offered by Sen. Steven Morse (DFL-Dakota), that prohibits pesticide applicators from applying grasshopper control chemicals on blooming alfalfa, clover, or sunflowers located within two miles of honeybee colonies, except during the first three hours after sunrise or during the last hour before sunset. Morse's amendment also specifies that pesticide applicators must provide written or oral notification to owners of honeybee colonies located within two miles of the application site, and diverts up to \$75,000 of the bill's \$500,000 contingency fund appropriation to finance a research program evaluating non-pesticide alternatives to grasshopper control. Berg said that the amendment's notification and pesticide application provisions were too restrictive and would consequently prove unworkable in implementing the large-scale grasshopper control program. Morse argued that he was offering the amendment because an estimated 10,000 to 15,000 Minnesota bee colonies were destroyed last year as a result of grasshopper control spraying efforts, emphasizing that the amendment represented a "balanced compromise" between the best interests of both farmers and honey producers.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of Senate floor sessions. The programming will run on the Twin Cities Regional Cable Channel 6 for the remainder of the session.

Media Services also produces a variety of television programs for both broadcast and cable stations. Senate Journal, in its seventh season, is a one-half hour public affairs program that examines legislative issues through a moderated discussion format. Senate Journal is co-hosted by Majority Leader Roger Moe and Minority Leader Duane Benson and is broadcast throughout the state.

The office also produces several regional television programs for broadcast on PBS stations outside the Metro Area and on Twin Cities Regional Cable Channel 6 in the Metro Area. Check your local programming guide for the times and dates of Media Services television shows.

Committee Capsule

Finance

Grasshopper control bill gains

The Senate Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Thurs., Apr. 5, and approved a measure allocating funds for grasshopper control and other drought-related projects. Sen. Charles Berg (DFL-Chokio), author of S.F. 1674, explained that if precipitation is low this spring, six million acres of state farmland may need to be treated in order to control the insects. The bill appropriates \$500,000 to finance the control effort. Prior to advancing the measure, the committee defeated, by a 16-5 vote, an amendment offered by Sen. Marilyn Lantry (DFL-St. Paul) deleting the appropriations sections from the bill.

The committee also approved S.F. 1896, sponsored by Sen. Jim Vickerman (DFL-Tracy), containing several provisions intended to aid rural health care providers. The committee reduced the bill's appropriation from \$2.5 million to \$250,000, and deleted a number of sections, including educational incentives programs. Rural hospital planning and transition grants, as well as the Rural Hospital Assistance Fund, are among the programs for which funding is retained.

Two bills authored by Sen. Allan Spear (DFL-Mpls.) were also approved by the committee. S.F. 2045 proposes an amendment to the Minnesota Constitution creating a Court of Compensation Appeals, and abolishing the Workers' Compensation Court of Appeals. The committee adopted an author's amendment providing that the first term of the initial judges of the Court of Compensation Appeals may be less than six years, the standard length of term for other state judges. S.F. 2178 directs the Peace Officer Standards and Training Board to study ways of restructuring peace officer education programs, including the need to require a baccalaureate degree.

S.F. 2030, authored by Sen. Clarence Purfeerst (DFL-Faribault), establishing a commercial motor vehicle inspection program in Minnesota, was also approved. The bill requires commercial motor vehicle operators to submit to annual truck inspections conducted by certified public and private sector individuals. It would be unlawful to operate, or permit the operation of, commercial motor vehicles in the state unless the vehicles display safety inspection decals.

Five additional bills were approved with little controversy. S.F. 2248, sponsored by Sen. Jerome Hughes (DFL-Maplewood), authorizes state entrance into the Midwestern Higher Education Compact. S.F. 1894, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), requires that the Board of Water and Soil Resources establish standards for oversight of watershed plan implementation by counties and watershed management organizations. S.F. 2055, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides refunds of bond allocation deposits to the city of Minneapolis and Koochiching County. S.F. 1860, sponsored by Sen. Ember Reichgott (DFL-New Hope), contains several provisions intended to protect victims of domestic abuse, and facilitate prosecution of the abusing party. S.F. 2527, sponsored by Sen. Charles Davis (DFL-Princeton), establishes an agricultural liming material law.

Committee approves five bills

The Mon., Apr. 9, meeting of the Finance Committee was devoted to approving and sending to the Senate floor a wide variety of measures. The committee is chaired by Sen. Gene Merriam (DFL-Coon Rapids).

S.F. 2160, as amended, sponsored by Merriam, creates the Office of Environmental Education within the State Planning Agency to initiate, develop, implement, evaluate and market informal environmental education programs. In addition, the office is authorized to coordinate informal environmental education with the K-12 and post-secondary environmental education programs developed by the Dept. of Education and Minnesota's post-secondary

institutions, and is directed to promote state government and private sector policy consistent with the environmental education programs that are established. Merriam noted that the bill contains no appropriation section because funding for the effort will come from existing appropriations.

S.F. 2004, authored by Sen. William Luther (DFL-Brooklyn Park), extends, from 1991 to 1992, the effective date of a bill enacted during last year's legislative session requiring counties to pay filing fees in district court actions. The measure also exempts public authorities from paying district court filing fees in actions for, among other things, child support enforcement, parentage establishment, and medical assistance enforcement. Association of Minnesota Counties representative Peggy Addicks estimated that the bill's filing fee exemptions will save the state's 87 counties a total of \$800,000 per year.

S.F. 2246, carried by Sen. Carl Kroening (DFL-Mpls.), expands coverage of the public employees health insurance plan by creating a limited retirement pool. Panel members adopted an author's amendment that permits public pension fund directors, upon authorization of an individual entitled to receive benefits, to withhold premium amounts from the pension benefits and pay the amounts to the public employees insurance plan; that requires notification of all individuals eligible to participate in the plan; and that delays implementation of the plan from 1991 to 1992.

S.F. 1750, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), extends the Farmer-Lender Mediation Act until July 1, 1991. An amendment, offered by Stumpf, that removes a bill provision appropriating \$300,000 to the Minnesota Extension Service to fund the operation of the Farmer-Lender Mediation Program, was adopted by the committee. Stumpf explained that the Extension Service intends to use existing appropriations and to capitalize on federal matching funds to support the program's activities.

H.F. 2134, authored by Sen. Richard Cohen (DFL-St. Paul), changes the vote margin for an automatic recount at the state primary or general election level to 200 votes or less, instead of 100 votes as is specified under existing law. Cohen said that because elections requiring automatic recounts are rare, the proposed legislation's fiscal impact is minimal since such costs can be readily absorbed by the Secretary of State's Office.

Thursday, April 5

Data privacy bill okayed

Senators spent the majority of the early portion of the Thurs., Apr. 5, floor session amending and granting final approval to H.F. 2365, the omnibus data practices act. The bill proposes classifications of data as private and nonpublic, clarifies access to data on decedents, and changes classification nomenclature as it relates to medical examiner's data.

Senators adopted a number of amendments, offered by bill author Sen. Randolph Peterson (DFL-Wyoming), to the bill. One amendment classifies the data of the Board of Peace Officer Standards and Training on the home addresses of licensees and applicants for licenses and the data that identify the state agency, statewide system, or political subdivision that employs a licensed peace officer as private data. Another amendment includes crime prevention block maps and lists of volunteers who participate in community crime prevention programs and their home addresses and phone numbers in the definition of "security information." Under the amendment, the information may be given to volunteers participating in the programs. A further amendment changes the effective date of a provision relating to Dept. of Public Safety data to the day following enactment.

Senators also approved an amendment allowing a child's parent or guardian access to peace officers' records of the child. Amendment sponsor Sen. William Luther (DFL-Brooklyn Park) said that the provision would not apply during an active investigation.

Also amended and approved on the Special Orders Calendar was H.F. 2401, authored by Sen. James Metzen (DFL-So. St. Paul), establishing penalties for driving past railroad crossing warning devices and flaggers; providing for instruction in railroad crossing safety at driver improvement clinics; establishing standards and procedures for closing a railroad crossing; and imposing penalties.

Also given final approval was S.F. 1798, sponsored by Sen. Pat Piper (DFL-Austin), providing limited prescription privileges for physician assistants and requiring permanent registration for some physician assistants. Senators adopted an amendment requiring the State Board of Pharmacy to register as a physician assistant any person who, as of Aug. 24, 1987: had at least seven years of experience practicing as a physician assistant or surgical assistant; had been certified as a physician assistant by the National Commission on Certification of Physician Assistants, whether or not the person is currently certified; and had graduated from a physician assistant training program in Minnesota, whether or not the program was or has since been accredited or approved by the board. The amendment was offered by Sen. Dean Johnson (IR-Willmar).

A number of measures were granted concurrence and repassage. S.F. 1897, authored by Sen. Betty Adkins (DFL-St. Michael), clarifies employment terms of city and town assessors. S.F. 1752, authored by Sen. James Pehler (DFL-St. Cloud), establishes a standard for the abandonment of railroad tracks and clarifies the standard for abandonment of shops, terminals, and stations. S.F. 1879, carried by Sen. Joe Bertram, Sr. (DFL-Paynesville), amends a requirement relating to the sale of state timber. S.F. 1873, sponsored by Sen. Richard Cohen (DFL-St. Paul), provides victims of delinquent acts the right to request notice of release of juvenile offenders from juvenile correctional facilities, provides notice to sexual assault victims when a juvenile offender is released from pretrial detention, requires that victims be informed of their right to request the withholding of public law enforcement data that identifies them, clarifies the duty of court administrators to disburse restitution payments, and makes changes to the Crime Victims Reparation Act.

Senators granted concurrence and repassage to S.F. 1794, sponsored by Metzen, which redefines the word "veteran"; and S.F. 2127, authored by Sen. John Bernhagen (IR-Hutchinson), which implements a statewide program to encourage maintenance and expansion of community and urban forests and assigns responsibilities to various state agencies and municipalities.

Senate delays final action on omnibus drug bill

Postponement of a measure designed to strengthen Minnesota's controlled substance penalty statutes highlighted the Thurs., Apr. 5, Senate floor session.

The comprehensive \$1.2 million bill, H.F. 1843, sponsored by Sen. Allan Spear (DFL-Mpls.), permits counties to prosecute individuals involved with the sale of controlled substances based upon amounts aggregated over a 120-day period, prohibits the importation of controlled substances into the state, requires the reporting of transactions involving substances used to manufacture drugs, directs each judicial district to implement a day-fine system, provides for the administrative forfeiture of dangerous weapons found in the proximity of controlled substances, creates several pilot programs including a program requiring drug and alcohol testing as a condition of probation, a program providing chemical dependency treatment services in juvenile and adult correctional facilities, a program prohibiting the possession of controlled substances in motor vehicles, and a program for intensive supervision rather than prison from some offenders.

By a unanimous vote, Senators adopted an author's amendment that makes it a third degree controlled substance crime if an individual sells five kilograms or possesses ten kilograms of marijuana; that makes it a fourth degree controlled substance crime if an individual sells anything more than a "small amount of marijuana for

no remuneration"; that removes statutory language making it a fourth degree controlled substance crime if an individual sells marijuana to a minor; and that makes it a fifth degree controlled substance crime if an individual possesses marijuana with the intent to sell unless it involves a "small amount of marijuana for no remuneration."

Sen. Pat McGowan (IR-Maple Grove), then offered an amendment that lowers the amount of marijuana required to be convicted of a third degree controlled substance crime to one kilogram for sales and five kilograms for possession, and that adds sales of marijuana involving more than one and one-half ounces and possessions of at least 500 grams to the list of fourth degree controlled substance crime. McGowan said that the amendment's "bottom line" was to hold lawbreakers accountable for their actions, emphasizing that marijuana has become the number one drug problem in Greater Minnesota. He added that Minnesota is becoming a marijuana gateway because the state's anti-marijuana laws are perceived by non-residents as being lenient. Spear replied that the strict penalty provisions contained in McGowan's amendment would, if enacted, result in a large increase in the number of people sent to jail, and that the state's increasingly scarce prison resources would be better directed at incarcerating criminals involved with drugs that have a more devastating societal impact such as crack cocaine. McGowan's amendment was adopted by a vote of 49-15.

The following bills were granted final passage on the Special Orders Calendar.

H.F. 2162, sponsored by Sen. Donald Moe (DFL-St. Paul), a Dept. of Administration bill that changes specified procedures and limits for contracts with the state, establishes an advisory task force, authorizes reimbursement of specified expenses, changes vehicle marking and color provisions, and clarifies specified transfer authority, was given final passage. Senators adopted an amendment, offered by Sen. James Pehler (DFL-St. Cloud), that allows state property rental agreements to include a provision specifying that the state will reimburse tenants for all or part of the capital improvements that tenants make to the property if the tenants are not permitted to renew the leases.

S.F. 2419, authored by Sen. Marilyn Lantry (DFL-St. Paul), a Dept. of Human Services welfare reform bill that clarifies AFDC recipient employment and training program requirements, that allows county agencies to implement grant diversion programs, that clarifies general assistance and work readiness eligibility and payment requirements, that establishes criteria to certify employment and training service providers, and that clarifies child care program requirements, was granted final passage. S.F. 2483, carried by Sen. Ember Reichgott (DFL-New Hope), amending provisions contained in last year's Non-Profit Corporation Act, was also given final passage.

Senators wrapped up the Thurs., Apr. 5, floor session by considering four conference committee reports. H.F. 1981, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), provides for temporary permits while awaiting delivery of special vehicle license plates, requires the registered owner of a motor vehicle to list an address or mailing address of a primary residence on the application for registration, clarifies when inspections fees must be paid to receive certificate of inspection for salvage vehicles, clarifies the disclosure requirements for motor vehicle pollution control systems and provides for special U.S. Open license plates. H.F. 2500, sponsored by Sen. Sam Solon (DFL-Duluth), modifies the effective date of the statutory notice requirement for the cancellation or nonrenewal of individual life insurance policies sold after 1984. H.F. 2135, carried by Sen. Steven Novak (DFL-New Brighton), authorizes the sale or exchange of land in Anoka County. H.F. 2056, sponsored by Sen. Keith Langseth (DFL-Glyndon), makes it a crime for a driver to flee a peace officer from another state into Minnesota, authorizes a peace officer of another state to enter Minnesota in fresh pursuit for traffic and misdemeanor offenses, authorizes the admissibility of relevant evidence obtained in an-

Floor Action

other state into evidence at Minnesota civil and criminal trials and grants peace officers of other states the authority to transport persons in legal custody. All four conference committee reports were adopted and the bills were repassed.

