

Briefly

JAN 11 1991

The Minnesota Senate Week in Review

January 11, 1991

Opening day

The 77th Legislative Session of the Minnesota Senate officially convened Tuesday, Jan. 8, 1991 with Lt. Gov. Joanell Dyrstad presiding.

The hour long meeting consisted of various formalities, including the swearing-in of a new chaplain, Rev. Arlen Hermodsen, of Grace Lutheran Church in Erskine, Minn., who also gave the opening invocation.

The Senate's 67 members were given the oath of office by State Supreme Court Chief Justice Alexander M. Keith.

By unanimous consent, the following individuals were elected and sworn in: Sen. Jerome M. Hughes (DFL-Maplewood) as President of the Senate; Patrick E. Flahaven was again appointed to the position of Secretary of the Senate; Janine Mattson as First Assistant Secretary; Patrice Dworak as Second Assistant Secretary; Catherine Morrison as Engrossing Secretary; Sven Lindquist as Sergeant at Arms; and Ralph Graham as Assistant Sergeant at Arms.

Before leaving the chamber, Chief Justice Keith expressed his congratulations to all the members of the Senate.

The session then moved toward the adoption of eleven resolutions relating to internal operations of the Senate. Majority Leader Roger Moe (DFL-Erskine) explained the resolutions, and all were adopted without controversy by the full Senate, either by a voice or roll call vote.

Questions were raised by Sen. Carl W. Kroening (DFL-Mpls.) concerning a postal resolution, and by Sen. Fritz Knaak (IR-White Bear Lake) about a travel resolution. However, after an explanation by Moe, both resolutions were adopted.

The adopted resolutions included: naming the Majority and Minority Leaders; adopting temporary rules for the 77th Legislative Sessions; confirming standing committee assignments; sched-

uling standing committee meetings; establishing postage allowances; determining attendance policies and providing for payment of expenses; outlining intern expense reimbursement; naming presidents pro tempore; appointing a committee to notify the governor and the House of Representatives that the Senate is organized; and lastly, appointing a committee to escort the governor to the State of the State message. The last resolution was laid on the table.

In addition to these Senate Resolutions, three Senate Concurrent Resolutions were approved: adopting temporary joint rules of the Legislature; allocating parking spaces; and adopting the policy for adjournment for more than three days.

Afterward Moe invited members, their families and friends, and Senate staff to a reception honoring the newly sworn in Senators in the Great Hall.

Session's first bill approved

The second day of the legislative session was called to order by Senate President Jerome Hughes (DFL-Maplewood). In a motion offered by Senate Majority Leader Roger Moe (DFL-Erskine), and later accepted by the members, rules were suspended to expedite passage of the one bill to be considered. S.F. 1, authored by Moe, establishes February 20, 1991 as the date on which the governor must submit the biennial budget to the Legislature.

The bill, agreed to by the leadership of both the DFL and IR caucuses, is intended to take into account the special circumstances under which the new administration took office. Moe pointed out that there is precedent for such action, noting that such accommodations were made in the change in administrations in 1983. State statute requires that the budget be submitted to the legislature by the fourth Monday in January in each odd-numbered year. The Senate action

was necessary to provide for exception to the statute, and was deemed appropriate given the late candidacy of Gov. Carlson.

Token debate was offered before the bill was given final passage without dissenting votes.

Rules and Administration

Members of the Committee on Rules and Administration, chaired by Majority Leader Roger Moe (DFL-Erskine), met Mon., Jan. 7, in order to approve resolutions for the opening of the Legislative Session.

The committee also reviewed the annual audit of the Senate's finances done by the firm of KPMG Peat Marwick. The audit again indicated that the financial practices of the Senate met approved standards of accounting and was adopted by the committee.

The Rules and Administration Committee is made up of the chairs of all Senate Committees and senior members of the minority. The panel has jurisdiction over the operations of the Senate and resolutions regarding the administration of the Senate must be approved by the committee.

Information Office services

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request 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.

Preview

The Minnesota Senate Week at a Glance

Monday, January 14

Gaming Regulation Committee

7:50 a.m. Capitol steps

Chair: Charles Berg

Agenda: Tour of Minnesota State Lottery Office facilities

Transportation Committee

12 noon Room 112 Capitol

Chair: Gary DeCramer

Agenda: Presentation of the Transportation Study Board Report.

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

Health and Human Services Committee

3 p.m. Room 15 Capitol

Chair: Linda Berglin

Agenda: Basic overview of the Dept. of Human Services functions and responsibilities.

Tuesday, January 15

Minnesota Horizons '91

8 a.m. St. Paul Technical College

Finance Division on Health and Human Services

2 p.m. Room 125 Capitol

Chair: Don Samuelson

Agenda: The Dept. of Human Services will present an overview of the budget deficit.

Wednesday, January 16

Minnesota Horizons '91

8:30 a.m. St. Paul Technical College.

Thursday, January 17

Minnesota Horizons '91

8:30 a.m. St. Paul Technical College.

Gaming Regulation Committee

2:30 p.m. Capitol steps

Chair: Charles Berg

Agenda: Tour of the Canterbury Downs facilities

Friday, January 18

***The Senate will be in session at noon.**

*** Indicates live television coverage by Senate Media Services on Channel 6, the Metro Cable Network.**

For further information call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6 the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6 the Metro Cable Network.

Also, watch for Senate Report, a weekly public affairs program, featuring lawmakers from specific regions around the state reviewing legislative issues from a regional perspective. Senate Report is broadcast on PBS stations as well as Channel 6 the Metro Cable Network.

The following is the schedule for broadcast of Senate Report.

Austin KSMQ - 11:30 a.m. Sundays
Duluth WDSE - 11:30 a.m. Sundays
Appleton KWCM - 11:30 a.m. Sundays
Bemidji KAWK/KAWB - 11:30 a.m. Sundays (Beginning Feb. 3)
Fargo KFME 11 a.m. - Saturdays (Beginning Feb. 2)
Channel 6, the Metro Cable Network
6:30 p.m. Mondays and 7:30 p.m. Wednesdays.

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.

Senate Committee Assignments

AGRICULTURE AND RURAL DEVELOPMENT (12)

Chair: Davis Vice chair: Beckman
Office: G-24 Telephone: 296-7405
Meets: T, Th; Room 112; 10-12 noon
Beckman Davis Frederickson, D. R. Renneke
Berg Day Larson Sams
Bertram Frederickson, D. J. Morse Vickerman

COMMERCE (16)

Chair: Solon Vice chair: Pappas
Office: 303 Telephone: 296-4158
Meets: T, W, F; Room 112; 1-3 p. m.
Adkins Cohen Larson Pappas
Belanger Day Luther Samuelson
Berglin Hottinger Mehrkens Solon
Brataas Kroening Metzen Spear

ECONOMIC DEVELOPMENT & HOUSING (12)

Chair: Metzen Vice chair: Johnson, J. B.
Office: 303 Telephone: 296-8864
Meets: M, Th; Room 107; 12-2 p. m.
Beckman Gustafson Kroening Sams
Bernhagen Johnson, J. B. Metzen Storm
Davis Kelly Neville Traub

EDUCATION (23)

Chair: Dahl Vice chair: Traub
Office: 235 Telephone: 296-4185
Meets: M, W, F; Room 15; 8-10 a. m.
Beckman Hottinger Mehrkens Pogemiller
Benson, J. Hughes Mondale Ranum
Dahl Johnston Morse Reichgott
DeCramer Knaak Neuville Stumpf
Dicklich Langseth Olson Traub
Frederickson, D. J. Larson Pappas

EDUCATION FUNDING DIVISION (14)

Chair: Dicklich
Office: 235 Telephone: 296-8018
Meets: M, Th; Room 107; 3-6 p. m.
Dahl Hughes Mehrkens Reichgott
DeCramer Knaak Olson Stumpf
Dicklich Langseth Pappas
Frederickson, D. J. Larson Pogemiller

ELECTIONS AND ETHICS (13)

Chair: Hughes Vice chair: Luther
Office: 328 Telephone: 296-8866
Meets: W; Room 107; 11:30 a. m. - 1 p. m.
Cohen Johnson, D. E. Moe Samuelson
Halberg Johnson, D. J. Marty Piper
Hughes Laidig McGowan Pogemiller

EMPLOYMENT (10)

Chair: Chmielewski Vice chair: Mondale
Office: 325 Telephone: 296-8865
Meets: M, W; Room 107; 10-12 noon
Adkins Chmielewski Gustafson Kroening Piper
Brataas Frank Halberg Mondale Solon

ENERGY AND PUBLIC UTILITIES (12)

Chair: Novak Vice chair: Finn
Office: 321 Telephone: 296-1767
Meets: T, Th; Room 107; 10-12 noon
Benson, J. Gustafson Novak Reichgott
Dicklich Johnson, D. J. Olson Storm
Finn Marty Piper Waldorf

ENVIRONMENT AND NATURAL RESOURCES (19)

Chair: Lessard Vice chair: Price
Office: 111 Telephone: 296-1113
Meets: T, W, F; Room 107; 1-3 p. m.
Benson, J. Frederickson, D. R. Merriam Pariseau
Berg Johnson, J. B. Mondale Price
Bernhagen Laidig Morse Riveness
Dahl Lessard Novak Stumpf
Finn Marty Olson

FINANCE (30)

Chair: Merriam Vice chair: Vickerman
Office: 122 Telephone: 296-4157
Meets: T, W, F; Room 123; 3-6 p. m.
Beckman Frederickson, D. R. McGowan Solon
Berg Johnson, D. E. Mehrkens Spear
Brataas Kroening Merriam Storm
Cohen Laidig Metzen Stumpf
Dahl Langseth Morse Vickerman
Davis Larson Piper Waldorf
DeCramer Lessard Renneke
Dicklich Luther Samuelson

GAMING REGULATION (10)

Chair: Berg Vice chair: Bertram
Office: 328 Telephone: 296-5539
Meets: M, W; Room 107; 8-10 a. m.
Berg Dicklich Johnson, D. E. Metzenn Samuelson
Bertram Frederickson, D. R. McGowan Price Spear

GOVERNMENTAL OPERATIONS (12)

Chair: Waldorf Vice chair: Ranum
Office: 317 Telephone: 296-4175
Meets: T, Th; Room 15; 8-10 a. m.
Belanger Frederickson, D. R. Pariseau Renneke
DeCramer Hughes Pogemiller Riveness
Frederickson, D. J. Morse Ranum Waldorf

HEALTH AND HUMAN SERVICES (17)

Chair: Berglin Vice chair: Sams
Office: G-9 Telephone: 296-4151
Meets: M, Th; Room 15; 3-6 p. m.
Adkins Day Hottinger Solon Waldorf
Benson, D. Finn Johnson, J. B. Storm
Berglin Flynn Piper Traub
Brataas Halberg Sams Vickerman

JUDICIARY (17)

Chair: Spear Vice chair: Kelly
Office: G-27 Telephones: 296-4191
Meets: M, W, F; Room 15; 10-12 noon
Belanger Kelly Marty Pogemiller Stumpf
Berglin Knaak McGowan Ranum
Cohen Laidig Merriam Reichgott
Finn Luther Neuville Spear

LOCAL GOVERNMENT (9)

Chair: Adkins Vice chair: Hottinger
Office: G-29 Telephone: 296-4150
Meets: T, Th; Room 107; 8-10 a. m.
Adkins Chmielewski Day Lessard
Bernhagen Davis Hottinger Neuville Traub

METROPOLITAN AFFAIRS (13)

Chair: Frank Vice chair: Flynn
Office: 226 Telephone: 297-8070
Meets: T, Th; Room 15; 10-12 noon
Cohen Johnston Laidig Pappas
Flynn Kelly Langseth Pariseau
Frank Knaak Mondale Price Ranum

REDISTRICTING (10)

Chair: Moe Vice chair: Luther
Office: 208 Telephone: 296-4196
Meets: On Call
Benson, D. DeCramer Knaak Moe Reichgott
Cohen Johnson, D. J. Luther Pogemiller Storm

RULES AND ADMINISTRATION (29)

Chair: Moe Vice chair: Luther
Office: 208 Telephone: 296-4196
Meets: On Call
Adkins Bertram Frank Lessard Renneke
Belanger Brataas Hughes Luther Solon
Benson, D. Chmielewski Johnson, D. E. Merriam Spear
Berg Dahl Johnson, D. J. Metzen Storm
Berglin Davis Knaak Moe Waldorf
Bernhagen DeCramer Laidig Novak

TAXES AND TAX LAWS (22)

Chair: Johnson, D. J. Vice chair: Frederickson, D. J.
Office: 205 Telephone: 296-4839
Meets: T, W, F; Room 15; 3-6 p. m.
Belanger Chmielewski Halberg Novak Reichgott
Benson, D. Flynn Hughes Olson Riveness
Berglin Frank Johnson, D. J. Pariseau
Bernhagen Frederickson, D. J. Kelly Pogemiller
Bertram Gustafson Marty Price

TRANSPORTATION (14)

Chair: DeCramer Vice chair: Riveness
Office: 309 Telephone: 296-4186
Meets: M, Th; Room 112; 12-2 p. m.
Benson, J. Flynn Langseth Olson Vickerman
Chmielewski Johnson, D. E. Mehrkens Pappas
DeCramer Johnston Novak Riveness

VETERANS AND GENERAL LEGISLATION (11)

Chair: Bertram Vice chair: Johnson, J. B.
Office: 323 Telephone: 296-1771
Meets: M, W; Room 112; 10-12 noon
Bertram Johnson, D. E. Johnston Pariseau Sams Vickerman
Dahl Johnson, J. B. Lessard Renneke Samuelson

Minnesota Senate

Senate Members --- 1991 Session

Party	Phone	Name	Room	Dist.	Party	Phone	Name	Room	Dist.
DFL	296-5981	Adkins, Betty	G-29 Cap.	22	DFL	3205	Langseth, Keith	G-24 Cap.	9
DFL	5713	Beckman, Tracy	G-24 Cap.	29	IR	5655	Larson, Cal	145 SOB	10
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	4136	Lessard, Bob	111 Cap.	3
IR	3903	Benson, Duane D.	147 SOB	32	DFL	8869	Luther, William P.	205 Cap.	47
IR	6455	Benson, Joanne E.	153 SOB	17	DFL	5645	Marty, John	G-9 Cap.	63
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	2159	McGowan, Patrick D.	129 SOB	48
DFL	4261	Berglin, Linda	G-9 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 P.	303 Cap.	39
IR	4848	Brataas, Nancy	139 SOB	33	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	7-8065	Mondale, Ted	325 Cap.	44
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	5649	Morse, Steven	G-24 Cap.	34
DFL	5003	Dahl, Gregory L.	235 Cap.	50	IR	1279	Neuville, Tom	135 SOB	25
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4334	Novak, Steven G.	322 Cap.	52
IR	9457	Day, Dick	105 SOB	30	IR	1282	Olson, Gen	125 SOB	43
DFL	6820	DeCramer, Gary M.	309 Cap.	27	DFL	1802	Pappas, Sandra L.	G-24 Cap.	65
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	IR	5252	Pariseau, Pat	109 SOB	37
DFL	6128	Finn, Harold R. "Skip"	321 Cap.	4	DFL	9248	Piper, Pat	G-9 Cap.	31
DFL	4274	Flynn, Carol	227 Cap.	61	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	225 Cap.	51	DFL	7-8060	Price, Leonard R.	111 Cap.	56
DFL	5640	Frederickson, David J.	306 Cap.	20	DFL	7-8061	Ranum, Jane	317 Cap.	62
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	2889	Reichgott, Ember D.	301 Cap.	46
IR	4314	Gustafson, Jim	115 SOB	8	IR	4125	Renneke, Earl W.	117 SOB	35
IR	4120	Halberg, Chuck	133 SOB	38	DFL	7-8062	Riveness, Phil	309 Cap.	40
DFL	6153	Hottinger, John C.	G-29 Cap.	24	DFL	7-8063	Sams, Dallas C.	G-9 Cap.	12
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4875	Samuelson, Don	124 Cap.	13
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4188	Solon, Sam G.	303 Cap.	7
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	5419	Johnson, Janet B.	303 Cap.	19	IR	6238	Storm, Donald A.	119 SOB	42
IR	4123	Johnston, Terry	151 SOB	36	DFL	8660	Stumpf, LeRoy A.	G-24 Cap.	1
DFL	5285	Kelly, Randy C.	G-27 Cap.	67	DFL	7-8064	Traub, Judy	235 Cap.	45
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim	122 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	317 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

January 18, 1991

King Resolution approved

Members of the Senate approved a resolution honoring Dr. Martin Luther King during the course of a brief floor session Mon., Jan. 14. The resolution, sponsored by Sen. Linda Berglin (DFL-Mpls.), commemorates the life and work of the late civil rights leader. Berglin spoke briefly of King's efforts in leading the struggle for civil rights and linked King's dedication to peace with current hopes for peace on the international scene.

The balance of the session was for the purpose of introducing bills and sending them to the appropriate committees.

Horizons Conference

Legislators from both bodies devoted three mornings this week to attending the Minnesota Horizons '91 Conference at the St. Paul Technical College. The theme of the conference, held Jan. 15-17, was new approaches to problem solving and was designed to provide new and returning legislators with the background and perspective to make innovative policy choices in a time of limited resources. Nationally known and locally prominent speakers addressed a variety of issues that will be before legislators throughout the course of the session.

Gulf resolution approved

A resolution, urging the President and Congress to fully commit the United States to negotiations that will avert war and result in a just settlement of disputes with Iraq was offered by Sen. Sandra Pappas (DFL-St. Paul) at a special meeting of the Veterans and General Legislation Committee. The committee, chaired by Sen. Joe Bertram, Sr., (DFL-Paynesville), heard testimony from a number of witnesses supporting the resolution. Bertram offered an amend-

ment to the resolution that further clarified the role of Minnesotans in the Gulf crisis.

Sen. Dean Johnson (IR-Willmar), then moved an amendment to the amendment to eliminate any mention of sanctions and instead concentrate on supporting the Minnesotans that are now engaged in the Gulf region. Johnson explained that as the Minnesota Legislature's action on this resolution at this point was largely symbolic, it was important to show support for national policy and for the troops now stationed in the Gulf. The amendments were approved as was the resolution in amended form. The resolution, S.F. 30, now proceeds to the full Senate.

Senate cancels activities

In recognition of the outbreak of war in the Middle East, all Senate activities scheduled for Thurs., Jan. 17 and Fri., Jan. 18, were canceled. The sole exception was a brief floor session held at noon Fri., Jan. 18. The floor session was held because of a constitutional provision that neither house may adjourn for more than three days.

The governor's State of the State address, scheduled for Wed., Jan. 16, was also canceled. At press time there was no information available as to when the address would be rescheduled.

Daily schedules will be recorded on the Senate Hotline, 296-8088, or call the Senate Information Office, 296-0504, for updated information.

Information Office services profiled

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate

committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request 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 committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6 the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6 the Metro Cable Network.

Also, watch for Senate Report, a weekly public affairs program, featuring lawmakers from specific regions around the state reviewing legislative issues from a regional perspective. Senate Report is broadcast on PBS stations as well as Channel 6 the Metro Cable Network. In addition, Senate Report is carried by a number of cable outlets.

The following is the schedule for broadcast of Senate Report on PBS stations
Austin KSMQ - 11:30 a.m. Sundays;
Duluth WDSE - 11:30 a.m. Sundays;
Appleton KWCM - 11:30 a.m. Sundays;
Bemidji KAWK/KAWE - 11:30 a.m. Sundays (Beginning Feb. 3);
Fargo KFME 11 a.m. - Saturdays (Beginning Feb. 2); and
Channel 6, the Metro Cable Network - 6:30 p.m. Mondays and 7:30 p.m. Wednesdays.

Committee update

Energy and Public Utilities

Panel to examine statements

Sen. Steven Novak (DFL-New Brighton), chair of the Energy and Public Utilities Committee, outlined this session's agenda at the committee's first official meeting Thurs., Jan. 10. Among the issues that members will be examining are the impact of deregulation on the telecommunications industry; reconsideration of alternative energy sources; and assessing the clarity of citizens' telephone and energy statements. Novak also indicated he planned to hold a hearing Jan. 24 to assess Minnesota's ability to deal with an energy crisis in the event of a war.

Public Utilities Commission (PUC) Chair Darrel Peterson and newly-appointed PUC Commissioner Dee Knaak introduced themselves and presented the PUC's concerns and responsibilities for this legislative session. In addition to a number of proposals, Peterson explained that the PUC was considering the possibility of allowing NSP to sell compressed natural gas as a cost-competitive, energy-conserving alternative to gasoline. Knaak defined her role as part of the PUC's effort to insure fairness in the commission's dealings with the public.

Also present to offer testimony was Dept. of Public Safety (DPS) Commissioner Kris Sanda. Sanda outlined the functions of the DPS and suggested that one priority be to streamline the rate case filing process, especially since a hike in the numbers of such filings may occur in response to the Middle East crisis.

Finance

DHS shortfall explained

Health and Human Services Division members of the Finance Committee were presented an overview of

the Human Services Dept. budget deficit at the Tues., Jan. 15 meeting.

George Hoffman, director of Reports and Statistics led members through the shortfall numbers attributed to the Human Service Department. He said that two major sources of the shortfall are the increase of nursing home caseloads and the general economic slowdown which surfaced at the end of 1989.

He said that caseloads are increasing at a rate of between five and ten percent in Minn., while caseloads in other states are increasing at a rate of 10 to 20 percent. Hoffman explained that these increases are not attributed to immigration from out of state.

The projections concerning the Medical Assistance Program will also be affected by inflation items, nursing home and other caseloads, according to Hoffman. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Gaming Regulation

Committee tours facility

The Senate Gaming Regulation Committee, chaired by Sen. Charles Berg (DFL-Chokio), met on Mon., Jan 14 to tour the Minnesota Lottery facilities in Roseville. The tour gave members a first hand look at a state-run gaming enterprise. The committee expects to hear overviews from a representative of the lottery in the near future.

Health and Human Services

DHS overview

The Mon., Jan. 14, meeting of the Health and Human Services Committee was devoted to an overview of the Human Services Department by department personnel. The committee is chaired by Sen. Linda Berglin (DFL-Mpls.).

Various assistant commissioners explained their respective divisions responsibilities, activities and programs. Major divisions within the department include: finance and management, legal and inter-governmental, family and children's services, mental health, family support and health care and residential.

Transportation

Report is previewed

The Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent), met for the first time this 77th Legislative Session on Mon., Jan. 14. Committee member introductions, general funding issues and an overview of the Transportation Study Board Report dominated the meeting. The Transportation Study Board Report, conducted by a group of legislators and citizens appointed by the 1988 Legislature, examines Minnesota's surface transportation needs for the next 20 years and recommends policies to meet those needs. The committee acknowledged the option of parceling out issues contained in the report—to create many bills—or keeping the issues intact as one bill. A more detailed agenda will be set after the governor has reviewed the report and given his budget message, which is scheduled for sometime in February.

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.

Preview

The Minnesota Senate Week at a Glance

Monday, January 21

There are no Senate meetings scheduled for today in observance of Dr. Martin Luther King's birthday.

Tuesday, January 22

Governmental Operations Committee

Chair: Gene Waldorf
8 a.m. Room 15 Capitol
Agenda: Report on Statewide Telecommunications Access Routing System (STARS) by the Dept. of Administration Intertechnologies Group.

Finance Division on Health and Human Services

Chair: Don Samuelson
8:30 a.m. Room 125
Agenda: Review of the governor's budget recommendations for health and human services for FY 1991

Metropolitan Affairs Committee

Chair: Don Frank
10 a.m. Room 15 Capitol
Agenda: Overview of Metropolitan Council and discussion with current and former chairpersons on their administrations.

Finance Division on Education

Chair: LeRoy Stumpf
12 noon Room 318 Capitol
Agenda: Governor's budget recommendation for the current biennium.

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

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth
3 p.m. Room 125 Capitol
Agenda: Reaction to the governor's budget.

Finance Division on Environment and Natural Resources

Chair: Steven Morse
3 p.m. Room 112 Capitol
Agenda: Presentations by the Office of Waste Management, the Minnesota Zoological Garden, the Legislative Commission on Minnesota Resources, the Dept. of Natural Resources and the Pollution Control Agency.

Taxes and Tax Laws Committee

Chair: Douglas Johnson
3 p.m. Room 15 Capitol
Agenda: Presentation by Commissioners McClung and Gunyou on the 1991 supplemental budget recommendations.

Wednesday, January 23

Education Subcommittee on Early Childhood and Special Populations

Chair: Judy Traub
8 a.m. 15 Capitol
Agenda: Overview of issues. Discussion of elementary and preschool risk factors. Discussion of adolescent risk, mother-infant care education, Dept. of Education programs, and alternative programs.

Gaming Regulation Committee

Chair: Charles Berg
8 a.m. Room 107
Agenda: Overview by Gambling Control Division Director Tom Anzelc and Dept. of Gaming Commissioner Tony Bouza.

Judiciary Committee

Chair: Allan Spear
10 a.m. Room 15 Capitol
Agenda: S.F. 7-Waldorf: Permitting alcohol at fundraisers held on private school grounds. S.F. 17-Lessard: Jury excuse for elderly persons. Supreme Court Gender Fairness Implementation Committee Report.

Employment

Chair: Florian Chmielewski
11:00 a.m. Room 107 Capitol
Agenda: Overview of the Dept. of Employee Relations.

Elections and Ethics Committee

Chair: Jerome Hughes
11:30 a.m. Room 107 Capitol
Agenda: Presentation by Secretary of State Joan Grove. S.F. 4-Luther: Withdrawal of candidates for constitutional office.

Environment and Natural Resources Committee

Chair: Bob Lessard
1 p.m. Room 107 Capitol
Agenda: Review of 1991 Legislative Commission on Minnesota Resources Project Recommendations.

Finance Committee

Chair: Gene Merriam
3 p.m. Room 123 Capitol
Agenda: S.F. 62-Gustafson: Governor's Fiscal Year 1991 budget cuts.

Taxes and Tax Law Division on Property Tax and Local Government Aids

Chair: Ember Reichgott
3 p.m. Room 15 Capitol
Agenda: Continuation of public testimony on budget. S.F. 60-Reichgott: Department of Revenue technical

changes. Discussion and testimony on Truth in Taxation.

Joint Agriculture/Environment & Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard
3 p.m. Worthington Community College Theatre

Agenda: Public hearing on wetland legislation.

Health and Human Services Committee

Chair: Linda Berglin
7 p.m. Room 15 Capitol

Agenda: Discussion of governor's proposed budget cuts in the areas of health and human services.

Joint Agriculture/Environment & Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard
8 p.m. Montevideo High School Cafeteria

Agenda: Public hearing on wetland legislation.

Thursday, January 24

Metropolitan Affairs Committee

Chair: Don Frank
10 a.m. Room 15 Capitol
Agenda: Overview of the Metropolitan Airports Commission.

Economic Development and Housing Committee

12 noon Room 107 Capitol

Chair: James Metzen

Agenda: Overview of Economic Development and Housing Issues presented by Beverly Owen of Senate Counsel.

Transportation Committee

Chair: Gary DeCramer
12 noon Room 112 Capitol

Agenda: Overview of the Minnesota Dept. of Transportation.

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

Taxes and Tax Laws Committee

Chair: Douglas Johnson
Immediately after Session Room 15 Capitol

Agenda: S.F. 62-Gustafson: Governor's 1991 budget proposal.

Joint Health and Human Services Committee and Education Subcommittee on Early Childhood and Special Populations

Chairs: Linda Berglin and Judy Traub
4 p.m. Room 15 Capitol (Room 112 Capitol if Tax Committee has not adjourned)

Agenda: Presentations on issues relating to child care by the Dept. of Human

Services, the Commission on the Economic Status of Women and the Minnesota Council of Child Caring Agencies. Presentations on issues relating to Headstart by Kay Wilmoth, U.S. Dept. of Health and Human Services, a representative of the Dept. of Jobs and Training and the Metro Council Ad Hoc Working Group on Head Start. Interagency Working Group issues: child abuse and neglect, child mental health, U of M Fact Find.

Friday, January 25

Judiciary Committee

Chair: Allan Spear
10 a.m. Room 15

Agenda: Presentation of Minnesota Drug Strategy 1991 by Jan Smaby, former Director, Office of Drug Policy.

*Indicates live television coverage by Senate Media Services on channel 6, the Metro Cable Network.

For further information call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504.

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

January 25, 1991

State of the state

Two features marked Gov. Arne Carlson's first State of the State address before a joint session of the Minnesota Legislature Tues., Jan. 22. First, the address signaled a desired change in the role of state government. Second, it was the first time that a governor has turned over the podium to the lieutenant governor to deliver part of the address.

Carlson stated his view that while the services that government provides are still vital, they are not the state's biggest problem. Carlson said that today's problem is spending. His speech called for a decrease in the state bureaucracy and the need to spend money better.

Carlson also showed his support for the business community, notably small business. He indicated his desire to make Minnesota a state more conducive to business and specifically advocated changes in workers' compensation laws and property taxes for businesses.

The governor also pledged his commitment to the areas of education and the environment. He said that he wants higher education to remain affordable and that K-12 education needs to move toward a site based management approach. In the area of the environment, he called for greater efficiencies in management and enforcement at the Pollution Control Agency, and for holding those who pollute responsible for cleanup.

Lt. Gov. Joanell Dyrstad's portion of the address highlighted the administration's desire to establish a new relationship between state and local governments. Dyrstad touched on other areas that will be important to the administration, including supporting volunteerism, responding to domestic abuse, and supporting the state's Fortune 500 companies.

Carlson pointed to the \$197 million short fall for the current fiscal year and

the expected \$1.4 billion short fall for the next biennium as an opportunity—a challenge—to make state government more efficient, consumer oriented and user friendly.

Governor's budget proposal

The full Senate Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids) met Wed., Jan. 23, to consider the governor's budget cutting package. The budget recommendations came to the committee in the form of S.F. 62, authored by Jim Gustafson (IR-Duluth).

State Finance Commissioner, John Gunyou outlined the governor's recommendations. The proposal has a philosophy of minimizing program upheaval, and leaving policy decisions for the budget process for the '92-93 biennium, said Gunyou. He said that the proposal will recapture excess funding for uncommitted monies, freezing program outlays at current levels; delay and defer programs that have not started, but are expected to start before the end of the fiscal year; and reduce funding to programs where reductions will not change the execution of the overall service. The most substantial program cuts are in the areas of Local Government Aids and Motor Vehicles Excise Tax Fund transfers. The cuts chosen for FY 1991 by the administration are ones that will not affect current policy and are to areas that have access to alternative means of funding, according to Gunyou.

An amendment offered by Sen. Carl Kroening (DFL-Mpls.) would have deleted a provision of the bill calling for the transfer of funds established through the Dislocated Workers Program. After extensive debate, the amendment failed in a roll-call vote, 11-17.

The bill was sent, without recommendation, to the Committee on Taxes and Tax Laws.

Floor sessions held

The Senate met briefly for a floor session Fri., Jan. 18, in order to fulfill a constitutional provision that prohibits adjournment for more than three days.

A second brief floor session was held Tues., Jan. 22, just prior to meeting in joint convention with the House of Representatives to hear the State of the State address. The Senate also met Thurs., Jan. 24, to process bills.

Budget bill advances

Members of the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Thurs., Jan. 24, to take action on the governor's budget resolution proposal. The proposal, contained in S.F. 62, carried by Sen. Jim Gustafson (IR-Duluth), balances the budget for the fiscal year ending June 30, 1991.

The measure resolves a shortfall of \$197 million through a combination of appropriations cancellations, appropriation delays and program cuts. Sen. Don Frank (DFL-Spring Lake Park) and Sen. Linda Berglin (DFL-Mpls.), questioned the cuts to the Dislocated Workers' Program and to health and human service programs, respectively. Other committee members also raised questions about specific parts of the measure. Finance Commissioner Gunyou responded that the bill was an emergency solution to the shortfall and that efforts were made to prioritize the cuts to minimize the impact on the most necessary programs. The bill was drafted under a philosophy of "shared pain" that recognized the governor's priorities, Gunyou said.

Two amendments, dealing with displaced workers, failed to gain committee approval. The panel voted to send the bill to the full Senate, without recommendation, on a 12-9 roll call vote.

Committee update

Agriculture and Natural Resources

Hearings in Greater Minnesota

Members of both the Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), and the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), have been appointed to an Ad Hoc Committee on Water. The ad hoc committee, co-chaired by the chairs of the full committees, was created to provide an avenue for public input on wetlands conservation proposals. The committee will hold hearings throughout the state early in the session. For instance, hearings were held Weds., Jan. 23, in Worthington and Montevideo on the proposed wetlands legislation.

Economic Development and Housing

Program overviews

Members of the Economic Development and Housing Committee met for an orientation hearing Thurs., Jan. 24. The panel, chaired by Sen. James Metzen (DFL-South St. Paul), heard background information on state and local economic development structures and on several major state housing programs from Beverly Cadotte Owen, Senate Counsel and Research.

The major state economic development structures include the Dept. of Trade and Economic Development, the Greater Minnesota Corporation, the Iron Range Resource Rehabilitation Board and the World Trade Center. The primary local economic development structures include economic development authorities, housing and redevelopment authorities, port authorities and regional development commissions.

Tools that local units of government may use to promote economic development include tax increment financing, tax exempt bonds, low-income housing tax credits, enterprise zones and special service districts.

In the area of housing programs, Owen outlined some of the major state programs such as the First Time Home Buyer Program, the Low-income Housing Trust

Fund and the Neighborhood Revitalization Program. Finally, Owen explained some of the elements of landlord tenant law such as unlawful detainer actions, tenant remedies actions, rent escrow, the assignment of rents and the receivership statute.

Elections and Ethics

Voting by mail

A presentation by Secretary of State Joan Grove was the focus of the Wed., Jan. 23, meeting of the Elections and Ethics Committee. The committee is chaired by Sen. Jerome Hughes (DFL-Maplewood).

Grove addressed the committee regarding the voter registration computer system, the Post Redistricting Task Force, the report on the regional presidential primary, the feasibility of conducting the primary election by mail and voter turnout concerns.

Grove called attention to the level of interest among certain Midwestern states to conduct a regional presidential primary on April 7, 1992, the date of the presidential primary in Minnesota. This will be the first presidential primary election conducted in Minnesota since 1956.

Grove suggested that legislators make direct contact to those states that have expressed an interest in support of a regional primary. However, disagreement among some states concerning the proposed date may prove an impediment to the establishment of a regional presidential primary, she said.

Next, Grove expressed concern regarding low voter turnout. Even though Minnesota has the highest voter turnout in the nation, she said, fewer people are going to the polls, especially in the 18 to 24 age bracket. To help break down possible barriers to voting, Grove proposed various programs and projects to the committee for further discussion, but mentioned that any program will most likely require a budget.

One idea Grove offered is expanding the ability to conduct a statewide election by mail to maximize voter participation. Grove estimated that mail balloting could result in a voter turnout as high as 70 percent. She said that it will cost more money to mail ballots, but

it will cost less per voter than a regular election.

Employment

Dept. presents overview

The Employment Committee met for the first time this session Wed., Feb. 23, to hear a presentation by representatives from the Dept. of Employee Relations on the Safety and Workers' Compensation Division of the department. The panel, chaired by Sen. Florian Chmielewski, heard a brief history of the division, an outline of the division's responsibilities and a description of the caseload and costs involved.

The division has two major areas of responsibility; cost containment and safety programs, said Mike Holmquist, division director. In addition, Holmquist said that the division derives funding from a revolving fund, rather than using General Fund dollars. The overall direction of the division, said Holmquist, is toward loss control, cost containment and budget stabilization.