Friday, April 6

State land bill okayed

S.F. 2489, relating to the lease and sale of some state-owned lands, was the subject of discussion at the Fri., Apr. 6, floor session. Bill author Sen. Bob Lessard (DFL-Int'l. Falls) argued in favor of concurrence with the House amendments and repassage of the bill; however, Sen. Gene Merriam (DFL-Coon Rapids), argued that, since the sale and lease of state-owned lands is a volatile area of law, Senators should reject Lessard's motion and send the bill to conference committee. Merriam explained that most of the lands affected by the bill are under the Permanent School Fund; the state has leased the lands for many years, but recently decided it would be in the state's interest to sell them. According to Sen. Ronald Dicklich (DFL-Hibbing), who also has a bill regarding the lands, S.F. 2489, as amended by the House, would allow the lands to continue to be leased.

Senators rejected the Merriam motion and granted the bill concurrence and repassage.

A number of measures on the Special Orders Calendar were granted final approval. S.F. 2619, authored by Sen. Gregory Dahl (DFL-Ham Lake), the state claims bill, provides for payment of various claims against the state. S.F. 2158, authored by Dicklich, regulates flexible gas utility rates, repeals sunset provisions relating to flexible gas utility rates and appropriates money. S.F. 2346, carried by Sen. Tracy Beckman (DFL-Bricelyn), relates to accessibility for the physically disabled under the state building code, establishes an access review board, provides for review of applications for permission to provide accessibility by means of stairway chair lifts and appropriates money. S.F. 1962, carried by Merriam, cancels an appropriation for a cooperative agreement with the Cuyuna Development Corporation and restores the Wild Rice Management Account. S.F. 2230, authored by Sen. Betty Adkins (DFL-St. Michael), the state set-aside program bill, establishes programs for purchasing from small targeted group businesses and businesses located in economically disadvantaged areas, requires prompt payment to subcontractors, and provides penalties.

Also given concurrence and repassage were S.F. 2412, carried by Sen. Donald Moe (DFL-St. Paul), requiring the State Board of Investment to invest certain assets currently managed by the Dept. of Commerce; and S.F. 1087, authored by Sen. Carl Kroening (DFL-Mpls.), providing standing for certain associations to bring an action for tenant remedies and providing for actions against certain unoccupied buildings.

In other action, Sen. Michael Freeman (DFL-Richfield), moved to remove H.F. 2704 from the table. H.F. 2704, removing a real estate prohibition, had been approved April 4. The motion was approved. Freeman and Sen. Fritz Knaak (IR-White Bear Lake), then both moved to reconsider amendments, which they had offered and the Senate adopted on April 4, to H.F. 2704. Both motions for reconsideration were approved, and both Senators then withdrew their amendments. Freeman then offered a new amendment similar to the amendment he had withdrawn. The amendment was approved and the bill gained final passage.

Senate amends, passes campaign financing bill

A six hour debate on campaign and election reform provided the centerpiece for the latter portion of the Fri., Apr. 6, floor session. H.F. 2666, sponsored by Sen. William Luther (DFL-Brooklyn

Park), is a comprehensive campaign financing reform measure. Debate centered primarily on the thirty odd amendments that were considered during the course of discussion.

The bill, among other things, imposes a voluntary \$3 million spending limit on U.S. Senate campaigns and \$300,000 on U.S. House of Representative races; extends existing conflict of interest provisions to local officials and public employees; prohibits state legislative candidates from soliciting or accepting contributions from registered lobbyists or political committees during a regular legislative session; modifies reporting requirements for political fundraising event expenses and for political committee expenditure purposes; exempts unopposed primaries from the 48-hour notice requirement for last-minute campaign contributions; establishes a special election subsidy and provides for distributing the funds to eligible legislative candidates; and applies the open meeting law to the Legislature.

Luther offered, and members adopted, an amendment that inserts a legislative intent section into the congressional financing portion of the measure. Luther argued for inclusion of the amendment in order to provide guidance to courts in the event the bill is legally challenged. An amendment, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), that provides a procedure for filling vacancies in Minnesota judgeships formerly introduced as S.F. 1852, was also adopted.

In addition, Senators adopted amendments offered by Sen. John Marty (DFL-Roseville), that require individuals or associations spending more than \$500 in a 12-month period engaging lobbyists to report annually to the Ethical Practices Board, and that direct individual lobbyists to report candidate gifts and contributions amounting to more than \$100 during a calendar year to the board. An amendment to the Marty amendment lowering the lobbyist engagement spending limit to \$100, offered by Sen. Duane Benson (IR-Lanesboro), was also adopted.

An amendment, offered by Benson, barring registered lobbyist contributions during a legislative session, setting a penalty and deleting the section of the bill that limits spending for U.S. Senate campaigns, was defeated. An amendment, offered by Sen. Dean Johnson (IR-Willmar), deleting the section that limits spending for U.S. Senate campaigns, was also defeated. Sen. Donald Storm (IR-Edina) attempted, unsuccessfully, to delay the effective date for the limitation until 1992.

An amendment, offered by Sen. Steven Morse (DFL-Dakota), reducing the nonpublic match to 20 percent in congressional campaign financing, was adopted. Sen. Dennis Frederickson (IR-New Ulm), offered an amendment specifying that if a candidate for federal office refuses a public subsidy the amount that the candidate would have received would be appropriated for the sliding fee child care program. The amendment was not adopted. Another Benson amendment, specifying that the state pay attorney fees and costs for a court challenge to the bill if the state is not the prevailing party, was also defeated. An amendment, offered by Sen. Gary DeCramer (DFL-Ghent), exempting school board candidates and members in any district with a population of less than 50,000 from provisions relating to economic interest requirements was amended, by Benson, to exempt all school board candidate and members. The amendment was adopted. The amendment was amended again later in the evening, by Sen. Carol Flynn (DFL-Mpls.), to limit specify cities of the first class as the population criteria.

Another amendment, offered by Sen. Dennis Frederickson, specifying that unclassified state employees could not accept a public subsidy for a congressional campaign, was also defeated. Sen. Mel Frederick (IR-Owatonna), offered, unsuccessfully, an amendment to limit the amount of political action committee money a candidate may spend. Sen. Nancy Brataas (IR-Rochester), successfully amended the measure to reinstate a misdemeanor penalty for failure of a vendor to bill a campaign for goods or services. Two further amendments, offered by Luther, were adopted. The first provides for the dissolution of inactive campaign committees and

funds. The second urges the U.S. Congress to enact additional regulations regarding contributions to congressional candidates. A final amendment, offered by Luther, specifying that no political party may accept contributions in excess of \$35,000 during any calendar year from the political committee of a member of Congress or a congressional candidate was further amended by Sen. Gary Laidig (IR-Stillwater) to specify that in addition to political party, no candidate or no principle campaign committee of a candidate could accept more than \$35,000. Both the amendment and the amendment to the amendment were adopted.

The bill gained final passage on a vote of 41-23.

Senators considered an additional four measures during the evening. H.F. 2103, sponsored by Sen. Donald Moe (DFL-St. Paul), making numerous changes in provisions relating to public employee pensions received considerable debate. The measure includes provisions to include law enforcement officers employed by the Division of Gambling Enforcement in the State Patrol Retirement Plan and specifies that the employees are covered under the State Patrol Retirement Plan age 60 mandatory retirement provisions. The bill also specifies that Minnesota public pension funds with book value greater than \$500,000 and which do not have all assets invested by the State Board of Investment must file investment performance reports with the Executive Directors of the Legislative Commission on Pensions and Retirement and the State Board of Investment. The measure also provides that the Community College and State University Supplemental Retirement Plan is incorporated into the Individual Retirement Account Plan and that administration is transferred from the Teachers Retirement Association (TRA) to the community college and state university boards. In addition, the measure provides that unclassified employees of the Division of State Lottery who are covered by the managerial plan can elect coverage by the MSRS Unclassified Plan unless they elect the MSRS General Plan. Finally, the bill revises the economic interest statement required by law for volunteer firefighters relief associations and smaller local police and paid firefighters relief associations.

Senators adopted an amendment, offered by Moe, that includes, among numerous other provisions, an authorization for service credit for up to one year of maternity leave in TRA and the First Class City Teacher Plans and to provide that the Ambulance Service Plan, a defined contribution plan, is expanded to include elected local government officials, to permit retroactive payments for allowable service, and to authorize buybacks by local government officials in Public Employees Retirement Association general at full actuarial value.

An amendment, offered by Sen. James Metzen (DFL-So. St. Paul), specifies that with respect to the consolidation of the West St. Paul Fire Relief Association with the Public Employees Police and Fire Fund the amount by which the actuarial initial additional municipal contribution certified to and paid by the municipality exceeded the anticipated future additional municipal contribution resulting from the first regular actuarial valuation must be refunded to the municipality. The amendment was not adopted. However, a second Metzen amendment, relating to local consolidations with the Public Employees Police and Fire Fund throughout the state, was adopted.

The bill was then granted final passage on a unanimous vote.

S.F. 1787, sponsored by Sen. James Pehler (DFL-St. Cloud), modifies the Maximum Effort Education Facility Aid Law Capital Loan Program and the review and comment procedures for construction. S.F. 2173, authored by Sen. Bob Lessard (DFL-Int'l. Falls), provides assistance to eligible recipients on methods to prevent toxic pollution, provides financial assistance to research and demonstrate alternative means to prevent toxic pollution, and requires facilities to develop plans to prevent toxic pollution. The measure was amended, by Sen. Gregory Dahl (DFL-Ham Lake), to include the comprehensive chlorofluorocarbons reduction and recycling bill. The measure was also amended by Sen. Pat Pariseau (IR-Farmington) to require that the Pollution Control Agency conduct a

study to determine if the inspection maintenance program should be altered and to determine the reduction in overall emissions that would result from requiring that all government owned vehicles use block heaters. The bill was then granted final passage.

The Senate also granted final passage to the following bills on the Special Orders Calendar earlier in the afternoon.

H.F. 1918, authored by Sen. Donald Moe (DFL-St. Paul), provides for criminal and civil penalties for violations of waste pretreatment standards and requirements in the Metropolitan Area and in the Western Lake Superior Sanitary District. Members adopted an amendment offered by Sen. Gregory Dahl (DFL-Ham Lake), extending, until 1992, the definition of incinerator ash as a special waste. Sen. John Bernhagen (IR-Hutchinson), then offered, and Senators adopted, a verbal amendment changing the special waste definition extension date to 1991 in order to provide legislators with an opportunity to review the policy during the next legislative session.

As amended, S.F. 824, sponsored by Dahl, requires recycling of chlorofluorocarbons (CFC's) under specified conditions, prohibits solvent and specific motor vehicle coolant sales, requires facilities to file CFC reports to the Emergency Response Commission, and mandates the recapture and recycling of halons from fire extinguishers.

Monday, April 9

Employee relations bill approved

Passage of a bill containing several provisions relating to the Dept. of Employee Relations highlighted the early portion of the Mon., Apr. 9, floor session. Sen. Donald Moe (DFL-St. Paul) explained that the most important aspect of H.F. 2081 is its ratification of state collective bargaining agreements. The bill also establishes greater state control over salary levels for four quasi-state agencies, alters the salary range of administrative judges, and requires that progress toward affirmative action goals be a factor considered in establishing reimbursement levels for educational chancellors and directors.

Sen. Gary DeCramer (DFL-Ghent) offered an amendment deleting a provision revoking the authority of court administrators to appeal their budgets to district courts. Speaking in favor of the amendment, Sen. Richard Cohen (DFL-St. Paul) argued that allowing for such an appeal helps to promote the independence of the judicial branch. However, Sen. Ronald Dicklich (DFL-Hibbing), countered that the appeals undercut the authority of the elected officials responsible for establishing budget limits. The DeCramer amendment was defeated on a 44-18 vote, and the bill was subsequently approved.

Two additional bills were granted final approval on the Special Orders Calendar. S.F. 2060, authored by DeCramer, revises the commercial drivers' license law passed last year to make the law conform with the federal Commercial Motor Vehicle Safety Act of 1986. S.F. 1896, sponsored by Sen. Jim Vickerman (DFL-Tracy), contains a number of provisions designed to improve access to health care in Greater Minnesota, including modifying standards for ambulance drivers, increasing reimbursement for volunteers, as well as appropriating money for hospital planning and transition grants.

Family law bill debated

The latter part of the Monday afternoon session was devoted to debate on H.F. 1855, the omnibus family law bill, authored by Sen. Allan Spear (DFL-Mpls.). The bill regulates child custody and visitation in dissolution and other proceedings; provides for suspension of visitation rights or change of custody when a parent has been convicted of certain crimes; requires expedited hearings of visitation motions alleging that a child is in danger of harm and

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provides for supervised or restricted visitation; modifies dissolution statistical reporting requirements; modifies standards for joint legal custody; requires specific findings supporting joint custody in certain cases; requires certain findings about taxes; provides for the award of temporary attorney fees; provides for funding of legal representation in family law matters; increases marriage dissolution filing fees and civil filing fees surcharge; and appropriates money.

Senators adopted an amendment, offered by Reichgott, which attempts to ensure that, in marriage dissolution cases involving a principal residence, both parties are aware that the income tax laws regarding the capital gain tax may apply to the sale of the residence. The provision is effective for actions commenced on or after Aug. 1, 1990.

Another amendment, also offered by Reichgott, generated considerable discussion and was ultimately rejected on a 33-33 vote. The amendment would have required the court to award temporary or permanent attorney fees in a reasonable amount if necessary to enable a party to carry on or contest a proceeding under the marriage dissolution statutes. The problem, Reichgott said, is that courts are not awarding temporary attorney fees and women are sometimes unable to continue to pursue an action. After considerable discussion, the amendment was approved on a 31-30 vote; however, Senators approved a motion, offered by Sen. Jim Vickerman (DFL-Tracy), to reconsider the amendment. Upon reconsideration, the amendment was defeated on the 33-33 vote.

Senators also adopted an amendment, offered by Sen. Fritz Knaak (R-White Bear Lake), specifying that custody determinations not include a presumption that weights "primary caretaker" more than other factors in determining the "best interest of the child." An amendment, offered by Sen. Linda Berglin (DFL-Mpls.), requiring support orders to contain a dollar amount, was also adopted. Another Knaak amendment, creating a presumption that both parents are "obligors," was adopted by the members.

No final action was taken on the measure because of time constraints.

In other action, Senators approved S.F. 1925, offered by Sen. Gregory Dahl (DFL-Ham Lake), changing certain requirements for municipal wastewater treatment grants and increasing bonding authority; and S.F. 1894, also offered by Dahl, amending provisions relating to water management organizations, providing legislative commission oversight of the Metropolitan Water Management Act, authorizing management and financing of drainage systems under certain laws, clarifying water management purposes, authorizing counties to remove watershed district managers for just cause, authorizing a technical advisory committee, requiring watershed management organizations to prepare newsletters, annual reports, and audits, providing for preparation of watershed plans and implementation of plans, providing penalties for not implementing plans, authorizing and directing the Board of Water and Soil Resources to adopt rules, providing for appeal of plan failures, providing for requests for proposals for certain services, authorizing accumulation of levy proceeds, requiring a draining system report, and appropriating money.

Information Office services profiled

The Senate Information Office is located in Room 231 of the Capitol. The office distributes all public materials and handles inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request, through the office, copies of bills or ask to be put 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. Senate staff members are available to answer general questions about the Senate and the legislative process.

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 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 bodies, 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 a hearing.

The committee chair decides a hearing date for the bill. During the hearing, proponents and opponents give testimony on the merits of the proposal. 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. The members 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 the floor or another committee without a recommendation for passage; keep it in committee indefinitely; recommend that the bill be passed and sent to another committee; 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 or opponents.

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body on the General Orders Calendar. The entire body then resolves itself into a Committee of the Whole to consider the bill and discuss the merits of the proposal. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least 24 hours before being placed on the Senate Calendar and 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 Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If one body makes a change to the bill and the other body does not accept that change, a conference committee is established to work out a compromise version. The compromise version must then be repassed by both bodies.

If a proposal survives all these obstacles, it is sent to the governor, 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 bodies repass the bill with a two-thirds majority vote.

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Beckman Davis Frederickson, D.R. Vickerman
Berg Decker Larson
Bertram DeCramer Morse

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Johnson, D.E. Luther Metzen Samuelson

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MINNESOTA STATE SENATE

Senate Members—1990 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	IR	5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	8869	Luther, William	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	2159	McGowan, Patrick D.	121 SOB	48
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	4261	Berglin, Linda	G-29 Cap.	60	IR	8075	Mehrkens, Lyle G.	127 SOB	26
IR	4131	Bernhagen, John	113 SOB	21	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	4370	Metzen, James	303 Cap.	39
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	4264	Moe, Donald M.	309 Cap.	65
IR	4848	Brataas, Nancy	139 SOB	33	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	5649	Morse, Steven	309 Cap.	34
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5003	Dahl, Gregory L.	111 Cap.	50	IR	1282	Olson, Gen	133 SOB	43
DFL	2302	Davis, Charles R.	G-24 Cap.	18	IR	5252	Pariseau, Patricia	151 SOB	37
IR	0415	Decker, Bob	109 SOB	4	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	IR	9457	Piepho, Mark J.	105 SOB	24
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	9248	Piper, Pat	325 Cap.	31
DFL	4274	Flynn, Carol	G-27 Cap.	61	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	129 SOB	38	DFL	5650	Vickerman, Jim	G-29 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	124 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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10 April 20

P248

Briefly

The Minnesota Senate Week in Review

April 20, 1990

Budget negotiations continue

Senators returned from a short Easter break to continue work on major conference committee bills and to await the outcome of negotiations for balancing the state budget. Majority Leader Roger Moe (DFL-Erskine), the Speaker of the House and the governor are endeavoring to avoid further budget shortfalls in the next biennium as well as solve the current problem. A resolution of the negotiations will enable the major conference committees to wrap-up work on bills for the session.

Meanwhile, the Senate met twice during the week to process other bills and to act on messages received from the other body. Conference committee reports and concurrence and repassage of numerous bills have occupied members during the floor sessions. Conference committees on several measures are still meeting with final action anticipated during the first part of the week beginning Apr. 23.

According to published reports the negotiations are on a track toward resolution with an agreement to cut scheduled increases in state spending for the 1991-93 biennium. Under an agreement reached late Wed., Apr. 18, future increases will be reduced by \$537 million. Thus, impending budget shortfalls would be circumvented, eliminating the need for massive tax increases or even more drastic cuts during the next biennium. Still at issue is the exact method of solving the budget dilemma for this biennium. Negotiations will continue until a compromise agreement is reached.

Lawful gambling bill amended, passed

Before granting final passage, by a vote of 34-30, to a lawful gambling penalties bill, Senators devoted more than three hours of the Wed., Apr. 18, floor session to debating and amending its provisions.

The measure, H.F. 1891, sponsored by Sen. Ember Reichgott (DFL-New Hope), among other things, lists property subject to existing seizure and forfeiture statutes; amends the current gross misdemeanor crime of counterfeiting with intent to defraud the state; adds a new felony crime of counterfeiting a video pull-tab device or memory chip; prohibits the alteration, modification, or counterfeiting of pull-tabs, tip-board tickets, tipboards, and video pull-tab device price vouchers; creates a new crime of accepting checks in payment for the purchase of gambling equipment or for the chance to participate in lawful gambling; requires business owners to post a description of the legal consequences of awarding or receiving cash in connection with video games of chance; and permits local governments to adopt more stringent regulations concerning video games of chance.

Members adopted, on a voice vote, a lengthy amendment offered by Sen. Marilyn Lantry (DFL-St. Paul). Lantry explained that her amendment was, in actuality, S.F. 2018, a bill she authored that was previously passed by the full Senate, that was sent to conference committee, and that was in danger of failing to become law this year due to a breakdown in communication between House and Senate conferees. She noted that her amendment incorporated several language changes suggested by the other body, adding that the more controversial provisions contained in her original bill were not included in the amendment. The Lantry amendment establishes licensing qualifications for lawful gambling organizations and manufacturers, provides for the suspension of gambling licenses, requires the inspection and testing of gambling equipment, and expands state oversight of expenditures by organizations receiving lawful gambling profits.

Senators then adopted the following amendments to the Lantry amendment: an amendment offered by Sen. LeRoy Stumpf (DFL-Plum-

mer), deleting a provision mandating that the state be the sole supplier of gambling equipment; an amendment offered by Sen. Jim Gustafson (IR-Duluth), exempting lending agreements executed before Aug. 1, 1990, from a provision prohibiting the use of lawful gambling receipts as loan collateral; an amendment offered by Sen. Pat McGowan (IR-Maple Grove), removing language that prohibits organizations that contribute lawful gambling profits to educational scholarship funds from participating in the award of the funds; and an amendment offered by Sen. Gene Merriam (DFL-Coon Rapids), clarifying several misdemeanor, gross misdemeanor, and felony penalty provisions.

An amendment providing a total of \$3 million in general fund appropriations to four state agencies for increased lawful gambling regulation and enforcement efforts, offered by Sen. Dean Johnson (IR-Willmar), failed to be adopted on a roll call vote of 21-39. Johnson argued that the funding was necessary to create additional positions within the Dept. of Public Safety, the Dept. of Gaming, the Attorney General's Office, and the Dept. of Revenue to provide adequate oversight of Minnesota's burgeoning \$1.2 billion lawful gambling industry. Lantry and Merriam voiced agreement with Johnson on the need for additional manpower to monitor lawful gambling activities, but cited the state's current budget shortfall as preventing the expenditure of any additional revenues for that purpose.

By a roll call vote of 8-51, members also failed to adopt an amendment offered by Sen. Ronald Dicklich (DFL-Hibbing), reinstating stricken language from the Lantry amendment that prohibits the state from issuing gambling equipment distributor or manufacturing licenses, bingo hall licenses, or gambling manager licenses, to individuals convicted of felonies within the past five years. The Lantry amendment prohibits the issuance of such licenses to individuals convicted of felonies, regardless of when the convictions occurred.

In other action, Senators granted concurrence and repassage to three measures. H.F. 2294, carried by Sen. Jim Vickerman (DFL-Tracy), provides for electronically produced images on drivers' licenses. S.F. 2299, sponsored by Dicklich, establishes the Minnesota natural wild rice promotion advisory council. S.F. 1743, authored by Sen. Robert Schmitz (DFL-Jordan), provides for the expansion of the metropolitan extended area telephone service plan.

POW/MIA resolution approved

The Veterans and Military Affairs Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), met Thurs., Apr. 19, and approved a resolution urging the U.S. Congress to pass legislation dealing with POW/MIAs. The proposed legislation directs the heads of federal departments and agencies to disclose information concerning U.S. personnel classified as POW/MIA from World War II, the Korean Conflict, and the Vietnam Conflict. Approximately 2400 members of the armed forces are missing in Southeast Asia as a result of their Vietnam service.

The committee heard testimony from family members of missing servicemen regarding their difficulties in gaining access to pertinent government records. Senators Jim Vickerman (DFL-Tracy) and Bob Lessard (DFL-Int'l. Falls), while stressing their support for full disclosure of the information, expressed concern that the resolution would have little impact, in that the influence in this area is held by the federal courts and individual members of Congress acting on behalf of constituents. The committee eventually resolved to send a delegation of legislators to Washington for a closer study of the situation. The resolution was then approved by a unanimous voice vote.

Floor Action

Wednesday, April 11

Measures granted final passage

Prior to amending and granting final passage to S.F. 1674, a statewide grasshopper control bill sponsored by Sen. Charles Berg (DFL-Chokio), Senators devoted the early portion of the Wed., Apr. 11, Senate floor session to processing a wide variety of other measures.

The following bills were granted concurrence and repassage by members. S.F. 1739, sponsored by Sen. Richard Cohen (DFL-St. Paul), clarifies existing metropolitan government compensation provisions. Cohen explained that the other body amended the measure to include a prohibition on per diem payments to county board members with annual salaries of more than 50 percent of the governor's salary. H.F. 1952, authored by Sen. John Marty (DFL-Roseville), permits individuals to request that the public safety commissioner hold specified information on an individual as private, increases penalties for acts of harassment, expands the crime of terroristic threats to include threats made through an intermediary, and permits courts to issue orders to restrain acts of harassment. H.F. 1857, carried by Sen. Jim Vickerman (DFL-Tracy), provides greater restrictions on the eligibility of debarred persons for specified public contracts, and increases the scope of interstate motor carrier registration agreements. H.F. 1730, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), requires seating furniture in places of public accommodation to meet flammability and labeling standards.

Senators also adopted conference committee reports and repassed the following measures. H.F. 1846, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), increases penalties for specified prostitute patrons, and provides that when patrons use motor vehicles during the commission of a prostitution-related offense, that fact will be noted on their driving records. Pogemiller said that the other body amended the bill by modifying mandatory community service and fine provisions, and by removing the provision that permits the use of driving records as misdemeanor conviction records. H.F. 1913, authored by Sen. Sam Solon (DFL-Duluth), regulates dividends on claims in liquidation proceedings, regulates the lending practices of regulated lenders, and specifies the loan fees and charges that may be imposed by regulated lenders. Sen. Michael Freeman (DFL-Richfield), moved to reject the bill's conference committee report, saying that the report did not represent a compromise between the Senate and House versions of the measure. On a roll call vote of 17-39, Freeman's motion did not prevail.

By a vote of 6-49, Senators failed to concur with House amendments to S.F. 1874, a bill sponsored by Cohen that defines the final disposition of disciplinary actions regarding public personnel records, that clarifies that meetings may not be closed to the public on the basis of data classification statutes, and that provides an exception to the open meeting law for preliminary discussions concerning allegations of misconduct against, or evaluations of, government employees. Members objected to an amendment made by the other body weakening the measure's intent by permitting public bodies to suspend application of the open meeting law provision when discussing specified private data issues. After the roll call vote, Senators adopted a Cohen motion to lay the bill on the table.

Senators also granted final passage to three measures on the Special Orders Calendar. As amended, S.F. 1731, carried by Sen. Linda Berglin (DFL-Mpls.), clarifies treatment and assessment requirements under comprehensive mental health bills passed by

the 1988 Legislature. S.F. 2248, sponsored by Sen. Jerome Hughes (DFL-Maplewood), directs Minnesota to join the Midwestern Higher Education Compact and provides for the appointment of members. H.F. 2458, authored by Sen. Gene Merriam (DFL-Coon Rapids), directs the commissioner of public safety to plan a system for a regional hazardous materials incident response program and establishes an advisory task force. Members also adopted a resolution offered by Sen. Bob Decker (IR-Bemidji), urging the President and U.S. Congress to authorize a postage stamp commemorating the centennial founding of Itasca State Park and the Minnesota State Park System.

Waste management bill okayed

Senators spent most of the late afternoon Wed., Apr. 11, discussing S.F. 1996, the waste management bill, authored by Sen. Gene Merriam (DFL-Coon Rapids). The bill was ultimately granted final approval.