Finance

Budget examined

Members of the Agriculture, Transportation and Regulation Division of the Finance Committee met Tues., Feb. 22, to discuss the proposed solution for the budget shortfall in the current biennium. Division members, chaired by Sen. Keith Langseth (DFL-Glyndon), paid particularly close attention to the adjustments in the transportation funding area. For instance, the governor's budget recommendation include retaining \$52 million of Motor Vehicle Excise Tax (MVET) in the General Fund, rather than transferring the funds as originally scheduled.

In addition, the budget recommendations include a call for the delay of some 1992 highway construction projects. The recommendations do however, allow continued transit subsidies to Metro and Greater Minnesota communities.

Division members heard testimony from representatives of various transportation groups and from the Association of Minnesota Townships and the Association of Minnesota Counties describing how the budget recommendations would impact their respective organizations.

Agencies' program cuts

The Environment and Natural Resources Division of the Finance Committee met Tues., Jan. 22, to hear various agencies' recommendations on program cuts in response to the governor's budget adjustments for Fiscal Year 1991.

Chair Steven Morse (DFL-Dakota) and committee members also heard testimony from an AFSCME representative who asked the committee to consider remedying the budget shortfall with the budget reserve in order to prevent employee layoffs.

The Office of Waste Management (OWM) proposed cuts in its Litter Grant and Problem Materials Collection program, while the Legislative Commission on Minnesota Resources is prepared to transfer \$1 million—accrued from lottery and oil overcharge proceeds—into the general fund. The Minnesota Zoological Garden will take its \$400,000 cut through cancelling appropriations aimed at renovations in the beluga whale facility. The Dept. of Natural Resources will see a number of areas hit by the almost \$1 million in cuts, but a representative said the department will try to retain current employees and seasonal workers. The Pollution Control Agency's Onsite Treatment Plant and the Solid Waste Composition Study both will lose some funding.

Committee hears budget recommendations

Human Development Division members of the Finance Committee made a preliminary examination of the governor's budget recommendations contained in S.F. 62, authored by Sen. Jim Gustafson (IR-Duluth) at a Tues., Jan. 22, meeting. No action was taken on the bill, however, members examined in great detail the impact various proposed cuts will have on specific programs.

Under the 1990-91 supplemental budget recommendations by Gov. Arne Carlson, the health and human services budget is reduced by \$23.7 million. Reductions are accomplished through delays, transfer of funds, cancellations and the elimination of various programs.

Committee members, chaired by Sen. Don Samuelson (DFL-Brainerd), also heard testimony from various union representatives and recipients of the Dis-

located Worker Program urging the committee to continue support of this program.

The governor recommends transferring funds from the Dislocated Worker Special Fund to the General Fund, and reducing spending within the program. Currently, the program assists dislocated workers with resume writing, job leads, counseling, assessment of skills, training and other support services.

Health and Human Services

Budget cut overview

The Wed., Jan. 23., meeting of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.) was dedicated to examining the governor's proposed budget reductions affecting the health and human services area.

Budget reductions totaling \$23.7 million will be felt by the Departments of Human Services (DHS), Health, Corrections, Jobs and Training and the Veterans Nursing Home Board. Reductions will be accomplished through adjustments, delays and deferrals and the elimination or reduction of existing services or programs.

Committee members expressed concern over the proposed transfer of \$5 million from the Chemical Dependency Consolidated Fund to the General Fund, with an additional \$3 million to be taken from the fund as a reduction in services. This will eliminate funding for approximately 1,650 low-income individuals who are not eligible for General Assistance Medical Care (GAMC) or Medical Assistance (MA) who would otherwise qualify for free or reduced cost chemical dependency treatment.

DHS representatives also reported on the proposed cancellation of \$3.5 million of unspent alternative care grant funding, and \$500,000 for adult mental health services within the surplus nursing home alternatives area. The intention of both programs is to provide subsidies for in-home services by a health care provider as a less expensive alternative to nursing home care. Officials indicated that these reductions will not impact on client services, and will not result in a shift of funding to counties.

Another topic of discussion was the proposed cancellation of \$1 million from

the Children's Health Plan. According to officials, this is one of the few primary care insurance programs offered to the underinsured. Also, they assured members that no child will be denied service due to the cancellation.

Public testimony was then heard from various individuals representing Hennepin County, AFSCME, ARC Minnesota, Legal Services Advocacy, Turning Point, Inc., Anoka County Job Training Center and the Minnesota Chemical Dependency Association citing the impact these proposed budget cuts will have on their respective agencies.

Local Government

Township overview

An overview of legislative proposals by the Minnesota Association of Townships was the focus of the first meeting, Thurs., Jan. 24, of the Local Government Committee. The committee, chaired by Sen. Betty Adkins (DFL-St. Michael), heard testimony by David Fricke, executive director of the Minnesota Association of Townships. Fricke outlined a wide range of proposals having to do with the financing of township government and with the myriad concerns townships have in light of the current budget crunch. He pointed to the funding of bridge and bridge approach repair as the number one concern of the 1,803 townships in Minnesota. He also discussed with members the probable effect that Gov. Carlson's proposed budget cuts would have on townships and local governments in general.

Metropolitan Affairs

Met Council overview

The Metropolitan Affairs Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Tues., Jan. 22, for an overview of the Metropolitan Council. Jim Hedlund, Al Hofstade, John Boland and Charles Weaver, former chairs of the Metropolitan Council, reported to the committee their past successes during their respective tenures. Lastly, Chair Mary Anderson, presented future concerns facing the Metropolitan Council to the committee.

MAC overview

The Metropolitan Airport Commission (MAC) presented an overview of its agency to the Metropolitan Affairs

Committee at the Thurs., Jan. 24, meeting.

Jeffrey Hamiel, executive director of MAC, explained in-depth the mission of MAC. This mission is to operate and provide a safe, efficient, environmentally compatible and financially responsible aviation system in the Minneapolis/St. Paul area. According to Hamiel, MAC's number one priority is safety for the general public, air travellers, employees and all other users of the commission's airports.

Members, chaired by Sen. Don Frank (DFL-Spring Lake Park), expressed concerns in response to the governor's executive order freezing state hiring. Senators questioned MAC's ability to hire additional airport security personnel. The need for tighter security arises from possible terrorist threats resulting from Operation Desert Storm. Officials stated that the order will not interfere with policing of the airport.

MAC operates and oversees seven airports within the seven county metro area. Hamiel said that last year, the Mpls./St. Paul International Airport (MSP) served more than 18 million passengers, and was ranked the third busiest airport in the nation with 1.28 million takeoffs and landings.

Rules and Administration

Resolutions okayed

The Rules and Administration Committee, chaired by Majority Leader Roger Moe, met Wed., Jan. 23, and approved several resolutions. The panel endorsed a

resolution setting the official mileage between individual Senators' residences and the capitol, approved a resolution setting mileage and living expense reimbursement rates and approved the personnel complement for the 1991 session. All of the resolutions are sent to the floor of the Senate to be acted upon by the entire Senate.

Taxes and Tax Laws

Budget proposal examined

The full Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Tues., Jan. 22, to examine the governor's budget recommendations for the current biennium. Finance Commissioner John Gunyou and Revenue Commissioner Dorothy McClung outlined the proposed resolution of the projected \$197 million shortfall.

The governor's supplemental budget recommendations for Fiscal Year 1991 adjustments rely on a combination of cancellations of appropriations that have been made but not spent, delays or deferrals of uncommitted spending and direct program reductions, said Gunyou. Under the governor's plan, in the area of program reductions local government spending cuts account for \$50 million and retaining the MVET transfer in the General Fund accounts for an additional \$52 million. Other spending cuts account for \$29 million. Thus, program reductions provide \$131 million toward resolving the shortfall.

In addition, the recapture of excess funding and uncommitted balances, or

cancellations, provides \$60 million. The delay or deferral of uncommitted spending provides an additional 6 million.

Gunyou emphasized that the governor's position is that the budget reserve should not be used to solve the current shortfall. According to Gunyou, a minimum reserve of about \$400 million is needed for cash flow purposed alone and if the reserve is committed to address the FY 1991 shortfall, little or no flexibility would remain for the 1992-93 biennium.

Panel members also heard testimony from representatives of local units of government, businesses, and transportation organizations on the impact of the budget recommendations.

Budget examination

The Taxes and Tax Laws Division on Property Tax and Local Government Aids, chaired by Sen. Ember Reichgott (DFL-New Hope), met Wed., Jan. 23, and continued the previous day's discussion of the governor's supplemental budget proposal.

Hennepin County Commissioners Peter McLaughlin and John Keefe described the impact of the reduction in local government aids on local units of government. Tom Triplett, of the Business Partnership and Gerald Olson, of the Minnesota Chamber of Commerce, commented on the need to have fundamental changes in state spending and taxation. Both pledged cooperation with the committee in addressing the projected shortfall in both the current biennium and the next biennium.

Preview

The Minnesota Senate Week at a Glance

Monday, January 28

Education Committee

Chair: Gregory Dahl

8 a.m. Room 15 Capitol

Agenda: Introduction and overview of outcome-based education, the benefits to students and others, roles of the Legislature, State Board of Education and

Minnesota Dept. of Education, and an overview of the Office of Educational Leadership.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: Overviews of the Administrative Hearings Office by Judges William G. Brown and Peggy Brendan,

and the Worker's Compensation Court of Appeals by Judge Paul V. Rieke.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 7-Waldorf: Permitting alcohol at fundraisers held on private school grounds. S.F. 17-Lessard: Jury excuse for elderly persons. Supreme

Court Gender Fairness Implementation Committee Report.

Veterans and General Legislation Committee

Chair: Joe Bertram, Sr.

10 a.m. Room 112 Capitol

Agenda: Dept. of Veterans Affairs Commissioner Bernie Melter. Overview of problems experienced by Minnesota military personnel and their families resulting from Operation Desert Storm. Overview of preparations and expectations for possible casualties resulting from Operation Desert Storm.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 107 Capitol

Agenda: An overview of non-profit and transitional housing needs.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: Overview of the Dept. of Public Safety.

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

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Depart from Capitol

Agenda: Tour of the Minnesota Zoological Garden.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: Overview of the Dept. of Human Services Family Support Division. Presentation by the Minnesota HIV/AIDS Consortium. Report from the Office of Drug Policy.

Tuesday, January 29

Governmental Operations Committee

Chair: Gene Waldorf

8 a.m. Room 15 Capitol

Agenda: A presentation on the structure, funding, and policy of Minnesota's pension system.

Local Government Committee

Chair: Betty Adkins

8 a.m. Room 107 Capitol

Agenda: Overview by the League of Minnesota Cities of their legislative proposals for the year.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107

Agenda: Confirmation hearings for Dept. of Public Service Commissioner Kris Sanda and Public Utilities Commissioner Dee Knaak.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: Overview of the Metropolitan Parks and Open Space Commission.

Joint Agriculture/Environment & Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard

1 p.m. St. Louis Catholic Church Community Center, Paynesville

Agenda: Public hearing on wetlands legislation.

Taxes and Tax Laws Division on Income, Sales, and Economic Development

Chair: Larry Pogemiller

3 p.m. Room 15 Capitol

Agenda: Overview of the impact of federal law on the Minnesota tax system and a federal update.

Joint Agriculture/Environment & Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard

7 p.m. Sawmill Inn, Grand Rapids

Agenda: Public hearing on wetlands legislation.

Wednesday, January 30

Education Subcommittee on Early Childhood and Special Populations

Chair: Judy Traub

6:50 a.m. Capitol steps

Agenda: The subcommittee will travel to the Cavanaugh Center for program presentations on Extended Day, Creative Play, Expanded ECFE, preschool

screening, 5-Alive Program, and Profoundly Handicapped ECFE. The subcommittee will then travel to a public housing site for program presentations on Parent Classes in ECFE and Adult Basic Education. Finally, the subcommittee will visit the Thorson Family Resource Center for program presentations on "Even Start".

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: Overview by Gambling Control Division Director Tom Anzelc and Dept. of Gaming Commissioner Tony Bouza.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: A presentation on joint and several liability by Joan Morrow and Michael Steenson.

Elections and Ethics Committee

Chair: Jerome Hughes

12 noon Room 107 Capitol

Agenda: Report by the Secretary of State's Office on the 1990 election. S.F.4-Luther: Withdrawal of candidates for constitutional office.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: Review of 1991 Legislative Commission on Minnesota Resources (LCMR) project recommendations. Review of Dept. of Natural Resources Old Growth Program and guidelines.

Legislative Coordinating Commission Subcommittee on Redistricting

Chair: Rep. Peter Rodosovich

1 p.m. Room 5 SOB

Agenda: A discussion of miscellaneous matters relating to redistricting.

Taxes and Tax Laws Division on Property Tax and Local Government Aid

Chair: Ember Reichgott

3 p.m. Room 15 Capitol

Agenda: Discussion and testimony regarding property taxes on multi-housing property.

Joint Agriculture/Environment & Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard
8 p.m. Moorhead High School, Moorhead

Agenda: Public hearing on wetlands legislation.

Thursday, January 31

Local Government Committee

Chair: Betty Adkins
8 a.m. Room 107 Capitol
Agenda: Overview by the Association of Minnesota Counties of their legislative proposals for the year.

Energy and Public Utilities Committee

Chair: Steven Novak
10 a.m. Room 107 Capitol
Agenda: Presentations on the effects of the Persian Gulf War on various industries.

Metropolitan Affairs Committee

Chair: Don Frank
10 a.m. Room 15 Capitol
Agenda: To be announced.

Economic Development and Housing Committee

Chair: James Metzen
12 noon Room 107 Capitol
Agenda: An overview of the Minnesota Housing Finance Agency by Commissioner Jim Solem.

Transportation Committee

Chair: Gary DeCramer
12 noon Room 112 Capitol
Agenda: Continuing overview of Dept. of Transportation.

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

Health and Human Services Committee

Chair: Linda Berglin
3 p.m. Room 15 Capitol
Agenda: Report from the Health Care Access Commission.

Legislative Commission on Waste Management

Chair: Gene Merriam
6 p.m. Room 10 SOB
Agenda: Report on the effects of environmental contamination on real property by the Pollution Control Agency. LCWM's recommendations to the Legislature on appropriations to the Minnesota Environmental Response and Liability Account (Superfund), Metropolitan Landfill Contingency Action Trust and Metropolitan Landfill Abatement Fund

Friday, February 1

Education Subcommittee on Higher Education

Chair: John Hottinger
8 a.m. Room 15 Capitol

Agenda: Overview by the Higher Education Coordinating Board of their legislative proposals for the year.

Judiciary Committee

Chair: Allan Spear
10 a.m. Room 15 Capitol
Agenda: Peace Officers Standards and Training (POST) Board Report on Peace Officer Education and Training.

Information Office services profiled

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request 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.

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

February 1, 1991

Budget bill passed

On a 36-31 vote the Senate granted final passage to the governor's budget cutting bill during the Mon., Jan. 28, floor session. The measure, sponsored by Sen. Jim Gustafson (IR-Duluth), addresses the \$194 million shortfall for FY 1991.

H.F. 47, as it came to the floor, passed with support from both the DFL and IR leadership.

Sen. Douglas Johnson (DFL-Cook) indicated that while he reluctantly supported the budget cutting measure, he was concerned that local governments were shouldering too much of the burden. Sen. Linda Berglin (DFL-Mpls.) made evident her opposition to cuts to health and human service projects, stating that program cuts and delays will cost the state more in the near future.

Both Majority Leader Roger Moe (DFL-Erskine) and Minority Leader Duane Benson (IR-Lanesboro) voiced their support for the bill. Moe, expressing reservations, said the bill was needed "to form a bench mark" for action as the Legislature embarks on the more serious budget issues for the '92-93 biennium.

Gulf war concerns

The Mon., Jan. 28, meeting of the Veterans and General Legislation Committee centered around local preparations for the possibility of incoming casualties from the war in the Persian Gulf and the effect of activation of service personnel in Minnesota on family members. The committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), heard remarks from newly-appointed Commissioner of Veterans Affairs Bernie Melter. The committee expects to act on the confirmation of Melter in the near future.

Melter gave a general overview of concerns of the Dept. of Veterans Affairs. He said there were a number of contin-

gency plans concerning preparedness for casualties resulting from Operation Desert Storm (ODS). He also addressed the possibility of an emergency fund for families of soldiers involved in ODS. Some families of activated service personnel were identified as having trouble paying housing, utility, medical, transportation, daycare and other costs, because of lost income due to activation, Melter said.

Donn Driver, ODS Coordinator at the Veterans Administration Medical Center in Minneapolis and the local representative of the VA's Office of Emergency Medical Preparedness in Washington, spoke on the contingency plan for receiving casualties in the Twin Cities area. Driver explained that Minneapolis is one of 80 VA primary receiving centers in the United States for ODS. He said casualties could be expected to arrive 36 hours after stabilizing at Army medical facilities in Europe. The U.S. Air Force Reserve hanger at the Mpls.-St. Paul International Airport would serve as a triage center for arriving casualties. Casualties would be separated into four categories based on severity of condition. Driver explained that the Dept. of Defense (DOD) and the VA are preparing for the worst possible scenario to insure the utmost preparedness.

Driver, responding to a question from Bertram, said that if ODS results in massive casualties, some VA patients would be transferred, but most would not be affected. Driver said that nationwide, approximately 9,000 beds would be ready to receive casualties immediately, 18,000 in 48 hours and 25,000 within 30 days. Within the worst case scenario, Driver said, receipt of chemical agent casualties has been considered for the Minnesota region. He said that the VA has experts available for casualties of chemical or biological warfare. Hennepin and Ramsey Medical Centers are

ready to receive overflow and those casualties that the VA Hospital is unable to treat, such as burns, Driver said.

The committee then heard from Sergeant Major Theodore Schultz, Department of Military Affairs, with an overview of problems experienced by Minnesota military personnel and their families resulting from ODS. He explained that 2,000 reservists in Minnesota have been activated and that "family reaction to activation has been extremely emotional." There are 10 Family Assistance Centers throughout the state to serve the families of activated military members, he said. They are involved in providing legal help and general family counseling.

The committee also heard from family members of activated service personnel who testified that many of the physical, medical and financial needs of soldiers and their families were not being met. Bertram said that a center for military information should be established using citizens groups and the Dept. of Military Affairs.

Brief floor session held

Senators met for a short floor session, Thurs., Jan. 31, in order to process bill introductions and refer bills to the appropriate committees.

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.

Committee update

Agriculture and Rural Development

Wetlands hearings

Members of the Ad Hoc Committee on Water continued to hold hearings in Greater Minnesota this week. The panel, cochaired by Sen. Charles Davis (DFL-Princeton) and Sen. Bob Lessard (DFL-Int'l. Falls) travelled to Paynesville and Grand Rapids Tues., Jan. 29, to hear public testimony on the issue of wetlands conservation.

The following day, Wed., Jan. 30, the committee travelled to Moorhead, Minnesota for a public hearing.

The committee will continue to hold hearings in various parts of the state in order to gather as much information as possible on the ramifications of proposed legislation.

Economic Development and Housing

Housing needs profiled

The needs of nonprofit and transitional housing programs were detailed at the Mon., Jan. 28, meeting of the Economic Development and Housing Committee. The panel, chaired by Sen. James Metzen (DFL-South St. Paul), heard about some of the problems and issues involved in providing affordable housing.

Alan Arthur of the Central Housing Trust in Minneapolis introduced two formerly homeless individuals who described the difficulties in finding affordable housing for families and the devastating emotional consequences of homelessness on families.

Sue Phillips, president of the Minnesota Coalition for the Homeless, said that we need to move beyond shelter to transitional and permanent housing. Further, she said that shelters are band-aids for the problem and that the real need is for affordable, permanent housing.

The committee also heard from Chip Halback of the Minnesota Housing Partnership, Joe Errigo of the Westminister Corporation and Kathy Kremer of the Southeastern Minnesota Regional Housing Network.

MHFA profiled

An overview of the Minnesota Housing Finance Agency was the focus of the Thurs., Jan. 31, meeting of the Economic Development and Housing Committee. The panel, chaired by Sen. James Metzen (DFL-South St. Paul), heard Commissioner James Solem describe the mission of the agency and the various programs offered under the agency's auspices.

The role of the agency is to address the unmet housing needs of low and moderate income individuals and families, to make resources available to local units of government, to distribute resources statewide and to raise capital efficiently and manage the portfolio responsibly, Solem said.

The agency operates both homeownership programs and multifamily housing programs, Solem said. Homeownership programs, designed to stem the declining rate of home ownership and to make it possible for low-income families to afford homes, are further broken down into purchase programs and rehabilitation programs, he said.

Solem also said that the multifamily housing programs are designed to address the problems of homelessness, unaffordable rent levels, the shortage of single room occupancy and three or four bedroom units, and the unavailability of financing for either new or rehabilitated units. Thus, the multifamily housing programs are also divided into new construction programs and rehabilitation programs.

Committee members' questions centered on the reuse of abandoned or foreclosed housing stock by the homeless and on the specifics of the various financing programs operated by the agency.

Education Committee

Presentations on outcome-based education

The Senate Education Committee met Mon., Jan. 28, to hear testimony on outcome-based education.

Outcome-based education is a theory which prescribes curriculum content in terms of learner outcomes (what is to be learned) rather than in terms of a course

syllabus (what is to be taught). It also presumes that all students can learn and have success, that success encourages success, and that schools control the conditions of success.

Brian Grenell, superintendent of schools, Pine Island, said that outcome-based education was a matter of changing philosophy, structure and focus. For the past two years, the Pine Island School District has been working to achieve an outcome-based curriculum. Grenell emphasized that the program underway in Pine Island is one that is set up so that "all make it." He said that theirs is a mastery learning-based model which uses reteaching in a different modality and enrichment of understanding for the student.

Testifying on behalf of St. Paul's Saturn School was David Haynes. Haynes noted some instrumental features of the Saturn program, which has as its inspiration the General Motors Saturn car program. Those features include individualized instruction, student-directed learning projects and a fostered atmosphere of lifelong learning.

Judy Jamison from the Minnesota High Success Consortium stated that the consortium is providing a resource for teachers who want to become familiar and adept at administering outcome-based education. George Snyder, Rochester schools, spoke on successes in secondary education, and Margaret Leibfried illustrated the role of the Office of Educational Leadership. Margy Sweeney, Fridley, Joel Phelps, Hopkins, and Becky Tolzman, Mankato, all described successes they have seen in the classroom.

Outcome-based education is also an "opportunity for citizens to become involved in what students need to know when they graduate from high school," said Snyder. He also stated that it is imperative to know that students can function and do what they are taught. He said that students who know their goals are better at achieving the needed levels of mastery.

Finally, students from the Hopkins Eisenhower Elementary School, Becky Scheur and Richard Sherman, shared their experiences in an outcome-based educational setting.

Those testifying indicated that the novelty of the idea of outcome-based education, the change in management operation, re-

sistance to change and the fact that such a transition takes many teacher and student hours were barriers to implementation.

Subcommittee visits center

Members of the Early Childhood/Special Populations Subcommittee of the Committee on Education, chaired by Sen. Judy Traub (DFL-Minnetonka), visited Cavanagh Center in Robbinsdale, Wed., Jan. 30, to witness firsthand the center's programs for children and parents.

Subcommittee members heard reports from parents with children in the Adventure Club, Creative Play and Five Alive Programs.

The subcommittee also visited Dalton Estates, a public housing project. The Robbinsdale School District's Early Childhood Family Education Program is designed to reach out to minority and low-income families with a child care and parenting program. Dalton Estates is also the site of an adult basic educational classroom.

Subcommittee members heard that the greatest problem facing Early Childhood programs in the suburbs is the lack of adequate public transportation, a factor that is especially critical for poor families.

The last stop for the subcommittee was Thorson Family Resource Center, where a new federally-funded program, Even Start, is getting underway. Even Start is an inter-generational literacy program that teaches better reading skills to both parents and children. The Robbinsdale district has also proposed that Thorson function as a suburban site for a Head Start center.

Elections and Ethics

1990 Election Report heard

Due to issues raised during the course of the 1990 gubernatorial election, the Secretary of State's Office compiled a report containing recommendations for possible changes to election procedures for the office of governor and lieutenant governor.

The eight recommendations were presented to the Elections and Ethics

Committee at the Wed., Jan. 30, meeting, chaired by Sen. Jerome Hughes (DFL-Maplewood).

The secretary of state recommends that the Legislature make the following changes: requires voters to designate both a governor and lieutenant governor candidate when casting a write-in vote for those offices; specify that withdrawal after the primary be permitted only within 15 days of the primary; specify that party committees have authority to fill vacancies in nominations and notice requirements may be waived to provide a two-day notice; and eliminate the statute that prohibits a candidate who has sought office at a primary election from being nominated by petition.

Debate among committee members focused upon two recommendations specifying that joint withdrawal by both candidates is required in order to create a vacancy in filing, and that the remaining candidate does not have the right to continue in the absence of the other member.

In addition, the report recommended that there be no change in the law regarding absentee voters receiving supplemental ballots, and that statutes be clarified to permit voting in person prior to the processing of the absentee ballots.

Employment Committee

Workers' comp court

Representatives from the Office of Administrative Hearings (OAH) presented an overview of the Workers' Compensation Division at the Mon., Jan. 28, Employment Committee meeting. A representative from the Workers' Compensation Court of Appeals (WCCA) was also present to give testimony.

Chief Administrative Judge William G. Brown explained the purpose of the OAH and noted the Office's success in expediting workers' compensation cases to under ten months' time. Judge Peggy Brenden described the typical OAH judge's workday and proposed that the committee consider the salary disparity between District Court judges and OAH judges.

Chief Judge Paul V. Rieke of the Workers' Compensation Court of Appeals gave a history and overview of the Court system. He also addressed the Court's concern for additional staff

because of the 28 percent increase in cases seen by the lower Court.

Committee Chair Florian Chmielewski (DLF-Sturgeon Lake) said that the Minnesota workers' compensation system is more costly and cumbersome than that in other states and asked if there was a way to streamline it. Both Brown and Rieke said that the backlog lay in areas other than their own, and Rieke asserted that a soon-to-be-appointed Dept. of Labor and Industry commissioner would look at the system.

Energy and Public Utilities Committee

Minnesota energy plan

The Energy and Public Utilities Committee met Thurs., Jan. 24, to hear state agency representatives' testimony regarding Minnesota's response to a potential energy crisis, which could be triggered by the Gulf war.

Chair Steven Novak (DFL-New Brighton) and committee members heard from Dept. of Public Safety Commissioner Kris Sanda, who also serves on the gubernatorially appointed Minnesota Emergency Preparedness Council. Sanda said the council will work closely with both the House and Senate in considering legislation designed to ameliorate Minnesota's emergency response procedures. Sanda said the council began meeting the week of Jan. 14 to address a variety of concerns including terrorism, civil disorder, gas pricing and the roles of state agencies. The committee was informed that, if oil supplies and prices change dramatically, the department could institute emergency conservation measures, she said.

The committee also heard from Commissioner Darrel Peterson of the Public Utilities Commission. Peterson said that electricity is in adequate supply and would only be threatened by changes in oil supplies and prices.

Jack Nelson, also from the Dept. of Public Safety, discussed the Emergency Preparedness Plan and the Minnesota Emergency Operation Plan, which hold information on how to respond to threats to public safety. He defined one of the department's responsibilities as the direction of various state agencies' responses to individual incidences. John Kerr from the Division of Emergency

Management explained actions which the division could implement if needed.

Carol Raabe, Low Income Fuel Assistance representative, briefed the committee on the energy assistance program for low income people. Office of Pipeline Safety Director Bill Barbeau told the committee that he had organized pipeline safety checks and preventative measures with pipelines companies.

Novak said inquiry into this area will continue in upcoming meetings, one of which will include testimony from an Amoco representative.

Committee hears appointees

The Committee on Energy and Public Utilities met Tues., Jan. 29, to hear from newly-appointed commissioners of the Energy and Public Utilities Commission and the Dept. of Public Service. Members also asked questions of the appointees and discussed the appointment process.

Public Service Commissioner-appointed Kris Sanda said that, among other priorities, she would be an advocate of low- and middle-income populations and energy saving programs. Along those lines, Sanda said she would take a look at energy-saving legislation introduced last session by Sen. Donald Storm (IR-Edina).

Public Utilities Commissioner-appointed Dee Knaak described the organizational and funding structures of the PUC. She also distributed information imparting the PUC mission statement.

Chair Steven Novak (DFL-New Brighton) said the confirmation hearing for the commissioners would take place Thurs, Feb. 7.

Environment and Natural Resources Committee

DNR guidelines

The Environment and Natural Resources Committee met Wed., Jan. 30, to hear a presentation from the Department of Natural Resources (DNR) on guidelines to determine definition of old growth forests in Minnesota. Chair Bob Lessard (DFL-Int'l. Falls) and members also heard project recommendations from the Legislative Commission on Natural Resources (LCMR) and testimony from timber industry representatives.

Rep. Phyllis Kahn (DFL-Mpls.),

LCMR chair, opened the meeting with a background of the LCMR, which is funded by cigarette taxes, oil overcharge funds and the lottery. Director John Velin followed up with an overview of the projects that the LCMR plans to bring before this session's committee. Velin also introduced LCMR public awareness literature and addressed the nature and funding sources of the 97 proposed projects, which include mapping of wetlands and local rivers planning.

DNR Forestry Division Manager Bruce Zumbahlen spoke on the process of setting old growth forests guidelines and the plan for managerial direction once the guidelines are established. He indicated that the guidelines were fair, although they wouldn't please everyone.

Timber representatives testified that the DNR guidelines are too broad and invite further restrictions on additional areas.

Gaming Regulation

Gaming Department overview

The Senate Gaming Regulation Committee met Wed., Jan 30, to hear overviews from the Dept. of Gaming and the department's Gambling Control Division. The committee, chaired by Sen. Charles Berg (DFL-Chokio), took testimony from Gambling Control Division Director Thomas Anzelc on the performance of the division since last year's reforms took effect. Anzelc reported that enforcement and compliance problems the state had experienced in the past have been dramatically reduced. He credited the addition of more personnel as the reason, as well as the capability of the division to open regional offices around the state to assist gambling managers with compliance procedures. Anzelc credited winner disclosure on major pulltab prizes as virtually eliminating real and perceived insider trading.

Anzelc said that the priority of the Gambling Control Division's legislative agenda is to reduce some of the paperwork involved. He suggested that the required annual audit be changed to every two years and made an allowable expense. He also said that the two percent tax on ideal gross for pulltabs was unfair and recommended changing it.

Anzelc also recommended reinstituting last year's defeated video pulltabs test proposal.

The Committee then heard from outgoing Gaming Commissioner Tony Bouza. Bouza repeated Anzelc's request that the video pulltab project be supported. He gave a brief overview of all three divisions of gaming: horseracing, lottery and lawful gambling. Bouza said that horseracing has steadily improved and that the lottery has been running smoothly since its inception. However, lawful gambling, while it has seen significant improvement, still needs attention, he said. In particular, he cited the tax structure and suggested sales tax in place of the ideal gross tax. He also restated the need for simplification of gaming enforcement. Bouza differed with Anzelc in his assessment of the need for an annual audit. He said that "the only thing that will keep organizations honest is the very real fear of an audit."

The other area Bouza specified as needing real attention was in the area of American Indian gaming. He said that while it may not be the government's place to regulate, they must and should enforce rules.

Among Bouza's other recommendations were the phasing out of the gaming commissioner position and establishing a Gaming Board in its place; and the development of a compulsive gambling treatment program.

Governmental Operations

Public pension systems

The Governmental Operations Committee met Tues., Jan. 29, for a presentation on the structure, funding and policy of Minnesota's pension system. The panel is chaired by Sen. Gene Waldorf (DFL-St. Paul).

Senate Counsel George McCormick presented an overview of Minnesota's public retirement plans.

McCormick noted several goals that are likely to be important to the committee this session. He said that the committee usually sees attempts to consolidate public pension plans. While most pension plan participants are members of the Public Employees Retirement Association (PERA), the Teachers Retirement Association (TRA), or the Minnesota State Retirement

ment System (MSRS), there are more than 700 separate retirement funds, he said.

McCormick pointed to a second likely task of the committee. It is to find ways to make pension plans more portable, that is, to allow a worker's benefits and vestment status to follow him or her from job to job. Part of the problem can be solved through consolidation, so that when a worker changes jobs, the chances are that he or she will be employed under the same pension plan, he noted.

Lastly, McCormick noted that the committee has traditionally addressed issues of fairness in benefit formulae. The most pressing matter to be addressed is that of providing comparable benefits for long-term and short-term employees.

Senate Legislative Analyst Maja Weidmann spoke to the committee about the State Board of Investment (SBI), which is responsible for administering and directing the investment of all state funds and pension funds.

Weidmann said that the board operates under a basic principle called the Prudent Person Rule, which stipulates that the board must use criteria that "...persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment..."

Weidmann pointed out that SBI investment policies adhere to statutory guidelines and that investments must be made in relatively low risk ventures. For example, bonds purchased must be of the top four quality rating categories, and funds cannot be used to purchase more than 5 percent of any one company.

Weidmann also informed the committee on social policy restrictions to which SBI adheres in making investment decisions. These policies relate to prohibitions on investment in companies in South Africa and in companies whose primary business is in tobacco or liquor.

Weidmann said that the largest funds managed by SBI are the Basic Retirement Funds and the Post Retirement Investment Fund. SBI must ensure that sufficient funds are available to individuals upon retirement and also must manage the cash balances of over 400 state agency accounts, she added.

Finally, Larry Martin, director, Legislative Commission on Pensions and Retirement, testified on the commission's

role. Bills relating to pensions must go before the commission, which is a panel made up of five members from each house of the Legislature. If approved by the commission, these recommendations then go before the Governmental Operations Committees in each body.

Martin identified the three basic functions of the Commission. They are "to review and recommend proposed pensions legislation to the House and Senate Governmental Operations Committees during the legislative session; to monitor pension plan funding and activities on an ongoing basis; and to fashion legislative proposals implementing sound pension policy during the interim." Martin also spoke of the actuarial reporting functions of the commission in assessing the adequacy of funding for present and future needs of public pension programs.

Health and Human Services

Early childhood and special populations

A joint Health and Human Services Committee and Education Subcommittee on Early Childhood and Special Populations heard testimony from various agencies on issues relating to child care and the Head Start Program at the Thurs., Jan. 24, meeting, chaired by Sen. Judy Traub (DFL-Minnetonka).

Vicki Kunnerth, Child Care Fund administrator for the Dept. of Human Services (DHS), gave an overview of various programs offered through DHS.

She called attention to two new federal grants that will affect Minnesota child care services. One is the JOBS program that will bring \$5.2 million into Minnesota for low income families not on AFDC, and a \$10.4 million Child Care Service Development Grant.

Next on the agenda was an overview of the Child Care Task Force Report on the Coordinated Child Care System by Chris Halvorson from the Commission on Economic Status of Women. Included in the report were recommendations on how to spend \$30 million in new federal dollars, and a recommendation for an increase of state funding by \$7 million for various programs.

Bean Robinson from Wilder Research appeared before the committee to explain the role of The Minnesota Council of

Child Caring Agencies (MCCCA), which is made up of over 20 agencies that provide services to mentally disabled children in residential and nonresidential settings.

Next, as a result of the Community Services Reauthorization Act of 1990, Kay Wilmoth, regional administrator from the Office of Human Development, U.S. Department of Health and Human Services in Chicago, presented proposed changes in federal rules affecting the Head Start Program.