The measure expands recycling space requirements under the state building code to residential structures with fewer than 12, but more than four, dwelling units; imposes time limits on local government unit decision making relating to the siting of solid waste facilities following county application and on Office of Waste Management and Metropolitan Council approval of county solid waste management plans; provides for solid waste management project priorities; eliminates grants for waste reduction; expands solid waste management district establishment or alteration petition content requirements; modifies waste district organization procedures and expands district authority; authorizes counties to impose fees for waste collected outside the county on operators of mixed municipal solid waste disposal facilities located within the county; requires submission of the Pollution Control Agency (PCA) annual acid deposition control work plan and budget to the Legislative Water Commission (LWC) for review in lieu of the LCWM; eliminates the requirement for government agencies to use degradable polyethylene bags; prohibits local government units in the Metropolitan Area from preventing the establishment, operation or expansion of solid waste disposal facilities approved by the Metropolitan Council, the PCA and the county of location, authorizes the imposition of reasonable conditions relating to the construction, inspection, monitoring and maintenance of the facilities; and modifies requirements for metropolitan county request for review of waste processing facility establishment by the Metropolitan Council and reduces the time limit for council decisions relating to facilities other than waste incineration and mixed municipal solid waste composting facilities.

In addition, the measure also authorizes the establishment of waste processing facilities within the Metropolitan Area by entities other than a county without complying with local ordinances upon council approval; requires buffer areas to ensure protection of surrounding land uses from adverse or incompatible impacts due to landfill operations; requires the commissioner of the PCA to notify the LCWM before making expenditures from the Metropolitan Landfill Contingency Action Fund; extends the deadline of a solid waste ash project report; delays the effective date of the Greater Minnesota landfill cleanup fee for nonhazardous solid waste from metal casting facilities to Jan. 1, 1991; and increases the size of the PCA for superfund requests review, investigation and oversight purposes.

Article 2 of the bill makes technical corrections to the Waste Management Act relating to the transfer of duties from the Waste Management Board to the Office of Waste Management and the

PCA; requires Metropolitan Area counties to establish a yard waste composting facility within the county accepting yard waste at no charge from licensed solid waste collectors; and requires the county to fund a percentage of the operation of the facility from funds received for waste reduction and recycling.

Discussion on the bill centered on a number of amendments. Senators spent a great deal of time debating two amendments offered by Sen. Don Storm (IR-Edina). His first amendment would have deleted a provision in the bill prohibiting a local government unit from preventing the establishment, operation, or expansion of a solid waste disposal facility that had the approval of the Metropolitan Council to expand before Dec. 31, 1989, and has received approval of the PCA and the county where the facility is located. The provision does provide that the local government unit may impose reasonable conditions respecting the construction, inspection, monitoring and maintenance of a facility with the approval of the Metropolitan Council.

According to Storm, the bill allows for an expansion of a landfill by the Flying Cloud Airport in Eden Prairie, and does not allow for sufficient input from the community. The amendment was defeated 32-34. Storm's second amendment would have removed the prohibition against local governments preventing expansion of the landfill; the amendment was defeated 32-33.

Following defeat of the Storm amendments, Sen. Gary Laidig (IR-Stillwater) proposed what he called a "truth-in-packaging" amendment addressing the same provision. The Laidig amendment would have removed the general terms in the provision and inserted specific language that the city of Eden Prairie could not prevent the establishment, operation, or expansion of the Flying Cloud Landfill. The amendment was defeated. Storm offered one final amendment addressing the provision; however, it was defeated.

Senators also rejected an amendment, offered by Sen. Linda Berglin (DFL-Mpls.), relating to the development of facilities for the transfer of mixed municipal solid waste.

Senators adopted an amendment, offered by Sen. Bob Lessard (DFL-Int'l Falls), providing for rules to allow a municipality, including a sanitary district, that owns or operates a solid waste disposal facility to meet its financial responsibility for all or part of the contingency action portion of the reasonable and necessary response costs at the facility through its authority to issue bonds and requires the reservation of a portion of the municipality's debt limit for that purpose. The amendment also alters the permitted uses of the Greater Minnesota Landfill Cleanup Fee and deletes provisions requiring a study of the financial assurance assistance mechanism and appropriating money for the study.

Other amendments adopted by the Senate include an amendment, offered by Sen. John Bernhagen (IR-Hutchinson), extending the interim period for which incinerator ash will be considered as a special waste from June 30, 1990, to June 30, 1991, instead of to June 30, 1992, barring specified other events; an amendment, offered by Sen. Cal Larson (IR-Fergus Falls), relating to payment of the Greater Minnesota Landfill Cleanup Fee; an amendment, offered by Merriam, making two sections of the bill relating to local government units organizing collection and providing notice effective Aug. 1, 1990; and an amendment, offered by Sen. William Luther (DFL-Brooklyn Park), relating to emission monitoring requirements for incinerators. The Luther amendment requires facilities to immediately report any emissions in excess of standards, and provides for modifications to remedy the problem, further testing, and shutting down a facility until it complies with permit requirements.

Omnibus DWI bill advances

The evening portion of the Wed., Apr. 11, floor session was devoted to the consideration of the bills on the Special Orders Calendar. This year's omnibus DWI bill, S.F. 2177, sparked considerable discussion. The bill, sponsored by Sen. Allan Spear (DFL-Mpls.), provides that the impoundment of license plates of vehicles owned by repeat DWI offenders is an administrative, rather than judicial, function; modifies procedures for chemical use assessments, programs and funding; expands the crime of refusing to submit to an implied consent test; expands the crime of aggravated driving while intoxicated by eliminating the requirement that negligence be proven for a conviction of criminal vehicular operation if the driver's blood alcohol concentration was 0.10 or more; changes criminal vehicular operation resulting in death to criminal vehicular homicide; imposes penalties for criminal vehicular operation resulting in substantial bodily harm; prohibits constructive possession of alcohol in a private motor vehicle; and expands the definition of possession.

Spear offered, and members adopted, an amendment increasing the penalties for operating an aircraft while intoxicated. According to Spear, the amendment updates and strengthens the laws concerning flying while intoxicated. The amendment defines the crime, spells out procedures for arrest, testing and refusal to submit to a test. The amendment also specifies that a blood alcohol level of .04 or more is the legal limit.

An amendment, offered by Sen. Pat Pariseau (IR-Farmington), providing that a blood alcohol concentration of .05 be the standard in cases of criminal vehicular homicide, failed to gain adoption. A similar amendment, specifying a blood alcohol concentration of .07, offered by Sen. Gene Waldorf (DFL-St. Paul), also failed to be adopted.

The bill was approved on a unanimous roll-call vote.

Numerous other measures gained final passage during the evening floor session. S.F. 1950, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), requires state agency coordination on homelessness; provides for treatment of certain obligations upon foreclosure of mortgages; and appropriates nonrefundable bond allocation deposits to the Housing Trust Fund Account. S.F. 2055, also sponsored by Pogemiller, provides refunds of bond allocation deposits. S.F. 2395, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), makes changes in the laws relating to unemployment compensation by altering provisions relating to part-time employment in order to encourage part-time work and appropriates available federal funds earmarked for data processing equipment. S.F. 2375, also sponsored by Chmielewski, is the "loggers' workers' comp" bill and alters several workers' comp provisions in order to lower premiums for loggers.

S.F. 2178, also authored by Spear, requires the Peace Officers Standards and Training Board and the state higher education boards to study ways of restructuring professional peace officer education programs and to determine if a baccalaureate degree should be included in the requirements. The measure also increases the percentage of penalty assessments funds allocated for skills course reimbursement. S.F. 2160, authored by Sen. Gene Merriam (DFL-Coon Rapids), creates the office of environmental education and provides for environmental education. S.F. 2037, authored by Sen. Steven Morse (DFL-Dakota), changes provisions relating to wholesale produce dealers, changes the definition of farm products and imposes penalties. S.F. 1779, sponsored by Sen. Charles Davis (DFL-Princeton), provides for mediation and arbitration of agricultural contract disputes, provides for the

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recapture of capital investments required by agricultural contracts, clarifies the responsibility of parent companies for affiliates, creates an ombudsman office, and prohibits unfair practices.

S.F. 2490, sponsored by Chmielewski, includes mentally retarded persons and those with related conditions to the list of registrable conditions for the subsequent disability special fund, provides for preventative treatment to employees exposed to rabies and regulates notice of insurance coverage and cancellation. An amendment, offered by Sen. Nancy Brataas (IR-Rochester), deleting several provisions, was adopted. Another amendment, offered by Merriam, altering a provision regulating the transmission of medical data, was also approved. H.F. 851, sponsored by Sen. Gary DeCramer (DFL-Ghent), increases specific fees collected by the court administrator.

S.F. 2126, authored by Morse, makes numerous technical changes to the Groundwater Protection Act passed last year. In addition, the bill requires permits for sources of irrigation water; requires a permit for construction of a fertilizer distribution facility; requires a responsible party to immediately take reasonable action necessary to abate an agricultural chemical incident; requires administrative hearings on contested orders within 14 days; amends provisions relating to the agricultural chemical response and reimbursement fee; clarifies requirements for water well construction and ownership; and requires the elimination of once-through cooling systems by the year 2010. Morse added several amendments, one of which clarifies the scope of responsibilities for the Legislative Water Commission. An amendment, offered by Waldorf, changing the date for the elimination of once-through cooling systems to 1999, was not adopted.

S.F. 576, sponsored by Sen. Pat Piper (DFL-Austin), provides that medical certification for General Assistance benefits may be made by a licensed chiropractor. S.F. 2609, authored by Sen. Steven Novak (DFL-New Brighton), provides for the management and cleanup of tax-forfeited lands, requires a report by the Pollution Control Agency and authorizes a purchase of tax-forfeited land in St. Louis County. An amendment, offered by Morse, that establishes parallel responsibilities for the Dept. of Agriculture, was adopted. Another amendment, offered by Sen. Douglas Johnson (DFL-Cook), authorizing the city of Cook to lease a county highway garage, was also adopted. S.F. 1473, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), requires a report to the Legislature on carbon dioxide emissions. S.F. 2223, authored by Sen. Donald Moe (DFL-St. Paul), reauthorizes Ramsey County and the city of St. Paul to issue general obligation bonds to finance the restoration of the concourse of the St. Paul Union Depot.

H.F. 173, sponsored by Sen. Jim Vickerman (DFL-Tracy), requires large restaurants to post a notice informing customers on the use of dairy product substitutes. H.F. 1854, sponsored by Sen. Randolph Peterson (DFL-Wyoming), validates real estate conveyances by religious corporations, allows county boards to set specific fees charged by the examiner of titles, provides for the effect of a marriage dissolution on joint tenancy, permits the filing of summaries of dissolution judgments in real estate filings and clarifies provisions on liens by reordering clauses. The measure was amended, by Sen. William Luther (DFL-Brooklyn Park), to clarify language on the increase in conciliation court limits.

Senators concluded the floor session by adopting three conference committee reports and repassing the bills. H.F. 2131, authored by Dahl, prohibits wild land arson fires and provides penalties. The conference committee reduced the penalty from a felony to a gross misdemeanor for possessing incendiary devices. H.F. 2025, sponsored by Sen. LeRoy Stumpf (DFL-Plummer),

creates a restricted seed potato growing area and historic certified seed potato area and provides restrictions. H.F. 2480, carried by Pogemiller, is the technical tax bill and makes numerous corrections and administrative changes to property, sales and use, motor vehicle excise, income, franchise, insurance, petroleum products, pull-tab and tipboard taxes, firefighter state aids, and property tax refunds. The measure also makes technical corrections and administrative changes to aids to local government, includes lottery prizes as refunds in the revenue recapture act, provides for the posting of tax delinquencies and recodifies and provides for tax administrative, enforcement and collection procedures.

Thursday, April 12

Members repass vehicle light measure

During the early portion of the Thurs., Apr. 12, floor session, Senators granted, by a vote of 53-5, concurrence and repassage to a bill requiring motorists to activate vehicle lights during inclement weather conditions. S.F. 1729's author, Sen. Lyle Mehrkens (IR-Red Wing), explained that the other body amended the measure to include provisions specifying that handicapped parking space signs display unlawful use penalties, and prohibiting law enforcement agencies from using traffic citation quotas. He noted that the amendments were originally introduced in the Senate as S.F. 772, sponsored by Sen. Pat Pariseau (IR-Farmington), and S.F. 2267, sponsored by Sen. Richard Cohen (DFL-St. Paul), respectively.

Senators also granted concurrence and repassage to the following bills. S.F. 2281, sponsored by Sen. Don Frank (DFL-Spring Lake Park), permits port authorities to use foreign trade zone powers, if granted, outside of their port districts. S.F. 1820, authored by Sen. Jim Vickerman (DFL-Tracy), permits court administrators to assign specified duties to county officers. S.F. 1821, carried by Sen. Marilyn Lantry (DFL-St. Paul), allows nurse practitioners to prescribe and administer drugs and therapeutic devices. Lantry then gave notice of her intention to move for reconsideration of the bill after noting that one of the other body's amendments included an appropriation.

On a 31-19 vote, Senators refused to grant concurrence to S.F. 1946, carried by Sen. Charles Berg (DFL-Chokio), thereby sending the measure to conference committee. The bill provides for deficiency judgements relating to the foreclosure and sale of mortgages on property used in agricultural production, requires fair market value to be determined by the court, and extends the period for the execution of judgements. Senators objected to House amendments that, among other things, removed a provision requiring separate jury trials for foreclosed property fair market value proceedings if either the lender or borrower requests a jury.

Members then turned their attention to amending and granting final passage to a bill on the Special Orders Calendar.

S.F. 1860, sponsored by Sen. Ember Reichgott (DFL-New Hope), is the domestic abuse bill and authorizes courts to exclude a respondent from a petitioner's place of employment in an order for protection, clarifies the probable cause arrest provision for violations of orders for protection, authorizes bonds to ensure compliance with orders for protection, authorizes referrals to prosecuting authorities for violations of orders for protection, improves prosecutorial procedures in domestic abuse cases, and directs the commissioner of public safety to study the feasibility

and costs of compiling a statewide domestic abuse computerized data base. Reichgott explained that the measure evolved from recommendations made by the Minnesota Supreme Court Task Force for Gender Fairness in the Courts. Before granting the measure final passage by a unanimous vote, members adopted amendments offered by Sen. Michael Freeman (DFL-Richfield), that add domestic abuse murders to the list of first degree murder crimes, and that clarify the parameters of a proposed domestic abuse pilot project.

Local election bill approved

A bill requiring Minnesota cities and counties to hold elections on the November general election date starting in 1992 was approved during the latter portion of the Thurs., Apr. 11, floor session, after an amendment abolishing the caucus system was defeated. S.F. 1944, authored by Sen. William Luther (DFL-Brooklyn Park), also requires uniform precincts and polling places for all state and local elections. Senators approved an author's amendment allowing local units to conduct the elections annually if desired, rather than selecting either an even or odd-numbered year as the bill originally stipulated.

Sen. Fritz Knaak (IR-White Bear Lake) offered an amendment deleting Minnesota's caucus system in favor of a revamped primary. Supporters of the amendment, including Sen. Ronald Dicklich (DFL-Hibbing) and Sen. Nancy Brataas (IR-Rochester), argued that caucuses are increasingly being dominated by single-issue voters, and are secondary to the party apparatus in terms of building strong political parties. Speaking in opposition to the proposal, Sen. Lawrence Pogemiller (DFL-Mpls.) stated that caucuses provide persons lacking money and name recognition with access to the political system. The amendment was defeated by a 35-24 vote.

An amendment offered by Sen. Gary DeCramer (DFL-Ghent), exempting school board elections from the bill's provisions, was also approved. DeCramer argued that requiring school board elections in November would interfere with the collective bargaining process that is typically in its final stages in January, just as a new board would be seated. Sen. Phyllis McQuaid (IR-St. Louis Park) added that holding the elections in November would "bury" school board candidates, lessening the amount of attention paid to school issues. Sen. Douglas Johnson (DFL-Cook) countered that the proposal was a strike against involvement and participation. The amendment was adopted by a 30-17 vote. A second DeCramer amendment, allowing emergency bond issue elections to be held on a non-general election date, was also adopted. The entire bill was then granted final approval.

Six additional bills were granted final approval on the Special Orders Calendar. H.F. 2134, sponsored by Sen. Richard Cohen (DFL-St. Paul), changes the vote margin triggering an automatic recount in a state primary or general election from 100 to 200 votes. Before the measure was approved, Sen. Dean Johnson (IR-Willmar) attempted to offer an amendment abolishing the caucus system. The amendment was ruled not germane to the bill by the President, and by a 27-16 vote that decision was upheld. H.F. 2012, authored by Sen. Steven Morse (DFL-Dakota), provides for uniformity of state food rules with federal law. An amendment offered by Sen. Joe Bertram, Sr. (DFL-Paynesville), establishing a farm safety audit pilot project, was adopted prior to passage of the bill. S.F. 2527, sponsored by Sen. Charles Davis (DFL-Princeton), creates a regulatory system for the agricultural liming industry. S.F. 2246, sponsored by Sen. Carl Kroening (DFL-Mpls.), expands the coverage of the public employees insurance plan. S.F. 1750,

authored by Sen. LeRoy Stumpf (DFL-Plummer), provides for a one-year extension of the Farmer-Lender Mediation Act. S.F. 2030, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), creates a statewide truck inspection program.

The Senate also granted concurrence and re-passage to H.F. 1928, sponsored by Dicklich, regulating the behavior of security guards during labor disputes.

Tuesday, April 17

Senate processes bills

Members of the Senate concentrated primarily on processing messages from the House at the Tues., Apr. 17, floor session. No items on the General Orders or Special Orders Calendars were taken up for consideration.

A number of measures were granted concurrence and repassage. S.F. 2208, authored by Sen. Carol Flynn (DFL-Mpls.), provides that it is a prima facie case for reference for prosecution as an adult if a child is alleged to have committed a felony offense as part of, or subsequent to, the delinquent act of escape from confinement to a local juvenile correctional facility, and makes it a crime for an alleged or adjudicated juvenile delinquent who is 18 years old to escape from a local juvenile correctional facility. S.F. 2349, authored by Sen. Don Samuelson (DFL-Brainerd), relates to no-fault automobile insurance and regulates uninsured and underinsured motorist coverages for motorcycles. S.F. 1698, authored by Sen. Linda Berglin (DFL-Mpls.), codifies existing law restricting construction of new hospitals and repeals a sunset.

S.F. 1725, carried by Sen. Steven Novak (DFL-New Brighton), changes the fund balances required to impose the Petroleum Tank Release Cleanup Fee and the collection period of the fee, changes the terms for reimbursement of petroleum tank release costs by the petroleum tank release compensation board, provides that certain tank facilities and refineries are ineligible for reimbursement, and appropriates money reimbursed to state agencies. S.F. 1704, authored by Sen. Charles Berg (DFL-Chokio), regulates aquaculture activities and programs, provides for the transportation of minnows by common carrier, regulates the commercial fishing of rough fish on the Lake of the Woods, and authorizes conservation officers to seek issuance of and to serve search warrants.

In other action, Senators adopted a number of conference committee reports and granted final passage to the bills. S.F. 488, carried by Berglin, defines equitable compensation relationships, requires an implementation report, provides for a review of plans, provides for appeals from decisions of the commissioner of employee relations, and requires the commissioner to report to the Legislature. S.F. 2130, carried by Sen. Richard Cohen (DFL-St. Paul), regulates the practices and record keeping of, and disclosures by, public adjusters. H.F. 257, sponsored by Sen. Donald Moe (DFL-St. Paul), regulates markings on state vehicles, eliminates the requirement that reports of occupational licensing boards be summarized, eliminates some prohibitions against state purchase of insurance, regulates state sale of goods and services, clarifies responsibility for the operation and maintenance of state buildings, regulates government record keeping, and prescribes compensation for specific board members. H.F. 1927, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), allows immediate towing of vehicles unlawfully parked in taxicab zones and

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regulates approaches of vehicles to intersections in which each direction has stop signs or flashing red lights.

Senators also gave H.F. 2057 its second and third reading and granted it final passage. The bill, carried by Sen. Keith Langseth (DFL-Glyndon), authorizes the establishment of a detached banking facility in Detroit Lakes.

In addition, the Senate did not act on a motion to concur with House amendments to S.F. 1777 and place the bill on its repassage. The measure, sponsored by Cohen, sets the terms of charter commission members in Ramsey County. Cohen moved to lay the bill on the table following a motion by Sen. Fritz Knaak (R-White Bear Lake) to not concur with the amendments and appoint a conference committee on the bill. Cohen later moved to appoint a conference committee; the motion was approved.

Branches of government outlined

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 consist 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 state agency heads.

The judicial branch enforces the laws and insures that interpretations of the law are 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.

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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 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 bodies, 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 a hearing.

The committee chair decides a hearing date for the bill. During the hearing, proponents and opponents give testimony on the merits of the proposal. 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. The members 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 the floor or another committee without a recommendation for passage; keep it in committee indefinitely; recommend that the bill be passed and sent to another committee; 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 or opponents.

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body on the General Orders Calendar. The entire body then resolves itself into a Committee of the Whole to consider the bill and discuss the merits of the proposal. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least 24 hours before being placed on the Senate Calendar and 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 Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If one body makes a change to the bill and the other body does not accept that change, a conference committee is established to work out a compromise version. The compromise version must then be repassed by both bodies.

If a proposal survives all these obstacles, it is sent to the governor, 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 bodies repass the bill with a two-thirds majority vote.

SENATE COMMITTEE ASSIGNMENTS

AGRICULTURE AND RURAL DEVELOPMENT (14)

CHAIR: Davis
OFFICE NO: G-24
MEETS: M, W; Room 112; 10-12 noon
MEMBERS:
Anderson Brandl Frederickson, D.J. Renneke
Beckman Davis Frederickson, D.R. Vickerman
Berg Decker Larson
Bertram DeCramer Morse

COMMERCE (17)

CHAIR: Solon
OFFICE NO: 303
MEETS: T, Th; Room 112; 10-12 noon
MEMBERS:
Adkins Flynn Luther Solon
Anderson Frederick McQuaid Spear
Belanger Freeman Metzen
Cohen Kroening Purfeerst
Dahl Larson Samuelson

ECONOMIC DEVELOPMENT AND HOUSING (13)

CHAIR: Frank
OFFICE NO: G-10
MEETS: M, Th; Room 15; 12-2 p.m.
MEMBERS:
Beckman Decker Kroening Reichgott
Bernhagen Dicklich McGowan Storm
Cohen Frank Morse
Dahl Gustafson

EDUCATION (21)

CHAIR: Pehler
OFFICE NO: G-9
MEETS: M, W, F; Room 15; 8-10 a.m.
MEMBERS:
Beckman Frederickson, D.J. Mehrkens Ramstad
Dahl Hughes Morse Reichgott
Decker Knaak Olson Stumpf
DeCramer Knutson Pehler
Dicklich Langseth Peterson, R.W.
Flynn Larson Pogemiller

EDUCATION AIDS DIVISION (14)

CHAIR: Peterson, R.W.
OFFICE NO: G-9
MEETS: M, Th; Room 15; 3-5 p.m.
MEMBERS:
DeCramer Knaak Olson Pehler
Dicklich Knutson Peterson, D.C. Reichgott
Frederickson, D.J. Langseth Peterson, R.W. Stumpf
Hughes Mehrkens Pogemiller

ELECTIONS AND ETHICS (12)

CHAIR: Hughes
OFFICE NO: 328
MEETS: T; Room 107; 12 noon-2:00 p.m.
MEMBERS:
Cohen Johnson, D.J. McGowan Moe, R.D.
Hughes Laidig McQuaid Pogemiller
Johnson, D.E. Luther Metzen Samuelson

EMPLOYMENT (11)

CHAIR: Chmielewski
OFFICE NO: 325
MEETS: T, Th; Room 107; 8-10 a.m.
MEMBERS:
Adkins Chmielewski Gustafson Piper
Beckman Diessner Kroening Ramstad
Brataas Frank Pehler

ENVIRONMENT AND NATURAL RESOURCES (16)

CHAIR: Lessard
OFFICE NO: 111
MEETS: T, W, F; Room 112; 1-3 p.m.
MEMBERS:
Berg Frederickson, D.R. Marty Olson
Bernhagen Knaak Merriam Pariseau
Dahl Laidig Morse Peterson, R.W.
Davis Lessard Novak Stumpf

FINANCE (30)

CHAIR: Merriam
OFFICE NO: 122
MEETS: T, W, F; Room 123; 3-5 p.m.
MEMBERS:
Berg Hughes Luther Renneke
Brataas Johnson, D.E. Mehrkens Samuelson
Dahl Knutson Merriam Solon
DeCramer Kroening Metzen Spear
Dicklich Laidig Moe, D.M. Storm
Frederick Langseth Piper Waldorf
Frederickson, D.R. Lantry Purfeerst
Freeman Lessard Ramstad

GENERAL LEGISLATION AND PUBLIC GAMING (9)

CHAIR: Lantry
OFFICE NO: 328
MEETS: W, F; Room 107; 8-10 a.m.
MEMBERS:
Berg Diessner McGowan
Bertram Johnson, D.E. McQuaid
Davis Lantry Samuelson

GOVERNMENTAL OPERATIONS (13)

CHAIR: Moe, D.M.
OFFICE NO: 309
MEETS: T, Th; Room 15; 8-10 a.m.
MEMBERS:
Brandl Freeman Pariseau Taylor
Decker Marty Piepho Waldorf
Frederickson, D.J. Moe, D.M. Pogemiller
Frederickson, D.R. Morse Renneke

HEALTH AND HUMAN SERVICES (15)

CHAIR: Berglin
OFFICE NO: G-29
MEETS: T, W, F; Room 15; 1-3 p.m.
MEMBERS:
Adkins Brandl Flynn Solon
Anderson Brataas Knutson Storm
Benson Chmielewski Lantry Vickerman
Berglin Diessner Piper Waldorf

JUDICIARY (17)

CHAIR: Spear
OFFICE NO: G-27
MEETS: M, W, F; Room 15; 10-12 noon
MEMBERS:
Belanger Laidig Moe, D.M. Spear
Berglin Luther Peterson, R.W. Stumpf
Cohen Marty Pogemiller
Freeman McGowan Ramstad
Knaak Merriam Reichgott

LOCAL AND URBAN GOVERNMENT (11)

CHAIR: Schmitz
OFFICE NO: 235
MEETS: M, Th; Room 107; 12-2 p.m.
MEMBERS:
Adkins Lessard Pariseau Schmitz
Bertram McQuaid Piepho Vickerman
Frederickson, D.J. Metzen Renneke

PUBLIC UTILITIES AND ENERGY (12)

CHAIR: Dicklich
OFFICE NO: 235
MEETS: T, Th; Room 15; 10-12 noon
MEMBERS:
Dicklich Johnson, D.E. Novak Piper
Frank Johnson, D.J. Olson Storm
Gustafson Marty Pehler Waldorf

RULES AND ADMINISTRATION (31)

CHAIR: Moe, R.D.
OFFICE NO: 208
MEETS: On Call
MEMBERS:
Belanger Frank Lantry Peterson, R.W.
Benson Frederick Lessard Purfeerst
Berglin Hughes Luther Renneke
Bernhagen Johnson, D.E. Merriam Schmitz
Bertram Johnson, D.J. Moe, D.M. Solon
Chmielewski Knaak Moe, R.D. Spear
Davis Knutson Novak Storm
Dicklich Laidig Pehler

TAXES AND TAX LAWS (24)

CHAIR: Johnson, D.J.
OFFICE NO: 205
MEETS: T, W, F; Room 15; 3-5 p.m.
MEMBERS:
Anderson Chmielewski Knaak Reichgott
Belanger Cohen Larson Schmitz
Benson Davis Novak Stumpf
Berglin Diessner Olson
Bernhagen Frank Pehler
Bertram Gustafson Peterson, R.W.
Brandl Johnson, D.J. Pogemiller