Last year in Minnesota, Wilmoth explained that federal funding for Head Start exceeded \$16 million. Also, due to the expansion effort, Minnesota received \$2.9 million last year plus an additional \$1.4 million, which allowed an additional 1,061 children to have a Head Start experience, bringing the total federally funded enrollment level to over 6,100, she said.

Currently in Minnesota, 39 percent of eligible children are being served in the Head Start Program at a cost of \$23.1 million, said Connie Greer, coordinator of the state's Head Start Programs. Next year, Minnesota will receive a projected \$21.5 million in federal funding, she said.

The funding, under the reauthorization, will include quality improvements, Head Start Transition Grants and Parent and Child Centers (PCCs). The centers provide comprehensive services to low income families with children 0 to 3 years of age. Currently, Minnesota does not have a PCC, however, one may be started to qualify for PCC funds, she said.

Judiciary

MN drug strategy report

The Minnesota Drug Strategy 1991 Report was presented to the Judiciary Committee by Jan Smaby, former director of the Office of Drug Policy, at the Fri., Jan. 25, meeting. The committee is chaired by Sen. Allan Spear (DFL-Mpls.).

The 30-page report outlined Minnesota's drug strategy and goals. Smaby highlighted five priority areas: prevention, education, treatment, changes to the criminal justice system and research and evaluation.

Overall, Smaby believes that strategies already in place are good, but need to be maintained. According to Smaby, recent

surveys have shown that recreational drug use is on the decline, but drug use among the least educated and poor is on the rise.

Smaby said that she would like to see the School Drop Out Law changed so that by 1992, one must be 18 years of age before he or she can drop out of school, since this is the highest at-risk group for alcohol and drug abuse.

Turning to law enforcement, members addressed constituents' fears concerning the lack of arrests of drug pushers and subsequent confiscation of crack houses. Smaby contends that seizure laws definitely need to be reviewed, and added that this is an opportunity for the Legislature to look closely at the current laws and their ramifications.

In addition, Smaby recommended expanding the community policing program, expanding efforts of the Court Case Delay Reduction Program to ensure speedy resolutions of criminal cases and increasing the state subsidy of community corrections initiatives.

Looking at education, Smaby recommended expansion of the Head Start Program, the appropriation of \$1 million of state funds to secure Family Resource Centers in urban areas and the maintenance of funding for the Consolidated Chemical Dependency Treatment Fund.

Lastly, Smaby provided budget figures for implementing the recommended programs at a cost of \$16.54 million in Fiscal Year 1992, and \$21.94 million in Fiscal Year 1993.

Gender Fairness report heard

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), heard the Supreme Court Gender Fairness Implementation Committee Report from Justice Rosalie Wahl at the Mon., Jan. 28, meeting.

The Implementation Committee, said Wahl, analyzed and prioritized each recommendation which resulted in five areas of concentration: legislation, education, data collection and evaluation and administration.

In the area of legislation, Wahl stated that the \$890,000 appropriation by the 1990 Legislature went a long way toward providing greater access for people without the resources to obtain legal aid in Minnesota concerning family law matters.

Not only that, said Wahl, the Legisla-

ture responded by authorizing a pilot program requiring prosecuting authorities to develop Prosecution Plans, specifically in the areas of domestic abuse and child custody cases.

Wahl stated that one of the primary areas they will be targeting is educating judges who deal with domestic violence and abuse, assault, marriage dissolution, custody, gender fairness and sexual harassment cases.

Sen. Ember Reichgott (DFL-New Hope), a member of the Implementation Committee, cited three areas the committee will be focusing upon this year: extending Prosecution Plans to encourage more prosecutions and decrease the number of dismissals, increasing and maintaining legal services funding and determining the feasibility of a computerized database containing information about domestic assault convictions and violations.

In other action, S.F. 7, sponsored by Sen. Gene Waldorf (DFL-St. Paul), was discussed by the committee. The bill amends the misdemeanor provision that prohibits introducing or possessing alcoholic beverages on school grounds or in a school building. The bill allows the possession or consumption of alcohol at a social or fundraising event held at a private school. The committee heard testimony from two individuals from the Catholic and private school communities in support of the bill.

However, members raised doubts about the exclusion of public schools and who would be allowed to hold these functions. Subsequently, Sen. John Marty (DFL-Roseville), proposed an amendment that would allow all post-secondary institutions the opportunity to serve alcohol at social or fundraising events. No actions were taken on either the bill or amendment.

Joint and several liability options

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Wed., Jan. 30, to hear an educational presentation on the joint and several liability issue from two members of the Minnesota Injury Compensation Study Commission.

Joan Morrow, chair of the commission, and a partner from the law firm Rider, Bennett, Egan and Arundel, called attention to two major goals for the civil justice system involving joint and several

liability: compensation for injured individuals, and the accountability of defendants. Joint and several liability deals with cases in which more than one party is liable for causing injury.

Discussion then centered around Minnesota's modified comparative fault system, which is based on a percentage of fault in tort cases other than environmental and products liability. In the latter two areas, the rule of joint and several liability is maintained, resulting in the possibility of one defendant paying the full liability because the other defendant is unable to assume monetary responsibility.

Morrow believes that current statutes could be improved. As the statutes now stand, she said, they can cause unfair results for both defendants and plaintiffs.

Committee members then debated a number of potential joint and several liability options for possible legislation.

Local Government

League of Minnesota Cities overview

The Senate Local Government Committee, chaired by Sen. Betty Adkins (DFL-St. Michael), met Tues., Jan. 29, to hear an overview of the League of Minnesota Cities (LMC) legislative concerns. Donald Slater, executive director, presented the primary proposals of concern to the LMC. Slater said that Minnesota cities will suffer because of the present and proposed cutbacks in aid to local government. He presented testimony that showed that cities in Minnesota have paid out more money than they have taken in. He said that growth in state aid to cities has only amounted to an 18 percent increase since 1984 and is not the cause of the state's current budget problems.

Sen. Florian Chmielewski (DFL-Sturgeon Lake) agreed with Slater but said that cities, and local government in general, will have to make some noise in their individual legislative districts before Legislators will take heed. He said that he agreed with Slater that local governments should not have to pay for the state's larger fiscal problems.

Slater went on to mention some other areas that are of legislative concern to Minnesota Cities. In particular, the League supports legislation restricting

further urban growth outside city boundaries and facilitating the annexation of urban land to cities.

Association of Minnesota

Counties overview

The Association of Minnesota Counties (AMC) gave an overview of their legislative priorities at the Thurs., Jan. 31, meeting of the Local Government Committee, chaired by Sen. Betty Adkins (DFL-St Michael). AMC Executive Director James Mulder outlined some priority issues the AMC has adopted for 1991. Two of these were clarification of county authority over budget decisions and reducing the impact of mandates and rules on county budgets and operations. Mulder explained that while the state is involved in trimming the budget and cutting off funds to counties, it is still mandating the counties to expend funds on a variety of concerns. Consequently, the AMC also recommends enactment of a Mandate Reform Act.

In addition, the AMC supports funding of county block grants for recycling and solid waste management and creation of a dedicated account to fund Select Committee on Recycling and the Environment (SCORE) programs.

Another legislative priority of the AMC is to support wetland protection initiatives that balance the needs of the environment while respecting the needs of local economies in Minnesota.

The AMC stated its support for the reestablishment of a county share of child support recoveries. Mulder explained that there is no incentive for the counties to collect when they cannot expect to receive any compensation. The AMC also recommends the state funding of District Courts and the revision of truth-in-taxation to provide more factual accountability in the tax system.

Metropolitan Affairs

Commission overview

An overview of the Metropolitan Parks and Open Space Commission was the focus of the Tues., Jan. 29, meeting of the Metropolitan Affairs Committee.

The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), heard testimony by Larry Kitto, chairman of the commission. Kitto explained the commis-

sion's authority over regional parks for the Metro Area. He added that the commission does not have jurisdiction over local municipal parks that do not have a regional significance.

Kitto said that the commission is responsible for three types of parks: regional trail systems for hiking, biking and walking; regular parks that have a high recreational use; and park reserves that are made up largely of open spaces.

He pointed to the trends of a growing metropolitan area and an aging population that is causing a greater demand for parks. The result is that state bonding has also dramatically increased to help fund the parks. He explained that the commission is looking at changes in how the state funds and maintains existing parks.

The commission, he said, is requesting three funding considerations by the Legislature this year: an increased appropriation for operations and maintenance grants; appropriations to meet the biennial debt service costs of bonds issued by four agencies; and an appropriation to meet costs incurred by the Suburban Hennepin Regional Park District to conclude the acquisition for the Lake Minnetonka Regional Park.

MTC and RTB overviews

Members from the Metropolitan Affairs Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), listened to two presentations by representatives from the Metropolitan Transit Commission (MTC) and the Regional Transit Board (RTB) at the Thurs., Jan. 31, meeting.

The majority of time was spent in discussion of the MTC's fleet service improvement initiatives, its workforce makeup and forecasted budget.

Officials from the MTC, along with those from the RTB, said that public awareness of environmental concerns, congestion factors on the roadways and the escalating cost of gasoline, provides a great opportunity for the MTC to end the trend of declining ridership.

Based on various key assumptions in forecasting the 1991-93 budgets, MTC Acting Chief of Administration Mike Christenson acknowledges that unless additional funding is appropriated to the RTB, the MTC will most likely have to reduce services or increase revenues. The MTC receives the bulk of their total

operating revenue through the RTB funds and passenger fares. The RTB funds are derived from state funds and property taxes. This year, the MTC will be increasing its passenger fares effective Mar. 1.

The remaining time was spent hearing a presentation by individuals from the RTB on its role and responsibilities to the Metro Area transit system. Some of the RTB's major activities involve developing transit policy, overseeing 46 transit service contracts, administering the Metro Mobility Program, Minnesota Rideshare and Jobseekers Program, adopting light rail transit plans and approving the MTC's budget.

Lastly, officials touched on various RTB accomplishments that have transpired in the past few years: providing new services to local communities, funding transit hubs at four sites in the Metro Area, providing accessible buses to meet the needs of people with disabilities, developing the Guaranteed Ride Home Program for University of Minnesota faculty and staff in cases of emergencies and examining alternative fuel sources.

Taxes and Tax Laws

Fed tax update

The Income, Sales and Economic Development Division of the Taxes and Tax Laws Committee met Tues., Jan. 29, to hear representatives of the Dept. of Revenue describe the impact of conforming with changes in federal law on the Minnesota tax system.

John Haugen, an attorney with the department, explained the changes for both individuals and corporations. Under the new federal provisions itemized deductions, other than deductions for medical expense, investment interest, casualty loss and gambling loss are reduced by three percent of the amount by which federal adjusted gross income exceeds \$100,000 for individuals. According to Haugen, conforming with the limitation will raise revenues by \$34.3 million. Another provision, phasing out personal exemption deductions on the basis of two percent for each \$2,500 by which federal adjusted gross income exceeds specific thresholds, is expected to gain \$48.8 million in revenue if Minnesota conforms with the federal law.

Rental housing taxes

The Taxes and Tax Laws Division on Property Taxes and Local Government Aids met Wed., Jan. 30, to discuss the property tax situation for multi-housing property. The division, chaired by Sen. Ember Reichgott (DFL-New Hope), heard testimony from Jack Horner of the Minnesota Multi-housing Association and from a number of property owners and managers.

According to Horner, rental housing is in an economic crisis. "We feel that we were sorely abused by the federal government because of the 1986 Tax Reform Act, which stripped away all investment incentives," Horner said. In addition, Horner said that multi-housing owners and managers face extremely high operating costs in Minnesota. As a result, Horner said that abandonments, foreclosures, forfeitures and bankruptcies are on the rise, that building values are severely depressed and that many properties have a negative or zero cash flow. In addition, Horner said that there is a climate of heavy and rapidly growing regulation of rental properties in response to many societal problems. All of which make it difficult to maintain and improve properties.

Further testimony highlighted the personal experiences of multi-housing owners and managers. Committee members discussed a number of alternative tax scenarios that would address the difficulties faced by owners and managers of rental properties.

Transportation Committee

Mn/DOT presents overview

The Transportation Committee met Thurs., Jan. 24, to hear a presentation by the Minnesota Dept. of Transportation (Mn/DOT). Mn/DOT representatives gave a slide show and general agency overview that introduced new members to the department's internal operations and informed the committee about future concerns.

Chair Gary DeCramer (DFL-Ghent) and members heard testimony from various Mn/DOT employees, including Commissioner John Riley. Riley said the number one concern facing Mn/DOT was the airport expansion issue because it affected work in all other Minnesota

transportation areas. Riley said the other main issues facing Mn/DOT and the legislature were safety, the aging infrastructure, rural accessibility and urban congestion.

Riley said that this year's budget cuts would not affect any Mn/DOT programs. He explained that the department expects increased federal funds for non-interstate highways and extra monies from some of last year's state programs, the costs of which came under budget. Even so, Riley noted that Minnesotans can expect to pay higher transportation costs than other states. This is due, he said, to the state's geographical location, which not only withstands tremendous climate changes but is located at the end of all supply lines.

Dept. of Public Safety overview

The Transportation Committee was presented with an overview of the Dept. of Public Safety at the Mon., Jan. 28, committee meeting. Chair Gary DeCramer (DFL-Ghent) and members heard Commissioner Ralph Church explain the department's various divisions and their sources of funding.

Church said that the Dimler Amendment repeal would be among the legislative initiatives facing committee members this session. He also said the department is considering a proposal to make violation of the seat belt law a primary violation and a proposal to change rules regarding securement devices on buses. Church said the department and its constituents would combine efforts to provide public safety first, and that anything that hasn't been mandated by the Legislature would be reviewed.

Veterans and General Legislation

Family Assistance overview

The Veterans and General Legislation Committee met Wed., Jan 30, to continue an overview of the VA Family Assistance Program and to hear concerns raised about the activation of Minnesota servicepersons due to the Gulf war. The committee, chaired by Sen. Joe Bertram, Sr., (DFL-Paynesville) heard testimony from Col. Gary LeBlanc from the Minnesota Department of Military Affairs and again from Sergeant Major

Ted Schultz, Family Assistance Coordinator. Both stressed the need for greater communication with the families of activated service members in order to act as a support mechanism. LeBlanc cautioned that the Family Assistance program was not meant to be a panacea for all problems but could provide very real help in the way of legal and financial problems related to activation.

The committee also heard from Dan Dahlien from the U. S. Dept. of Labor Veterans Employment Services who addressed concerns relating to insurance coverage of returning personnel.

The committee then took testimony from family members of Minnesotans serving in the Persian Gulf. Among them was Betty Walters, one of the originators of Support Our Country's Military (SOCM). She reiterated the need for some kind of center where families can bring their concerns and questions. She said that SOCM has already served in that capacity and would be happy to continue doing so. She suggested that perhaps the state or county could somehow join forces with SOCM to streamline the process.

Information Office services profiled

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request 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.

Senate phone numbers

For copies of bills (voice mail)	296-2343
For index and information	296-0504
For committee schedules	296-8088
For TDD	296-0250
For television viewer comment	296-0264

Preview

The Minnesota Senate Week at a Glance

Monday, February 4

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: Presentation by Mary Magnuson, Gambling Division Manager of the Attorney General's Office. Demonstration of a Tri-Wheel by Tom Anzelc, Gambling Control Division Director of the Dept. of Gaming.

Joint Health and Human Services Committee and Education Subcommittee on Early Childhood and Special Populations

Chairs: Linda Berglin and Judy Traub

8 a.m. Room 15 Capitol

Agenda: Presentations on interagency cooperation and coordination by representatives of participating agencies. Interagency Working Groups issues.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 7-Waldorf: Permitting alcohol at fundraisers held on private school grounds. S.F. 17-Lessard: Jury excuse for elderly impaired persons.

Joint Senate and House Veterans and General Legislation Committee

Chair: Joe Bertram, Sr.

10 a.m. Room 112 Capitol

Agenda: Discussion of Veterans Homes issues including the new Silver Bay location and the proposed Luverne location.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 107 Capitol

Agenda: Overview of local housing redevelopment activities.

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

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Room 123 Capitol

Agenda: Report on the Game and Fish Fund by the Management Analysis Division of the Dept. of Administration. Response from the Dept. of Natural Resources. Public response.

Health and Human Services Division on Health Care Access

Chair: Pat Piper

3 p.m. Room 15 Capitol

Agenda: S.F.2-Berglin: Health Care Access bill. The division will hear the author's presentation and then discuss the bill. Public testimony will be heard at a later meeting.

Health and Human Services Subcommittee on Social Services

Chair: Carol Flynn

3 p.m. Room 224 Capitol

Agenda: Report by the Dept. of Human Services on child support.

Tuesday, February 5

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: Continuation of presentations on the effects of the Persian Gulf War at the state and national level on various energy related industries.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: Overview of the Metropolitan Sports Facility Commission (MSFC) by Executive Director Bill Lester.

Legislative Water Commission

Chair: Steven Morse

12 noon Room 15 Capitol

Agenda: Legislative Water Commission (LCW) recommendations to the legislature on funding of wastewater

treatment facilities. Presentations by Pollution Control Agency and Dept. of Trade and Economic Development. Presentation by Board of Water and Soil Resources on Groundwater Act implementation and 1991 legislation proposals. Report on the Environmental Agriculturalist Program, local water plan implementation grants, and well sealing cost share.

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: Overview by Dept. of Commerce Commissioner Bert McKasy.

Legislative Coordinating Commission Subcommittee on Budget and Salary Review

Chair: Roger D. Moe

3 p.m. Room 500 North SOB

Agenda: To be announced.

Taxes and Tax Laws Division on Property Tax and Local Government Aids

Chair: Ember Reichgott

3 p.m. Room 15 Capitol

Agenda: S.F. 60-Reichgott: Dept. of Revenue property tax technical changes bill. Discussion and testimony on Truth in Taxation.

Legislative Coordinating Commission

Chair: Rep. Robert Vanasek

3:30 p.m. Room 500 North SOB

Agenda: To be announced.

Wednesday, February 6

Education Subcommittee on Higher Education

Chair: John Hottinger

8 a.m. Room 15 Capitol

Agenda: Overview of, and proposals by, the University of Minnesota and the State University System for the 1991 Legislative Session.

Environment and Natural Resources Committee

Chair: Bob Lessard

8 a.m. Depart from Capitol

Agenda: Tour of the 3M facility in Hutchinson, Minn.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 106-Finn: Corporate mortgage satisfaction and release; Distribution to testamentary trustees. S.F. 107-Berglin: Hmong marriage solemnization.

Elections and Ethics Committee

Chair: Jerome Hughes

12 noon Room 107 Capitol

Agenda: S.F. 4-Luther: Clarifying the method of withdrawal of candidates for constitutional office.

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: S.F. 6-Waldorf: Medicare supplement insurance plans. S.F. 85-Solon: Residential building automatic garage door reversing equipment. S.F. 90-Spear: Authorizing state banks to acquire eligible savings associations and operate them as detached facilities.

Transportation Committee

Chair: Gary DeCramer

2:30 p.m. Depart from Capitol

Agenda: Tour of the Traffic Management Center in Minneapolis.

Taxes and Tax Laws Division on Income, Sales, and Economic Development

Chair: Lawrence Pogemiller

3 p.m. Room 15 Capitol

Agenda: S.F. XXX-Pogemiller: Dept. of Revenue bill on individual and corporate income tax.

Joint Agriculture/Environment & Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard

8 p.m. Elk's Lodge #2386, Wadena, Minn.

Agenda: Public hearing on wetlands legislation.

Thursday, February 7

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: Confirmation hearings for Dept. of Public Service Commissioner Kris Sanda and Public Utilities Commission member Dee Knaak.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: Continuation of Regional Transit Board overview by Administration Chair Michael Ehrlichmann. Overview of Metropolitan Mosquito Control Commission (MMCC) by Director Robert Sjogren.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 107 Capitol

Agenda: Overview of the Dept. of Trade and Economic Development by Commissioner E. Peter Gillette

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: Presentation by Richard Braun of the University of Minnesota Center for Transportation Studies.

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

Education Subcommittee on Governance and Structures

Chair: Tracy Beckman

3 p.m. Room 112 Capitol

Agenda: Update on combination and cooperation issues.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: Overview of the Dept. of Human Services Family Support Division by John Petraborg. Presentation by the Minnesota HIV/AIDS Consortium. Report by the Office of Drug Policy.

Friday, February 8

Education Committee

Chair: Gregory Dahl

8:30 a.m. Room 15 Capitol

Agenda: Overview of Challenge 2000 by Dept. of Education.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 109-Chmielewski: Marriage license copies and probate fees. S.F. 127-Marty: Prohibiting ex parte judicial release from emergency hold.

Redistricting Committee

Chair: Roger D. Moe

12 noon Room 15 Capitol

Agenda: Presentations on issues related to redistricting including timetable, population shifts in the last decade, preparations made by the Legislative Coordinating Commission's Subcommittee on Redistricting, the role of the courts, and the Legislature's computerized redistricting system.

Joint Senate and House Veterans and General Legislation Committee

Chair: Joe Bertram, Sr.

1 p.m. Room 112 Capitol

Agenda: Discussion of the POW/MIA issue. Resolutions to Congress urging passage of legislation to declassify information regarding MIAs and to continue funding of the U.S. Senate's Foreign Relations Committee's investigation of the matter.

Finance Committee

Chair: Gene Merriam

3 p.m. Room 123 Capitol

Agenda: S.F. 141-Traub: Extension of deadline in new budget shortfall legislation for residential care facility rate agreements. Presentation by Housing Finance Agency Commissioner Jim Solem on the status of revenue bonds.

For further information call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504

Senate Committee Assignments

AGRICULTURE AND RURAL DEVELOPMENT (12)

Chair: Davis Vice chair: Beckman
Office: G-24 Telephone: 296-7405
Meets: T, Th; Room 112; 10-12 noon
Beckman Davis Frederickson, D. R. Renneke
Berg Day Larson Sams
Bertram Frederickson, D. J. Morse Vickerman

COMMERCE (16)

Chair: Solon Vice chair: Pappas
Office: 303 Telephone: 296-4158
Meets: T, W, F; Room 112; 1-3 p. m.
Adkins Cohen Larson Pappas
Belanger Day Luther Samuelson
Berglin Hottinger Mehrkens Solon
Brataas Kroening Metzen Spear

ECONOMIC DEVELOPMENT & HOUSING (12)

Chair: Metzen Vice chair: Johnson, J. B.
Office: 303 Telephone: 296-8864
Meets: M, Th; Room 107; 12-2 p. m.
Beckman Gustafson Kroening Sams
Bernhagen Johnson, J. B. Metzen Storm
Davis Kelly Neuville Traub

EDUCATION (23)

Chair: Dahl Vice chair: Traub
Office: 235 Telephone: 296-4185
Meets: M, W, F; Room 15; 8-10 a. m.
Beckman Hottinger Mehrkens Pogemiller
Benson, J. Hughes Mondale Ranum
Dahl Johnston Morse Reichgott
DeCramer Knaak Neuville Stumpf
Dicklich Langseth Olson Traub
Frederickson, D. J. Larson Pappas

EDUCATION FUNDING DIVISION (14)

Chair: Dicklich
Office: 235 Telephone: 296-8018
Meets: M, Th; Room 107; 3-6 p. m.
Dahl Hughes Mehrkens Reichgott
DeCramer Knaak Olson Stumpf
Dicklich Langseth Pappas
Frederickson, D. J. Larson Pogemiller

ELECTIONS AND ETHICS (13)

Chair: Hughes Vice chair: Luther
Office: 328 Telephone: 296-8866
Meets: W; Room 107; 12 Noon - 1 p. m.
Cohen Johnson, D. E. Luther Moe Samuelson
Halberg Johnson, D. J. Marty Piper
Hughes Laidig McGowan Pogemiller

EMPLOYMENT (10)

Chair: Chmielewski Vice chair: Mondale
Office: 325 Telephone: 296-8865
Meets: M, W; Room 107; 10-12 noon
Adkins Chmielewski Gustafson Kroening Piper
Brataas Frank Halberg Mondale Solon

ENERGY AND PUBLIC UTILITIES (12)

Chair: Novak Vice chair: Finn
Office: 321 Telephone: 296-1767
Meets: T, Th; Room 107; 10-12 noon
Benson, J. Gustafson Novak Reichgott
Dicklich Johnson, D. J. Olson Storm
Finn Marty Piper Waldorf

ENVIRONMENT AND NATURAL RESOURCES (19)

Chair: Lessard Vice chair: Price
Office: 111 Telephone: 296-1113
Meets: T, W, F; Room 107; 1-3 p. m.
Benson, J. Frederickson, D. R. Merriam Pariseau
Berg Johnson, J. B. Mondale Price
Bernhagen Laidig Morse Riveness
Dahl Lessard Novak Stumpf
Finn Marty Olson

FINANCE (30)

Chair: Merriam Vice chair: Vickerman
Office: 122 Telephone: 296-4157
Meets: T, W, F; Room 123; 3-6 p. m.
Beckman Frederickson, D. R. McGowan Solon
Berg Johnson, D. E. Mehrkens Spear
Brataas Kroening Merriam Storm
Cohen Laidig Metzen Stumpf
Dahl Langseth Morse Vickerman
Davis Larson Piper Waldorf
DeCramer Lessard Renneke
Dicklich Luther Samuelson

GAMING REGULATION (10)

Chair: Berg Vice chair: Bertram
Office: 328 Telephone: 296-5539
Meets: M, W; Room 107; 8-10 a. m.
Berg Dicklich Johnson, D. E. Metzen
Bertram Frederickson, D. R. McGowan Price Samuelson

GOVERNMENTAL OPERATIONS (12)

Chair: Waldorf Vice chair: Ranum
Office: 317 Telephone: 296-4175
Meets: T, Th; Room 15; 8-10 a. m.
Belanger Frederickson, D. R. Pariseau Renneke
DeCramer Hughes Pogemiller Riveness
Frederickson, D. J. Morse Ranum Waldorf

HEALTH AND HUMAN SERVICES (17)

Chair: Berglin Vice chair: Sams
Office: G-9 Telephone: 296-4151
Meets: M, Th; Room 15; 3-6 p. m.
Adkins Day Hottinger Solon Waldorf
Benson, D. Finn Johnson, J. B. Storm
Berglin Flynn Piper Traub
Brataas Halberg Sams Vickerman

JUDICIARY (17)

Chair: Spear Vice chair: Kelly
Office: G-27 Telephones: 296-4191
Meets: M, W, F; Room 15; 10-12 noon
Belanger Kelly Marty Pogemiller Stumpf
Berglin Knaak McGowan Ranum
Cohen Laidig Merriam Reichgott
Finn Luther Neuville Spear

LOCAL GOVERNMENT (9)

Chair: Adkins Vice chair: Hottinger
Office: G-29 Telephone: 296-4150
Meets: T, Th; Room 107; 8-10 a. m.
Adkins Chmielewski Day Lessard Traub
Bernhagen Davis Hottinger Neuville

METROPOLITAN AFFAIRS (13)

Chair: Frank Vice chair: Flynn
Office: 226 Telephone: 297-8070
Meets: T, Th; Room 15; 10-12 noon
Cohen Johnston Laidig Pappas
Flynn Kelly Langseth Pariseau
Frank Knaak Mondale Price Ranum

REDISTRICTING (10)

Chair: Moe Vice chair: Luther
Office: 208 Telephone: 296-4196
Meets: On Call
Benson, D. DeCramer Knaak Moe Reichgott
Cohen Johnson, D. J. Luther Pogemiller Storm

RULES AND ADMINISTRATION (29)

Chair: Moe Vice chair: Luther
Office: 208 Telephone: 296-4196
Meets: On Call
Adkins Bertram Frank Lessard Renneke
Belanger Brataas Hughes Luther Solon
Benson, D. Chmielewski Johnson, D. E. Merriam Spear
Berg Dahl Johnson, D. J. Metzen Storm
Berglin Davis Knaak Moe Waldorf
Bernhagen DeCramer Laidig Novak

TAXES AND TAX LAWS (22)

Chair: Johnson, D. J. Vice chair: Frederickson, D. J.
Office: 205 Telephone: 296-4839
Meets: T, W, F; Room 15; 3-6 p. m.
Belanger Chmielewski Halberg Novak Reichgott
Benson, D. Flynn Hughes Olson Riveness
Berglin Frank Johnson, D. J. Pariseau
Bernhagen Frederickson, D. J. Kelly Pogemiller
Bertram Gustafson Marty Price

TRANSPORTATION (14)

Chair: DeCramer Vice chair: Riveness
Office: 309 Telephone: 296-4186
Meets: M, Th; Room 112; 12-2 p. m.
Benson, J. Flynn Langseth Olson Vickerman
Chmielewski Johnson, D. E. Mehrkens Pappas
DeCramer Johnston Novak Riveness

VETERANS AND GENERAL LEGISLATION (11)

Chair: Bertram Vice chair: Johnson, J. B.
Office: 323 Telephone: 296-1771
Meets: M, W; Room 112; 10-12 noon
Bertram Johnson, D. E. Johnston Pariseau Sams Vickerman
Dahl Johnson, J. B. Lessard Renneke Samuelson

Minnesota Senate

Senate Members --- 1991 Session

Party	Phone	Name	Room	Dist.	Party	Phone	Name	Room	Dist.
DFL	296-5981	Adkins, Betty	G-29	Cap. 22	DFL	3205	Langseth, Keith	G-24	Cap. 9
DFL	5713	Beckman, Tracy	G-24	Cap. 29	IR	5655	Larson, Cal	145	SOB 10
IR	5975	Belanger, William V., Jr.	107	SOB 41	DFL	4136	Lessard, Bob	111	Cap. 3
IR	3903	Benson, Duane D.	147	SOB 32	DFL	8869	Luther, William P.	205	Cap. 47
IR	6455	Benson, Joanne E.	153	SOB 17	DFL	5645	Marty, John	G-9	Cap. 63
DFL	5094	Berg, Charles A.	328	Cap. 11	IR	2159	McGowan, Patrick D.	129	SOB 48
DFL	4261	Berglin, Linda	G-9	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 P.	303	Cap. 39
IR	4848	Brataas, Nancy	139	SOB 33	DFL	2577	Moe, Roger D.	208	Cap. 2
DFL	4182	Chmielewski, Florian	325	Cap. 14	DFL	7-8065	Mondale, Ted	325	Cap. 44
DFL	5931	Cohen, Richard J.	G-27	Cap. 64	DFL	5649	Morse, Steven	G-24	Cap. 34
DFL	5003	Dahl, Gregory L.	235	Cap. 50	IR	1279	Neuville, Tom	135	SOB 25
DFL	2302	Davis, Charles R.	G-24	Cap. 18	DFL	4334	Novak, Steven G.	322	Cap. 52
IR	9457	Day, Dick	105	SOB 30	IR	1282	Olson, Gen	125	SOB 43
DFL	6820	DeCramer, Gary M.	309	Cap. 27	DFL	1802	Pappas, Sandra L.	G-24	Cap. 65
DFL	2859	Dicklich, Ronald R.	235	Cap. 5	IR	5252	Pariseau, Pat	109	SOB 37
DFL	6128	Finn, Harold R. "Skip"	321	Cap. 4	DFL	9248	Piper, Pat	G-9	Cap. 31
DFL	4274	Flynn, Carol	227	Cap. 61	DFL	7809	Pogemiller, Lawrence J.	306	Cap. 58
DFL	2877	Frank, Don	225	Cap. 51	DFL	7-8060	Price, Leonard R.	111	Cap. 56
DFL	5640	Frederickson, David J.	306	Cap. 20	DFL	7-8061	Ranum, Jane	317	Cap. 62
IR	8138	Frederickson, Dennis R.	143	SOB 23	DFL	2889	Reichgott, Ember D.	301	Cap. 46
IR	4314	Gustafson, Jim	115	SOB 8	IR	4125	Renneke, Earl W.	117	SOB 35
IR	4120	Halberg, Chuck	133	SOB 38	DFL	7-8062	Riveness, Phil	309	Cap. 40
DFL	6153	Hottinger, John C.	G-29	Cap. 24	DFL	7-8063	Sams, Dallas C.	G-9	Cap. 12
DFL	4183	Hughes, Jerome M.	328	Cap. 54	DFL	4875	Samuelson, Don	124	Cap. 13
IR	3826	Johnson, Dean E.	131	SOB 15	DFL	4188	Solon, Sam G.	303	Cap. 7
DFL	8881	Johnson, Douglas J.	205	Cap. 6	DFL	4191	Spear, Allan H.	G-27	Cap. 59
DFL	5419	Johnson, Janet B.	303	Cap. 19	IR	6238	Storm, Donald A.	119	SOB 42
IR	4123	Johnston, Terry	151	SOB 36	DFL	8660	Stumpf, LeRoy A.	G-24	Cap. 1
DFL	5285	Kelly, Randy C.	G-27	Cap. 67	DFL	7-8064	Traub, Judy	235	Cap. 45
IR	1253	Knaak, Fritz	149	SOB 53	DFL	5650	Vickerman, Jim	122	Cap. 28
DFL	4302	Kroening, Carl W.	124	Cap. 57	DFL	3809	Waldorf, Gene	317	Cap. 66
IR	4351	Laidig, Gary W.	141	SOB 55					

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

February 8, 1991

Committee deadlines set

Leadership in both the Senate and House of Representatives have agreed upon the committee deadlines for the 1991 Legislative Session. The first deadline, Fri., Apr. 12, requires that bills originating in the Senate must have been acted upon by Senate policy committees by that date. Also, bills originating in the House must be acted upon by House policy committees by Apr. 12. The second deadline is Wed., Apr. 24, and means that bills and companions must pass all policy committees in both bodies by that date. After the second deadline, policy committees will generally not meet except to hear non-bill related matters. Policy committees are all committees except for the Rules and Administration Committee, the Finance Committee and the Taxes and Tax Laws Committee.

Further, there will be a short Easter/Passover break from Mar. 28 to Apr. 2. There will be no committee meetings or floor sessions from Mar. 28 - Apr. 1.

There will be a Joint Convention of the Legislature at 12 Noon, Wed., Feb. 20, for the presentation of the governor's budget message.

Floor Session

The Senate met briefly Mon., Feb. 4, to process bill introductions and refer bills to appropriate committees.

Election procedures discussed

In an attempt to respond to issues raised in the 1990 gubernatorial election, S.F. 4, authored by Sen. William Luther (DFL-Brooklyn Park), was discussed by members of the Elections and Ethics Committee. The bill clarifies election procedures. The committee met Wed., Feb. 6, and is chaired by Sen. Jerome Hughes (DFL-Maplewood).

As amended, the bill allows a candi-

date the right to withdraw from the general election 15 days after the primary, gives political parties the authority to select a new candidate following a withdrawal or death, provides deadlines for filling vacancies in nominations, allows gubernatorial candidates the authority to select his or her running mate in the event of a vacancy and clarifies that if the candidate for governor withdraws, the name of lieutenant governor is also removed.

Sen. Lawrence Pogemiller (DFL-Mpls.) objected to a section of the bill that requires both names being written on the ballot for candidate teams. He said that this makes it more difficult and confusing for the average voter. No action was taken on the bill in order to further refine various provisions.

Troop support resolution gains

The highlight of the Thurs., Feb. 7, floor session was the passage of a resolution expressing support for the armed forces serving in the Middle East. The measure, H.F. 14, authored by Sen. Sandy Pappas (DFL-St. Paul), expresses support for the president and our armed forces in the conflict with Iraq; urges support for military families in the United States; and calls upon the governor to declare a day of prayer for peace. The measure was amended to include language supporting the president in negotiating a peaceful settlement to the conflict.