TRANSPORTATION (12)

CHAIR: Purfeerst
OFFICE NO: 303
MEETS: T, Th; Room 112; 8-10 a.m.
MEMBERS:
Bernhagen Langseth Mehrkens Purfeerst
DeCramer Lantry Metzen Schmitz
Frederick McQuaid Novak Vickerman

VETERANS AND MILITARY AFFAIRS (11)

CHAIR: Bertram
OFFICE NO: 323
MEETS: T, Th; Room 107; 10-12 noon
MEMBERS:
Beckman Laidig Mehrkens Schmitz
Bertram Langseth Pariseau Vickerman
Diessner Lessard Piepho

MINNESOTA STATE SENATE

Senate Members—1990 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty	235 Cap.	22	IR	5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	8869	Luther, William	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	2159	McGowan, Patrick D.	121 SOB	48
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	4261	Berglin, Linda	G-29 Cap.	60	IR	8075	Mehrkens, Lyle G.	127 SOB	26
IR	4131	Bernhagen, John	113 SOB	21	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	4370	Metzen, James	303 Cap.	39
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	4264	Moe, Donald M.	309 Cap.	65
IR	4848	Brataas, Nancy	139 SOB	33	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	5649	Morse, Steven	309 Cap.	34
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5003	Dahl, Gregory L.	111 Cap.	50	IR	1282	Olson, Gen	133 SOB	43
DFL	2302	Davis, Charles R.	G-24 Cap.	18	IR	5252	Pariseau, Patricia	151 SOB	37
IR	0415	Decker, Bob	109 SOB	4	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	IR	9457	Piepho, Mark J.	105 SOB	24
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	9248	Piper, Pat	325 Cap.	31
DFL	4274	Flynn, Carol	G-27 Cap.	61	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
IR	4123	Frederick, Mel	119 SOB	30	IR	9251	Ramstad, Jim	123 SOB	45
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	2889	Reichgott, Ember D.	G-24 Cap.	46
IR	8138	Frederickson, Dennis R.	143 SOB	23	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4875	Samuelson, Don	124 Cap.	13
IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	129 SOB	38	DFL	5650	Vickerman, Jim	G-29 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	124 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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Briefly

Minnesota Senate Week in Review

April 27, 1990

Senate completes session work

Tributes to nine retiring Senators highlighted the closing hours of the 76th Legislative Session. Senators John Brandl (DFL-Mpls.), Clarence Purfeerst (DFL-Faribault), Marilyn Lantry (DFL-St. Paul), James Pehler (DFL-St. Cloud), Robert Schmitz (DFL-Jordan), Randolph Peterson (DFL-Wyoming), Michael Freeman (DFL-Richfield), Howard Knutson (IR-Burnsville) and A.W. "Bill" Diessner (DFL-Afton) have all announced that they will not seek reelection to the Senate. Prior to final adjournment eight of the retiring Senators reflected on their years of service in the Senate and offered their insights on the legislative process. Two common themes were sounded by all eight Senators: the pride they felt in the institution and the bonds of friendship that will endure beyond the Senate Chamber. Majority Leader Roger Moe (DFL-Erskine) and Minority Leader Duane Benson (IR-Lanesboro) both honored the retiring members for their contributions and achievements in their years of service.

In marked contrast to previous sessions, members of the Minnesota Senate concluded the work of the session without the frantic last minute flurry that has been characteristic of the close of past sessions. Senators completed work on the campaign financing bill, the bonding measure, and the revisor's corrections bill, and then acted on the closing resolutions for the year. Sen. Howard Knutson moved that the Senate adjourn "sine die," signaling the end of the biennial session.

Lawful gambling bill okayed

Final passage of a bill regulating lawful gambling highlighted the early portion of the Tues., Apr. 24, floor session. S.F. 2018, carried by Sen. Marilyn Lantry (DFL-St. Paul), toughens penalties for a variety of gambling-related offenses, such as filing false reports, possessing untaxed pulltabs, and collusion between pulltab buyers and sellers. The bill also sets out a number of "lawful purposes" for which gambling profits may be spent, and requires organizations to keep compensation records and make payments by check only. Other provisions of the measure include requiring that all pulltabs be manufactured in Minnesota by July of 1992, and preventing distributors from providing aid to gambling organizations with filling out tax forms, selecting gambling managers, and lining up bars from which they can sell pulltabs.

In addition, the bill establishes licensing qualifications for organizations and manufacturers; requires organizations to report monthly on expenditures and contributions of gambling profits; authorizes the Gambling Control Board to require recipients of contributions of gambling profits to register with the board; authorizes suspension of gambling licenses for failure to file tax returns; and requires inspection and testing of gambling equipment.

Debate on the measure focused on whether the controls placed on the industry were too tight, and unduly punished the majority of business owners who were operating in compliance with the law. Sen. Phyllis McQuaid (IR-St. Louis Park) objected to the removal of video pulltabs from the bill. However, the measure was eventually approved by a 35-27 vote.

Campaign reform passes

During the middle portion of the Wed., Apr. 25, floor session, Senators granted final passage to S.F. 2666, a comprehensive campaign and ethics reform package carried by Sen. William Luther (DFL-Brooklyn Park). At the state level, the measure prohibits fund-raisers during a legislative session, requires greater reporting of political committees and funds, and modifies non-election year contribution limits. Candidates for state office who have more than one election committee are required to aggregate the expenditures of those committees for purposes of the expenditure limits. In addition,

the bill provides public funding for special legislative elections and requires candidates to provide a 20 percent match to qualify for public funding.

At the congressional level, the bill creates voluntary spending limits of \$3.4 million for the Senate and \$425,000 for the House of Representatives. The limits apply only if both major party candidates agree to them. If one candidate chooses not to accept the limits, the opponent may accept a public subsidy without being subject to spending limits. These provisions become effective Jan. 1, 1991, and thus do not apply to the next congressional election.

The bill also deals with lobbyists' disclosure, expanding the financial reporting required of lobbyists and the entities that hire them. The definition of a lobbyist is expanded to include individuals hired by a political subdivision or public higher education system, and to cover lobbying a metropolitan government unit. The bill prohibits lobbyists from serving on the Ethical Practices Board, and requires lobbyist reports to separate out legislative, administrative agency, and metropolitan government lobbying.

In addition, the Commission on Judicial Selection is created to make recommendations to the governor for filling District Court judgeships. Within 60 days after receiving notice of a judicial vacancy, the commission is required to send to the governor between three and five names to be considered for the position. The recommendations are not binding on the governor.

The bill also extends the provisions of the open meeting law to all legislative meetings where a quorum is present and action is taken within the group's jurisdiction, with the exceptions of party caucuses and delegations from a political subdivision or geographic area.

Senate passes large bonding measure

Just prior to adjourning the 76th Legislative Session, Wed., Apr. 25, Senators voted to adopt a conference committee report and repass a \$387.4 million omnibus bonding bill. The measure, H.F. 2651, carried by Sen. Michael Freeman (DFL-Richfield), provides increased bonding authority for a variety of state capital budget projects, with a large portion of the funding targeted toward constructing and remodeling higher educational facilities throughout Minnesota. Final passage was granted on a vote of 55-6.

Among the bill's major provisions, a total of \$219.5 million in bonding is earmarked for the Dept. of Education, the Maximum Effort School Loan Program, the Community College System, the State University System, the Technical College System, and the University of Minnesota. The U is slated to receive more than \$71 million in bonding authority from the measure. Other state departments and agencies scheduled to receive bonding allocations include the Pollution Control Agency, \$58.1 million; the Dept. of Transportation, \$21.7 million; the Dept. of Administration, \$16.7 million; the Dept. of Natural Resources, \$14.9 million; the Dept. of Corrections, \$13.1 million; and the Dept. of Human Services, \$22.6 million.

In addition to the measure's bonding provisions, H.F. 2651 contains a section directing the state to submit a constitutional amendment to the voters during the 1990 general election. The proposed amendment, if passed, would effectively require that state lottery proceeds be distributed as follows: 40 percent to the Environmental Trust Fund; 25 percent to the Greater Minnesota Corporation; and 35 percent to the 1990 bonding bill's debt service. Currently, lottery proceeds are divided equally between the Environmental Trust Fund and the Greater Minnesota Corporation. The bill also authorizes a joint legislative study to determine ways to improve the planning and funding process for financing future state capital projects.

Floor Action

Friday, April 20

Growth hormone moratorium passed

During the early portion of the Fri., Apr. 20, floor session, Senators granted final passage to a bill containing a one year moratorium on the use of biosynthetic bovine somatotropin (bST), after adopting the bill's conference committee report. The moratorium is a part of S.F. 1758, sponsored by Sen. Don Samuelson (DFL-Brainerd), requiring the licensing of wholesale drug distributors. Sen. John Brandl (DFL-Mpls.) moved rejection of the conference committee report, arguing that the moratorium would unfairly handicap Minnesota farmers, in the absence of evidence that the hormone is harmful. Brandl commented that the state, through the moratorium, would be creating unsubstantiated fears among the public regarding the drug. Sen. Steven Morse (DFL-Dakota) replied that the moratorium was needed to maintain public confidence in the dairy industry, and pointed out that some processors refuse to accept milk containing bSTs. The Brandl motion was defeated by a 26-24 vote, and the bill subsequently granted final re-passage.

In other action, the Senate granted concurrence and re-passage to a number of measures. S.F. 2060, authored by Sen. Gary DeCramer (DFL-Ghent), contains several provisions relating to the Commercial Drivers License Act. S.F. 2396, carried by Morse, regulates the disposition of property acquired for response action. S.F. 1499, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), regulates rental-purchase agreements and prescribes the rights and duties of the involved parties. S.F. 2037, sponsored by Morse, amends the definition of farm products, and changes provisions related to wholesale produce dealers. S.F. 1790, authored by Sen. Sam Solon (DFL-Duluth), establishes a legislative task force to study the regulation of health insurance premium rates and health care costs, and creates a technology assistance review panel. S.F. 1937, carried by Sen. Linda Berglin (DFL-Mpls.), requires education about lead exposure, and establishes safe levels of lead. S.F. 1822, sponsored by Sen. Don Frank (DFL-Spring Lake Park), provides for the administration of Section 8 housing and low-rent public housing programs. S.F. 2346, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), establishes an access review board for the physically disabled. S.F. 1750, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), extends for one year the provisions of the Farmer-Lender Mediation Act. S.F. 1798, sponsored by Sen. Pat Piper (DFL-Austin), provides limited prescription privileges for physician assistants.

In addition, Senators adopted two conference committee reports and granted final passage to the bills. H.F. 2343, sponsored by Sen. John Brandl (DFL-Mpls.), regulates the classification and disclosure of comprehensive health insurance data. S.F. 2213, sponsored by DeCramer, regulates wheel flaps and covered loads.

S.F. 2639, authored by Sen. Bob Decker (IR-Bemidji), was granted final passage under an emergency suspension of the rules. The bill urges Congress to pass a resolution dealing with the restoration of Civilian Conservation Corps buildings.

Senate processes bills

The Senate concentrated on conference committee reports, messages from the House, and granting bills final passage during the latter part of the Fri., Apr. 20, floor session.

A number of measures were granted concurrence and repassage. S.F. 1903, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides programs and incentives for persons to volunteer as bone marrow donors, requires the commissioner of health to educate residents about the need for volunteer bone marrow donors, requires paid leave for employees to donate bone marrow, requires a bone marrow donor drive to encourage state employees to volunteer as bone marrow donors, and appropriates money. S.F. 1866, carried by Sen. Sam Solon (DFL-Duluth), establishes an information and education authority for Lake Superior. S.F. 2619, authored by Sen. Gregory Dahl (DFL-Ham Lake), provides for payment of various claims against the state. S.F. 443, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), establishes standards for the use of nitrous oxide in the practice of podiatric medicine.

Senators also adopted reports on various bills from conference committees and granted the bills final passage. S.F. 2181, authored by Sen. Carol Flynn (DFL-Mpls.), regulates joint labor-management committees, regulates public employee elections and provides for the selection of arbitrators by mutual agreement. S.F. 2156, carried by Sen. James Pehler (DFL-St. Cloud), allows municipalities to enter into specified contracts to reduce energy and operating costs. S.F. 1983, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville), authorizes the Metropolitan Airports Commission to issue off-sale liquor licenses for the sale of Minnesota wine. S.F. 1999, carried by Pehler, changes duties, procedures, and requirements related to organic food.

S.F. 1874, authored by Sen. Richard Cohen (DFL-St. Paul), relates to meetings of public bodies and government data practices, defines final disposition of a disciplinary action regarding personnel records, makes clear that meetings may not be closed on the basis of data classification statutes, and provides an exception to the open meeting law for preliminary discussions concerning allegations of misconduct against government employees or evaluations of government employees.

Two bills, S.F. 2282 and S.F. 1940, generated some discussion before being granted concurrence and repassage. S.F. 2282, authored by Sen. Don Frank (DFL-Spring Lake Park), provides for the enforcement of contracts. However, the bill had been amended to include a measure regulating the termination of sales representatives, providing for the rights of sales representatives upon termination, and providing for arbitration. The measure had been contained in a bill, authored by Sen. Michael Freeman (DFL-Richfield), which the Senate approved last year. Sen. Fritz Knaak objected to the provisions from Freeman's bill, and proposed that the Senate not concur and send the bill to conference committee; however, Freeman pointed out that the language had not changed since it was approved by the Senate last session. The Knaak motion was rejected and the bill was given final approval.

S.F. 1940, carried by Sen. John Brandl (DFL-Mpls.), specifies requirements for a health maintenance organization application for a certificate, establishes protections against conflicts of interest, establishes requirements for a guaranteeing organization, includes specified investments as admitted assets, requires an expedited resolution of disputes about coverage of immediately and urgently needed service, allows replacement coverage by other health maintenance organizations, and allows appointment of a special examiner. The measure was granted concurrence and final passage.