Sen. Dean Johnson (IR-Willmar) spoke in favor of the measure and said that the resolution has significance in demonstrating that the Senate has taken the time to think about the 500,000 troops serving overseas and sending a message of support. "Even as our troops are moving toward the Kuwaiti border we all hope that peace will come to the Mideast Region," Johnson said.

Pappas concluded by thanking mem-

bers of the Senate for their support in crafting the resolution and said "we can all agree that we want to express our support for the troops and our desire to bring them safely home." The resolution gained final passage on a unanimous vote.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6 the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6 the Metro Cable Network.

Also, watch for Senate Report, a weekly public affairs program, featuring lawmakers from specific regions around the state reviewing legislative issues from a regional perspective. Senate Report is broadcast on PBS stations as well as Channel 6 the Metro Cable Network. Check local listings for date and time.

Information Office services profiled

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request 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.

Committee update

Agriculture and Rural Development

Greater Minnesota hearings

Members of the Joint Agriculture-Environment and Natural Resources Ad Hoc Committee on Water continued to hold hearings in Greater Minnesota in order to gather public testimony on proposed wetlands legislation. The committee, cochaired by Sen. Charles Davis (DFL-Princeton) and Sen. Bob Lessard (DFL-Int'l. Falls) travelled to Wadena, Minnesota, for a hearing Wed., Feb. 6.

Commerce

Dept. of Commerce overview

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), met for the first time this session Tues., Feb. 5. The hearing was held in order to acquaint new committee members with the organizational structure and responsibilities of the Minnesota Dept. of Commerce. Bert McKasy, the newly appointed commissioner, briefly reviewed the major operating divisions of the agency: enforcement and licensing; financial examinations; and registration and analysis.

In addition, Jim Miller, deputy commissioner, presented a summary of the Report of the Minnesota Insurance Solvency Task Force. The task force was created to undertake a comprehensive review of existing laws relating to insurance company solvency and to identify changes or additions to those laws that would diminish future insolvencies. Miller detailed the background of the task force organization and the subject matter the task force investigated in order to arrive at a series of recommendations.

Banking bill okayed

A bill providing an exception to the "home office protection" law was approved Wed., Feb. 6, by members of the Commerce Committee. The bill, S.F. 90, authored by Sen. Allan Spear (DFL-Mpls.), addresses a problem that arose in Waseca with the Norwest acquisition of First Minnesota Savings Bank. Under current law, the former First Minnesota Savings Bank in Waseca would not be

able to continue to operate as a detached Norwest facility without the approval of the other banking institutions in town. Spear said that S.F. 90 would allow Norwest to operate the facility without approval of the other banks. He said that the home office protection clause was intended to prevent too much competition in towns that could not support additional banks but that S.F. 90 is an attempt to allow an existing financial institution to continue operating.

Opposition to the bill, headed by Jerry Schoenfield of the Independent Bankers Association, centered on the argument that the bill opened the door to attacks on the home office protection clause because other financial institutions could be in a similar situation.

Spear countered that the Waseca situation was unique and that although there is a situation in Cambridge that somewhat resembles the case addressed by the bill, a lawsuit is currently underway. The measure was approved and sent on to the full Senate.

In other action, the committee, chaired by Sen. Sam Solon (DFL-Duluth), advanced two additional bills. S.F. 6, sponsored by Sen. Gene Waldorf (DFL-St. Paul), clarifies that Medicare supplement insurance policies be sold to persons under 65. The bill was recommended for placement on the Consent Calendar. S.F. 85, authored by Solon, clarifies the law regulating automatic garage door opening systems. The measure specifies that garage door service persons are to conduct tests to determine whether the system complies with the automatic reversing requirement in the law and requires the service person to attach a warning label on systems that do not pass the test. In addition, the bill requires notification to the occupant of the residence that the system didn't comply with the automatic reversing requirement. The measure was approved and sent to the full Senate.

Economic Development and Housing

NAHRO briefing

The Economic Development and Housing Committee, chaired by Sen. James Metzen (DFL-South St. Paul), met

Mon., Feb. 4, to hear members of the Minnesota Chapter of the National Association of Housing and Redevelopment Officials (NAHRO) outline a wide range of programs.

Branna K. Lindell, executive director, South St. Paul Housing and Redevelopment Authority, introduced the individual speakers and provided an overview. Other speakers outlined housing development programs including production, rehabilitation, and multifamily rental financing; the major responsibilities of HRAs public housing and Section 8 Programs for the elderly and families; and redevelopment and neighborhood preservation programs in small communities, in the central cities and in the first ring suburbs.

The hearing ended with a presentation of NAHRO's 1991 legislative program. A key element of the NAHRO legislative agenda is the establishment of a housing endowment fund that would provide a constant revenue source to aid in the efforts to provide safe affordable housing.

DTED overview

The Thurs., Feb. 7, meeting of the Economic Development and Housing Committee was devoted to an overview of the Department of Economic Development presented by Commissioner-designate E. Peter Gillette. Gillette outlined the department's organizational structure and explained the mission of each division.

Gillette told the committee, chaired by Sen. James Metzen (DFL-South St. Paul), that "the ultimate bottom line is job creation." Although the four main divisions of the department may seem disparate, it is the goal of job creation that is the common thread connecting each of the divisions.

The main divisions, business development and analysis, community development, the Office of Tourism and the Minnesota Trade Office are supplemented by an administrative division that provides personnel, communications and fiscal services for the department.

Gillette concluded his presentation by saying that "focus, quality and getting more for less will be the watchwords of the department" during his tenure.

Education

HECB overview

The Higher Education Subcommittee of the Education Committee, chaired by Sen. John Hottinger (DFL-Mankato), met for the first time, Fri., Feb. 1, to hear an overview by the Higher Education Coordinating Board (HECB) of their legislative proposals for the year.

Testifying for the HECB were Dr. David Powers, executive director, and Joseph P. Graba, deputy executive director.

According to Powers, the main policy issues to be addressed by HECB are in the areas of quality, access, funding, mission and structure, and proactive strategic planning.

Powers pointed to the various quality initiatives in each of Minnesota's four systems of higher education, in which the HECB has played an advisory role. The Student Success Initiative is a program of the state's Community College system which uses preliminary student assessment and tracking through their program to promote success. The University of Minnesota is continuing its program of Access to Excellence, and the State University system has released *Quality on the Line: Q7 Report*, which emphasizes outcomes that educators would like to see in the people they educate. Meanwhile, the Technical Colleges are working to develop their curriculum so that credits earned at their institutions are transferable to other institutions.

Graba spoke on the issues of mission and structure. He said that the higher education systems need to become more consumer oriented, especially with regard to the dissemination of information related to educational opportunities and their role of advising students on program choice.

Graba also addressed the issue of funding. The level of funding is a matter of policy decided by the Legislature, said Graba, but it is the role of the HECB to advise the Legislature.

Powers told the subcommittee that while the HECB has always provided advice, it also needs to be involved in proactive strategic planning. The HECB needs to tell the Legislature what is happening in Minnesota higher educa-

tion and provide a basis for informed decisions.

Finally, in the area of funding, Graba outlined several issues for the subcommittee. In the '80s, Minnesota went to almost universal higher education enrollment, said Graba. He points to the increased enrollment and Minnesota's traditional commitment to higher education as realities that provide a challenge to funding in this period of fiscal constraint.

Graba identified two areas that are critical for the upcoming biennium. First is in the area of grants, he said. It is anticipated that Pell Grants from the federal government will be short by \$10 million to meet coming needs, according to Graba. The second area, Graba said, is the living and miscellaneous expense allowance (LME), which is intended to reflect a student's out-of-pocket expenses during the period of attendance. The LME is a factor in determining the amount of financial assistance a student will receive, and needs to be adjusted upward to more accurately reflect a student's actual expenses, he said.

Graba also said that \$2 million is spent on child care for non-AFDC students, but to meet the current need, twice that amount could be spent, thus providing more access to students.

State U and U of M

The Higher Education Division of the Committee on Education, chaired by Sen. John Hottinger (DFL-Mankato), heard presentations from State University System Chancellor Robert L. Carothers, and U of M President Nils Hasselmo, Wed. Feb. 6. Each provided an overview of their respective system of higher education.

Carothers characterized the challenge of the State University System as one of meeting the goal of quality education. Carothers points to the Blue Ribbon Commission on Access and Quality in the Minnesota State University System as the body that defined issues surrounding this challenge, and made recommendations on how to respond to the challenge.

An important feature of the analysis, said Carothers, was to establish fundamental principles to which all in the

University System need to understand and adhere. He said that those in the system should believe that quality demands commitment and involvement in the effort from those at the top of the university system; that there must be inclusive participation by all employees of the system; that all must remember that achieving quality demands sensitivity to the customer; that the concept of continuous improvement of all aspects of the system needs to be a part of the working definition of quality; and that continual upgrading of the knowledge, skills and abilities of the educational service providers are prerequisites to achieving high quality education in Minnesota.

Carothers also said that it was necessary for the system to identify what a student graduating from the universities be able to do and know.

To meet this and other ongoing challenges of the system, Carothers said, "We have to begin to conceptualize what we do and how we spend money differently in higher education." He said that resources have not kept up with System growth, and as a result, the quality of services has declined, equipment is out of date, sufficient classes cannot be offered, and faculty compensation has dropped.

Carothers said that there are four ways to conceptually accomplish the need to meet the costs of growth. He said that the state's appropriation to the system could be increased, tuition could be increased, enrollment could be decreased, or reallocation of resources could be implemented. He said that none of these measure taken alone is feasible, and that he expects that a combination of all four would be used.

Hasselmo highlighted three topics in his presentation to the Division: the mission of the U of M as a land grant institution, the configuration of university activities, and the university reallocation plan.

Hasselmo stated the land grant mission is to teach, conduct research, and provide public service. Besides the teaching and research functions of the institution, he emphasized the public service aspect of the mission.

Hasselmo also emphasized what he called core functions— activities unique

Committee update

to or prominent at the University. He said that the University plays a major role through the medical school, the veterinary medicine school, in providing faculty for other institutions of higher education through their graduate programs, and with undergraduate initiatives.

Hasselmo added that the university is continuing to defining its responsibility in the undergraduate area.

Hasselmo described the configuration of activities at the university in terms of the relationship between the elements of the mission, and that an integration between research and teaching is something the University uses to meet its educational goals. The university needs to maintain a relationship between activities whereby all elements of the mission are served, said Hasselmo.

Hasselmo said that the U of M Extension Service is one means by which the University realizes the mission goal of public service. He said that programs in waste management, economic development, child nutrition, and water grants serve the public. Not only is the public service significant, but the extension program is a model for other universities around the country.

The reallocation and restructuring plan, said Hasselmo, is a comprehensive planning process involving faculty, staff, students, and constituent groups around the state. He said that given the current funding climate and the University mission, it is necessary to see what profile is appropriate and in step with the demands of the '90s.

Energy and Public Utilities Committee

Private sector energy outlook

Chair Steven Novak (DFL-New Brighton) and members of the Energy and Public Utilities Committee met Thurs., Jan. 31, to hear private sector energy and utility representatives identify the Gulf war's effect on Minnesota's energy plan. A Dept. of Public Service representative also offered a perspective.

Darrel Bunge, Executive Director of the Minnesota Petroleum Council, updated the committee on the status of oil supplies in Minnesota and indicated

the consumption trends resulting from the Gulf war. He said refineries and pipeline companies have met with members of the Minnesota Energy Preparedness Council to take extra measures to increase security. Bunge also explained the various factors, such as trading on the futures market and transportation costs, contributing to the international oil pricing system which in turn affects prices in Minnesota. Additionally, he told the committee that "there are steps we can take to minimize our reliance on Gulf states' oil." These steps include investing now in alternative energy sources and investigating oil exploration in Alaska and along the California Coast.

Dept. of Public Service Representative Greg Holman continued to address the topic of pricing and demand as it affects Minnesota. He also pointed out the geographical areas from which Minnesota gets oil and the pattern of state consumption. He mentioned the need to investigate new energy sources, especially when considering low income people, whose home heating costs are rising by as much as 40 percent.

Stuart Vaun, Minnegasco, briefed members on the outlook for natural gas in Minnesota and said that the Gulf war would not have much effect on natural gas supply and demand. A Northern States Power representative concurred with that conclusion.

Private sector views continue

Testimony from private sector energy and utility representatives continued at the Tues., Feb. 5, Energy and Public Utilities Committee meeting. The representatives spoke on energy supply and demand as they relate to Minnesota's response to the Gulf war.

Vice President Terry Weaver, Amoco Oil West Zone, described Amoco's operations and its markets. He said that the market sustained volatile pricing swings at the beginning of the Gulf war, but that an increase in Saudi oil production caused prices to drop and level off. He also said that although Amoco profits reported a fourth quarter increase, it was not significant in comparison to last year's fourth quarter, which was at a ten-year low.

Buzz Anderson, representing Koch Refineries, described the function and

operation of a refinery and detailed Koch's role in Minnesota's oil industry.

Chair Steven Novak (DFL-New Brighton) and committee members received information from People's Natural Gas representatives on the company and its markets. Peoples' representatives named pipeline capacity and weather temperatures as factors affecting the company's ability to supply natural gas to Minnesotans. They affirmed Minnegasco's view that the Gulf war would not affect natural gas pricing or supply.

Environment and Natural Resources Committee

Committee visits facility

The Environment and Natural Resources Committee toured the 3M facility in Hutchinson, Minn., Wed., Feb. 6. Committee members visited the facility to look at toxic pollution prevention equipment which was installed in response to the 1990 Toxic Pollution Prevention Equipment Act. The law was authored by Committee Chair Bob Lessard (DFL-Int'l. Falls).

Finance

Legislative auditor report

The Environment and Natural Resources Division of the Finance Committee met Fri., Feb. 1, to hear the legislative auditor's report on the Pollution Control Agency (PCA). Chair Steven Morse (DFL-Dakota) and members listened to PCA representatives respond to the report.

Deputy Legislative Auditor Roger Brooks related that the report is the result of a House of Representatives resolution requesting the auditor to evaluate the overall performance of the PCA. He indicated that the resolution, passed last year, was prompted by legislators' and the public's feelings on the PCA.

Project Manager Tom Walstrom identified the PCA divisions that were assessed and the guidelines used to assess them. He said the report concludes that the PCA's monitoring and enforcement efforts have not been sufficient to ensure

ongoing compliance with pollution regulations. The report's primary recommendation called for the Legislature to grant the PCA broader authority to issue administrative penalty orders. Other recommendations included the improvement of management information systems, strengthening of regional offices and development of clearer enforcement policies.

PCA Acting Commissioner Bonnie Sims said that the agency agrees with the auditor's report and would use it as a blueprint for future improvements. Sims explained that, although some PCA programs have been national frontrunners, and many new programs have been developed, management has not devoted enough time to core systems. She added that the agency is working with the attorney general's office on legislation to provide new tools to enforce relevant statutes.

Representatives from the Sierra Club and Clean Water Action said they support most the report's findings.

Game and Fish Fund report

The Environment and Natural Resources Division of the Finance Committee met Mon., Feb. 4, to hear the Minnesota Dept. of Administration's 1988 analysis of the Dept. of Natural Resources (DNR) Game and Fish Fund. Committee members heard representatives from the DNR respond to the report.

Chair Steven Morse (DFL-Dakota) said the report is an initial look at problems in the Game and Fish Fund, which will be the subject of an auditor's report for committee review later this session.

Terry Bock, Dept. of Administration, outlined the fund's expenditures and revenue sources as of Fiscal Year 1988. He also indicated some policy options for the fund which he said could be insolvent by 1992. Some of the factors threatening the fund are new clientele, new responsibilities and an increasing amount of wildlife habitat being converted to residential and crop areas. The report's main recommendation called for the DNR to examine ways of expanding the Fish and Wildlife Division revenue base, particularly with regard to the beneficiaries and constituencies of fish and wildlife programs.

DNR Assistant Commissioner Gene Gere provided a summary of changes in revenue and expenditures since the 1988 report. He said that, although nothing of great significance had happened since the report came out, some changes have altered the Fund. Some of these changes include an increase in administrative service appropriations and a decrease in enforcement appropriations.

He said the DNR is looking at options and anticipates the legislative auditor's findings.

Two representatives from fish and wildlife interest groups came forward to object to any further cuts in the fund. Each suggested revenue possibilities such as asking the state to match funds and examining the senior citizen rebate procedure.

Correction: The Jan. 25 edition of Briefly stated that the LCMR was prepared to transfer \$1 million, accrued from the lottery, to the General Fund in order to meet the governor's budget cuts. This is an error. Lottery proceeds are dedicated by constitutional amendment and cannot be transferred to the General Fund. The \$1 million was from the Future Resources Fund which in turn comes from the cigarette tax.

Bill advances, agency presentation

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), heard S.F. 141, Wed. Feb. 6. The bill, authored by Sen. Judy Traub (DFL-Minnetonka), would delay the effective date of the moratorium on new negotiated rate facility agreements.

Traub said the bill would allow for the completion and opening of Union City Mission in Plymouth, which is to serve homeless, chemically dependent men and women. She said that the facility was three to four weeks from completion when the recent budget cutting measure mandated the delay in getting such projects underway.

Traub also indicated that \$232,000 of public monies have been invested in the project and that without a change in the moratorium date the funds would have to be returned and the project's implementation delayed.

Pat Murphy, executive director of Union City Mission, testified that the program needs to be opened in order to

provide a service that is not provided elsewhere.

The bill was approved by the committee and sent to the floor.

The committee also heard a presentation from Jim Solem, commissioner at the Housing Finance Agency. Solem informed the committee that the agency oversees \$1.8 billion in bonds sold for the purpose of providing long-term, fixed rate financing for affordable housing.

Solem highlighted the issues of how the agency has addressed the risk of not being able to meet the bond obligation and how the agency views its ability to meet this obligation.

Solem said that the Legislature has imposed upon itself a "moral obligation" to make up the difference between the money the Agency has and what it owes investors. If and when the Agency cannot meet debt repayments for the upcoming year, the Agency must notify the governor, who must notify the Legislature, and, then, the Legislature may determine actions to be taken to meet the obligation, said Solem.

Solem said that in a worst-case scenario of economic depression, the agency would be able to meet its obligation. The Agency is in a good position to meet its charge to make home loans for affordable housing, meet its "moral obligation" to bond holders, and continue to maintain its "top-tier status among bond rating organizations as it manages financial risk in a careful and appropriate way, said Solem.

Gaming Regulation

Tri-wheel demonstrated

Members of the Gaming Regulation Committee, chaired by Sen. Charles Berg (DFL-Chokio), had the opportunity to see the operation of a controversial version of a paddlewheel device at the Mon., Feb. 4, hearing.

Tom Anzelc, director of the gambling control division, demonstrated the configuration and operation of a Tri-wheel, a device resembling a paddlewheel but with the added feature of a betting table. According to Anzelc, paddlewheels are one of five legal forms of gaming in Minnesota. However, a dispute has arisen over whether the Tri-wheel is a paddlewheel device or, because of the addition of the table, whether the

Committee update

game falls under the category of a casino game, Anzelc said. Currently, there are about 65 Tri-wheels in use in Minnesota and which accounts for 75 to 85 percent of the revenues derived from paddlewheel games. Anzelc said that the board is currently reviewing the status of the devices.

The panel also heard an update on Indian Gambling operations and the status of compact negotiations between the state and the various Indian tribes from Mary Magnuson, manager of the Gambling Division, Office of the Attorney General.

Health and Human Services

Health Care Access report

Lois Quam, chair of the Health Care Access Commission, reported the commissions findings and recommendations to panel members at the Health and Human Services Committee meeting, Thurs., Jan. 31. The committee is chaired by Sen. Linda Berglin (DFL-Mpls.).

Quam opened up the meeting by citing statistics relating to health care access for Minnesotans. She said that 370,000 Minnesotans are currently uninsured, that 11,000 were refused health care last year and that 50,000 Minnesotans delayed seeking health care because they lacked health insurance.

She made evident that the majority of people uninsured are not that way because of choice, but because of cost factors and unavailability. Consequently, the commission believes that all Minnesotans should have access to basic health care coverage, she said.

One way this can be accomplished, said Quam, is through individual premium subsidies in the form of a sliding fee scale which would be based on gross family income. As a result, she said all enrollees in the Minnesotans' Health Care Plan (MHCP) would be contributing something toward the cost of their coverage.

She also pointed out that under current insurance practices, women, the elderly and people with health problems and disabilities are discriminated against, and that those individuals who work for small businesses or are self-employed pay

higher premiums than those who work for larger companies.

To alleviate the discrimination, Quam suggested that health care financing should be shared by all members of society through underwriting reforms.

Next, Quam cited various ways to manage the costs of health care by establishing a statewide limit on health care spending, controlling costs through managed care organizations such as HMOs and Preferred Provider Organizations (PPOs), consolidating current state health care programs under a new Dept. of Health Care Access, establishing a Reinsurance Pool to manage high-cost cases, allowing consumers the option to choose among two or more health plans to foster competition and providing incentives and education to consumers to encourage healthy life-styles and the appropriate use of the health care system.

The initial cost to the state for providing subsidized coverage to the uninsured through MHCP would be approximately \$284 million, Quam said. Berglin stressed to members that ultimately this program will control future growth of health care costs.

Access to health care bill

S.F. 2, authored by Sen. Linda Berglin (DFL-Mpls.), was presented to members of the Health Care Access Division at the Mon., Feb. 4, meeting, chaired by Sen. Pat Piper (DFL-Austin).

The bill establishes a Minnesotans' Health Care Plan that will provide health coverage to uninsured and underinsured Minnesotans.

Berglin explained other major components of the bill that include creating a Dept. of Health Care Access, setting overall limits on health care spending, requiring every Minnesotan to have health coverage, establishing two new health coverage benefit packages, requiring community rating of premiums, establishing a reinsurance pool for high cost cases and establishing minimum benefit requirements for health coverage sold in the state.

The Health Care Access Commission estimates that the legislation will cost the state approximately \$284 million per year when fully implemented, with a start-up date of July 1, 1992. The commission

also recommends that costs be funded by a general income tax increase.

Berglin voiced her support of the bill by stating, "This is an important bill that will provide affordable and accessible insurance to those who are uninsured, and also presents a needed role in keeping health care costs down."

No action was taken on the bill. Public testimony on health care access issues is scheduled for Mon., Feb. 11.

Child support report

The Health and Human Services Subcommittee on Social Services met Mon., Feb. 4, to hear a report on child support. The panel, chaired by Sen. Carol Flynn (DFL-Mpls.), heard recommendations for substantial revisions of Minnesota's child support guidelines. The report, presented by Bonnie Becker, director of child support enforcement, Dept. of Human Services, contains the results of a study done by the department and an outside consultant, Dr. Robert G. Williams of Policy Studies, Inc.

The child support guidelines were initially enacted in 1983. According to the report, the recommendations for revision are intended to update the guideline to account for inflation, make them more equitable in their application to a broad range of situations and make them consistent with federal laws and regulations.

Becker outlined each of the recommendations and the rationale behind it. For instance, the report recommends that there be universal application of the guidelines, that the guidelines have rebuttable presumption status, that there be general grounds for deviation in order to provide for equitable results, that there be court review of stipulations to provide more consistent application, and that worksheets be used consistently by the courts.

In addition, the report recommends that a clear definition of gross income be devised and that the guidelines tables be based on gross income. Currently, the guidelines tables are based on net income. The report also recommends maintaining the basic structure of the guidelines while making some alterations to account for items such as the cost of childcare and high medical expenses. The report also addresses instances of

shared custody and split custody in determining the guidelines. Becker concluded by advising the panel that the department would incorporate many of the recommendations into a legislative proposal for further consideration.

Children's special needs

The Joint Health and Human Services and Education Subcommittee on Early Childhood and Special Needs heard testimony on interagency cooperation, coordination, and collaboration, Mon. Feb. 4. The hearing was an attempt to provide the joint committee with ideas on the special needs of children and families can be better served through the array of programs offered through the state departments, said Chair Judy Traub (DFL-Minnetonka).

An introduction to the discussion on interagency relationships was given by Ceil Critchley, asst. commissioner in the Dept. of Education. She said that there are many different services provided, ranging from special educational services to preschool preparation for at-risk children, that have clients ranging from children entering the systems to young adults. Also, between departments and agencies, while many of their issues seem different, the clients they serve are often the same. These realities indicate a need for cooperation, Critchley said.

Jan Rubenstein, infant and toddler specialist, Dept. of Education, testified on the implications of recently enacted state and federal laws related to child services and interagency cooperation. The most significant development pointed out by Rubenstein was the Individualized Family Service Plan (IFSP). She said the IFSP recognizes that parents are best able to see the needs of the child and make decisions regarding the child's care. Parents must be able to connect with various care givers without having to chase services from agency to agency, she said, and that is the aim of the IFSP.

Erna Fishhaut from the Center for Early Childhood Development spoke on a U of M Fact Find that highlighted some of the issues surrounding cooperation and integration of services. She said professional knowledge has brought specialization and a fragmented service delivery and "set up professional walls between service workers, and create separate eligibility criteria and funding streams."

"Another reason for lack of integration," she added, "is that here at the Legislature, services for children are separate and distinct and heard in different committees." Fishhaut said that an atmosphere in which collaboration and cooperation are rewarded, is needed for the programs to be effective.

Jerri Sudderth, director of the Mental Health Division, Department of Human Services illustrated the necessity of coordination, cooperation, and collaboration and the definition of each of those types of relationships. She said collaborative relationships must be a goal.

From the State Planning Agency, Ann Jaede, director of program planning, echoed some of the ideas expressed by Sudderth. She also spoke on the status of interagency workgroups that now exist in state government.

Jaede said that the purpose of these workgroups differs, with some focusing on policy development and planning issues, others developing criteria for state or federal grants, and some focusing on regulatory issues.

Jaede said that there are interagency teams specifically related to teen pregnancy and parenting, child abuse and neglect, health, the environment, housing, and other areas.

She concluded, "Although these individualized teams serve to reduce duplications and inconsistencies on specific topics, they are limited in affecting overall policy."

Next, Paul Timm-Brock from the Assistance Payments Division of the Dept. of Human Services testified on some of the barriers to interagency collaboration that are seen in his office.

Timm-Brock said that attempts to share information with other agencies—to provide access for clients to the services of other care providers are thwarted by two basic barriers: the highly regulated, "lock-step" information system imposed by welfare, and data privacy standards.

Elsie Groth, a parent of two children using mental health services, testified on the difficulties her family has faced in obtaining these services for her children. She said that there are serious problems in finding services that have service programs that match her children's needs. She also said that the procedures one must go through in order to attain ser-

vices present a substantial barrier.

Finally, Jeanette Behr, chair, Governor's Interagency Coordinating Council, identified some areas where cooperation is and is not working. Behr said that families are not given proper information on funding with the result that some children who clearly meet criteria for eligibility may not receive services, and some families find themselves strapped with debts for services and funds to which they are entitled.

Behr said that cooperation is working in some respects as a result of a federal law making it easier to provide and process information and data waivers, and forcing more computer integration. Service providers are now directed to listen to what the family needs, and what they see as necessary outcomes of service, she said.

Judiciary

POST Board report

In response to a 1990 legislative directive, the Minnesota Board of Peace Officer Standards and Training (POST) studied and compiled a report on the Professional Peace Officers Educational System (PPEOS). The report and recommendations to improve the system were presented to members of the full Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), at the Fri., Feb. 1, meeting.

Bill Carter, director of the POST Board, cited three major issues facing the PPOES: accessibility and availability of higher educational opportunities, and recruitment of qualified peace officers.

He informed panel members that Minnesota does not currently have an integrated law enforcement educational system. In Minnesota, he explained, for an individual to become a licensed peace officer, he or she must complete at least a two-year degree program, and a 9 to 12 week clinical skills program.

He said that due to lack of communication by higher education institutions concerning the number of students and the number of slots available for the clinical skills programs, students can experience delays of up to a year. Spear voiced his agreement with Carter in that the state needs to better integrate the clinical skills programs between the

Committee update

community college and the technical college systems.

One way to improve the system, said Carter, is by establishing a school of law enforcement that includes undergraduate and graduate education. Currently, there is no public state university in the Metro Area that offers a bachelor's degree in criminal justice or law enforcement, he said.

Carter responded to critics that believe higher education can be a detriment to peace officers, by citing various research studies highlighting the positive benefits of higher education. These findings show that educated peace officers are less authoritative, more open and responsive to change, more innovative in job responsibilities, better decision-makers and more confident of themselves than their less educated counterparts.

Officials from the Community College System, the State University System and the State Offices of the Technical Colleges responded to the report's findings in regard to transfer credits, faculty and student recruitment of women and minorities, supply and demand, student waiting lists for clinical skills programs and their continued cooperation in providing a more integrated law enforcement system.

Two bills discussed

The Mon., Feb. 4, meeting of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), was devoted to the examination of

S.F. 7, authored by Sen. Gene Waldorf (DFL-St. Paul). The bill originally authorized the possession and of alcoholic beverages at social or fundraising events held at a private school. The committee adopted an amendment, by Sen. John Marty (DFL-Roseville), specifying that alcoholic beverages are prohibited in public elementary and secondary schools. In addition, the bill allows an individual or organization to possess and to use nonintoxicating malt liquor when a temporary license has been issued.

The committee also considered S.F. 17, authored by Sen. Bob Lessard (DFL-Int'l. Falls), allowing jury excuse for elderly impaired persons upon request. After further discussion, committee members

decided that legislation was not needed, and no action was taken.

Panel approves two bills

Two bills relating to corporate mortgage satisfaction and release, and Hmong marriage solemnization were presented at the Wed., Feb. 5, meeting of the Judiciary Committee.

S.F. 106, authored by Sen. Harold "Skip" Finn, (DFL-Cass Lake), changes the requirements for filing a satisfaction or release of a mortgage in cases where a mortgage company has had a name or identity change. In these instances, the corporate mortgagee or assignee simply needs to state why a name or identity change took place without requiring any certified corporate documents.

The bill also clarifies a 1985 law allowing a personal representative of an estate to give property to a trustee without the court having to qualify the trustee regardless of when the will was executed or the person died. The committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved the bill and sent the measure to the floor for consideration.

In other action, S.F. 107, authored by Sen. Linda Berglin (DFL-Mpls.), was approved. The measure grants Hmong elders, or other qualified Hmong individuals, the authority to solemnize a marriage according to the Hmong traditional ceremony. In addition, the bill specifies that a marriage certificate must be filed within 30 days of the marriage. The bill also provides for retroactive validation of marriages performed within one year of the effective date of the act.

Testimony was heard from various individuals from the Hmong and Southeast Asian communities supporting the bill. One official from the community responded to concerns voiced about illegal and underage marriages by stating that the bill will minimize and prevent these abuses, and will ultimately empower Hmong women with the ability to have a say in what happens in their personal lives.

Other community members pointed out that the bill will help preserve the Hmong culture by recognizing and legalizing the traditional Hmong marriage ceremony.

Metropolitan Affairs

MSFC overview

Officials from the Metropolitan Sports Facilities Commission (MSFC) provided Metropolitan Affairs Committee members with an overview of their responsibilities and upcoming highlights at the Tues., Feb. 5, meeting, chaired by Sen. Don Frank (DFL-Spring Lake Park).

Commissioner Lianne Thrane informed panel members of two opportunities facing Minnesota in 1992 — that of Superbowl 1992 and the Final Four National Collegiate Basketball Tournament. She said that an estimated \$200 million will be generated from these two events.

Next, Bill Lester, executive Director of MSFC, outlined the ongoing construction activity at the dome, the MSFC's financial statement, Superbowl preparations, the status of the Minneapolis hotel/motel liquor tax and the status of bond reserves. In addition, he said that Minnesota is the only sport facility in the nation that is self-sufficient. At this time, the stadium has an outstanding debt service balance of \$47 million and will be paid off by the year 2009, Lester said.

Rules and Administration

Work on rules commences

Members of the Rules and Administration Subcommittee on Permanent and Joint Rules met Thurs., Feb. 7, to begin work on the rules that are to govern Senate activities. The panel, chaired by Sen. William Luther (DFL-Brooklyn Park), will also consider changes to the rules that govern both the House and Senate when meeting in joint convention.

Taxes and Tax Laws

Technical bill okayed

The Taxes and Tax Laws Property Tax Division, chaired by Sen. Ember Reichgott (DFL-New Hope), met Tues., Feb. 5, and advanced one bill to the full committee. The measure, S.F. 60, sponsored by

Reichgott, clarifies and corrects several property tax provisions that were enacted into law last year. According to the Revenue Dept., the measure has no financial impact but is needed to correct oversights and clarify ambiguous language.

A discussion of the Truth in Taxation Law provided the focal point for the balance of the committee hearing. Senate and Revenue Dept. staff explained the purpose of the Truth in Taxation Law and summarized the effects that implementation of the law has had. Originally, the measure was designed to make the budget and property tax levy-setting decisions of local units of government more visible to property owners and taxpayers.

Hennepin County Commissioner John Derus and other representatives of local units of government said that the information required by the law is misleading and that the public is not being well served by the Truth in Taxation law.

Special levies gain

The entire Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Wed., Feb. 6, and took action on two measures. S.F. 149, authored by Sen. Roger Moe (DFL-Erskine), allows Mahnomen County and the City of Mahnomen to levy outside of levy limitations to provide funding for the Mahnomen County and Village Hospital. The measure was approved and sent on to the full Senate. S.F. 18, authored by Sen. Dean Johnson (IR-Willmar), was also approved and recommended for the Consent Calendar. The measure permits Pope County to levy taxes outside the levy limit to pay back an incineration project loan.

Income tax bill reviewed

The members of the Income, Sales, and Economic Development Division of the Taxes and Tax Laws Committee also met Wed., Feb. 6, to begin consideration of the Dept. of Revenue technical income and corporate tax proposal. The panel, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), began a section by section review of article one. Article one contains changes to individual income tax laws suggested by the de-

partment. The measure will have little or no revenue impact on the general fund if enacted into law.

Transportation Committee

Mn/Dot overview

The Thurs., Jan. 31, Transportation Committee meeting featured the second half of an overview on the Minnesota Dept. of Transportation (Mn/Dot). Mn/Dot representatives described the function and structure of the department's divisions and highlighted current developments and goals.

Director Ray Rought of the Office of Aeronautics offered some facts on the aviation system. The office provides financial and technical assistance to Minnesota municipalities in airport planning, construction, maintenance and operation. Rought touched on Minnesota airport systems' freight-carrying abilities and their employment opportunities.

Committee members also heard the Office of Railroads and Waterways Director, Cecil Selness, outline the roles and responsibilities of that office. Commenting on the office's self-sufficiency, Selness explained that the office was receiving monies from investments made years ago and was in turn reinvesting that money.

Chair Gary DeCramer (DFL-Ghent) noted that the Department of Transportation still connoted "h-i-g-h-w-a-y" in most of the public's eyes. Durgin agreed and replied that the department is working to change that image and would do so more effectively with the committee's help. Durgin also said Mn/DOT supports the findings in the Transportation Study Board Report and will cooperate in any resulting legislative development.

Committee tours center

The Transportation Committee visited the Traffic Management Center Wed., Feb. 6. Chair Gary DeCramer (DFL-Ghent) and members toured the center in order to have a better understanding of the Minnesota Department of Transportation's traffic management program.

Veterans and General Legislation

Vets homes overview.

Overviews of the Silver Bay and Luverne Veterans Homes were the focus of a joint meeting of the House and Senate Veterans and General Legislation Committees. The committees, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville) met Mon., Feb. 4, to hear testimony from representatives of the two projects and to assess their progress.

Dr. Robert Reif, Veterans Homes Board member, gave an overview of the Luverne Veterans Home Site. He reported that federal dollars have been approved for the site in Luverne and groundbreaking is expected in three to six months. The state has begun taking contracting bids for the site, he said. He added that they are still waiting for operational costs to be approved by the state.

The committee then heard from Fred Janklow, the administrator of the Silver Bay Veterans Home. He reported that the Silver Bay home will be ready around July 1, with admittance of patients to begin in September. He said that they expect to admit approximately five patients per week. The residence has already taken twelve reservations for patients, he said.

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.

Senate phone numbers

For copies of bills (voice mail)	296-2343
For index and information	296-0504
For committee schedules	296-8088
For TDD	296-0250
For TV comment	296-0264

Preview

The Minnesota Senate Week at a Glance

Monday, February 11

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: Overview of Canterbury Downs by Terry McWilliams. Overview of Indian Gambling by Leonard Prescott, Myron Ellis and Randy Azuma.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: Overview of Workers Compensation by Leo Eide, special compensation fund director and John Hildebrand and Craig Anderson of the Minnesota Workers Compensation Insurance Association, Inc.

Judiciary Division on Civil Law

Chair: Richard Cohen

10 a.m. Room 15 Capitol

Agenda: S.F. 113-Knaak: Repealing the statutory rule against perpetuities; enacting a modified common law rule against perpetuities. S.F. 187-Spear: Providing for competent persons to make advance declarations regarding mental health treatment.

Veterans and General Legislation Committee

Chair: Joe Bertram, Sr.

10 a.m. Room 112 Capitol

Agenda: S.F. 42/H.F. 13-Frederickson, D.J.: Deadline extension for filing income and property tax returns for national guard and reserve members called to active duty. S.F. 171-Bertram: A resolution to Congress urging passage of the POW/MIA truth bill. S.F. 172-Bertram: A resolution to Congress urging continued funding of the U.S. Senate Foreign Relations Committee's investigation of the POW/MIA issue.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 107 Capitol

Agenda: Presentations on Regional Development Commissions by representatives of the South Central, Southwest, and Arrowhead Regional Development Commissions.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: Overviews of the Metropolitan Transit Commission and the Regional Transit Board.

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

Education Division on Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: S.F. 69-Stumpf: Eliminating interest deductions for Maximum Effort School Loans.

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Depart from Capitol

Agenda: Tour of the Minnesota Science Museum.

Health and Human Services Division on Health Care Access

Chair: Pat Piper

3 p.m. Room 15 Capitol

Agenda: Public testimony on health care access issues.

Health and Human Services Subcommittee on Social Services

Chair: Carol Flynn

3 p.m. Room 318 Capitol

Agenda: County mandates report. S.F. 148-Sams: Case management of persons

with mental retardation or related conditions.

Health Care Cost Containment Task Force

Chair: Don Samuelson

3:30 p.m. Room 123 Capitol

Agenda: To be announced.

Joint Agriculture/Environment & Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard

7 p.m. Elk River High School, Elk River, Minn.

Agenda: Public hearing on wetlands legislation.

Tuesday, February 12

Finance Division on Education

Chair: LeRoy Stumpf

7:30 a.m. North Hennepin Community College

Agenda: Campus visit.

Governmental Operations Committee

Chair: Gene Waldorf

8 a.m. Room 15

Agenda: Dept. of Employee Relations presentation of their merit based employment system policy and process; 1991 legislative proposals. Confirmation hearing for State Planning Commissioner Linda Kohl.

Judiciary Subcommittee on Criminal Justice System Oversight

Chair: Randy Kelly

8 a.m. Room 224 Capitol

Agenda: Presentation by Sen. Sandy Pappas on the Facilities Assessments

Subcommittee Research Project.
Minnesota Sentencing Guidelines
Commission presentation on
intermediate sanctions and day find.
Dept. of Corrections presentation on
projected offender population issues.

Energy and Public Utilities Committee

Chair: Steven Novak
10 a.m. Room 107 Capitol
Agenda: Discussion of Minnesota energy
self-sufficiency by Prof. Dean
Abrahamson of the Hubert H. Humphrey
Institute of Public Affairs, University of
Minnesota.

Metropolitan Affairs Committee

Chair: Don Frank
10 a.m. Room 15 Capitol
Agenda: Overview of the Metropolitan
Waste Control Commission (MWCC) by
Acting Chair Charles Weaver, Chief
Administrator Gordon Voss, and
Governmental Relations Director Neil
Haugerud.

Environment and Natural Resources Committee

Chair: Bob Lessard
1 p.m. Room 107 Capitol
Agenda: Confirmation hearings for
Board of Water and Soil Resources Chair
Donald Ogaard, Minnesota Pollution
Control Agency Board members Loni
Kemp and Russell W. Domino,
Minnesota Environmental Quality Board
members Pat Davies and Robert Dunn,
and Environmental Trust Fund Citizens'
Advisory Committee members Al Brodie,
Robert DeVries, Gene Doyscher, Ruth
Fitzmaurice, Jack LaVoy, Darby Nelson,
John Rose, and Joseph Sizer.

Taxes and Tax Laws Division on Property Tax and Local Government Aids

Chair: Ember Reichgott
3 p.m. Room 15 Capitol
Agenda: Overview of the Minnesota
property tax system and the local
government aids structure.

Wednesday, February 13

Gaming Regulation Committee

Chair: Charles Berg
8 a.m. Room 107 Capitol
Agenda: To be announced.

Education Committee

Chair: Gregory Dahl
8:30 a.m. Room 15 Capitol
Agenda: S.F. 69-Stumpf: Eliminating
interest deductions for Maximum Effort
School Loans. Overview of
desegregation issues. Legislative Auditor's
report on teacher compensation.

Employment Committee

Chair: Florian Chmielewski
10 a.m. Room 107 Capitol
Agenda: Overviews by Jay Benanav of
the Workers Compensation Reinsurance
Association of Minnesota and Virginia
Crawford and Harry Bayken of the
Minnesota Self Insurance Association.

Judiciary Division on Criminal Law

Chair: John Marty
10 a.m. Room 15 Capitol
Agenda: S.F. 224-Luther: Providing
eligibility requirements for representation
by the public defender; authorizing good
conduct sentence reduction as a
condition of probation. Presentation of
the pilot study report on the Worthless
Check Diversion Program. Presentation
by Minnesota Supreme Court Criminal
Court Study Commission - Worthless
Check Offenses Section.

Elections and Ethics Committee

Chair: Jerome Hughes
12 noon Room 107 Capitol
Agenda: Presentation by the Ethical
Practices Board. S.F. 4-Luther:
Clarifying the procedure for the
withdrawal of candidates for
constitutional office.

Environment and Natural Resources Committee

Chair: Bob Lessard
1 p.m. Room 107 Capitol
Agenda: Reinvest In Minnesota (RIM)
annual report, 1990 fiscal spending, plans
for 1992, and general overview.

Legislative Coordinating Commission Subcommittee on Redistricting

Chair: Rep. Peter Rodosovich
2:30 p.m. Room 500 North SOB
Agenda: Operating procedures.

Finance Division on Education

Chair: LeRoy Stumpf
3 p.m. University of Minnesota Twin
Cities Campus
Agenda: Campus visit.

Taxes and Tax Laws Division on Income, Sales and Economic Development

Chair: Lawrence Pogemiller
3 p.m. Room 15 Capitol
Agenda: Continuation of Dept. of
Revenue technical changes bill on
individual income and corporate tax.
Overview of individual income and
corporate tax. Overview of sales tax.

Joint Finance Division on Claims

Chair: Tracy Beckman
3:30 p.m. Room 123 Capitol
Agenda: Discussion of pending claims.

Thursday, February 14

Finance Division on Education

Chair: LeRoy Stumpf
8 a.m. Lakewood Community College
and Northeast Technical College
Agenda: Campus visit.

Energy and Public Utilities Committee

Chair: Steven Novak
10 a.m. Room 107 Capitol
Agenda: Presentations by consumer
advocacy groups of their 1991 legislative
agendas.

Metropolitan Affairs Committee

Chair: Don Frank
10 a.m. Room 15 Capitol
Agenda: Continuation of overview of
the Metropolitan Mosquito Control
Commission (MMCC) by Director
Robert Sjogren.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: Discussion on coordination of transit services.

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

Education Subcommittee on Governance and Structures

Chair: Tracy Beckman

3 p.m. Room 224 Capitol

Agenda: Discussion of cooperative units including ECSUS education districts, intermediate school districts and cooperatives.

Education Subcommittee on Indian Education

Chair: Jane Ranum

3 p.m. Room 112 Capitol

Agenda: Presentation on the St. Paul Indian Magnet School by Principal Dr. Cornel Pewewardy. Overview of the Indian Education Act of 1988 by Sen. Gary DeCramer. Presentation on Parent Committees in Indian education by parent members and directors.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: Long term care update. Seniors Agenda for Independent Living (SAIL) study commission report. Interagency board report on Long Term Care Quality Indicator Study. Legislative Auditor's report on nursing homes. Demographic study on aging. Nursing home temporary employees study. Nursing home wage increase study.

Permanent School Fund Advisory Committee

Chair: Rep. Lyndon Carlson

4 p.m. Room 300 North SOB

Agenda: Land Exchange Proposals, Part II.

Friday, February 15

Education Subcommittee on Higher Education

Chair: John Hottinger

8 a.m. Room 15 Capitol

Agenda: Overview and proposals by the Community Colleges and Technical College systems for the 1991 Legislative Session.

Joint Agriculture/Environment & Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard

9:30 a.m. Kiehl Auditorium, University of Minnesota-Crookston

Agenda: Public hearing on wetlands legislation.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

10 a.m. Depart from Capitol

Agenda: Tour and overview of the Minnesota History Center project.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 186-Kelly: Eminent domain entry on to private land by government employees. Bills reported out of divisions earlier in the week.

Senate Publications

Room G95, State Office Building

St. Paul, MN 55155

(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

February 15, 1991

Negotiated rate bill gains

The Senate, for the first time this session, resolved into The Committee of the Whole in the Tues., Feb. 12, floor session. Senate President Jerome Hughes (DFL-Maplewood), informed members that as a Committee of the Whole, the Senate acted like any of the other standing committees of the Senate, with all members as a part of that committee. S.F. 141, authored by Sen. Judy Traub (DFL-Minnetonka), was heard for preliminary approval.

The bill delays the effective date of the moratorium on new negotiated rate facility agreements.

Traub said the bill allows for the completion and opening of Union City Mission in Plymouth, which is to serve homeless, chemically dependent men and women. She said that the facility was three to four weeks from completion when the recent budget cutting measure mandated the delay in getting such projects underway.

Traub pointed out that Union City entered into their contract in good faith and said that it would be neither fair nor cost effective to deny the facility the opportunity to open.

Senate Minority Leader Duane Benson (IR-Lanesboro) asked if the bill sets a precedent and that would allow other projects to seek similar relief. Sen. Gene Merriam (DFL-Coon Rapids) said that the fiscal impact of the bill had been analyzed taking into account other projects that might fall under the same circumstances as Union City.

The bill received approval and next will be considered for final passage.

Tax extension approved

The Senate Veterans and General Legislation Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), unanimously approved H.F. 13 carried by Sen. David Frederickson (DFL-Murdock). The bill extends the deadline for income tax filing for activated service personnel. Frederickson explained that while activated service personnel serving in combat zones are exempt from paying taxes, newly activated members of the reserves are expected to pay taxes on income earned in civilian jobs and in reserve (non-combat) service. The bill was referred to the Committee on Taxes and Tax Laws.

The committee also acted on two resolutions heard previously during the joint meeting of the House and Senate Veterans and General Legislation Committees. The resolutions urge Congress to continue funding of the POW/MIA special investigation being conducted by the U.S. Senate Foreign Relations Committee and to enact the "POW/MIA Truth bill" that relates to the disclosure of currently classified information regarding missing service personnel from World War II, Korea and Vietnam. The resolutions authored by Bertram, were taken up separately and passed unanimously on roll call votes. The resolutions, S.F. 171 and S.F. 172, were referred to the full Senate for consideration.

Final passage granted

Several bills were given final passage and two measures gained preliminary approval at the Thurs., Feb. 14, Senate floor session.

H.F. 152, carried by Sen. Roger Moe (DFL-Erskine), was given a second and

third reading and then given final passage by the members. The bill allows Mahnomen County and the city of Mahnomen to make special levies for the Mahnomen County and Village Hospital. The measure's Senate companion, S.F. 149, was on the Senate Consent Calendar however, because of a need to expedite the process, Moe moved for a suspension of the rules in order to consider the House File. Language in both bills is identical.

Two additional bills on the Consent Calendar were granted final passage. Bills on the Consent Calendar are not placed on the General Orders Calendar because a standing committee has deemed the bills noncontroversial. Thus, a step of the legislative process is eliminated and final passage of the bills is expedited.

S.F. 18, authored by Sen. Dean Johnson (IR-Willmar), allows Pope County a special levy to levy taxes outside the levy limit to pay back an incineration project loan.

Members also granted final passage to S.F. 141. The measure, which was granted preliminary approval Mon., Feb. 11, delays the effective date of the moratorium on new rate facility agreements. The bill, sponsored by Sen. Judy Traub (DFL-Minnetonka), allows a facility for homeless, chemically dependent men and women to open in Plymouth.

Finally, two measures were granted preliminary approval. S.F. 106, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), permits the name or identity change of corporate mortgagees or assignees of a mortgagee in the recital in a mortgage satisfaction or release to be recorded without further evidence of the

Committee update

Agriculture and Rural Development

Public hearings

Elk River was the site of the Joint Agriculture-Environment and Natural Resources Ad Hoc Committee on Water hearing, Mon., Feb. 11. The panel, cochaired by Sen. Charles Davis (DFL-Princeton) and Sen. Bob Lessard (DFL-Int'l. Falls), has been holding hearings around the state to gather public testimony on proposed wetlands legislation.

Economic Development and Housing

RDC overviews

The Mon., Feb. 11, meeting of the Economic Development and Housing Committee was devoted to hearing presentations on regional development commissions. The panel, chaired by Sen. James Metzen (DFL-South St. Paul), heard from representatives of three commissions—south central, southwest and arrowhead.

Jack King, Region 9, said that regional development commissions aid local governments in a variety of activities including zoning, land use and mapping. In addition, the commissions offer technical expertise in developing and coordinating programs ranging from senior citizens' meals-on-wheels to drug abuse prevention efforts, he said.

Randy Jorgenson, Region 8, and Kevin Walli, Region 3, also described the activities of their regional development commissions. Both stressed that the commissions were vital aids to helping local governments create economic development opportunities.

Finally, Glen Dorfmann, Minnesota Association of Realtors, provided committee members with a profile of the real estate markets in various parts of the state. According to Dorfmann, parts of the state, particularly the corridor between Rochester and St. Cloud, have a healthy real estate market. Other areas, particularly in the urban centers, are experiencing decreasing housing prices and slower markets, he said. Dorfmann also said that a number of factors such as

excessive development costs add to the price of real estate in Minnesota. He also indicated that there are indications that the future may be quite positive for the real estate market in Minnesota.

Education

Facility sharing and safety

The Education Subcommittee on Governance and Structures, chaired by Sen. Tracy Beckman (DFL-Bricelyn), met for the first time Thurs., Feb. 7, to hear testimony on issues related to school facility combination, safety, and access.

State Fire Marshal Tom Brace testified on the efforts of his office with regard to school inspection. Historically, said Brace, inspection of facilities usually came as a result of complaints from students, parents or staff, but the 1990 legislation put the State Fire Marshal under contract to inspect all 1504 school buildings in the state over a three-year period.

Brace said that, thus far, 14.8 violations per building have been found. Most of these are minor violations and can be corrected as they are pointed out. Others are more serious and require alteration to facilities, he said.

Brace also testified that there were 747 incidents of fire in Minnesota schools last year, costing \$2.5 million.

Clell Hemphill, executive director, Minnesota Council on Disability spoke on his organization's efforts in promoting accessibility. It is the council's hope that all schools and support service buildings can be made accessible to those with mobility impairments, he said.

Hemphill said that 1500 schools could be seen as in need of accessibility improvements, and that it would take about \$450 million to make all schools in the state accessible. This is not just a problem of accessibility to buildings, he said, but of program content, as well.

Challenge 2000

The Committee on Education, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Fri., Feb. 8, to hear a description of the Challenge 2000: Success For All Learners Report. The report was put out

by the Dept. of Education and calls for the restructuring of school operations and the ways in which students are taught.

Barbara Yates from the Education Department presented findings from a survey of K-12 students in Minnesota. She said that the survey is important in that it provides teachers and the education system with knowledge of the kinds of problems they face as they implement Challenge 2000.

Yates pointed to some findings of the survey that are crucial to understanding the student population. She said that among the most important revelations included information on the sources of stress and happiness. The number one worry for students is doing well in school, followed by concerns about appearance and friends, she said.

Other findings revealed in the survey are students' low levels of esteem, the conditions of abuse under which some students live, and that schools are not seen as a caring environments, said Yates.

Yates then gave an overview of the Challenge 2000 report. She pointed out the main goals the report identifies for Minnesota education. They are: to guarantee that all children in Minnesota enter school ready to learn with families ready to support learning; to restructure schools to improve learning environments; to create comprehensive prevention and risk reduction services; to assure that all K-12 students develop the skills for lifelong learning; and to provide adults with vital educational opportunities leading to literacy and economic independence, she said.

Jan Hively, director, Youth Trust, spoke on the issue of collaboration. Everything in the report requires collaboration, she said. Hively said the report was good, that it dealt with the whole child, and that the concept of collaboration recognizes that the child learns everywhere. She said one area that still needs to be addressed is the school-to-work transition. There needs to be a relationship between the K-12 system and entities beyond the educational realm similar to that found with the Technical College system.

David Johnson, Dept. of Education and Psychology at the U of M and a school board member, spoke on the role of those

who educate and train teachers and how these efforts relate to the goals of the report. He said that the types of change proposed are very substantial and that there is a mature faculty population—two realities that will make implementation of the report's objectives difficult. Emphasis will have to be placed on continuing education for teachers and exploring creative alternatives for this continued training, he said.

Maximum effort school loans

The Education Funding Division of the Committee on Education, chaired by Ronald Dicklich (DFL-Hibbing), met Mon., Feb. 11, to consider S.F. 69, a bill eliminating interest deductions from Maximum Effort School Loans.

The bill, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), corrects an oversight in maximum effort legislation from the 1990 session.

Peter Sausen, deputy commissioner with the Dept. of Finance, said that as the law currently stands a school district would not receive the full amount of its loan. Instead, an amount equal to the first three interest and principle payments on the loan would be withheld, he said.

The implication for this year, said Sausen, is that instead of schools receiving \$23 million in loans, they would receive \$20 million. He cited two major implications of the current language: first, that over the period of loan repayment, only the \$20 million principle plus accrued interest would be paid by the schools into the state's General Fund—thus, there would be less in the general fund with which to repay \$23 million worth of maximum effort bonds; and second, that current conditions would leave schools with loans that are less than needed for current projects.

Stumpf said that the bill puts into effect the intent of last year's bonding legislation. The bill was approved by the committee and referred to the full Education Committee.

Desegregation, teacher compensation

The Committee on Education, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Wed., Feb. 13, to hear presentations on desegregation efforts in Minnesota

schools and the recent Legislative Auditor's Report on Teacher Compensation. The panel also heard S.F. 69, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), a bill eliminating the deduction of interest payments from maximum effort loans.

Tom Lindquist, president, State Board of Education, introduced the board's report on desegregation. He said that the important issues that need attention as the state works toward a desegregation policy relate to intradistrict desegregation, the need for desegregation in other areas of government and society, the unique political status of American Indians, and economic trends.

Curman Gaines, associate superintendent, St. Paul School District, presented the recommendations of the board's report. The recommendations recognizing that students in Greater Minnesota need to be able to understand the importance of diversity as much as students in urban areas, understanding that students of color need to be able to meet together in classes of their own in schools where desegregation exists, and recognizing that state guidelines should be in line with federal guidelines with regard to American Indian education, he said.

Gaines pointed out other findings of the report. One, he said, is that desegregation is not just a problem for those in areas of education; it is a social issue and much of the progress made in the education area will result from demographic realities and efforts by the public. Also, socioeconomic status should be taken into account in desegregation plans, he said. Providing the economic diversity is as important as providing cultural diversity, said Gaines.

The Legislative Auditor's Report on Teacher Compensation was presented by Deputy Auditor Roger Brooks and Project Director Dan Jacobson. Brooks began by saying that the focus of the report was to look at teacher compensation relative to that of comparable professionals. While the report finds that teachers receive salaries that are higher than their counterparts in other professions, he emphasized that it is not the view of his office that teachers' pay is too high.

Jacobson said that the report is a response to the basic questions of how

teachers' pay compares to that of those in comparable professions, how fringe benefits and salary have changed, and how the issue of teacher demand relates to salary and benefits.

The main finding on teacher salaries was that Minnesota teachers are paid at a higher rate, based on time worked, but have annual salaries lower than comparable professionals, said Jacobson.

Other findings of the report indicate that the level of pay does not reflect the surplus of trained teachers in the job market, said Jacobson. He also said that level of pay and level of education are not related to student achievement.

The committee also heard S.F. 69 eliminating the requirement that a portion of a Maximum Effort Loan's principle be set aside for upcoming debt payments. The bill was approved and referred to the Committee on Finance.

Elections and Ethics

Ethical Practices Board report

The Elections and Ethics Committee met Wed., Feb. 13, to hear a report by the State Ethical Practices Board. The panel, chaired by Sen. Jerome Hughes (DFL-Maplewood), heard recommendations for possible changes in the Ethics in Government Act.

The report, presented by Bill Heaney, vice chair of the State Ethical Practices Board, is a resource for legislators on policy issues related to ethics in government. Heaney outlined some major recommendations, which included opposing attempts by a candidate to transfer leftover funds from one office to another, clarifying filing requirements of a "local official," creating a new definition of lobbying and removing the requirement that the Ethical Practices Board pay for attorney general's and revisor of statutes' services.

Employment

Workers' comp issues

An overview of the Special Compensation Fund was presented to the Employment Committee Mon., Feb. 12. Committee members also heard from a representative of the Minnesota Workers' Compensation Insurers Association, Inc.

Committee update

The Special Compensation Fund, explained Director Leo Eide, pays for all administrative costs of the Workers' Compensation Division and for the judges and staff salaries at the Office of Administrative Hearings. The fund also provides for judges and staff salaries at the Workers' Compensation Court of Appeals. Eide said that until Fiscal Year 1989 fund expenditures have consistently exceeded fund revenue. He said that although the Special Compensation Fund will no longer receive appropriations from the General Fund, insurers' and self-insurers' assessments would not be raised.

John Hildebrand, president of the Minnesota Workers' Compensation Insurance Association, Inc. (MWCIA), said the MWCIA's primary goal is to provide information to insurance companies so they can set workers' compensation premiums. He said the company also assists companies who are having difficulties obtaining workers' compensation insurance. Hildebrand indicated that, without firms like the MWCIA, insurance companies would not have the information to competitively price workers' compensation insurance. He said this would be devastating to small companies. Vice President Craig Anderson, MWCIA Actuarial Services, explained the insurance ratemaking process to committee members. He named inflation, medical costs, overhead and client insolvencies as some of the factors insurance companies consider in ratemaking. Anderson added that an actuary from the Dept. of Commerce must review and sign-off on all the reports published by the MWCIA.

Sen. Florian Chmielewski (DFL-Sturgeon Lake) chairs the committee.

Insurance overviews

Chair Florian Chmielewski (DFL-Sturgeon Lake) and members of the Employment Committee met Wed., Feb. 13, to hear overviews by representatives of the Minnesota Self-Insurers Association and the Workers' Compensation Reinsurance Association (WCRA).

Jay Benanav, WCRA president, said one of the nonprofit association's goals is to control escalating insurance costs by offering its members reinsurance premiums with retention limits. The limits are determined by statute and are indexed to

change with annual shifts in workers' wages. Benanav explained that if an employee's compensation costs exceed the member's chosen retention limit, WCRA reimburses its member for those costs. Benanav also said the association is a leader in providing various state agencies with workers' compensation information, which includes data on long-term serious claims and health care costs in workers' compensation.

Ellen Valasco-Thompson, Minnesota Self Insurance Association, said self-insured companies provide insurance by setting aside money to handle workers' compensation claims. She said the amount of money set aside is based on a number of factors determined by the Dept. of Commerce. She named the company's history of solvency and assets as two of these factors. She said companies that self-insure benefit financially because they do not have to pay market rate premiums. In addition, she said self-insured companies tend to be more administratively efficient because they are 100 percent responsible for the injured worker and deal directly with that person.

Energy and Public Utilities

Confirmation hearing held

A confirmation hearing headed the agenda at the Thurs., Feb. 7, Energy and Public Utilities Committee meeting. Chair Steven Novak (DFL-New Brighton) and members recommended the appointments of Commissioner-designates Kris Sanda, Dept. of Public Service, and Dee Knaak, Dept. of Public Utilities. The full Senate will vote on the recommendation at a later date.

Alternative energy presentation

Minnesota energy self-sufficiency was the topic of the Energy and Public Utilities Committee meeting Tues., Feb. 12.

Professor Dean Abrahamson, Hubert H. Humphrey Institute of Public Affairs, said that Minnesota's highest priority should be the examination of energy-saving options, specifically, renewable energy sources. He said a switch from fossil to nonfossil resources would

improve the state's economic climate, reduce greenhouse gases and cut energy costs by 50 percent. Although he said he believes Minnesota can become energy self-sufficient, he indicated that how and when this would happen is not clear.

Abrahamson said the state's renewable energy sources are hydropower (power through water and dams); photovoltaic cells (energy from the sun); windpower (power through wind and windmills); and biomass (power through organic material such as urban solid waste, animal manure and trees). He said Minnesota's most viable renewable energy source is trees, since processing trees results in no net releases of greenhouse gases and is very inexpensive. He added that alcohol from trees could supply about 28 percent of Minnesota's transportation fuels and that technologies to realize this are now underway.

Abrahamson said fossil fuels like peat are not viable alternative energy options because they emit carbon dioxide, the major greenhouse gas. He said options that need fossil fuels to provide energy for processing—like processing corn to make alcohol for fuel—are not good alternatives either.

He said that Minnesota currently purchase nuclear power and all of its fossil fuels from other states at a cost of \$4.6 billion a year. In light of the cost and other factors such as pollution, Abrahamson recommended that the Legislature authorize monies for systems studies to investigate the feasibility of using the state's renewable energy sources. He also suggested the implementation of a carbon dioxide tax that would penalize users of fossil fuels and other greenhouse gas-emitting energy options.

Chair Steven Novak (DFL-New Brighton) said he intends to work with the committee this session toward a short- and long-term energy package.

Environment and Natural Resources

Confirmation hearing held

The Environment and Natural Resources Committee met Tues., Feb. 12, to act on a number of gubernatorial appointments. The committee endorsed

the following appointments: Loni Kemp and Russell Domino to the Minnesota Pollution Control Agency; Pat Davies and Robert Dunn to the Minnesota Environmental Quality Board; and Al Brodie, Robert DeVries, Gena Doyscher, Ruth Fitzmaurice, Jack LaVoy, Darby Nelson, John Rose and Joseph Sizer to the Environmental Trust Fund Citizens' Advisory Committee. The recommendations will go to the full Senate for a vote.

Sen. Bob Lessard (DFL-Int'l. Falls) chairs the committee.

RIM report

Chair Bob Lessard (DFL-Int'l. Falls) and members of the Environment and Natural Resources Committee heard a general overview of the Reinvest in Minnesota (RIM) program at the Weds., Feb. 13, meeting.

Fish and Wildlife Coordinator Jay Rendahl said the program benefits all of Minnesota because the application of its funds are uniformly distributed throughout the state. He indicated that major resources such as soil, water, fish and wildlife are improved by the program. He also outlined the various ways in which public and private land is enhanced by RIM.

Rendahl also said that the high level of public involvement, through such programs as RIM-Reserve, is a result of RIM's success in raising public awareness. He added that the Critical Habitat Match program is the most successful program in the state for matching private donations. But he also said that if RIM does not receive funding or bonding, many of the "meat and potatoes" projects will not survive. Funding for RIM consistently has been reduced since its inception in 1987.

Representatives of the Audubon Society and fisherman and sportsman clubs said they supported RIM's activities and hoped the Legislature would continue funding the program.

Finance

Division tours

Members of the Finance Division on Environment and Natural Resources, chaired by Sen. Steven Morse (DFL-Dakota), met twice during the course of the week. The division met Fri., Feb. 8, in order to tour the Minnesota Zoological

Gardent and Mon., Feb. 11, to tour the Minnesota Science Museum. The panel must make allocation decisions for the two institutions in the budget setting process for the next biennium.

Claims against the state

The Finance Division on Claims held an organizational meeting Wed., Feb. 13. The division, chaired by Sen. Tracy Beckman (DFL-Bricelyn), is charged with resolving claims made against the state. Often, the claims are submitted by persons in correctional institutions for injuries or losses occurring during the course of work programs. The panel discussed the process for hearing claims and the mechanical details involved in settling claims against the state.

Task Force report

The Health Care Cost Containment report was presented to panel members of the Health Care Cost Containment Task Force, Mon., Feb. 11. The meeting was chaired by Sen. Don Samuelson (DFL-Brainerd).

Pat McCormack, legislative analyst Senate Counsel and Research, discussed reasons why health care costs have risen and ways costs can be controlled.

The report was approved and referred to the Health and Human Services Committee in both the House and Senate, and to the Commerce Committee in the Senate and the Financial Institute and Insurance Committee in the House.

Division tours sites

The Finance Division on Education, Chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), toured several higher education campuses this past week.

On Tues. Feb. 12, the division visited North Hennepin Community College. Wed., Feb. 13, they visited the U of M Twin Cities campus. Thurs. Feb. 14, visits were made to Lakewood Community College and Northeast Technical College.

Gaming Regulations Committee

Canterbury and Indian Gaming

The topics of off-track betting and "teleracing" were the focus of discussion

during the first half of the Mon. Feb. 11, Gaming Regulations Committee, chaired by Sen. Charles Berg (DFL-Chokio). After an overview of Canterbury Downs activities and plans for next season, presented by Douglas Eichen, Canterbury Downs Director of Marketing, the committee heard testimony from Cort Holton, Counsel for the Horsemen Benevolent Protective Association. Holton explained that the Association, a group comprised of several breeding and racing organizations, is "united behind one complex legislative proposal, that of teleracing."

The primary difference between teleracing and off-track betting, Holten said, is spectator involvement. Off-track betting does not necessarily involve any spectator involvement, while teleracing would consist of wagerers gathering at a site to watch and bet on races telecast from Canterbury. The betting pool would be commingled with the pool at Canterbury and any other existing teleracing site, Holten explained. He said that the introduction of teleracing would "fight competition at our borders and bring racing to our fans outside the Twin Cities." He added that "this proposal is absolutely of critical interest to our future." Holten also said that the Racing Commission has not offered an opinion on teleracing at this time.

The second half of the meeting was dedicated to an overview of Indian Gaming by Leonard Prescott, president of the National Indian Gaming Association and Myron Ellis, chairman of the Minnesota Indian Gaming Association. Ellis, a member of the Leech Lake Reservation Tribal Council, gave a general report on the history of Indian Gaming in Minnesota. He reported that gaming on reservations has become a crucial economic development tool. He said it is helping Indians "achieve both financial independence and strong tribal government."

Prescott, a member of the Shakopee Sioux Tribe that runs the Little Six Bingo operation, addressed the committee and gave an explanation of Indian sovereignty and its relation to Indian Gaming. He explained the history, purpose and results of the Indian Gaming Regulatory Act of 1988, which requires compacts or agreements between states and Indian governments.

Committee update

Prescott said that Indians were opposed to a proposal that would allow video gaming at large in the state. Besides eliminating video games of chance as a destination entertainment, Prescott said that the Minnesota Indian Gaming Association opposes the introduction of video games of chance beyond reservations because it would infringe on the Indians right to economic independence by diminishing their customer base. In addition, Indians oppose simulcasting horse racing to freestanding facilities for the same reason.

Governmental Operations

Employee relations, planning commissioner

The new commissioner in the Dept. of Employee Relations, Linda Barton, appeared before the Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), along with three department managers to give an overview of the function of the department, Tues. Feb. 12.

Barton testified that the establishment of the department brought an end to the political spoils system that existed in state employment practices and provided a fair, accessible employment system for the state. The efforts of the department are directed at establishing a system of employment based on merit and a work force representative of the labor market.

Barton also said that the Department oversees employment issues for 40,727 state employees for whom there is an annual compensation of over \$1 billion. The Department serves as the employer for the state's executive branch of government, she said.

Elaine Johnson, deputy commissioner, personnel spoke to the committee on the Civil Service System. She said that the system covers a diversity of job classifications ranging from finance oriented jobs, such as in the Dept. of Revenue, to entertainment oriented jobs, such as those with the lottery or the zoo. There are 2,000 classes of different jobs in the merit system, which is designed to allow everyone access through public notice of job openings. Ninety percent of the jobs in the system are "classified," requiring

that equal access be provided and some sort of examination be administered to applicants, said Johnson.

The unclassified positions are generally those that require a personal compatibility with appointed department workers or are for a limited duration, said Johnson.

Nancy McClure, deputy commissioner, highlighted some of the functions in the area of labor relations. She said that there are 16 bargaining units for state employees, all of whom negotiate with the executive branch through the department as the one employer of all state employees.

Among the activities of the labor relations function include negotiating contracts with bargaining units, formulating contract interpretation policy, representing the state in grievance arbitration, and training managers on the implications of contract provisions.

Bob Cooley, employee benefits manager, spoke briefly on the issue of benefits, highlighting the issue of insurance. He said that the state employees comprise the largest group insurance plan in the state.

Next, Greg Hubinger, director for the Legislative Commission on Employee Relations (LCER) gave a brief description on the role of the commission. He said that the LCER is made up of six members of each body of the Legislature.

Hubinger identified role of the LCER as reviewing and approving labor contracts between the departments and employees; reviewing and approving salary increases proposed by the governor; approving compensation for those in the highest levels of management in the state; and conducting research on issues related to public employment. The LCER also provides an opportunity for the legislative branch to monitor the employee relations function of the executive branch, said Hubinger.

Finally, the newly appointed commissioner of the State Planning Agency, Linda Kohl, appeared before the panel in the first stage of her confirmation hearing.

Health and Human Services DHS and HIV/AIDS

The Thurs., Feb. 7, meeting of the

Health and Human Services Committee centered around presentations given by representatives from the Dept. of Human Services (DHS) Family Support Division, and the Minnesota HIV/AIDS Consortium. The committee is chaired by Sen. Linda Berglin (DFL-Mpls.).

John Petraborg, assistant commissioner of Family Support Services (FSS), provided panel members with an outline of DHS family support programs.

Petraborg described a proposed program, called the Minnesota Family Investment Plan, which would eliminate AFDC, food stamps and Medical Assistance. It would be replaced by a system that rewards people who work and are self-sufficient. He said that current welfare programs do not reward people who work or reward families that stay together.

Next, Michael Moen, from the Minnesota Department of Health, presented an overview of the Minnesota HIV/AIDS Consortium. He pointed out several objectives the consortium will be focusing upon this year: monitoring the trends of HIV/AIDS and other Sexually Transmitted Diseases (STDs); evaluating knowledge, attitudes and behavior patterns of persons at risk; and conducting outreach and risk reduction/elimination programs (the latter will receive the bulk of state funds).