Monday, April 23

Child protection bill okayed

During the early portion of the Mon., Apr. 23, floor session, Senators adopted a conference committee report and repassed H.F. 2390, a child protection bill sponsored by Sen. Ember Reichgott (DFL-New Hope). Reichgott said that conference committee report changes include renaming and revising the duties of a proposed child protection commission, along with clarifying parental right termination standards, tort liability issues, and provisions contained in a cocaine baby law passed last year by the Legislature. Members also adopted a conference committee report and repassed S.F. 1827, a comprehensive tort liability bill also carried by Reichgott. Conference committee changes include clarifying liability issues related to donated food distributed to food banks and non-profit charitable organizations, and allowing peace officers to operate motor vehicles and watercraft without lights under specified conditions. The latter provision was originally known as S.F. 2115, sponsored by Sen. Robert Schmitz (DFL-Jordan).

In other action, members granted concurrence and repassage to two bills. S.F. 2302, carried by Sen. LeRoy Stumpf (DFL-Plummer), requires local location identification data bases for 911 telephone service systems. S.F. 2054, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), staggers the election of chief judges and assistant chief judges. Pogemiller noted that the other body's amendments to S.F.

2054 direct the Minnesota Supreme Court to conduct two feasibility studies, and require peace officer licensure applicants to complete a peace officer education program. The latter amendment was originally offered by Sen. Allan Spear (DFL-Mpls.), as S.F. 2178.

Senators also adopted conference committee reports and repassed the following measures. H.F. 2230, sponsored by Sen. Betty Adkins (DFL-St. Michael), a state set-aside program bill that establishes programs for purchasing from small targeted group businesses and businesses located in economically disadvantaged areas. S.F. 1896, authored by Sen. Jim Vickerman (DFL-Tracy), a bill that addresses rural health care access issues. S.F. 2108, carried by Sen. Sam Solon (DFL-Duluth), a measure that revises existing Minnesota liquor statutes. S.F. 1703, sponsored by Sen. Charles Berg (DFL-Chokio), a bill that authorizes the enforcement of specified natural resource laws by conservation officers. Berg noted that conferees added a provision specifying a criminal penalty for trespass sign removal, and restricting the discharge of firearms or arrows across improved public highways. The added provision includes language originally contained in S.F. 1626, sponsored by Sen. Ronald Dicklich (DFL-Hibbing). S.F. 1081, authored by Spear, is a measure that directs the Minnesota Supreme Court to study race bias in the judicial system. S.F. 1670, sponsored by Sen. William Luther (DFL-Brooklyn Park), is a bill that prohibits the transportation of Eurasian water milfoil. H.F. 2474, carried by Solon, is a bill that addresses a number of long-term health care insurance issues. H.F. 2457, sponsored by Pogemiller, is a measure that allocates authority to issue tax exempt revenue bonds and that restricts loans from mortgage revenue bond proceeds under specific conditions. S.F. 2173, carried by Sen. Bob Lessard (DFL-Int'l. Falls), is a bill that promotes the reduction of toxic pollution emissions. Lessard said that conference committee members agreed to include provisions originally contained in S.F. 824, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), that, among other things, require chloroflourocarbon recycling and prohibit solvent and specific motor vehicle coolant sales. S.F. 2527, authored by Sen. Charles Davis (DFL-Princeton), a measure that establishes an agricultural liming material law, that allows agreements between the commissioner of agriculture and specified persons required to file reports under the corporate farming law, and that appropriates money.

On a roll call vote of 26-36, members failed to adopt a motion made by Sen. Duane Benson (IR-Lanesboro), to bring a previously tabled omnibus drug measure before the full Senate for additional debate and action. Benson said that his motion to take from the table H.F. 1843, a comprehensive bill designed to strengthen the state's controlled substance penalty statutes, was prompted by the Senate's failure to seriously address drug issues during the extended session. Sen. Roger Moe (DFL-Erskine), expressed opposition to Benson's motion by emphasizing that it broke the legislative body's long standing tradition of permitting bill authors, in this case Spear, control over when to offer their proposed legislation for consideration.

Two omnibus bills approved

Omnibus bills dealing with education funding and agriculture, transportation, and semi-states received final approval during the early evening portion of the Mon., Apr. 23, floor session. After adopting the conference committee report, Senators passed, by a 38-20 vote, H.F. 2200, sponsored by Sen. Randolph Peterson (DFL-Wyoming), the omnibus education funding bill. The bill reduces state spending for education by approximately \$41 million, primarily due to lower than projected enrollment figures and reductions in state contributions to the Teachers Retirement Association. The bill also sets the fiscal year 1993 general education tax capacity rate at the amount that raises \$887 million. Other provisions include permitting the education commissioner to approve proposals submitted by the St. Paul school district and up to nine other school districts to provide prevention services as an alternative to special education programs. Pupils eligible to participate are those who would eventually qualify for special education instruction if the alternative services were unavailable.

In addition, the bill establishes a grant program for school districts

or education districts to expand early childhood family education programs; requires the commissioner of education and state fire marshal to develop a plan to inspect all public school facilities at least once every three years; appropriates funds for a summer health care intern program designed to benefit rural care providers; and allows an education district board to negotiate collective bargaining agreements for teachers on behalf of all member school districts. Each member district must agree to the provision before such negotiations could take place.

Questions were raised about the impact the proposal would have on the overall quality of education in Minnesota. Sen. John Brandl (DFL-Mpls.), charged that the bill failed to address critical problems handicapping the state's educational system. Brandl argued that the current system imposes a "territorial monopoly" on students, in the form of school districts, and discouraged initiative through a bloated bureaucracy. Peterson replied that budget constraints made it virtually impossible to undertake fundamental reform this year. Other Senators expressed hope that a comprehensive review of administrative and teaching methods could take place prior to establishing a budget for the next biennium.

Senators also adopted the conference committee report for S.F. 2617, the omnibus agriculture, transportation and semi-states bill, and granted final passage to the measure. Bill sponsor Sen. Keith Langseth (DFL-Glyndon) indicated that the bill reduces appropriations by \$10.9 million for the biennium ending June 30, 1991. Among the programs affected by the reduction are light rail transit and the Greater Minnesota Transit Assistance Fund. Most of the state agencies and boards funded by the bill took percentage reductions in their general fund appropriations. The bill does contain money for reimbursing counties and townships for up to 50 percent of grasshopper control activities during 1989. A total of \$700,000 is appropriated for various drug initiatives and drug-related positions in the Dept. of Public Safety.

Two additional bills were granted final approval after adoption of the conference committee reports. S.F. 1847, sponsored by Sen. Ember Reichgott (DFL-New Hope), contains a number of provisions relating to human rights, including clarifying protection for pregnant employees, and specifying the medical information obtainable from prospective employees. S.F. 1854, sponsored by Sen. Randolph Peterson (DFL-Wyoming), establishes procedures for computerized comparisons of data, clarifies the definitions of the crimes of false representation and wrongfully obtaining assistance, and imposes penalties for data-related offenses.

Health and human services conference report passed

The late portion of the Mon., Apr. 23, floor session was devoted, in large part, to discussion of the conference committee report on S.F. 2621, the omnibus health and human services bill. The measure, carried by Sen. Don Samuelson (DFL-Brainerd), contains \$98 million in spending, \$96 million of which is for existing deficiencies primarily for health care increases mandated by the federal government. The bill also contains provisions of several other measures including the prescription drug subsidy program, the social work license grandparenting clause, AIDS patient health insurance subsidies, nursing home geographic groups, provisions relating to the Community Social Services Act, mental health provisions, drop-in child care licensing requirements, wholesale drug distributors provisions, the Better Beginnings Act, provisions relating to Medical Assistance coverage of swing beds, provisions for rural health care, the governor's drug treatment plan, provisions relating to social work and mental health boards, language relating to the Human Services Licensing Act, limits on county MR case management mandates, provisions relating to child support collections, special nursing home rates, provisions relating to welfare fraud administrative hearings, provisions relating to rates for nursing home withdrawing from Medical Assistance, provisions relating to oil overcharge money, long-term care programs, welfare reform provisions, Medical Assistance provisions, and provisions relating to MR facility direct-care employee task force.

Floor Action

Debate on the measure centered primarily on two provisions of the bill that incorporated language of the omnibus drug bill and language from the community stabilization and dislocated workers bill. The bill provides for wholesale drug distribution licensing, specifies regulations for wholesale drug distribution and specifies out-of-state wholesale drug distributor licensing requirements. In addition, the bill provides for intensive community supervision for some offenders, sets forth the eligibility requirements for offender participation in the program and specifies the basic elements of the program including work requirements, probation officer visits, and random drug testing. Various drug treatment provisions are also included in the measure.

Arguing against the bill, Senators Jim Ramstad (IR-Minnetonka) and Patrick McGowan (IR-Maple Grove) contended that the measure included language that had not been acted upon and refined by the Senate as a whole. Sen. Allan Spear (DFL-Mpls.), speaking for the bill, countered that the measure provided a tough workable alternative to prison sentencing for offenders who were deemed to not be a danger to the public.

The second area of controversy, the provisions dealing with dislocated workers, provides that each employer is liable for a special assessment levied at the rate of one-tenth of one percent per year on all wages to be used for dislocated worker programs established under the measure. Sen. Fritz Knaak (IR-White Bear Lake) objected to the provision because of the additional costs to employers. However, Sen. Roger Moe (DFL-Erskine), argued that the language offered a genuine opportunity to help workers who had, through no fault of their own, become unemployed through a plant closing, merger or relocation.

After considerable debate, the Senate voted to adopt the conference committee report on a vote of 35-27 and repassed the measure on a 36-27 roll call vote.

Senators continued the consideration of conference committee reports until the small hours of the morning. In all, a total of nine conference committee reports were adopted and the bills repassed. However, two measures were rejected and sent back to conference.

Conference committee reports on the following measures were adopted. S.F. 394, authored by Sen. Ronald Dicklich (DFL-Hibbing), recommends that post-secondary education administrators and faculty members who act as counselors and advisors take additional coursework to provide training. S.F. 1873, sponsored by Sen. Richard Cohen (DFL-St. Paul), provides victims of delinquent acts the right to request notice of the release of juvenile offenders from juvenile correctional facilities; provides notice to sexual assault victims when a juvenile offender is released from pretrial detention; requires victims to be informed of their right to request the withholding of public law enforcement data that identifies them; clarifies the duty of county administrators to disburse restitution payments; makes changes to the Crime Victims Reparations Act; authorizes the court to order intermediate sanctions as a condition of probation; defines intermediate sanctions; and provides for payment of costs of extradition. S.F. 1946, sponsored by Sen. Charles Berg (DFL-Chokio), regulates mortgage foreclosures and judgments and the filing of reports on agricultural property.

H.F. 2103, sponsored by Sen. Donald Moe (DFL-St. Paul), is the public employee pensions measure and contains numerous provisions relating to the various retirement plans. According to Moe, there was only one change to the measure from the Senate bill; a change in the date for survivor benefits of PERA police and fire members. H.F. 2081, also carried by Moe, is the Dept. of Employee Relations technical bill and provides for the regulation of state employment practices, the regulation of the setting of specific salaries, and the ratification of salaries. H.F. 2162, carried by Moe, is the Dept. of Administration measure and provides for changing procedures and limits for contracts with the state, creates a cooperative purchasing revolving fund, directs the commissioner to consider making state-owned space available for a workplace school, establishes an advisory task force, changes vehicle marking and color provisions, clarifies transfer authority, permits exemptions from building and other codes

to preserve historic state buildings and provides for intergovernmental agreements.

H.F. 2365, sponsored by Sen. Randolph Peterson (DFL-Wyoming), provides for the classifications of government data, clarifies access to data on decedents and changes classification nomenclature as it relates to medical examiners data. H.F. 1855, authored by Spear, regulates child support, custody and visitation in dissolution and other court proceedings; provides for suspension of visitation rights or change of custody when a parent has been convicted of specific crimes; requires expedited hearings of visitation motions alleging that a child is in danger of harm and provides for supervised or restricted visitation; modifies standards for joint legal custody; requires specific findings supporting joint custody in some cases; provides for the award of temporary attorney fees; provides for funding of legal representation in family law matters; provides for the definition of net income in proceedings for modifications of maintenance or support; and increases divorce filing fees and civil filing fees surcharges. H.F. 1854, sponsored by Peterson, validates conveyances by religious corporations; allows county boards to set fees charged by the examiner of titles; provides for the effect of dissolution on joint tenancy; permits the filing of summaries of dissolution judgments in real estate filings and regulates conciliation court jurisdiction limits.

Two conference committee reports were rejected by the Senate. S.F. 1942, authored by Sen. John Brandl (DFL-Mpls.), regulates no-fault insurance claim denials. S.F. 1777, sponsored by Cohen, changes provisions relating to the Ramsey County Charter Commission.

Tuesday, April 24

Measures granted final passage

A number of conference committee reports were adopted, and the bills granted final passage, during the early portion of the Tues., Apr. 24, floor session. S.F. 1807, sponsored by Sen. Michael Freeman (DFL-Richfield), permits the Hennepin County Board to issue bonds in order to finance the construction of a jail, and permits Rosemount to incur debt for an armory. S.F. 2160, carried by Sen. Gene Merriam (DFL-Coon Rapids), provides for the Environmental Education Act, and creates the Office of Environmental Education. S.F. 2126, sponsored by Sen. Steven Morse (DFL-Dakota), regulates bulk pesticide storage, and amends provisions relating to pesticide storage fees. S.F. 2158, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), regulates flexible gas utility rates, and repeals a related sunset provision.