Currently in Minnesota, he said, there are 842 AIDS patients, and more than 1500 people infected with the HIV virus. By 1992 Moen estimates that there will be 1,265 AIDS cases, and between 4,000 and 17,000 people infected with the HIV virus. He stated that the AIDS epidemic is growing in Minnesota and that there is an increase in STDs.

Next, testimony was presented various officials who work closely with communities at risk, Case Management Programs and the Minnesota AIDS Project. A local government official also spoke on the role of county and city governments in dealing with the HIV/AIDS issue.

Public testimony heard

The Health Care Access Division heard testimony on S.F. 2 from various individuals representing the health care, insurance and social services fields.

Interested citizens also spoke on the issue of health care accessibility and affordability at the Mon., Feb. 11, meeting. The meeting was chaired by Sen. Dallas Sams (DFL-Staples).

Various individuals presented testimony in an attempt to provide a detailed account on the plight of the self-employed, small business owners and employees, temporary workers, students, and farmers, in attempting to obtain health care. The prevailing theme was that accessibility and affordability are the two main reasons why people do not have health insurance.

Also, preexisting health conditions, discrimination against women, and the high premiums and deductibles charged by insurance companies, leave many people uninsured and unable to obtain routine health care, witnesses said.

Barbara Bearman who is self-employed, said that hospitals are out to make money, not to provide patient care. Bearman touched upon the discrimination issue by pointing out that females pay more than males for health premiums because of their child bearing ability.

Those that testified in support of S.F. 2, authored by Sen. Linda Berglin (DFL-Mpls.), stated that they are willing to pay a fair premium for health care. S.F. 2 establishes the Minnesotan' Health Care Plan to provide health coverage to uninsured and underinsured Minnesotans.

Joan Kost from the Anoka County STRIDE Program spoke on the working poor and their lack of insurance coverage. She said that many AFDC recipients are willing to get off welfare, but the current system creates a climate that keeps people dependent on welfare because of the inaccessibility of affordable health care.

Mike Latimore, representing the Minnesota Hospital Association (MHA), voiced his support and opposition to the bill. He said that the MHA supports health care access for rural Minnesota, transition grants, community based insurance rating and the standardization of forms to decrease administrative costs. On the other hand, the MHA is concerned about the duplication of current research efforts, data initiatives, state sponsored health clinics and the \$70,000 limit on health care costs. In addition, Latimore said that the limit will result in

more uncompensated cases and lower reimbursement rates.

According to Dr. Christopher Rief, president of the Health Care Campaign of Minnesota, the state needs a universal funded health care system. He indicated his support of the bill, especially in the establishment of the Dept. of Health Care Access, the consolidation of state programs, the insurance reforms mandating community rating and the disallowing of pre-existing condition exclusions.

Dale Reikamp, representing life and health underwriters, his spoke in opposition to community rating mandates. He proposes age and area rating instead. In addition, he disagrees with the belief that state sponsored health care will provide better broad based coverage than the current system. Reikamp indicated that he does support reforms on underwriting practices and pre-existing conditions. Reikamp also said that if significant cost savings is the goal, then the state must control delivery care and limit provider reimbursements.

Stuart Hanson, M.D. expressed the views of the Minnesota Medical Association (MMA) on providing health care for the uninsured. He said that providing accessible and affordable health care is a vital issue facing the state and the nation, and believes that universal access to basic health care should be available to all Minnesotans.

Hanson stated, however, that the MMA is concerned with certain provisions in the bill, which include: creating a Dept. of Health Care Access, establishing an overall state-wide limit on total public and private health care spending in Minnesota and limiting annual health care spending increases. The MMA also opposes the establishment of a fee schedule which is lower than fee schedules in areas where there are no managed care facilities, he said.

Luanne Nyberg testified on behalf of the Childrens' Defense Fund. Nyberg strongly supports the bill and illustrated to members what can happen to a family that has no health insurance. She outlined various problems families encounter when dealing with bureaucratic government agencies and insurance companies.

Case management bill

The Health and Human Services

Social Services Subcommittee met Mon., Feb. 11, and advanced a bill authorizing alternative methods for delivery of services to persons with mental retardation or related conditions. The measure, S.F. 148, authored by Sen. Dallas Sams (DFL-Staples), authorizes the commissioner of human services to approve up to ten county proposals for testing alternative methods of providing case management services to persons with mental retardation. The bill also specifies several methods of improving service delivery that must be included in the proposals. The measure was advanced to the full committee with a recommendation for passage.

The panel, chaired by Sen. Carol Flynn (DFL-Mpls.), also heard a presentation by Julie Brunner, Dept. of Human Services, on county social service mandates. Brunner said that the departmental study has raised a number of serious issues that will be incorporated in a department legislative proposal regarding mandates. Among the items included in the measure is a proposal to combine community social service plans and county mental health plans; a section seeking authority for pilot projects that will waive the administrative rule burden; a section seeking authority for the commissioner to amend rules to reduce administrative complexity; a section seeking a directive from the Legislature to examine statutes in light of needed changes; and a proposal to permit financial relief for counties that run out of money for social services.

Judiciary

Two bills reviewed

A bill expediting judgement procedures and clarifying changes in the filing fee surcharge for funding attorneys in guardianship proceedings was approved by the Judiciary Committee at the Fri., Feb. 8, meeting.

S.F. 109, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), changes the fee for requesting a certificate regarding the existence of docketed judgements from \$1 for each name to \$5. The bill also changes the procedures for preparing and mailing certified copies of marriage certificates, and allows the solemnizer to request a copy of the certificate at the time of filing.

Committee update

Lastly, the bill clarifies changes in the filing surcharge fee to offset counsel fees in guardianship proceedings. The flat surcharge will be mandatory and distributed across the board. The measure was re-referred to the Finance Committee.

In other action, panel members, chaired by Sen. Allan Spear (DFL-Mpls.), discussed S.F. 127, authored by Sen. John Marty (DFL-Roseville), limiting the process on how a person can obtain ex parte release orders during an emergency hold period under the Commitment Act.

Debate among panel members centered around prohibiting a judge from granting a release of an individual without a formal hearing. Currently, Minnesota law does not require a hearing to release an individual.

Sen. Patrick McGowan (IR-Maple Grove) said that there is an obligation to protect society and the individual from future harm. However, McGowan said that there is no need for formal hearings. One suggestion discussed by committee members would require a judge to examine documentation from treatment facility staff, law enforcement officials and the individual being held, before a release can be granted.

Testimony was given by a Mental Health Association official supporting the section of the bill that states a court can issue a release order when the court makes a written finding that there was a material violation of the procedures.

After further discussion, the bill was referred to the Civil Law Division.

The second half of the meeting was spent addressing the use of deadly force by peace officers. Bill Carter, director of the Minnesota of Peace Officer Standards and Training Board (POST) stated that under Minnesota Statutes, peace officers may use deadly force only under defined circumstances.

The issue of deadly force is a complex one, said Carter, and any solutions or reforms must take into consideration the balance between the need for law and order, individual civil rights and protection for the public and police. In closing Carter said, the issue of deadly force requires further study.

Two bills approved

Two bills were approved and moved to

the full Judiciary Committee at the first meeting of the Civil Law Division Mon., Feb. 11. The division is chaired by Sen. Richard Cohen (DFL-St. Paul).

S.F. 187, authored by Sen. Allan Spear (DFL-Mpls.) is designed to expedite the process for a competent adult to make advanced declarations regarding future intrusive mental health treatment such as electroshock therapy and neuroleptic medication.

Under current law, a person who objects or refuses treatment must wait for a Jarvis hearing to be given intrusive treatment. This can result in delays from two to three months for needed treatment and in the isolation and restraint of a patient.

Kathy Kosnoff, from the Mental Health Law Project, testified in support of the bill. Kosnoff called the bill an advanced psychiatric directive that allows an individual to plan for future treatment and that specifies a hospital's liability when administering intrusive treatment.

One individual testified regarding her personal experience involving a hospital not providing needed treatment while she was incapacitated.

Also, the director of Alliance for the Mentally Ill, and the director for the Medical Division of the Dept. of Human Services testified in support of the bill.

Summarizing the legislation, witnesses stated that it will streamline the process, that it will reduce the number of Jarvis cases and commitments to regional treatment centers, and that it will improve and reduce treatment delays.

In other action, the panel approved S.F. 113, authored by Sen. Fritz Knaak (IR-White Bear Lake), allowing the immediate reformation of an interest in real or personal property that violates the rule against perpetuities upon petition of an individual. In addition, the bill repeals the statutory rule against perpetuities, which takes effect Jan. 1, 1992.

Bill heard, report given.

The Criminal Law Division of the Judiciary Committee, chaired by Sen. John Marty (DFL-Roseville), met for the first time Wed., Feb. 13, to hear S.F. 224 and the presentation of the Worthless-Check Diversion Program Pilot Study Report.

S.F. 224, authored by Sen. William Luther (DFL-Brooklyn Park), allows the public defender's office more discretion in handling post-conviction cases and provides a uniform policy of accounting for "goodtime" as a condition of probation for convicted felons serving time in county facilities.

Larry Hammerling, deputy state public defender testified on behalf of the bill. He said that Post Conviction Act is a means for appeal when normal appeal opportunities have been exhausted or forfeited, and allows persons to go back to court to have issues address that, for some reason, could not be raised at the time of the trial or newly discovered evidence.

Hammerling said that his office currently interprets the language of the Act in a way that allows them latitude in determining which cases to take. He said that the bill would clarify the public defender's duty with regard to its obligation in post-conviction cases, and would make the law consistent with the current policy of his office.

The committee approved an amendment offered by Sen. Randy Kelly (DFL-St. Paul) that would require the public defender to review each case before applying its discretion.

Kelly also offered an amendment to delete the "goodtime" provision of the bill, saying that the issue is one that should be addressed more thoroughly in the Criminal Justice System Oversight Subcommittee. The amendment was approved.

The bill was approved and referred to the full Judiciary Committee.

Sue Dosal, state court administrator, and Michael Johnson, staff attorney, State Court Administration, presented findings of the Worthless-Check Diversion Program Pilot Study Report and Minnesota Supreme Court Criminal Courts Study Commission Final Report—Worthless Check Offenses Section.

Dosal said that the pilot project was initiated by the Scott County Attorney and received legislative authority in 1990. The goals of the program were to improve the collection rate of worthless checks, to implement a program of collection that would not increase court costs, and to reduce recidivism, she said.

The study found that collection rates under the program increased by 124 percent, but court costs increased, said Dosal. The duration of the pilot study did not allow for a meaningful analysis of recidivism, she said.

Johnson said that there are two main questions that the Commission felt must be answered in dealing with the issue: Is the cost to the courts justified and should the courts and the state act as a collection entity for private business?

Johnson said that one proposal is to decriminalize worthless check offenses. He said that doing so would recognize the courts' limited resources, and that a worthless check offense is most often one of negligence rather than one of criminal intent. Arguments against decriminalization include the fact that many of the offenses are criminal and that many drug problems are being funded using worthless checks.

Metropolitan Affairs

RTB and MMCC overviews

The Metropolitan Affairs Committee met Thurs., Feb. 7, to hear a budget overview of the Regional Transit Board (RTB) and an overview of the Metropolitan Mosquito Control Commission (MMCC). The committee is chaired by Sen. Don Frank (DFL-Spring Lake Park).

Gregory Andrews, executive director of the RTB, outlined the five year plan and addressed the issue of funding.

He specified that 96 percent of the monies received from federal, state and local governments and property taxes are used toward transportation costs. He then compared the percentages of monies raised from property taxes that are used for regular route service. In 1970, eight percent was used for transportation costs, compared to 50 percent last year.

He also cited community based transit costs. He said that 9 percent is generated from fares and more than 71 percent is generated from state appropriations and property taxes.

In response to the affordability of the Metro Mobility Program for users, Michael Ehrlichmann, chair of the RTB, said that the RTB does not want to raise fares, but they do not want to decrease services either. He indicated that the

RTB is expecting a challenge from the disabled community, so the RTB is looking at sliding fees.

However, he stated, the region is facing a critical period in transit funding due to higher fuel costs, declining federal transit assistance, declining state funding and the fact that fare revenues are no longer meeting the adopted recovery standard of 35 percent.

In order to minimize losses in ridership due to the fare increase, the RTB is exploring options for discounting convenience fares. This strategy would lessen the impact of a fare increase on transit dependent individuals by offering multiple-ride cards or tokens at rates that are less than the per-ride cost of cash fares.

The meeting ended with Robert Sjorgren, director of the MMCC, describing its role and mission, and citing factors influencing the local mosquito annoyance level to committee members.

He indicated that the MMCC is not an eradication program, but a suppression program that focuses on environmental safety and quality by using non-conventional insecticides.

MWCC overview

Representatives from the Metropolitan Waste Control Commission (MWCC) presented an overview of the MWCC to members of the Metropolitan Affairs Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park) at the Tues., Feb. 12, meeting.

The MWCC owns and operates the wastewater treatment system in the Metro Area. Gordon Voss, chief administrator for the MWCC, provided a summation of the MWCC's financial picture to panel members. In reviewing revenues, Voss pointed out that 85 percent is generated from sewer service charges and 10 percent from service availability charges (SAC). The other five percent, he said, is generated from industrial strength charges and other sources. Voss stated that SAC charges are established through a public hearing process.

On the expense side, Voss pointed out that debt service, salaries and benefits and external purchases each make up one-third of the budget. The MWCC, he

said, is not a user of the General Fund, and does not have the authority to tax property.

In addition, he commented upon the elimination of federal grant programs. Ultimately, he said, costs will be borne by users. At this time in Minnesota, it costs the MWCC approximately \$130 per household per year for sewage treatment, he said.

Redistricting

Redistricting overview

The new Senate Redistricting Committee, chaired by Sen. Roger Moe (DFL-Erskine), met for the first time Fri., Feb. 8, to hear presentations on population shifts, the timetable for redistricting and the role of the courts in the redistricting process.

The timetable calls for public hearings to be held later this month on standards governing the redistricting plans. In addition, the timetable sets forth the probable dates for census data to be furnished to the committee and for beginning the actual redistricting process. Legislative and congressional redistricting would be completed by Mar. 26, 1992, under the timetable's guidelines.

Panel members also heard a short presentation from Tom Gillaspay, state demographer, on the population shifts occurring between 1980 and 1990. According to Gillaspay, the state grew at a slower rate than the entire nation, but faster than surrounding states. The areas of greatest growth were in the Twin Cities suburban areas and along the corridor from Rochester to St. Cloud, Gillaspay said.

Peter Wattson, Senate counsel, also briefed the committee on relevant court cases concerning the redistricting process. Finally, Charles McCarty, redistricting system administrator, outlined the computer hardware and software that will be used in drawing new legislative and congressional boundaries.

Taxes and Tax Laws

Property tax overview

The Taxes and Tax Laws Property Tax Division, chaired by Sen. Ember Reich-

Committee update

gott (DFL-New Hope), met Tues., Feb. 12, to hear an overview on property taxes presented by Keith Carlson, fiscal analyst for the committee.

According to Carlson, the property tax is an "ad valorem" tax which means that the tax is determined in reference to a property's value. In Minnesota the tax is expressed as a percent of a property's taxable value or "tax capacity," Carlson said. Property taxes are levied by cities and townships, counties, school districts and special taxing districts such as watershed districts and housing and redevelopment authorities, he said. Carlson pointed out that the state has not levied a property tax since 1967.

Carlson went on to outline who pays the property tax, who administers the property tax, the calendar for administering the property tax, and the timetable for property taxes payable in 1991.

In addition, Carlson explained the method for determining property taxes. According to Carlson, each local government certifies the total dollar amount of taxes they want to collect to the county auditor. Local governments do not set a tax rate, Carlson said. The county auditor divides the respective levies of the local governments by the tax base, or total value of taxable property within the community, in order to derive a tax rate, he said. The tax rate is a percent of the total value of property within a community, Carlson said. The county auditor determines the total tax rate in effect in any one area of a community by adding the tax rates of all the taxing entities and multiplies that figure by the taxable value of each property in order to determine the individual property tax, he said.

Carlson also explained Minnesota's classified property tax system. A property's value for tax purposes is a varying percentage of its market value depending on the property's use, ownership, method of financing, size, income of the residents and the time of year the property is used. As a result of having a classified system, Carlson said, determining the tax on any property in Minnesota is a two-step process. The property's tax capacity is determined by multiplying its market value by its class rate and then multiplying the tax capacity by the local tax rate.

Finally, Carlson described several other concepts such as fiscal disparities, tax increment financing, levy limits, state property tax relief programs, local government aids, homestead and agricultural credit aid and income maintenance aids.

Military tax extension

The Income, Sales and Economic Development Division of the Taxes and Tax Laws Committee met Wed., Feb. 13, and approved a bill allowing national guard and reserve personnel called to active duty an extension to file income tax returns and property tax refund claims. The bill, H.F. 13, sponsored by Sen. David Frederickson (DFL-Murdock), was amended to include language dovetailing provisions with recently enacted federal law. The amendment pulls back the date to August in order to include military personnel serving in the Middle East during the Desert Shield phase of the Gulf crisis. In addition, the amendment provides that the state conform to federal practice in the matter of paying interest on refunds and clarifies that the provisions of the measure apply to spouses. The measure was approved and referred to the full committee.

In other action, the division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), continued to review the Dept. of Revenue measure making technical changes and corrections to income and corporate tax laws. The panel concentrated on the changes contained in the section of the measure dealing with corporate taxes.

Transportation

U of M presentation

Committee Chair Gary DeCramer (DFL-Ghent) and members of the Transportation Committee heard a presentation on the University of Minnesota's Center for Transportation Studies Thurs., Feb 7.

Director Richard Braun told committee members that the center, which spends \$1 million a year on research projects, was established in 1987 to address Minnesota's transportation problems from

a multidisciplinary approach. He said the center's 57 research projects are currently funded by the oil overcharge and funds from the Minnesota Department of Transportation and the Regional Transit Board.

Braun said some issues, such as climate, the transportation needs of Native Americans and certain roadside weeds, are unique to Minnesota. One project, the Minnesota Road Research Project (Mn/ROAD), will reveal the effects of climate, traffic volumes and weight on pavement performance by routing traffic on a stretch of highway comprised of various pavement materials and designs. Another project involves studying and meeting the transportation needs of Native Americans as way of improving their economic circumstances. Braun also described another program, Guidestar, in which video cameras and computer software assist in controlling growing highway congestion and safety problems.

MTC/RTB presentation

Representatives from the Metropolitan Transit Commission (MTC) presented an overview at the Mon., Feb. 11, Transportation Committee meeting. Regional Transit Board (RTB) representatives also gave a presentation.

MTC Acting Chief Administrator Mike Christenson told the committee that increasing environment and traffic congestion concerns will assist in the MTC's efforts to recruit new riders. Assistant Chief Administrator Jerry Olson said corridor studies are being conducted in certain segments of the Metropolitan Area to obtain information on ridership. On that note, he said the RTB and the MTC have formed a marketing committee to acquire more information on ridership, including riders' incomes. Steve Morris, director of Equipment Maintenance, spoke on some alternative fuel approaches. He said designated buses will be operating on alternative fuels for a two-year period, after which time they will be evaluated. Director of Finance Bob Thompson offered a breakdown of the various MTC funding sources, as well as operating, capital and debt service expenditures.

Chair Michael Erlichmann, Regional Transit Board, described the RTB as a

broker of services with providers throughout the Metropolitan Area. He attributed the increase in transit services ridership to the changing needs of the suburban communities, which have spread out. "It's not just a suburban-to-downtown commute anymore," he said, adding that the RTB is examining a variety of transit services to meet changing metropolitan needs. Director Judy Hollander, Planning and Programs, said that the RTB has cut back on personnel and raised fares in response to budget cuts. In addition, she said the Board has cut service in some areas. Executive Director Gregory Andrews told members that less than four percent of funding to the RTB goes to administrative costs.

Sen. Gary DeCramer (DFL-Ghent) chairs the committee.

Veterans and General Legislation

POW/MIA testimony taken

A joint meeting of the House and Senate Veterans and General Legislation Committees met Fri., Feb. 8, to hear testimony on two resolutions concerning service personnel listed as Prisoners of War (POW) or Missing in Action (MIA). The committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville) and Rep. Pat Beard, (DFL-Cottage Grove) heard testimony supporting the two resolutions.

S.F. 171, sponsored by Bertram, is a resolution urging Congress to enact the "POW/MIA truth bill", relating to the disclosure of live sighting information on American service personnel missing in action from World War II, Korea and Vietnam. S.F. 172, also sponsored by Bertram is a resolution that urges Congress to continue funding the POW/MIA special investigation that is being conducted by the United States Senate Foreign Relations Committee.

The committee heard from various family members of MIAs and from former POWs, including Capt. Eugene "Red" McDaniel, a former Vietnam POW and founder of the American Defense Institute. McDaniel said that there have been several "live sightings" of POWs in Cambodia, some as recent as May, 1990. He also presented evidence indicating a

possible government cover-up of facts relating to remaining POWs from the last three U.S. wars. The committee also heard testimony from Tracy Usry, lead investigator on the Interim Report on the Southeast Asia POW/MIA Issue of the U.S. Senate Foreign Relations Committee. Usry reiterated that there have been live sightings and gave several examples of the continuous attempts by the U.S. government to discredit them.

The joint hearing ended with the understanding that votes on the resolutions would be taken up in the respective committees of the House and Senate at their next meetings.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6 the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6 the Metro Cable Network.

Also, watch for Senate Report, a weekly public affairs program, featuring lawmakers from specific regions around the state reviewing legislative issues from a regional perspective. Senate Report is broadcast on PBS stations as well as Channel 6 the Metro Cable Network.

The following is the schedule for broadcast of Senate Report.

Austin KSMQ - 11:30 a.m. Sundays;
Duluth WDSE - 11:30 a.m. Sundays;
Appleton KWCM- 11:30 a.m. Sundays;
Bemidji KAWE/KAWE - 11:30 a.m. Sundays (Beginning Feb. 3); Fargo KFME 11 a.m. - Saturdays (Beginning Feb. 2); and Channel 6, the Metro Cable Newtwork - 6:30 p.m. Mondays and 7:30 p.m. Wednesdays.

Information Office services profiled

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol.

These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request 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.

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.

Senate phone numbers

For copies of bills (voice mail)	296-2343
For index and information	296-0504
For committee schedules	296-8088
For TDD	296-0250
For TV comment	296-0264

Preview

The Minnesota Senate Week at a Glance

Monday, February 18

Education Committee

Chair: Gregory Dahl

8:30 a.m. Room 15 Capitol

Agenda: Dept. of Education consolidation proposal. Overview of the Dept. of Education Cooperation and Combination Program.

Gaming Regulation Committee

Chair: Charles Berg

8:30 a.m. Room 107 Capitol

Agenda: Overview of Minnesota State Lottery by Director George Anderson.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: "Shoot/Don't Shoot" demonstration by Law Enforcement Training Center Director Phil Davis. S.F. 113-Knaak: Rule against perpetuities. S.F. 186-Kelly: Eminent domain entry onto private land by government employees. S.F. 216-Stumpf: Canadian consumption card proof of legal drinking age.

Veterans and General Legislation Committee

Chair: Joe Bertram, Sr.

10 a.m. Room 112 Capitol

Agenda: S.F. 105-Samuelson: removing certain directions, limits, and provisions on the use of money for certain projects. S.F. 144-Samuelson: proposing an amendment to the Minnesota Constitution to permit the payment of bonuses to veterans of the conflict with Iraq.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: Overview of light rail.

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

Joint Education Subcommittees on Indian Education and Higher Education

Chairs: Jane Ranum and John Hottinger

3 p.m. Room 107 Capitol

Agenda: Update from Indian Teacher Training Programs in Duluth, Moorhead and Bemidji. Augsburg College of Minneapolis proposal. Status of Indian Student Advisory Committees at state institutions of higher education. Status of the Indian College Scholarship Program.

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Room 123 Capitol

Agenda: Overviews by representatives of the following agencies: Voyageurs National Park Citizens Council, Harmful Substance Compensation Board, Minnesota Academy of Science, Minnesota-Wisconsin Boundary Area Commission, and the Minnesota Horticultural Society.

Health and Human Services Division on Health Care Access

Chair: Pat Piper

3 p.m. Room 15 Capitol

Agenda: Public testimony on health care access issues. S.F. 2-Berglin: Health Care Access and Reform. S.F. 181-Benson, D.D.: Health care plans for uninsured Minnesotans; tax credits for insurance premiums.

Health and Human Services Subcommittee on Social Services

Chair: Carol Flynn

3 p.m. Depart from Capitol

Agenda: AFDC Community Tour to meet with AFDC families in their homes.

Tuesday, February 19

Finance Division on Education

Chair: LeRoy Stumpf

8 a.m. Room 125 Capitol

Agenda: State University System representatives will be taking interested Senators to several businesses for equipment presentations.

Local Government Committee

Chair: Betty Adkins

8:30 a.m. Room 107 Capitol

Agenda: S.F. 79-Davis: Extending the deadline for negotiating certain contracts for Mora.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: To be announced.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: Continuation of Regional Transit Board (RTB) overview by Chair of Administration Michael Ehrlichman, Planning and Programs Director Judy Hollander, and Executive Director Greg Andrews.

Legislative Water Commission

Chair: Steven Morse

12 noon Room 15 Capitol

Agenda: Presentations by Board of Water and Soil Resources (BWSR) on Groundwater Act implementation, 1991 legislative proposals, the Environmental Agriculturalist program, local water plan implementation grants, and well sealing cost share. Presentations by the Pollution Control Agency (PCA) on Groundwater Act implementation, monitoring, and 1991 legislative proposals. Presentations by the Dept. of Health on Groundwater Act implementation and 1991 legislative

proposals on well codes and health risk limits.

Environment and Natural Resources Subcommittee on Public Lands and Water

Chair: Len Price

1 p.m. Room 107 Capitol

Agenda: S.F. 54-Beckman: Cost share contracts for soil and water conservation districts. S.F. 66-Larson and S.F. 74-Sams: Establishing Glendalough State Park.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

3 p.m. Room 123 Capitol

Agenda: Tour and overview of the Minnesota State Lottery office.

Taxes and Tax Laws Division on Income, Sales and Economic Development

Chair: Lawrence Pogemiller

3 p.m. Room 15 Capitol

Agenda: Continuation of Dept. of Revenue technical changes bill on individual income and corporate tax.

Economic Development and Housing Committee

Chair: James Metzen

7 p.m. Room 15 Capitol

Agenda: S.F. 154-Merriam: relating to manufactured home parks; providing for notice and right to purchase for conversion or the closing of a park under certain circumstances.

Commission on the Economic Status of Women

Chair: Pat Piper

7 p.m. Room 100, Metcalf Junior High School, Burnsville, Minn.

Agenda: Discussion to include the issues of accessibility of educational opportunities, health care, legal assistance, child care, and employment opportunities for women and girls. Discussion also to include the

implementation of the Success Through Reaching Individual Development and Employment (STRIDE) program, child support enforcement effectiveness, needs of domestic abuse victims, and older women's special needs.

Wednesday, February 20

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 255-Price: Relating to horse racing; increasing per diem rate for members of the racing commission; requiring that pari-mutuel clerks at county fairs be licensed. S.F. 324-Berg: Abolishing Dept. of Gaming and Gaming commissioner position; lawful gambling provisions.

Joint House and Senate Education Subcommittee on Higher Education

Chair: John Hottinger

10 a.m. Room 10 SOB

Agenda: Presentation of concerns and legislative requests by students representing the University of Minnesota, Minnesota State Universities, Minnesota Community Colleges, Minnesota Technical Colleges, and private colleges.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: Dept. of Human Services report on workers compensation costs in nursing homes.

Judiciary Division on Civil Law

Chair: Richard Cohen

10 a.m. Room 15 Capitol

Agenda: S.F. 127-Marty: Prohibiting judicial release from MI, MR, and CD 72 hour emergency hold. S.F. 246-Hottinger: Value of estate subject to probate claims by affidavit.

Veterans and General Legislation Committee

Chair: Joe Bertram, Sr.

10 a.m. Room 112 Capitol

Agenda: S.F. 118-Knaak: Tightening laws and increasing penalties for cruelty to animals including horses. S.F. 151-Kroening: Fire protection licensing and regulation.

The Senate will be in session at 11:30 and then meet with the House of Representatives in joint convention at 12 noon for the presentation of the governor's budget message.

Taxes and Tax Laws Committee

Chair: Douglas Johnson

3 p.m. Room 15 Capitol

Agenda: Overview of the Governor's budget proposal. H.F. 13-Frederickson, D.J.: Deadline extension for filing income and property tax returns for national guard and reserve members called to active duty. H.F. 57-Reichgott: Property tax technical changes bill.

Thursday, February 21

Finance Division on Education

Chair: LeRoy Stumpf

8 a.m. Room 125 Capitol

Agenda: Presentations by faculty and students from all higher education systems.

Governmental Operations Committee

Chair: Gene Waldorf

8 a.m. Room 15 Capitol

Agenda: Continuation of confirmation hearing for State Planning Agency Commissioner Linda Kohl.

Judiciary Subcommittee on Criminal Justice System Oversight

Chair: Randy Kelly

8 a.m. Room 112 Capitol

Preview

The Minnesota Senate Week at a Glance

Agenda: Presentation of Non Imprisonment Sanction Study by the Minnesota Sentencing Guidelines Commission. Presentations on local jails and the issues of overcrowding, present status, and future outlook by Metro Area county representatives.

Rules and Administration Subcommittee on Permanent and Joint Rules

Chair: William Luther
Immediately following session Room 237 Capitol

Economic Development and Housing Committee

Chair: James Metzen
10 a.m. Depart from Capitol
Agenda: Tour of various URAP sites and development areas in St. Paul.

Local Government Committee

Chair: Betty Adkins
8 a.m. Room 107 Capitol
Agenda: S.F. 119-Moe, R.D.: Permitting the City of Crookston to establish a Special Service District. S.F. 126-Bernhagen: Authorizing Meeker County Memorial Hospital's Phase II renovation project.

Education Committee

Chair: Gregory Dahl
3 p.m. Room 107 Capitol
Agenda: Overview of the governor's 1992-1993 budget proposal.

Judiciary Committee

Chair: Allan Spear
10 a.m. Room 15 Capitol
Agenda: To be announced.

Energy and Public Utilities Committee

Chair: Steven Novak
10 a.m. Room 107 Capitol
Agenda: To be announced.

Health and Human Services Committee

Chair: Linda Berglin
3 p.m. Room 15 Capitol
Agenda: S.F. 148-Sams: Case management for persons with mental retardation or related conditions; alternative delivery of services. Action on health care access legislation reported out of the division earlier in the week. Dept. of Human Services budget recommendations.

Joint Senate and House Education Subcommittee on Libraries

Chair: Sandra Pappas
12 noon Room 15 Capitol
Agenda: Overview of cooperative agreements, shared facilities, and schools and public libraries.

Metropolitan Affairs Committee

Chair: Don Frank
10 a.m. Room 15 Capitol
Agenda: Continuation of Metropolitan Airports Commission (MAC) overview by Executive Director Jeffrey Hamiel.

Finance Committee

Chair: Gene Merriam
3 p.m. Room 123 Capitol
Agenda: Confirmation hearing for Commissioner of Finance John Gunyou. Presentation of the governor's budget for 1992-'93 by John Gunyou.

Friday, February 22

Judiciary Subcommittee on Privacy

Chair: Jane Ranum
12 noon Room 318 Capitol
Agenda: Discussion of Minnesota Governmental Data Practices Act and interagency collaboration.

Education Subcommittee on Early Childhood and Special Populations

Chair: Judy Traub
8:30 a.m. Room 15
Agenda: Dept. of Education presentation on the unique needs of learners with emotional and behavioral disorders. Presentations by the Rum River Special Education Cooperative, the Parents Advocacy Coalition for Education Rights (PACER), and the Dept. of Education Talented and Gifted Students Program.

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

Senate Committee Assignments

AGRICULTURE AND RURAL DEVELOPMENT (12)

Chair: Davis Vice chair: Beckman
Office: G-24 Telephone: 296-7405
Meets: T, Th; Room 112; 10-12 noon
Beckman Davis Frederickson, D. R. Renneke
Berg Day Larson Sams
Bertram Frederickson, D. J. Morse Vickerman

COMMERCE (16)

Chair: Solon Vice chair: Pappas
Office: 303 Telephone: 296-4158
Meets: T, W, F; Room 112; 1-3 p. m.
Adkins Cohen Larson Pappas
Belanger Day Luther Samuelson
Berglin Hottinger Mehrkens Solon
Brataas Kroening Metzen Spear

ECONOMIC DEVELOPMENT & HOUSING (12)

Chair: Metzen Vice chair: Johnson, J.B.
Office: 303 Telephone: 296-8864
Meets: M, Th; Room 107; 12-2 p. m.
Beckman Gustafson Kroening Sams
Bernhagen Johnson, J. B. Metzen Storm
Davis Kelly Neuville Traub

EDUCATION (23)

Chair: Dahl Vice chair: Traub
Office: 235 Telephone: 296-4185
Meets: M, W, F; Room 15; 8-10 a. m.
Beckman Hottinger Mehrkens Pogemiller
Benson, J. Hughes Mondale Ranum
Dahl Johnston Morse Reichgott
DeCramer Knaak Neuville Stumpf
Dicklich Langseth Olson Traub
Frederickson, D. J. Larson Pappas

EDUCATION FUNDING DIVISION (14)

Chair: Dicklich
Office: 235 Telephone: 296-8018
Meets: M, Th; Room 107; 3-6 p. m.
Dahl Hughes Mehrkens Reichgott
DeCramer Knaak Olson Stumpf
Dicklich Langseth Pappas
Frederickson, D. J. Larson Pogemiller

ELECTIONS AND ETHICS (13)

Chair: Hughes Vice chair: Luther
Office: 328 Telephone: 296-8866
Meets: W; Room 107; 12 Noon - 1 p. m.
Cohen Johnson, D. E. Luther Moe Samuelson
Halberg Johnson, D. J. Marty Piper
Hughes Laidig McGowan Pogemiller

EMPLOYMENT (10)

Chair: Chmielewski Vice chair: Mondale
Office: 325 Telephone: 296-8865
Meets: M, W; Room 107; 10-12 noon
Adkins Chmielewski Gustafson Kroening Piper
Brataas Frank Halberg Mondale Solon

ENERGY AND PUBLIC UTILITIES (12)

Chair: Novak Vice chair: Finn
Office: 321 Telephone: 296-1767
Meets: T, Th; Room 107; 10-12 noon
Benson, J. Gustafson Novak Reichgott
Dicklich Johnson, D. J. Olson Storm
Finn Marty Piper Waldorf

ENVIRONMENT AND NATURAL RESOURCES (19)

Chair: Lessard Vice chair: Price
Office: 111 Telephone: 296-1113
Meets: T, W, F; Room 107; 1-3 p. m.
Benson, J. Frederickson, D. R. Merriam Pariseau
Berg Johnson, J. B. Mondale Price
Bernhagen Laidig Morse Riveness
Dahl Lessard Novak Stumpf
Finn Marty Olson

FINANCE (30)

Chair: Merriam Vice chair: Vickerman
Office: 122 Telephone: 296-4157
Meets: T, W, F; Room 123; 3-6 p. m.
Beckman Frederickson, D. R. McGowan Solon
Berg Johnson, D. E. Mehrkens Spear
Brataas Kroening Merriam Storm
Cohen Laidig Metzen Stumpf
Dahl Langseth Morse Vickerman
Davis Larson Piper Waldorf
DeCramer Lessard Renneke
Dicklich Luther Samuelson

GAMING REGULATION (10)

Chair: Berg Vice chair: Bertram
Office: 328 Telephone: 296-5539
Meets: M, W; Room 107; 8-10 a. m.
Berg Dicklich Johnson, D. E. Metzen Samuelson
Bertram Frederickson, D. R. McGowan Price Spear

GOVERNMENTAL OPERATIONS (12)

Chair: Waldorf Vice chair: Ranum
Office: 317 Telephone: 296-4175
Meets: T, Th; Room 15; 8-10 a. m.
Belanger Frederickson, D. R. Pariseau Renneke
DeCramer Hughes Pogemiller Riveness
Frederickson, D. J. Morse Ranum Waldorf

HEALTH AND HUMAN SERVICES (17)

Chair: Berglin Vice chair: Sams
Office: G-9 Telephone: 296-4151
Meets: M, Th; Room 15; 3-6 p. m.
Adkins Day Hottinger Solon Waldorf
Benson, D. Finn Johnson, J. B. Storm
Berglin Flynn Piper Traub
Brataas Halberg Sams Vickerman

JUDICIARY (17)

Chair: Spear Vice chair: Kelly
Office: G-27 Telephones: 296-4191
Meets: M, W, F; Room 15; 10-12 noon
Belanger Kelly Marty Pogemiller Stumpf
Berglin Knaak McGowan Ranum
Cohen Laidig Merriam Reichgott
Finn Luther Neuville Spear

LOCAL GOVERNMENT (9)

Chair: Adkins Vice chair: Hottinger
Office: G-29 Telephone: 296-4150
Meets: T, Th; Room 107; 8-10 a. m.
Adkins Chmielewski Day Lessard Traub
Bernhagen Davis Hottinger Neuville

METROPOLITAN AFFAIRS (13)

Chair: Frank Vice chair: Flynn
Office: 226 Telephone: 297-8070
Meets: T, Th; Room 15; 10-12 noon
Cohen Johnston Laidig Pappas Ranum
Flynn Kelly Langseth Pariseau
Frank Knaak Mondale Price

REDISTRICTING (10)

Chair: Moe Vice chair: Luther
Office: 208 Telephone: 296-4196
Meets: On Call
Benson, D. DeCramer Knaak Moe Reichgott
Cohen Johnson, D. J. Luther Pogemiller Storm

RULES AND ADMINISTRATION (29)

Chair: Moe Vice chair: Luther
Office: 208 Telephone: 296-4196
Meets: On Call
Adkins Bertram Frank Lessard Renneke
Belanger Brataas Hughes Luther Solon
Benson, D. Chmielewski Johnson, D. E. Merriam Spear
Berg Dahl Johnson, D. J. Metzen Storm
Berglin Davis Knaak Moe Waldorf
Bernhagen DeCramer Laidig Novak

TAXES AND TAX LAWS (22)

Chair: Johnson, D. J. Vice chair: Frederickson, D. J.
Office: 205 Telephone: 296-4839
Meets: T, W, F; Room 15; 3-6 p. m.
Belanger Chmielewski Halberg Novak Reichgott
Benson, D. Flynn Hughes Olson Riveness
Berglin Frank Johnson, D. J. Pariseau
Bernhagen Frederickson, D. J. Kelly Pogemiller
Bertram Gustafson Marty Price

TRANSPORTATION (14)

Chair: DeCramer Vice chair: Riveness
Office: 309 Telephone: 296-4186
Meets: M, Th; Room 112; 12-2 p. m.
Benson, J. Flynn Langseth Olson Vickerman
Chmielewski Johnson, D. E. Mehrkens Pappas
DeCramer Johnston Novak Riveness

VETERANS AND GENERAL LEGISLATION (11)

Chair: Bertram Vice chair: Johnson, J. B.
Office: 323 Telephone: 296-1771
Meets: M, W; Room 112; 10-12 noon
Bertram Johnson, D. E. Johnston Pariseau Sams Vickerman
Dahl Johnson, J. B. Lessard Renneke Samuelson

Minnesota Senate

Senate Members --- 1991 Session

Party	Phone	Name	Room	Dist.	Party	Phone	Name	Room	Dist.
DFL	296-5981	Adkins, Betty	G-29 Cap.	22	DFL	3205	Langseth, Keith	G-24 Cap.	9
DFL	5713	Beckman, Tracy	G-24 Cap.	29	IR	5655	Larson, Cal	145 SOB	10
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	4136	Lessard, Bob	111 Cap.	3
IR	3903	Benson, Duane D.	147 SOB	32	DFL	8869	Luther, William P.	205 Cap.	47
IR	6455	Benson, Joanne E.	153 SOB	17	DFL	5645	Marty, John	G-9 Cap.	63
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	2159	McGowan, Patrick D.	129 SOB	48
DFL	4261	Berglin, Linda	G-9 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 P.	303 Cap.	39
IR	4848	Brataas, Nancy	139 SOB	33	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	7-8065	Mondale, Ted	325 Cap.	44
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	5649	Morse, Steven	G-24 Cap.	34
DFL	5003	Dahl, Gregory L.	235 Cap.	50	IR	1279	Neuville, Tom	135 SOB	25
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4334	Novak, Steven G.	322 Cap.	52
IR	9457	Day, Dick	105 SOB	30	IR	1282	Olson, Gen	125 SOB	43
DFL	6820	DeCramer, Gary M.	309 Cap.	27	DFL	1802	Pappas, Sandra L.	G-24 Cap.	65
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	IR	5252	Pariseau, Pat	109 SOB	37
DFL	6128	Finn, Harold R. "Skip"	321 Cap.	4	DFL	9248	Piper, Pat	G-9 Cap.	31
DFL	4274	Flynn, Carol	227 Cap.	61	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2877	Frank, Don	225 Cap.	51	DFL	7-8060	Price, Leonard R.	111 Cap.	56
DFL	5640	Frederickson, David J.	306 Cap.	20	DFL	7-8061	Ranum, Jane	317 Cap.	62
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	2889	Reichgott, Ember D.	301 Cap.	46
IR	4314	Gustafson, Jim	115 SOB	8	IR	4125	Renneke, Earl W.	117 SOB	35
IR	4120	Halberg, Chuck	133 SOB	38	DFL	7-8062	Riveness, Phil	309 Cap.	40
DFL	6153	Hottinger, John C.	G-29 Cap.	24	DFL	7-8063	Sams, Dallas C.	G-9 Cap.	12
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4875	Samuelson, Don	124 Cap.	13
IR	3826	Johnson, Dean E.	131 SOB	15	DFL	4188	Solon, Sam G.	303 Cap.	7
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	5419	Johnson, Janet B.	303 Cap.	19	IR	6238	Storm, Donald A.	119 SOB	42
IR	4123	Johnston, Terry	151 SOB	36	DFL	8660	Stumpf, LeRoy A.	G-24 Cap.	1
DFL	5285	Kelly, Randy C.	G-27 Cap.	67	DFL	7-8064	Traub, Judy	235 Cap.	45
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim	122 Cap.	28
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	3809	Waldorf, Gene	317 Cap.	66
IR	4351	Laidig, Gary W.	141 SOB	55					

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

February 22, 1991

Budget address

Gov. Arne Carlson presented his budget for the next biennium to members of the Minnesota Senate and House of Representatives at a joint convention Wed., Feb. 20. Carlson said that because the people of Minnesota expect leadership that will reflect intelligence and sound judgement, the proposed budget is based on the principle that state government must not spend more than it makes. Lt. Governor Joanell Dyrstad also participated in delivering the budget address. The \$15.1 billion budget calls for significant cuts in state aids to local governments, cuts in state agency budgets and cuts in higher education.

In addition, the proposed budget raises some taxes. Under the proposal, conforming with federal tax laws for high-income taxpayers, corporations and estates would raise \$83 million. In addition, the budget calls for a 24 cent per pack increase on cigarettes and for increases on liquor, wine and beer taxes.

Carlson said that the budget is a "blueprint for change in Minnesota." He said that the proposal emphasizes traditional priorities; education, children and concern for the environment. Thus, the budget contains new spending for a number of programs aimed at children. The budget provides \$4.5 billion for education. Head Start, Way to Grow and Early Childhood and Family Education programs will be the main beneficiaries of the new spending. Carlson said that "we are targeting spending on a prevention agenda where we intervene early to help our most vulnerable children." In addition, Carlson pledged that the social safety net for the vulnerable and poor will be maintained.

Carlson also said that there is a need to encourage business growth and job creation. He cited corporate taxes and

workers compensation as two areas for immediate action because "removing barriers to job creation is a major part of our agenda."

Environmental programs will also benefit from new spending, Carlson said. He indicated that the passage of the no net loss wetlands bill is a high priority item.

The budget proposal also maintains the budget reserve. Carlson said that the reserve is needed for financial commitments during periods when cash levels are insufficient to meet expenditures.

The proposal includes a number of state agency cuts. Total expenditures are to be reduced by \$32 million. Under the proposal the state's contribution to state employee retirement plans will be reduced. And, a number of programs will be eliminated under the budget proposal. Aid to local governments will be reduced by nearly 30 percent and higher education cuts amount to nearly six percent.

Two bills passed

The Senate granted final passage to two bills at the Mon., Feb. 18, floor session. S.F. 106, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), permits the name or identity change of corporate mortgagee or assignee of mortgagee in the recital in a mortgage satisfaction or release to be recorded without further evidence of name or identity change. It also clarifies application of language regulating distributions to testamentary trustees. S.F. 107, authored by Sen. Linda Berglin (DFL-Mpls.), provides alternate forms of marriage solemnization.

MIA/POW resolution discussed

A resolution session memorializing Congress to enact the POW/MIA truth

bill sparked considerable debate at the Thurs., Feb. 21, floor session. The "truth bill" calls for disclosure of live sighting information on American service personnel missing in action from World War II, Korea and Vietnam. Sen. Gary Laidig (R-Stillwater), raised questions about the appropriateness of the Minnesota Senate endorsing proposed legislation in the U.S. Congress and requested that the bill be progressed until members had a chance to review the proposed federal legislation. The resolution, S.F. 171, sponsored by Sen. Joe Bertram (DFL-Paynesville), was postponed until a later date.

In other action, the Senate granted final passage to one measure on the Consent Calendar. S.F. 79, authored by Sen. Charles Davis (DFL-Princeton), grants the city of Mora an extension for negotiating contracts in order to finish a wastewater treatment facility.

Information Office services profiled

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request 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.

Committee update

Economic Development and Housing

Manufactured home parks

Members of the Economic Development and Housing Committee, chaired by Sen. James Metzen (DFL-South St. Paul), held an evening hearing Tues., Feb. 19, to hear a measure providing for resident notification of the sale of a manufactured home park.

The bill, S.F. 154, attempts to strike a balance between the conflicting interest of park owners and home owners, said chief author Sen. Gene Merriam (DFL-Coon Rapids). The compromise measure requires a potential park purchaser to declare an intent to convert the park to other use within one year of the sale and requires the park owner to notify the residents of the purchaser's intention. The park residents or a nonprofit organization representing 51 percent of the residents then have 45 days to match the price of the park. The park owners are required to accept the residents offer.

In addition, the measure specifies that a new park owner must offer to sell the park to residents if there is a decision to convert the park to some other use within one year of the purchase. Residents or a nonprofit organization representing 51 percent of the residents again have 45 days to purchase the park at the new owners' purchase price plus improvements and appreciation.

Finally, the bill requires a park owner to provide residents with written notice of intent to offer the park for sale. However, the notice does not grant any property rights in the park.

The measure was approved and referred to the Judiciary Committee.

Education

ECSU overview

The Subcommittee on Governance and Structures met Thurs. Feb. 14, to hear overviews from representatives of Education Cooperative Service Units (ECSUs), intermediate districts, and education districts.

Glen Shaw, director, South West/West Central ECSU, gave an overview of the ECSU system to the subcommittee, chaired by Sen. Tracy Beckman (DFL-

Bricelyn). ECSUs were established because of 1976 legislation allowing for regional cooperation, said Shaw. The purpose of such organization is to provide planning on a regional basis and to meet needs that can be better met in a cooperative way, he said.

Shaw identified the major functions of the ECSUs. ECSUs organize administrative services, such as a state wide liability and insurance pool; provide media support services including film sharing programs; provide asbestos inspection for buildings, and coordinate an Apple Computer sales program; administer educational services such as staff development teacher centers; offer planning services such as telemedia and research functions; and offer regional assistance in providing special education services, he said.

Roger Norstad, superintendent, School District 917, spoke of the special educational services that are provided by the intermediate districts. He said that the cost of providing for low incidence programs in special education, programs for which there are few students who need service, would be prohibitive if each district had to provide these services on its own. Through cooperation, the intermediate district can pool a critical mass of students and trained professionals can be shared throughout the system, said Norstad. The intermediate district also provides administrative support for the Technical Colleges for member districts, he said.

Jim Hofer from the Freshwater Education District gave an overview of the efforts of education districts. Education districts are designed to encourage cooperation in offering services by providing aid and levy incentives, said Hofer.

Hofer said that the Freshwater Education District exists for purposes that include the provision of quality direct services to students, provision for staff development, and the administration of cooperation efforts to provide services required by the Dept. of Education.

American Indian Education

The Indian Education Subcommittee, chaired by Sen. Jane Ranum (DFL-Mpls.), met Thurs., Feb. 14, to hear

testimony on current efforts in American Indian education.

Dr. Cornel Pewewardy, principle, American Indian Magnet School in St. Paul, testified on issues related to American Indian education and how the Magnet school is addressing some of these issues.

Pewewardy said that for minorities, education has always been viewed as a means to a better life, despite the barriers to education. The right to education is as fundamental as the rights of citizenship, sovereignty, freedom to worship as we choose and the right to vote, he said.

Those involved with the magnet school are aware of the problems of children who have been victims of low expectations and few opportunities, said Pewewardy. The magnet school is equipped with strategies that work to address these problems, he said.

Pewewardy said that the Magnet school students study the history, culture, heritage and contributions of the American Indian while promoting the development of basic academic skills.

Sen. Gary DeCramer (DFL-Ghent) gave an overview of the American Indian Education Act of 1988. DeCramer said that his purpose in authoring the legislation was to set up committees of American Indian parents so that the parents had an official voice and a mechanism for advising school boards on school policy.

Higher ed testimony

The Education Subcommittee on Higher Education, chaired by Sen. John Hottinger (DFL-Mankato), heard overviews and proposals from the chancellors of the state's Technical College and Community College systems, Fri., Feb. 15.

Carole Johnson, chancellor, Minnesota Technical College System said that the mission of the Technical College System is to educate for employment. The Technical College System has five focal points around which it has build its goals, she said.

The first goal, said Johnson, is to provide a realistic, effective distribution of programs that meet the needs of business, industry, agriculture, labor and the students. It is important to take into

account labor supply and demand for occupations related to programs, the geographic distribution of similar programs between colleges, and program costs, she said.

The second goal, said Johnson, is to consolidate college administrative units. She said that the plans call for reducing the number of colleges from 30 to 22, while retaining access at 34 sites. She said that increased efficiency is vital to providing quality opportunity.

Johnson said that the third goal of the Technical College system is to reinvest 15 percent of administrative and campus costs for quality instruction and equipment. Increased use of telecommunications technology will be a part of the implementation of this goal, she said.

The fourth goal identified by Johnson deals with efforts to better accommodate student needs. The system plans to increase the non-traditional student population by 15 percent, increase the availability of child care, and obtain North Central Accreditation for all Technical Colleges.

The final goal, said Johnson, is to strengthen alliance with factions outside of the colleges.

Community College Chancellor Gerald Christenson appeared before the committee to outline proposals that he said are attempts to achieve the best possible education for students across the state.

Christenson said that the most substantial proposal was the merger of the Technical and Community College systems. He said that in a time when money is tight, it is difficult to justify supporting two similar systems of higher education.

Christenson cited several reasons for such a merger. Larger colleges show greater efficiency, he said. Through economies of scale and less duplication of common services, money can be saved and used to provide better quality in science labs, workshops and instruction, he said. Christenson said that merging the two systems will allow the new system to draw from the strengths of each to provide problem-solving and critical-thinking skills, for highly skilled workers.

Christenson said that the goals of restructuring are to build a strong, efficient, accountable network of two-

year colleges, to improve opportunities and choices for students, and to strengthen the preparation of students for the jobs of the future. He said that a restructured system promotes an exposure to both career and liberal arts education and enhance students' ability to move easily and freely between the two.

American Indian higher ed

A Joint Subcommittee on Indian Education and Higher Education, co-chaired by Sen. Jane Ranum (DFL-Mpls.) and Sen. John Hottinger (DFL-Mankato), met Mon., Feb. 18, to hear testimony from students and administrators involved with programs serving American Indian students and issues in Minnesota higher education.

Several present and past students testified to the necessity of such programs, especially for the training of American Indian teachers. Jerrald Ojibway, a student at the U of M Duluth, said that the main positive aspect is the financial relief provided by Indian Scholarship Loans. The loans allow students, especially those with families, to be academically oriented during their time in school.

Ramona Dreher, a Bemidji State graduate and teacher at Red Lake High School said the program was a "God send" for her. The Program allowed her to earn her teaching degree while still being able to support her family, she said. Her presence in the classroom as an American Indian provides a role model for her students and also a resource for cultural context, she said.

Joe Aitken, State Indian Scholarship Program Officer said that Minnesota has the most substantial American Indian scholarship program in the country. Still, the program is short of funds, he said. Over 1,000 out-of-funds letters go out each year to students who must find other means to pursue their education or forgo the opportunity, he said.

Finally, Bonnie Wallace, representing the 1991 Minneapolis/Augsburg American Indian Teacher Training Partnership, gave an overview of the program. Wallace said that the number of American Indian teachers and administrators in the Minneapolis School District is low and that this contributes to the American Indian community having the highest dropout rate of any other com-

munity in the district. Augsburg is addressing this not only by training American Indian teachers, she said, but by also offering other courses on Indian language and culture to educate other teachers and students.

Commissioner's proposal

Commissioner Gene Mammenga, Dept. of Education, appeared before the Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), to provide an overview of the department's consolidation proposal, Mon., Feb. 18.

Mammenga said that the department proposal calls for the reorganization of most school districts having less than 1300 students and not demonstrating a growth pattern of enrollment that will exceed 1300 students. As student numbers fall below 100 pupils per grade, it becomes more difficult to offer a sufficient number of classes to provide access to educational opportunities, he said. Teachers become overextended in their attempts to provide an array of services to students and their families, he said.

Policy makers need to keep in mind current cooperation and combination efforts, high costs associated with low class sizes, and, most importantly, that any policy developed will have to be justified on grounds of academic excellence before embarking on reorganization, said Mammenga.

Bob Buresh, specialist in interdistrict cooperation, Dept. of Education, gave an overview of current school district combination efforts. In 1988, a group of school superintendents who served more than one district and the Dept. of Education realized combination efforts needed legislative attention, he said. The intent behind such legislation is to promote increased cooperation between school districts, to provide significant funding incentives for cooperation, and to require more detailed planning and accountability, said Buresh.

Roger Carlson, principle, Lake Crystal-Welcome Memorial High School testified on behalf of combination efforts. He said that in small districts, students are not provided for, and that with combination, the districts have better resources to plan for student programs and facility needs.

Committee update

Students testify

A joint House/Senate Higher Education Subcommittee, chaired by Sen. John Hottinger (DFL-Mankato), heard testimony from students of the higher education systems in Minnesota at a hearing Wed., Feb. 20.

The panel heard from U of M Duluth student Ted Johnson. The cost of receiving higher education is increasing, he said, but not many are eligible for financial aid. There has also been a reduction in the availability of Robert Stafford Loans (formerly Guaranteed Student Loan), which means that many students must seek a other loans, he said. He said that this is a "last resort," because of unfavorable terms and the requirement that interest be paid while a student is still in school.

Jennifer Alstad, legislative liaison for the U of M Student Association said that her organization was advocating a policy that based a student's eligibility for financial aid on the number of credits needed to obtain a degree rather than on a four-year model. Fewer students are able to earn their degree in four years and that makes present policy inappropriate, she said.

Testifying on behalf of the Minnesota Community College Student Association, Mike Doherty said that the method for determining financial aid is outdated. More costs of living need to be factored in and the formula needs to be updated every two years, he said.

John Lyngen, president, Minnesota Technical College Student Association, said that the major issues concerning Technical College students are rising tuition, the availability of child care, the availability of financial aid, and the potential merging of the Community College and Technical College systems. There is opposition to a merger of the systems, said Lyngen.

Employment

Workers' comp report

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), met Wed., Feb. 20, to hear the Dept. of Human Services Report on Workers' Compensation Costs in Nursing Homes. The committee also

heard testimony from Good Neighbor Services.

Chuck Osell, Dept. of Human Services, said a task force conducted the report on nursing home workers' compensation costs in response to a 1989 legislative directive. The report reviews the adequacy of the workers' compensation insurance reimbursement system currently used in nursing homes. He said some key concerns relate to the indexing process, the inflation factor used in calculating payment rates, and mandated minimum benefits. Osell said legislative efforts to reform Minnesota's workers' compensation laws should continue with an emphasis on alternatives to the current method of reimbursing for risk management personnel.

Merle Sampson, Good Neighbor Services, gave a history of the organization, which owns and operates 28 care centers around the state. He specified some ways in which Good Neighbor addressed problems in the workers' compensation reimbursement system. He said one problem stems from money going to people peripheral to the system, like doctors and lawyers. He also said some doctors charge employees higher rates based on injuries being sustained at work as opposed to out of work. In response to the Dept. of Human Services report, Sampson indicated that self insurance, preemployment screening and rebasing of cost limits need continued examination.

Energy and Public Utilities

Energy issues

The Energy and Public Utilities met Thurs., Feb. 14, to hear consumer advocacy group representatives testify on energy issues affecting Minnesota's low income population.

Denise Devaan, Minnesota Community Action Center, explained the purpose of the Energy Cents Coalition, an advocacy group formed three years ago to focus on the energy needs of low-income Minnesotans. Devaan told the committee of the need for fuel assistance programs for the low-income populations, who can pay up to 25 percent of their income to energy costs. She said the average U.S. household pays 5 percent of its income to

energy costs. Devaan said weatherization is an important initiative in keeping energy costs down.

Dave Geary, Duluth Community Action Center, also a member of the Energy Cents Coalition, explained how the energy problems of low-income people in Greater Minnesota differ from those of low-income people in the Metropolitan Area. He said most low-income households in Greater Minnesota heat their homes with propane or fuel oil that is delivered to their home. Geary said independent distributors can deliver fuel based on business interests, which he said usually means C.O.D. He said low-income Minnesotans in Greater Minnesota are subject to the companies' perennial price spikes.

Another Energy Cents member, Harold Turner from Legal Services Advocacy Project, spoke on a number of assistance options—one being a statewide fuel fund—for low-income Minnesotans in Greater Minnesota. He explained another option, the 10 percent plan, which allows a household threatened with a shut-off after Oct. 15 to pay 10 percent of its income and still receive fuel. Turner stressed the importance of energy conservation and efficiency measures in curbing the high energy costs of low-income Minnesotans. These measures include disclosing property owners' energy costs and enforcing energy efficiency standards.

Anne Hunt and Mike Noble from Minnesotans for an Energy Efficient Economy briefed the committee on their coalition and presented their legislative agenda. The agenda includes a proposal that would reform utility regulations and provide incentives for utilities to make energy efficient investments. Also included is an omnibus energy act that includes proposals to increase the energy efficiency of rental property and state offices. This would be achieved in part by instituting rebates, penalties and state-of-the-art energy efficiency standards.

Regulatory overview

The Energy and Public Utilities Committee met Tues., Feb. 19, to hear from representatives of the Public Utilities Commission (PUC) and the Office of the Attorney General. Commis-

sioner Darrel Peterson, PUC, and Special Assistant Attorney General Dennis Ahlers, Office of the Attorney General, spoke on the regulatory process for the telecommunications industry.

Peterson told the committee of the need for regulation and explained the system of regulation in Minnesota. He informed members of some changes that have had a major impact on the industry, such as the break-up of AT&T, the creation of US West and telephone incentive regulation. He also briefed members on impending PUC legislative proposals.

Ahlers told the committee about the attorney general's role in regulatory matters and outlined some concerns regarding regulation. He said some activities in telephone companies are regulated and some are not. He gave as an example a flat fee customers are charged for wiring repairs, whether or not repairs are needed.

Ahlers also said the office is monitoring some fraudulent activities occurring in the industry. He said "slamming" is one example. "Slamming" is a term used to describe a long distance phone company's stealing of another's customer by phoning that company and saying the customer has agreed to switch companies.

Sen. Steven Novak (DFL-New Brighton) chairs the committee.

Environment and Natural Resources

Park proposal okayed

A bill that establishes the Glendalough State Park was approved at the Tues., Feb. 19, meeting of the Environment and Natural Resources Subcommittee on Public Lands and Water. S.F. 74, authored by Sen. Dallas Sams (DFL-Staples) was referred to the Environment and Natural Resources Committee. The proposed 2000 acre retreat is located in Otter Tail County. S.F. 54, authored by Sen. Tracy Beckman (DFL-Bricelyn), was also approved and referred to the full committee. S.F. 54 allows soil and water conservation districts to obligate cost share funds prior to receiving authorization to encumber funds from the Board of Water and Soil Resources. Sen. Len Price (DFL-Woodbury) chairs the committee.

Finance Overviews

Chair Steven Morse (DFL-Dakota) and members of the Environment and Natural Resources Division of the Finance Committee met Mon., Feb. 18, to hear a number of agency overviews.

A representative from the Harmful Substance Compensation Board provided the committee with its annual report and described the functions of the board. The board investigates claims of personal injury and property damage resulting from the release of harmful substances into the environment. The board also compensates victims for eligible losses. Rep. Irv Anderson, Voyageurs National Park Citizens Council, testified on the council's activities, which include making recommendations to the National Park Service and state and federal agencies on issues relating to Minnesota's state parks. He outlined the sources of park funding and mentioned some facilities and resorts, such as the Black Bay Visitors Center and the Kettle Falls Hotel, that have benefited from the funding.

Minnesota Academy of Science Executive Director Jerry Foster spoke on the academy's accomplishments in encouraging student interest in research. He described the programs sponsored by the academy and outlined some future goals.

Jim Harrison, Minnesota-Wisconsin Boundary Area Commission executive director, spoke on the commission's activities concerning the protection of the St. Croix Valley and indicated funding sources and some objectives.

President Jerald Shannon from the Minnesota Horticultural Society spoke on the society's structure and outlined the services which benefit Minnesota. He said seminars, tours, publications and programs like the Heritage Tree Project promote horticulture for quality improvement and development in the home, community and state.

Teachers, students testify

The Education Division of the Finance Committee, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls) met Thurs., Feb. 21, to hear testimony from faculty members and students of the state's higher education systems.

Mary Hickson, a State University

faculty member, said that as a result of a budget crisis in the early 80s, funding for higher education decreased. She said that in constant dollars, higher education is being funded at a level that is \$1,000 less than the 1978 level.

Virginia Gray, a faculty member at the U of M, said that technological excellence has been proven to promote economic growth, and that quality programs in technology provide the basis for this kind of growth. More grants need to be offered in the technological areas, she said.

Minnesota Community College Faculty Association President Larry Litecky said that the main issues for his organization are adequate and fair support, access and open enrollment. The Community Colleges receive the least support of all the higher education systems, he said. The lack of funding has led to efficiencies in management, but facilities and equipment need to be better for a system that serve 32 percent of the state's freshmen.

Jim Fremstad, a Technical College faculty member from Thief River Falls, said the Technical Colleges teachers' concerns revolve around several issues. He said that equipment must be maintained, there must be a commitment to open enrollment, there must be pay equity between colleges and there must be a decrease in class sizes.

Representing the Minnesota Fair Tuition Coalition, Ann Burfiernd said that students are concerned that policy makers are aware of the realities of being a student. Students are working hard to achieve academically and to be able to afford their education, she said. A stronger financial commitment is needed from the legislature, said Burfiernd.

Gaming Regulation

Lottery Overview

The Gaming Regulation Committee, chaired by Sen. Charles Berg (DFL-Chokio), met Mon., Feb. 18, to hear an overview of the Minnesota Lottery. Minnesota Lottery Director George Anderson told the committee that the Lottery has been extremely successful during its first year of operation, but he cautioned that it is still an "immature lottery." He explained that the lottery

Committee update

needs to produce a new game every six to eight weeks to keep regular players interested and attract new ones.

Anderson said the Lottery division is conducting a study to distinguish among other things, what percentage of the public plays the lottery and who they are. So far, he says, it proves to be a common misconception that a disproportionate number of the poor play the lottery. In fact, Anderson said, we are finding that Minnesota has one of the highest median income levels of players in the country, around \$35,000 a year per household.

Anderson said the chief concern of the lottery division is the recession and the war in the Persian Gulf. He displayed a graph that showed instant and on-line game sales falling over 15 percent since the start of hostilities in the Gulf, resulting in no net gain during the month of January. Consequently, the lottery has cut its advertising budget in order to stay on target for the rest of the fiscal year, Anderson said.

Finally, Anderson said that he supports the use of lottery funds for a compulsive gambling program but hopes that other forms of gambling would be held equally accountable financially. He said that studies show horse-racing and charitable gambling to be more addicting than the lottery.

Gaming changes proposed

The Wed., Feb. 20, meeting of the Gaming Regulations Committee centered around discussion of proposed changes in the Department of Gaming as well as changes to gaming law. Committee Chair Charles Berg (DFL-Chokio) expressed his wish to hear all gambling related bills in the next few weeks and then roll all of the approved proposals into one gambling package. S.F. 324, authored by Berg, the first gambling bill offered this session, was discussed and then laid over. The bill eliminates the Department of Gaming including the position of Gaming Commissioner. Berg said he was adopting the recommendation of former Commissioner Tony Bouza, who expressed a belief that the commissioner position is largely ceremonial and unnecessary. Sen. Dennis Frederickson (IR-New Ulm), along with Sens. Patrick McGowan (IR-Maple

Grove) and Allan Spear (DFL-Mpls) questioned the elimination of the position. Frederickson suggested that the commissioner be given more power to regulate the other divisions.

In addition to eliminating the Dept. of Gaming, S.F. 324 eliminates the paddlewheel as a form of lawful gambling in Minnesota. Concerns have been raised in Duluth in recent months, Berg explained, resulting in the voluntary retraction of paddlewheels from organizations in that city. Joe Richardson, proprietor of Great Gamble, the sole manufacturer and supplier of paddlewheels in Minnesota, testified that the paddlewheel is being unfairly singled out. He explained that the paddlewheel has more entertainment value than most other games, particularly pulltabs. He said that his product, the Minnesota Triwheel is very secure, because the cash is exchanged for tickets and chips, allowing for better accounting. The committee agreed to consider the matter at a later date.

S.F. 255, making Racing Commission members compensation the same as other boards and commissions (\$55 per day) was approved. The bill also requires pari-mutuel clerks at county fair racing meets to hold a Class C license. The bill, authored by Sen. Leonard Price (DFL-Woodbury) was re-referred to the Senate Taxes and Tax Laws Committee.

Governmental Operations

Appointment confirmed

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), met Thurs., Feb. 21, and approved the appointment of Linda Kohl as commissioner of the State Planning Agency. However, the panel's endorsement of Kohl came only after close questioning by committee members about the role of the agency. Sen. Lawrence Pogemiller (DFL-Mpls.), said that he anticipates that the agency will need to justify its continued existence in light of the current budget crisis. Kohl indicated that the agency is responding to the governor's budget message in terms of cuts and restructuring and that the agency will continue to play a key role in several areas of policy development.

Health and Human Services

Long Term Care issues heard

The Thurs., Feb. 14 Health and Human Services Committee meeting, chaired by Sen. Linda Berglin (DFL-Mpls.), was devoted to hearing testimony on long term care issues.

Pam Parker, director of the Long Term Care Management Division from the Dept. of Human Services (DHS), briefed panel members on the direct relationship between nursing home caseloads and Alternative Care Grants (ACG).

For example, she said, when the nursing home occupancy rates increase, the number of ACG recipients decrease. She stressed that if ACGs did not exist, nursing home caseloads would increase dramatically.

Glenn Silloway, policy analyst from the Interagency Board for Quality Assurance, told panel members that senior citizens prefer alternative community based care over that of traditional nursing home care. Currently, he said, nursing homes are the major source of long term care in Minnesota.

Nancy Feldman, assistant commissioner for the Minnesota Dept. of Health addressed the Seniors Agenda for Independent Living (SAIL) Study Commission Report. She outlined a wide range of policy directions having to do with long term care issues. These directions include coordinating long term care services on local county and regional levels; improving the ability of seniors to live lives of maximum independence; providing better access to long term care services; and providing a better balance between protection and personal choice for seniors.

Next, Marilyn Jackson Beeck, project manager from the Office of the Legislative Auditor, presented the Legislative Auditor's Report on Nursing Homes. Beeck indicated that today's nursing home residents typically have chronic medical conditions and physical limitations, which means they need assistance or supervision with routine activities.

Next, Beeck highlighted a number of recommendations for the Legislature's consideration. These recommendations include no funding cuts, correcting the states' method of paying property costs,

increasing efficiency incentive payments and requiring the DHS to assist in providing short-term loans to facilities to correct life-threatening conditions within nursing homes.

Committee members were also provided with an overview on the Nursing Home Wage Increase Study and the Nursing Home Temporary Employees Study. Charles Osell, supervisor of the Long Term Care Management Division, cited that seven percent of nursing home facilities did not spend up to the required 3 1/2 percent wage adjustment level last year.

Access bills heard

Members of the Health Care Access Division heard two bills relating to health care coverage for uninsured Minnesotans at the Mon., Feb. 18, meeting.

S.F. 2, authored by Sen. Linda Berglin (DFL-Mpls.), establishes the Minnesotans' Health Care Plan to provide health coverage to uninsured and underinsured Minnesotans. The panel heard further testimony in support and opposition of the bill from individuals representing the health care, insurance and social service fields. The division approved the bill as amended, and referred it to the full committee.

Gene Rosenblum, president of the Minnesota Comprehensive Health Association/Policyholder Rights Organization (MCHA-PRO) stated that the MCHA supports S.F. 2. However, Rosenblum voiced his concerns on the possibility of phasing out the MCHA prematurely.

Larry Fredrickson, representing Northwestern National Life Insurance (NWNL) and the Life and Health Insurance Federation of Minnesota, voiced his support and opposition to the bill. He said that there is a problem within the health care industry, and cited various factors that have caused the increase in health care costs. These include, he said, underwriting practices, cost shifting, mandated benefits and increased provider costs.

The economic reality, he said, is that the state cannot afford a "cadillac" plan, but can afford a basic benefits plan.

Phil Griffin, representing the newly formed Medica company, said that he is concerned with the statewide limit on health care spending. He said that it

may ultimately hurt health care access. In addition, he stated his concerns about the benefits package, the assumption of risk for health care companies and the community based rating system.

In other action, division members, chaired by Sen. Pat Piper (DFL-Austin), considered S.F. 181, authored by Sen. Duane Benson (IR-Lanesboro), that also provides health care coverage for uninsured Minnesotans'.