Senators rejected a motion, offered by Sen. Donald Moe (DFL-St. Paul), to not concur in the House amendments to S.F. 2445. Moe objected to provisions in the House amendments relating to pensions. The Senate then concurred in the House amendments to the bill, authored by Sen. Carl Kroening (DFL-Mpls.), and granted the bill final passage. The bill establishes positions in the unclassified service, authorizes the commissioner of jobs and training to establish a position in the unclassified service, allows certain survivor benefits, establishes a health insurance account for specified Minneapolis Police and Fire Department Relief Association contributions, and regulates participation in the public employees insurance plan. Other bills receiving concurrence and repassage included S.F. 2216, authored by Sen. Pat Piper (DFL-Austin), specifying requirements for membership of the Board of Medical Examiners, and applying reporting requirements to entities providing liability coverage to physicians. S.F. 409, also authored by Piper, provides for various employee leaves of absences. S.F. 1400, carried by Sen. Jim Ramstad (IR-Minnetonka), establishes right to counsel in guardianship and conservatorship proceedings. S.F. 1860, sponsored by Sen. Ember Reichgott (DFL-New Hope), contains a number of provisions related to domestic abuse, including authorizing courts to exclude a respondent from the place of employment of a petitioner in an order for protection, and clarifying the probable cause arrest provision for violations of orders for protection.

S.F. 1001, authored by Merriam, establishes eligibility criteria for grant recipients in the Community Dispute Resolution program. S.F.

2229, sponsored by Sen. Jerome Hughes (DFL-Maplewood), contains a number of technical provisions relating to elections. S.F. 2609, sponsored by Sen. Steven Novak (DFL-New Brighton), provides for the management and clean-up of tax-forfeited lands. S.F. 1743, carried by Sen. Gregory Dahl (DFL-Ham Lake), requires a report to the Legislature on carbon dioxide emissions. S.F. 2147, sponsored by Sen. David Frederickson (DFL-Murdoch), temporarily exempts fertilizer and agricultural chemical retailers from regulations on transporting hazardous materials.

Higher ed finance bill approved

The Senate adopted the conference committee report and gave final approval to a bill cutting about \$21 million from higher education in the late afternoon portion of the Tues., Apr. 24, session.

The largest portion of the cuts contained in S.F. 2618, the higher education funding bill, come from grants and scholarships. Increased federal funding for the grants and scholarships make the cuts possible.

Bill author Sen. Gene Waldorf (DFL-St. Paul) explained that he did not sign the conference committee report because provisions establishing a state matching program for gifts to endowments for nonsecular undergraduate programs at the University of Minnesota, the state universities, the technical colleges, the community colleges, and most private four-year colleges, had not been included in the report. The measure was originally sponsored by Sen. John Brandl (DFL-Mpls.). Waldorf said that he supported the provision because he believed it would stimulate donations to higher education.

The bill does contain provisions establishing a Rural Physician Education Account; money from the account must be used to establish a loan forgiveness program for medical students agreeing to practice in designated rural areas. A pre-nursing grant program, a nursing grant program for registered nurses, and a nursing grant program for licensed practical nurses are also outlined in the measure.

In addition, the measure provides for tuition reciprocity agreements with Canadian provinces, regulates off-campus centers, and regulates public postsecondary education system plans.

Senate adopts reports, repasses bills

Rejection of a motion to send an omnibus DWI measure back to conference committee because of its marijuana penalty provisions highlighted the early evening portion of the Tues., Apr. 24, Senate floor session.

On a roll call vote of 32-32, members failed to adopt a motion offered by Sen. Pat McGowan (IR-Maple Grove), to reject the conference committee report to S.F. 2177, a bill strengthening penalties for DWI offenses, sponsored by Sen. Allan Spear (DFL-Mpls.). McGowan argued that anti-marijuana provisions added to the bill in conference committee weren't "tough enough," while Spear replied that the state's limited prison resources would be more wisely targeted toward addressing the crack cocaine problem.

Spear explained that S.F. 2177's conference committee report changes include adding provisions that require juvenile courts to conduct chemical use assessments on juvenile drug offenders, that revise presentence investigation report procedures, and that modify several sections relating to crack cocaine contained in last year's omnibus drug bill. Spear noted that the added marijuana penalty provisions came from an amendment that he originally offered on the Senate floor three weeks before. The language makes it a third degree controlled substance crime if an individual sells five kilograms or possesses ten kilograms of marijuana; makes it a fourth degree controlled substance crime if an individual sells anything more than a "small amount of marijuana for no remuneration;" removes statutory provisions making it a fourth degree controlled substance crime if an individual sells marijuana to a minor; and makes it a fifth degree controlled substance crime if an individual possesses marijuana with the intent to sell unless it involves a "small amount of marijuana for no remuneration."

After adopting the conference committee report to S.F. 2177, members repassed the bill by a unanimous vote.

Senators also adopted conference committee reports and repassed the following six measures.

H.F. 2419, sponsored by Sen. Carl Kroening (DFL-Mpls.), is the omnibus state department's bill that appropriates money for the general legislative, judicial, and administrative expenses of state government. The measure provides for a \$17 million reduction in state spending. S.F. 2317, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), provides for the assessment of expenses for adjudicating service area disputes to municipal electric utilities. S.F. 2195, carried by Sen. Steven Morse (DFL-Dakota), prohibits specified types of low-level radioactive waste from being disposed of at other than licensed facilities.

S.F. 1894, authored by Sen. Gregory Dahl (DFL-Ham Lake), modifies existing statutes pertaining to metropolitan water management organizations, provides legislative commission oversight of the Metropolitan Water Management Act, provides for the appointment of Metropolitan Watershed District managers from residents within the district, authorizes the management and financing of drainage systems, provides for the just cause removal of watershed management organization board members, provides for the preparation and implementation of watershed plans, and requires watershed management organizations to prepare newsletters, annual reports, and audits. Dahl noted that the bill also directs the Metropolitan Council to adopt a water resource plan that includes management objectives and target pollution loads for watersheds in the Metropolitan Area, and to work with the Board of Water and Soil Resources to ensure a coordinated approach in addressing the watershed pollution issue.

S.F. 2421, sponsored by Sen. William Luther (DFL-Brooklyn Park), changes the state's presidential primary date from the fourth Tuesday in February to the first Tuesday in April during each presidential election year, revises specified primary candidate requirements, allows voters to prefer uncommitted delegates, permits write-in votes, provides for voter ballot receipts, eliminates an existing statute that the primary winner is the party's endorsed candidate, changes party delegate apportionment procedures, and requires individuals entitled to inspect duplicate registration files or receive copies of current precinct lists to be informed of the party choice of any voter who voted in the most recent presidential primary.

S.F. 1813, authored by Sen. Linda Berglin (DFL-Mpls.), amends the Medicare certification requirement for nursing homes. Berglin said that one conference committee report change involved extending, from 1990 to 1991, the proposed downsizing of the number of Medicare certified facility beds available to mentally retarded patients.

Compromise tax package approved

Senators acted on the conference committee report for the omnibus tax bill late in the evening Tues., Apr. 24. Sen. Douglas Johnson, in his introduction to the compromise package, said that the bill incorporates the largest portion of the spending reductions for the next three years. "Two words could best describe the tax bill before us this year: fiscal restraint," Johnson said. "The measure is the major part of our budget solution and insures that the budget reserve will be intact in 1993. A vote for this bill is a vote to control a \$300 million reduction in future spending," Johnson concluded.

Sen. Lawrence Pogemiller (DFL-Mpls.) explained the first portion of the bill. Article I contains the tax payers' bill of rights designed to provide better consumer service to the taxpayers of Minnesota. Article II contains the income, gross premiums and franchise tax provisions. Under the bill, corporate alternative minimum tax rate is reduced from 7 to 5.8 percent. The measure also eliminates the factors tax with subsequent graduated increases for other businesses based on size. The bill also imposes a flat fee as part of the corporate franchise tax liability. The fee is based on the amount of the corporation's total Minnesota property, payroll, and sale or receipts. For corporations with less than \$500,000 there is no fee. For corporations with between \$500,000 and \$1 million the fee is \$100. The fee is graduated upward based on the total property, payroll, and sale or receipts. In all, the provision raises \$56.7 million yet holds the cor-

Floor Action

porate rate down as much as possible. The measure also conforms with federal provisions.

The compromise bill also contains an article, Article VII, that contains increment financing provisions. According to Pogemiller, the bill is a compromise that contains major tax increment reform yet will allow legitimate tax increment efforts to go forward. The last article Pogemiller explained, Article IX, contains court funding provisions.

Sen. Steven Novak (DFL-New Brighton) explained the property tax provisions in the measure. Articles III, IV, and V of the bill are the property tax sections. Although the bill overall provides for a \$300 million reduction in spending the measure does provide property tax relief for those Minnesotans least able to pay, Novak said. The property tax provisions also include the reductions in state aids to cities, counties and other taxing districts.

Sen. LeRoy Stumpf (DFL-Plummer) outlined the sales and Article VII relates to education funding and Article X contains the miscellaneous tax provisions.

Debate on the measure was confined primarily to questions of an informational nature. However, the tax increment financing provisions were discussed in some detail. The conference committee report was adopted and the bill was repassed on a vote of 37-27.

In other action, the Senate also reconsidered the motion by which the conference committee report on S.F. 1777, the Ramsey County Charter Commission bill, was rejected. At issue is a provision in the bill which specifies that a majority of those voting on charter questions is necessary for passage, rather than a majority of all voters. The motion to reconsider was made by Sen. Jerome Hughes (DFL-Maplewood). Members of the Ramsey County delegation were sharply divided on the issue. Sen. Steven Novak (DFL-New Brighton), argued that the criteria for charter questions should be the same as that for state constitutional amendments, that is, an absolute majority. Hughes countered that in elections at the local level the voter participation falls off dramatically in consideration of such issues. Sen. Fritz Knaak (R-White Bear Lake) also argued against the motion for reconsideration stating that the provision had never been before the Senate. The motion to reconsider was approved but the conference committee report was again rejected.

One bill was also given concurrence and repassage. S.F. 1966, sponsored by Sen. Gary DeCramer (DFL-Ghent), provides for interstate agreements relating to tuition and aids similar to an agreement for an open enrollment agreement between bordering states.

Wednesday, April 25

Grasshopper bill given final passage

Senators devoted the first portion of the Wed., Apr. 25, floor session to processing messages from the House, adopting conference committee reports, and granting bills final passage.

S.F. 1674, sponsored by Sen. Charles Berg (DFL-Chokio), the grasshopper control bill, generated some discussion. Sen. Gene Waldorf (DFL-St. Paul), urged Senators to reject the conference committee report because some of the items in it, including a \$100,000 appropriation for a timber harvesting generic environmental impact statement, had not been contained in either the House or Senate bill. However, saying "the hoppers are already hopping," Berg argued, successfully, for Senators to adopt the conference committee report and give the bill final passage.

The bill requires the commissioner of agriculture to seek the review and approval of the commissioner of natural resources before taking grasshopper control measures on or to streams, lakes, waterways, or public waters; establishes a procedure to exempt lands from grasshopper control measures; provides for some reimbursement, to the extent that funds are available, for the cost of grasshopper control in a 20-rod wide buffer zone on property adjacent to an exempted area; contains provisions to minimize the effects of grasshopper control on foraging bees; and provides a mechanism for people to appeal the costs of grasshopper control. The measure also provides appropriations, including \$605,000 to a special contingency

account for grasshopper control activities, \$20,000 for integrated pest management demonstration projects, and \$100,000 for a timber harvesting generic environmental impact statement.

In other action, Senators adopted the conference committee report to S.F. 1150, carried by Sen. William Luther (DFL-Brooklyn Park), and granted the bill final passage. The measure regulates creditors' remedies of executions and garnishments. The conference committee report on H.F. 1960, sponsored by Berg, was also adopted and the bill granted final passage. The bill amends provisions concerned with wildlife.

Senators approved a motion, offered by Luther, to reconsider the rejection of the conference committee report on S.F. 1777, authored by Sen. Richard Cohen (DFL-St. Paul). The bill sets the terms of charter commission members in Ramsey County. Controversy on the report centered around a provision changing the necessary number of votes needed to adopt a proposed charter. Currently, a majority of all voters voting in the county at the election must approve a charter before it is adopted; under the report, 51 percent of the votes cast on the charter must be affirmative in order for the charter to be adopted. The conference committee report was adopted and the measure granted final passage.

Senators ultimately approved a motion, offered by Sen. Ronald Dicklich (DFL-Hibbing), to not concur with the House amendments to S.F. 1870, carried by Sen. Marilyn Lantry (DFL-Mpls.), and send the bill to conference committee. The bill regulates horse racing, increases the per diem rate for racing commissioners, requires licenses for pari-mutuel clerks at county fairs, apportions money for promotion of the breeding and racing industry, allows administration of certain medications by designated persons, and reduces state tax withholding on pari-mutuel winnings. Dicklich's objections to the bill centered around telephone wagering, which he said would lead to off-track betting. Telephone wagering had been specifically prohibited in the Senate bill, but was not prohibited in the House bill. Lantry pointed out that, since telephone wagering is currently legal, it will remain legal whether the Senate approved the bill or not. Dicklich's motion was approved on a 36-24 vote.

Finally, Senators also adopted the conference committee report and granted repassage to S.F. 576, providing that medical certification for General Assistance benefits may be made by a licensed chiropractor. The measure is sponsored by Sen. Pat Piper (DFL-Austin). The last bill to receive Senate action for the session was H.F. 2817, the revisor's technical corrections bill. The bill is sponsored by Sen. Allan Spear (DFL-Mpls.).

Facts about the Minnesota Legislature

Minnesota 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 a "B" portion to designate the House of Representatives 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 meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. The Legislature usually adjourns earlier in even numbered years.

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Beckman Davis Frederickson, D.R. Vickerman
Berg Decker Larson Morse
Bertram DeCramer

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MEETS: T, Th; Room 112; 10-12 noon
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Anderson Frederick McQuaid Spear
Belanger Freeman Metzen
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MINNESOTA STATE SENATE

Senate Members—1990 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
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IR	4314	Gustafson, Jim	115 SOB	8	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	6238	Storm, Donald A.	125 SOB	42
IR	1253	Knaak, Fritz	149 SOB	53	DFL	8660	Stumpf, LeRoy	306 Cap.	1
IR	4120	Knutson, Howard A.	129 SOB	38	DFL	5650	Vickerman, Jim	G-29 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	124 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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