Benson outlined the major components of the bill. The bill authorizes the commissioner of commerce to contract with health plan companies to provide health coverage for the uninsured; describes the minimum requirements for policies that must be made available to eligible uninsured persons; describes the limits on coverage; lists those health care expenses covered by the plans and those not covered; describes eligibility; and establishes a tax credit for people who make less than \$15,000 per year and pay premiums for coverage under the new program.

The bill will cost the state, he said, approximately \$246 million per biennium in lost revenue through tax credits. This is assuming everyone who qualifies for the coverage signs up for the program, he said. However, Benson stated that a more realistic figure would be \$55 million. No action was taken on the measure.

Judiciary

"Shoot-Don't Shoot" demo

A "Shoot-Don't Shoot" demonstration was presented to the full Judiciary Committee by representatives from the Law Enforcement Training Center at the Mon. Feb. 18, meeting.

Bill Carter, director of the Minnesota of Peace Officer Standards and Training Board (POST) said that the Firearms Training System is a series of simulated scenarios that teach law enforcement students the mechanics of shooting, the ethical aspects of shooting and the laws and policies of using deadly force.

Phil Davis, an instructor from the Law Enforcement Training Center provided further details on the training system. He said, "It's an interactive video system that teaches students how to make critical decisions when presented with a threat under stressful situations involving

the use of deadly force.

The center, he said, is not teaching officers how to shoot. Instead, the center is teaching officers how to make decisions in response to a threat, because there are social, moral and political implications involved when taking a life, Davis said.

In other action, the panel, chaired by Sen. Allan Spear (DFL-Mpls.), considered S.F. 216, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls). The bill clarifies what will be accepted as legal identification for Canadian citizens who purchase and consume alcoholic beverages in Minnesota. The bill allows for either a Canadian driver's license with picture or a Canadian photo identification card. The bill was approved as amended.

The committee also heard testimony on S.F. 186, authored by Sen. Randy Kelly (DFL-St. Paul). The measure allows a governmental unit the authority to test for hazardous substances on property that the governmental unit is considering purchasing. The bill also specifies that the governmental unit must notify the property owner 10 days prior to testing, and that if the governmental unit removes a sample of property for testing, the owner must be provided with an equal sample amount for his own independent test. The bill was laid over.

Members continued to discuss S.F. 113, authored by Sen. Fritz Knaak (IR-White Bear Lake). The bill allows the immediate reformation of an interest in real or personal property that violates the rule against perpetuities upon petition of an individual. In addition, the bill repeals the statutory rule against perpetuities.

Testimony in opposition of the bill was given by Robert Stein, dean of the University of Minnesota Law School. He asked the committee to either reject the bill or refer it back to the Civil Law Division for further testimony.

Two bills approved

The Civil Law Division, chaired by Sen. Richard Cohen (DFL-St. Paul), amended and approved two measures at the Wed., Feb. 20, meeting.

S.F. 246, authored by Sen. John Hottinger (DFL-Mankato), increases the value of estates that are subject to collection of personal property by affidavits from \$5,000 to \$10,000. The

Committee update

bill also clarifies that allowances to spouses and children are superior to those claims of county agencies or other persons who collect personal property by affidavits.

Committee members heard testimony in support of S.F. 127, authored by Sen. John Marty (DFL-Roseville), limiting the process on obtaining ex parte release orders during an emergency hold period under the Commitment Act. The bill also provides that if the basis for the emergency hold is to protect specific individuals from imminent danger, a written statement must include identifying information on those individuals.

In addition, S.F. 127 specifies that a person may be released only through a writ of habeas corpus. Before issuing a release, the court must review statements concerning the basis of the hold. If the court determines that a person should be released, the court must make a written finding regarding the reason for the release, and provide notice of the release to those individuals who were identified in the statements as being in imminent danger. Both bills were moved to the full Judiciary Committee.

Local Government

Mora deadline extended

The city of Mora was granted an extension for negotiating contracts to finish a wastewater treatment facility in a bill approved by the Local Government Committee. The Committee, chaired by Sen. Betty Adkins (DFL-St. Michael), met Tues., Feb. 19 to hear the measure offered by Sen. Charles Davis (DFL-Princeton). Mora was granted authority by the 1989 Legislature to enter into such contracts before January 1, 1989, Davis explained. Under the measure, that authority will be extended for one additional year until Jan. 1, 1992. The bill, S.F. 79, was recommended for placement on the Consent Calendar and referred to the full Senate.

Special service district

The Local government Committee, chaired by Sen. Betty Adkins (DFL-St. Michael), met Thurs., Feb. 21, to consider two bills. S.F. 119, a bill authored by Sen. Roger Moe (DFL-

Ersine), allows the Crookston City Council to establish a special service district. Moe explained that the city of Crookston is engaged in a number of restoration, preservation and landscaping projects to revitalize the mainstreet area and recapture some of the business that is being drawn across the border to Grand Forks, North Dakota. The city plans to pay for the improvements through a combination of bonds, private contributions and property tax increases. The measure was approved and re-referred to the Senate Taxes and Tax Laws Committee.

In other action, S.F. 126, allowing the Meeker County Board to construct an addition to the Meeker County Hospital, was approved. The proposal allows the county to bypass the required referendum for such an addition. Ronald Johnson, Meeker County Hospital administrator, explained that the hospital has a reserve fund that will pay for the cost of the addition. He said by eliminating the cost of an election, the county could save up to \$40,000. The measure was re-referred to the Committee on Health and Human Services.

Metropolitan Affairs

LRT discussed

The Metropolitan Affairs Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Tues. Feb., 19, for an overview of the Metro Mobility Program and the light rail transit (LRT).

Initial discussion centered around the possible restructuring of the Metro Mobility Program. Judy Hollander, director of Planning and Programs for the Regional Transit Board (RTB), said that the RTB will not be able to continue to provide Metro Mobility services within the existing budget. She explained that the restructuring may consist of a fare increase for long distance and peak trips, a modification of services for core Metro Mobility riders and riders over 65 years of age, or a subscription service for developmentally disabled users.

David Minister, director of Light Rail Transit, spoke on the current status of the LRT System. Due to new forecast figures on central corridor ridership and cost factors, the state will need to look at the feasibility of whether to implement

the current central corridor or choose an alternative, he said. The cost of the central corridor, he said, is up substantially from last year's figure of \$400 million to \$640 million. He added that costs for the other corridors are up by 50 percent.

Erllichmann said that the first line should be built on I-35W instead of between St. Paul and Minneapolis. He also said that the LRT system is a viable and cost effective alternative when compared to other forms of transit, especially when viewed long-term.

Taxes and Tax Laws

Technical bills discussed

Two technical tax bills provided the focal point for discussion at the Tues., Feb. 19, meeting of the Taxes and Tax Laws Income, Sales and Economic Development Division. S.F. 364, authored by Chair Lawrence Pogemiller (DFL-Mpls.), makes changes in the laws dealing with sales and special taxes. Discussion on the bill revolved primarily around two issues. The first was contained in a section providing that charges for services that are part of a taxable sale cannot be deducted from the sales price. Panel members' questions concerned whether organizations that charge a service fee for selling tickets to entertainment events should be subject to the sales tax. The second issue concerned a lawsuit brought by West Publishing that maintained that the company be allowed a capital equipment expenditure exemption for computer equipment used to provide customized legal research. Discussion centered on whether the computer equipment fit the definition of capital equipment in the applicable statute. The measure was laid over for further discussion.

The second measure, S.F. 363, also sponsored by Pogemiller, makes technical corrections, clarifications and administrative changes to income, franchise, and mining taxes. The measure had received extensive explanation in previous meetings. Two technical amendments were adopted before the measure was laid over pending further discussion.

Budget overview

The governor's budget proposal was the

focal point of the Wed., Feb. 20, meeting of the Taxes and Tax Laws Committee. Commissioner John Gunyou, Dept. of Finance, outlined the various elements contained in the proposal. Gunyou said that the priorities for the budget were education, children, state-local finance restructuring, environment and economic competitiveness. He also outlined the major areas of state spending. The largest amount—\$4.5 billion is earmarked for education, with \$3.6 billion designated for human development, \$2.66 billion for post-secondary education, \$1.57 billion for local government aids and \$2.16 billion for other types of spending.

Gunyou said that the budget contains a disciplined approach to restrain spending, provides new initiatives for children and education, establishes a framework for restructuring, requires state and local accountability and maintains the \$550 million budget reserve.

In order to balance the 1992-93 budget the proposal makes several key recommendations to reduce state spending, Gunyou said. Under the proposal aids to local governments are cut \$639 million, human development spending is cut \$173 million, post-secondary education is cut \$69 million and other spending is reduced \$81 million. Gunyou added that some of the reduction in aids to local government are offset by a proposed increase of \$189 million in property tax relief.

Committee members, chaired by Sen. Douglas Johnson (DFL-Cook), raised several concerns about the proposal. Sen. Linda Berglin (DFL-Mpls.), criticized the proposal's phasing out of chemical dependency treatment programs. "No amount of money for Headstart or Way to Grow will make up for the distressing family environments that will result because parents cannot receive chemical dependency treatment," she said. Sen. Florian Chmielewski (DFL-Sturgeon Lake) said that the cuts in aids to local government will cause property taxes to rise dramatically and will be an unfair burden for residents of Greater Minnesota.

Commissioner Dorothy McClung, Dept. of Revenue, began a presentation on the tax implications of the budget proposal and the concepts involved in restructuring local government aids.

However, Sen. Lawrence Pogemiller (DFL-Mpls.), said that discussion was pointless without a concrete proposal in bill form. Prior to adjourning the hearing, Johnson requested that the department submit a bill containing the governor's tax proposals for the biennium.

Transportation

Services overview

Chair Gary DeCramer (DFL-Ghent) and members of the Transportation Committee met Thurs., Feb. 14, to hear various perspectives on the coordination of transportation services.

Director Randy Halvorson, Minnesota Department of Transportation (Mn/DOT) Office of Transit, spoke on what his agency is doing to advance coordination in rural Minnesota. He said the Office of Transit is moving toward the implementation of a Transportation Study Board Report recommendation that will define the office's goals and principals and functions of coordination.

Director Maddy Forsberg, Southwest Area Agency on Aging, described the agency's policies and goals. She said the role of the agency is to plan, coordinate and advocate the development of a system of services to meet the needs of older persons.

Annette Bair from the Southwest Regional Development Commission (RDC) said the the RDC provides technical assistance to agencies examining transit services. She also spoke on the RDC's work with the Area Agencies on Aging to provide transit services and meals to residents while avoiding transit services duplication.

Western Community Action representative Jeanette Aguirre spoke on her private, nonprofit agency that serves the transportation needs in a five-county area. She pointed out the increasing need for this type of service, which is supported primarily by volunteers. She explained the process by which a person uses the service and how her agency coordinates service with other agencies.

Cliff Tweedale, Headwaters Regional Development Commission, offered a summary of the transit development model used in the Headwaters Region as well as the process by which counties apply for and administer funds to meet area residents' transportation needs. He said

Mn/DOT's matching funds did more to help that area's transit program than anything else.

Bette Undis, St. Paul Area Red Cross, said the Red Cross contracts with 15 agencies to provide transportation and has used "create financing" to continue this service in the face of budget cuts. She highlighted the elements that affect successful transportation coordination. She said that providers looking for funding should consider the entities that benefit from the service, not just the person who needs a ride.

Light rail overview

Chair Gary DeCramer (DFL-Ghent) and members of the Transportation Committee met Mon., Feb. 18, to hear an overview of light rail transit (LRT) in Minnesota.

Legislative Analyst Jill Schultz provided members with a legislative history of LRT planning and funding.

Nacho Diaz, Metropolitan Council, reported on the council's outlook for Twin Cities transportation. He said the investment into light rail should be to meet a transportation need, not to shape development. He cited a number of factors contributing to transportation problems and said that the best answer to these problems lies in enhancing multi-occupancy vehicle options, such as rideshare and sane lanes. He said light rail would be cost effective in certain corridors of the city, and that the council is presently studying these.

Ted Kolderie, Citizens League, said LRT will not solve any of the cities' transportation problems. He said the transportation problems would only be remedied by getting the drivers out from behind the wheel and into public transit.

Chair Michael Erlichman, Regional Transit Board (RTB), said LRT is a component of a much larger system, and that the RTB would continue to plan with or without this component. Dave Minister, RTB LRT Development, outlined the LRT Advisory Committee plan, which provides information on LRT financing and procedure. He said that, based on the LRT systems in California and Toronto, LRT can garner support from high income riders. He said LRT should be examined on a corridor by corridor basis.

Metropolitan Transit Commission

Committee update

representative Scott Thompson presented information on the potential MTC and LRT relationship and said an MTC feeder bus plan is the most important element of LRT success in the Twin Cities.

Veterans and General Legislation

Bonus for Gulf vets

An amendment to the Minnesota Constitution that allows the state to pay bonuses to veterans who serve in the present Iraq conflict was the substance of a bill authored by Sen. Don Samuelson (DFL-Brainerd). The proposed amendment would be presented to the voters of in the 1992 election, Samuelson said. Similar bonus provisions were placed in the Minnesota Constitution for World War II, Korea and Vietnam Era veterans. Samuelson explained that the constitution prohibits the payment of any money to private citizens thus a constitutional amendment is needed. He said the Legislature could decide on appropriation methods and amounts if and when the amendment was approved. The measure was re-referred to the Committee on Rules and Administration. The committee is

chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville).

Another measure, also authored by Samuelson, amends an appropriation of \$1.7 million to the Minnesota Veterans Homes that hinges on the state receiving 65 percent of funds for any given project from the Federal Government. The bill allows the Veterans Homes to spend the 35 percent state appropriation for the full cost on needed repair projects at the Minneapolis and Hastings Veterans Homes without having to wait for federal money to be approved. The Federal government has a new policy of only allocating money for new projects and the state had planned on using the 1.7 million on repairs and maintenance, Samuelson said. Approved on a voice vote, the bill, S.F. 105, proceeds to the Senate floor.

Sprinkler regulation

S.F. 151, requiring the licensure and certification of the fire protection systems industry was approved at the Wed., Feb. 20 meeting of the Veterans and General Legislation Committee. The committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), heard testimony from the State Fire Marshal, Thomas Brace. Brace explained that the sprinkler industry was

requesting the regulation and that the measure, authored by Sen. Carl Kroening (DFL-Mpls), is revenue neutral because the industry would be paying licensure fees. Sen. Robert Lessard (DFL-Int'l. Falls), moved to amend the bill, striking language that would prohibit the purchase of parts for the sprinkler systems from unlicensed providers. He expressed a worry that that requirement would incur hardship in some rural Minnesota communities where sprinkler fitters might have to pick up parts at a small-town (unlicensed) hardware store. The amendment was adopted and the bill was approved and sent to the Governmental Operations Committee.

S.F. 118, amending animal protection statutes to include cruelty to horses was also approved. In addition, the bill makes it a gross misdemeanor for anyone convicted of a second or subsequent violation of overworking or mistreating animals and requires the court to order the animal seized. Under current law, seizure is discretionary with the court. Upon approval, the bill was re-referred to the Judiciary Committee.

Preview

The Minnesota Senate Week at a Glance

Monday, February 25, 1991

Education Subcommittee on Higher Education

Chair: John Hottinger

8 a.m. Room 15 Capitol

Agenda: Overview of MSPAN I and the MSPAN II draft by the Higher Education Coordinating Board.

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: Overview of compulsive gambling.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Budget overviews of the

following agencies: Dept. of Commerce, Public Utilities Commission and Dept. of Public Service.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: State Board of Public Defense Caseload Study report. S.F. 127-Marty: Judicial release from Commitment Act emergency hold. S.F. 224-Luther: Public defender postconviction representation. S.F. 246-Hottinger: Probate claims by affidavit.

Economic Development and Housing Committee

Chair: James Metzger

12 noon Room 107 Capitol

Agenda: Presentations by

representatives of the Minnesota Business Developers Alliance, CHART/WEDCO, the Minnesota Cooperation Office, the Metropolitan Economic Development Association, and the Northeast Entrepreneur Fund.

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

Education Division on Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: Dept. of Education budget proposal.

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Room 123 Capitol

Agenda: Budget overview of the Pollution Control Agency.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: S.F. 12-Samuelson: Pediatric specialty hospitals medicaid reimbursement for outpatient services. Continuation of Dept. of Human Services budget presentation.

Tuesday, February 26, 1991

Finance Division on Education

Chair: Le Roy Stumpf

8 a.m. Depart from Capitol

Agenda: Tour of Cray Research facilities.

Governmental Operations Committee

Chair: Gene Waldorf

8 a.m. Room 15 Capitol

Agenda: S.F. XXX-Luther: Allowing state employees to donate accrued sick leave for the benefit of another state employee. Confirmation hearings for Dept. of Employee Relations Commissioner Linda Barton and Dept. of Administration Commissioner Dana Badgerow.

Agriculture and Rural Development Subcommittee on Rural Development

Chair: Tracy Beckman

10 a.m. Room 112 Capitol

Agenda: University Extension Service Program changes.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: Presentations on energy conservation by private industries by representatives of Northern States Power, Northern Natural Gas, Minnegasco and Minnesota Power and Light.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: Discussion of Light Rail Transit with Nacho Diez, Transportation Division manager of the Metropolitan Council. Continuation of overview of the Regional Transit Board (RTB).

Rules and Administration Subcommittee on Committees

Chair: Roger D. Moe

12 noon Room 237 Capitol

Agenda: Appointments to Legislative

Commissions.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: S.F. 54-Beckman: Cost share contracts for soil and water conservation districts. S.F. 74-Sams: Establishing Glendalough State Park. S.F. 218-Lessard: Standardizing Pollution Control Agency rulemaking procedures; providing for junkyard investigations, etc.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

3 p.m. Room 125 Capitol

Agenda: Budget overviews of the following agencies: Board of Accountancy, Board of Animal Health, Board of Abstractors, Board of Barber Examiners, Board of Architecture, Engineering, Land Surveying and Landscape Architecture, Board of Electricity and Dept. of Labor and Industry.

Taxes and Tax Laws Division on Property Tax and Local Government Aids

Chair: Ember Reichgott

3 p.m. Room 15 Capitol

Agenda: S.F. 362-Reichgott: Property tax technical changes bill.

Wednesday, February 27

Education Subcommittee on Governance and Structures

Chair: Tracy Beckman

8:30 a.m. Room 15 Capitol

Agenda: S.F. 234-Stumpf: Providing for school consolidation in Kittson and Marshall counties in certain circumstances.

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 313-Frank: Making changes in the administration, collection, and enforcement of pull-tab and tipboard taxes, etc. S.F. 318-Laidig: Treating combined receipt tax expenditures as a lawful purpose. S.F. 58-Bertram: Allowing the costs of a required audit as a lawful purpose.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: Confirmation hearing for Labor and Industry Commissioner John Lennes. Continuation of Dept. of Human Services report on workers compensation costs in nursing homes. Confirmation

hearing for Dept. of Jobs and Training Commissioner R. Jane Brown. Overview of the Dept. of Jobs and Training by Commissioner R. Jane Brown.

Judiciary Subcommittee on Criminal Justice System Oversight

Chair: Randy Kelly

10 a.m. Room 15 Capitol

Agenda: Continuation of examination of correctional facility overcrowding crisis in the Metro Area.

Judiciary Subcommittee on Data Privacy

Chair: Jane Ranum

10 a.m. Room 125 Capitol

Agenda: To be announced.

Elections and Ethics Committee

Chair: Jerome Hughes

12 noon Room 107 Capitol

Agenda: S.F. 4-Luther: Clarifying the procedure for the withdrawal of candidates for constitutional office.

Environment and Natural Resources Subcommittee on Environmental Protection

Chair: Gregory Dahl

1 p.m. Room 107 Capitol

Agenda: S.F. 350-Mondale: Authorizing the city of Hopkins to issue bonds for environmental response costs at a landfill. S.F. 256-Merriam: Changing state and local responsibility and authority for waste management. S.F. 257-Merriam: Establishing a centralized state recycling program.

Finance Division on Education

Chair: Le Roy Stumpf

3 p.m. Room 107 Capitol

Agenda: Budget hearing for Minnesota Technical Colleges.

Taxes and Tax Laws Division on Income, Sales and Economic Development

Chair: Lawrence Pogemiller

3 p.m. Room 15 Capitol

Agenda: S.F. 363-Pogemiller: Income, franchise, and mining tax technical changes bill. S.F. 364-Pogemiller: Sales, use and special tax technical changes bill.

Taxes and Tax Laws Committee

Chair: Douglas Johnson

4 p.m. Room 15 Capitol

Agenda: H.F. 13-D.J. Frederickson: Deadline extension for filing income and property tax returns for national guard and reserve members called to active duty. H.F. 57-Reichgott: Property tax technical changes bill.

Thursday, February 28

Finance Division on Education

Chair: Le Roy Stumpf

8 a.m. Room 125 Capitol

Agenda: Budget hearing for the Minnesota State University System.

Local Government Committee

Chair: Betty Adkins

8 a.m. Room 107 Capitol

Agenda: S.F. 81-Hottinger: Clarification of terms of town supervisors; compensation for town officers and employees. S.F. 82-Hottinger: Requiring that towns receive notice of projects and copies of permits. Representatives of the Minnesota Association of Townships will present their concerns for discussion.

Redistricting Committee

Chair: Roger D. Moe

8 a.m. Room 112 Capitol

Agenda: Discussion of concurrent resolution on standards.

Agriculture and Rural

Development Committee on Rural Development

Chair: Tracy Beckman

10 a.m. Room 112 Capitol

Agenda: The closing of the University of Minnesota at Waseca.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: Presentations on energy conservation and management by representatives of the Minnesota Cooperative Association, the Minnesota Municipal Association and the Minnesota Public Utilities Commission.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: Discussion of Light Rail Transit by Regional Railroad Authority Chairs. Review of Citizen's League Report on Light Rail Transit.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: S.F. 128-Hottinger: Clarifying the requirement of "MN" designation within a school bus body identification number. S.F. 354-Luther: Traffic safety regulations concerning school busses and school children. S.F. 262-Vickerman: Allowing specific service signs to be erected along interstate highways.

Rules and Administration Committee

Chair: Roger D. Moe

1 p.m. Room 15 Capitol

Agenda: Report of the Subcommittee on Committees.

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

Education Division on Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: Dept. of Education budget proposal.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: Public testimony on Dept. of Human Services budget recommendations.

Friday, March 1

Education Committee

Chair: Gregory Dahl

8:30 a.m. Room 15 Capitol

Agenda: Overview of site based decision making.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

10 a.m. Room 123

Agenda: Budgets for the Peace Officers Standards and Training (POST) Board, the Minnesota Safety Council and the Dept. Public Safety.

Judiciary Division on Civil Law

Chair: Richard Cohen

10 a.m. Room 125 Capitol

Agenda: S.F. 395-Reichgott: Corporate law clarification. S.F. 283-D.J. Frederickson: Service of process by sheriff in forma pauperis cases without charge. S.F. 186-Kelly: Government entry onto private land.

Judiciary Division on Criminal Law

Chair: John Marty

10 a.m. Room 15 Capitol

Agenda: S.F. 156-Spear: Modifying administration of the statewide public defender system.

Environment and Natural Resources Subcommittee on Environmental Protection

Chair: Gregory Dahl

1 p.m. Room 107 Capitol

Agenda: S.F. 13-Merriam: Requiring environmental impact statements and air emission permits for all new medical waste incinerators.

Senate Publications

Room G95, State Office Building

St. Paul, MN 55155

(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

March 1, 1991

Banking bill heard

The Senate floor session Mon., Feb. 25, centered on the discussion of a bill on the General Orders Calendar. The Senate, acting as one large committee, adopted an amendment that limits the scope of S.F. 90, a bill authorizing state banks to acquire eligible savings associations and operate them as detached facilities.

S.F. 90, authored by Sen. Allan Spear (DFL-Mpls.), was drafted to address the situation arising from the merger of Norwest Bank and First Minnesota Bank. It allows the former First Minnesota Bank in Waseca to continue operating as a detached facility of Norwest. The amendment, authored by Sen. Steven Morse (DFL-Dakota), prohibits the bill from applying to acquired banks other than the Waseca branch. The amendment states that if a bank acquires a federal savings bank or assumes the liability to pay the deposits of such a bank on or before December 17, 1990, the acquired bank may be operated as a detached facility. Sen. Spear progressed the bill so that Senators could examine the ramifications of the amendment.

Access bill gains

Senators approved two measures at the Thurs., Feb. 21, meeting of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.).

The health care access bill, S.F. 2, authored by Berglin, was advanced. The measure establishes the Minnesotans' Health Care Plan to provide health coverage to uninsured and underinsured Minnesotans. Berglin and Sen. Pat Piper (DFL-Austin) reviewed major sections of the bill for committee members.

Debate among members centered around the state's ability to enforce collection of premiums not paid, the potential for abuse in data collection and data privacy, and the need for more

coverage on outpatient alcohol and drug dependency treatment.

Sen. Charles Hallberg (IR-Burnsville) addressed the issue of eligibility. He voiced concern that the state may be creating an environment that will attract people to Minnesota with expensive medical treatment. Berglin cited a section of the bill that specifies eligibility requirements.

An amendment, offered by Sen. Jim Vickerman (DFL-Tracy), generated considerable discussion among panel members. The amendment proposes that coverage for abortions be restricted. Under the amendment, abortions would only be covered under the plan in the event that the pregnancy would result in the mother's death or in the instances of rape or incest.

Berglin countered that "this is not an abortion bill." She said that medically necessary abortions are included in most other health care plans if the pregnancy results in jeopardizing the mother's life. After further discussion by members, the amendment failed to be adopted.

Berglin stressed the importance of passing the bill to control health care costs. The measure was approved and referred to the Commerce Committee.

S.F. 148, authored by Sen. Dallas Sams (DFL-Staples) authorizes alternative methods for the delivery of case management systems for people with mental retardation conditions.

The bill allows the Dept. of Human Services (DHS) the authority to approve proposals from up to 10 county agencies to provide alternative methods of case management for people with mental retardation and related conditions.

Sue Abderholden, a representative from Arc Minnesota testified in support of the bill. She said the measure is an attempt to enable the developmentally disabled individual, and his or her family,

the opportunity to take charge of their own lives.

Banking bill fails

The Senate floor session Thurs., Feb. 28, was dominated by debate of S.F. 90 on the General Orders Calendar. The measure, sponsored by Sen. Allan Spear (DFL-Mpls.), allows Nowest Bank to operate a facility, acquired as part of the merger with First Minnesota, as a branch bank in Waseca without the approval of other banks in the community.

Debate from Senators opposing the measure centered primarily on two issues. The first issue was that the other banks in the community would suffer from unfair competition because Norwest is such a large operation. Secondly, opponents charged that Norwest would not invest in the community.

After considerable discussion the bill failed to gain preliminary approval.

In other action, the Senate processed bill introductions and committee reports.

Tax extension okayed

The full Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), also met Wed., Feb. 27. The panel approved a measure, H.F. 13, allowing an extension to file income tax returns and property tax refund claims for national guard and reserve members called to active duty. The measure, sponsored by Sen. David Frederickson (DFL-Murdock), was amended to update the measure with current federal law that provides extensions for military personnel who served in Operation Desert Shield prior to the outbreak of war. The amendment also extends the redemption period for property with delinquent property taxes owned by a person in the military but not occupied by that person's dependent or employee.

Committee update

Agriculture and Rural Development

Extension overview

The Agriculture and Rural Development Subcommittee on Rural Development, chaired by Sen. Tracy Beckman (DFL-Bricelyn), met Tues., Feb. 26, to hear overviews of the University of Minnesota Extension Service and the Minnesota Agri Growth Council.

Gerald Miller, assistant director, agriculture program, spoke on the Minnesota Extension Service's efforts in a five year strategic budget planning process. The planning is necessary to meet budget deficits and to focus programs on the highest priority issues, he said.

There are five program units in the Minnesota Extension Service; agriculture, home economics, 4H-youth, community economic development and natural resources, Miller said. The program units carry out the extension service mission of offering research-based education to all people in cooperation with county, state, federal and private partners, he said.

Agricultural programs are a vital part of the extension service, Miller said. But, in order to remain an important contributor the extension service must focus on current and emerging issues. New and emerging issues will result in a redirection of resources toward water quality, food quality and safety, farm worker safety, energy, agricultural business management, agricultural policy strategies management and social issues related to agriculture.

Tom Cochrane, executive director, Minnesota Agri Growth Council, spoke in support of Minnesota Extension Service programs. "Agriculture is the engine that drives Minnesota's economy," he said. It is important to also focus on the traditional programs of the extension service, he said. The Agri Growth Council is an agricultural trade association consisting of major food manufacturers, various commodity councils and major corporations representing all phases of agriculture, Cochrane said. As such, it is very important that the extension service continue to fulfill its mission in providing education to all segments of the agricultural community, he said.

Waseca closing debate

The Rural Development Subcommittee of the Agriculture and Rural Develop-

ment Committee met Thurs., Feb. 28, to hear testimony on the controversial proposal to close the U of M Waseca campus. The panel, chaired by Sen. Tracy Beckman (DFL-Bricelyn), first heard testimony from President Nils Hasselmo and Regent Elton Kuder on the rationale for closing the campus. Then, committee members heard from numerous agricultural organizations opposed to the closing.

Hasselmo said that the decision to close Waseca had not been an easy one. "The decision can only be understood in the context of major planning and restructuring efforts taking place for the entire University." The financial climate has accelerated the decision making process, but the restructuring planning has been an ongoing process, Hasselmo said. The University has had to absorb a cut in this year's budget of \$8.8 million and, under the governor's plan would undergo a cut of \$23 to \$24 million next year with more cuts scheduled for the year after that, Hasselmo said. As a result, the largest cuts are being made in the central administration and operations of the University, he said. The closing of Waseca is the second largest cut the University is making, Hasselmo said. Restructuring will lead to more money for some University areas. Hasselmo said that the guiding criteria in funding decisions are quality, the central nature of programs, student demand, the University's relative advantage over other institutions and efficiency and effectiveness of University programs. The University is trying to take a responsible position and fund those programs "where the students are," Hasselmo said.

Opponents to the proposal run the entire gamut of agricultural organizations. Representatives of the Minnesota Farmers Union, the Minnesota Farm Bureau, Harvestland Cooperatives, the Minnesota Pork Producers, the Minnesota Agri Growth Council, and the Upper Midwest Food Processors Association were just a few of the many organizations voicing opposition to the closing. Arguments against the closing centered on the unique nature of the institution, the high quality of graduates, the mission of the institution and the role Waseca has played in agriculture.

According to testimony, Waseca has the largest two year agricultural technical education program in the country. In addition, the institution offers a unique

combination of academic and technical education in a residential setting. The graduation rate is high and the demand for graduates is also high, according to many of the witnesses. Finally, opponents of the closing argued that there is very little duplication of equivalent alternative for students seeking the programs currently offered at Waseca.

Beckman concluded the hearing by remarking that he had seldom seen such unanimity of purpose as displayed by the number and variety of voices raised against the proposal to close the Waseca campus.

Economic Development and Housing

Business developers speak

The Minnesota Business Developers Alliance provided the central presentations for the Mon., Feb. 25, meeting of the Economic Development and Housing Committee. The alliance is a group of four nonprofit organizations that helps develop new businesses, helps expand existing businesses and helps keep "at-risk" businesses going.

Representatives from the four organizations outlined their respective organizations' history and accomplishments. The Metropolitan Economic Development Association, headquartered in Minneapolis, aids minority business development. The Minnesota Cooperation Office for Small Business and Job Creation, located in Bloomington, provides assistance for potential high growth small businesses. The Northeast Entrepreneur Fund, Inc., located in Virginia, Minnesota, encourages small business development in Northeastern Minnesota. The Women's Economic Development Corporation, located in St. Paul, focuses on business development for women.

Wy Spano provided an overview of funding concerns. In the past, all four organizations derived funding from a combination of private donations, the Legislature, the Greater Minnesota Corporation or the U.S. Dept. of Commerce. However, the organizations are currently encountering funding difficulties. Private donations are increasingly difficult to obtain and the Greater Minnesota Corporation has changed focus and is no longer funding new business development programs. As a result, the members of the Minnesota Business Developers Alliance will be requesting that the Legislature provide

\$2.2 million over the next biennium for continued business development activities.

Education

Governor's ed budget

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Thurs., Feb. 22, to hear a presentation of the governor's education budget for the 1992-93 biennium.

Commissioner Gene Mammenga, Dept. of Education, appeared before the committee to give an overview of the initiatives outlined in the governor's budget. Mammenga said that the budget reflects a bias toward what many would refer to as equity funding. He said that the budget shows a commitment to family and early childhood concerns as well as outcome based education (OBE).

Mammenga highlighted some of the initiatives proposed through the budget. Those dealing with services include increased funding to Parent Resource Centers, an extension of day care services, and increased support for Head Start, he said. In the area of curriculum and instruction, Mammenga said that emphasis is placed on facilitating efforts for the implementation of OBE, elementary teacher preparation time, and the extension of the school day. There is also a commitment to providing incentive for interdistrict cooperation and consolidation, said Mammenga.

Joyce Krupey, assistant commissioner, School Management and Support Services, presented new initiatives included in the budget. Several of the initiatives for the biennium, include: \$7.2 million OBE staff development; \$4.9 million for the Prevention-Risk Reduction program and \$4.3 million to expand Early Childhood Family Education; \$4 million for Families Plus, a program aimed at integrating family-related services at the community level; and \$2.7 million to expand Early Childhood Screening, she said. Other funding initiatives in the budget are marked for teacher centers, parent resource centers, and increased funding for cooperative desegregation efforts, said Krupey.

Krupey also explained proposed changes in the General Education Funding Formula. These changes include an increase in the formula allowance to \$3050 per student, allocating a larger portion of aid to elementary school students, and providing \$20 per pupil unit for elementary school teacher preparation time.

Ceil Critchley, assistant commissioner, Learning and Instructional Services, highlighted critical issues on the governor's OBE initiative. She said that in order for implementation to be successful, planning must be site based, voluntary, and must come from teachers and not from those higher up in the organizational structure. It is also important to realize that it will take up to 10 years to fully implement an OBE program.

Krupey testified that the per pupil entitlement, which consists of state aid plus local property taxes, for general education is increased in the budget proposal.

Special services

The Early Childhood and Special Populations Subcommittee, chaired by Sen. Judy Traub (DFL-Minnetonka), met Fri., Feb. 22, to hear testimony from representatives of state and community organizations that serve the special needs of students.

Sarah Smith, representing Programs for Gifted and Talented Students, Dept. of Education, presented an overview of efforts serving gifted and talented students. Smith began by providing definitions of the terms "gift" and "talent." A gift, she said, is defined as an inherent aptitude or capacity in a number of different areas, while a talent is a demonstrated competency in an area. Services offered through programs to gifted/talented students are aimed at fostering the students' gifts and working with their talents, she said.

Smith said that a major task in providing a gifted/talented educational plan is to take into account the student's mental age while realizing that his or her biological and emotional ages are likely closer to the norm. In order to provide adequate motivation, the students, need to be given credit for what they know and to have more challenging tasks provided for them as their talents develop, she said.

Something that is often not taken into account, said Smith, is that many gifted/talented students also have disabilities. This has led to an underrepresentation of handicapped students in gifted/talented programs, she said.

Also, children of color, most notably American Indian students, are under-represented, said Smith. She said that realities such as a disability or living in a poverty situation tend to decrease the likelihood that gifts will be recognized in the education setting.

Paula Goldberg from Parents Advocacy

Coalition for Education Rights (PACER) gave an overview of her organization's activities and the important issues in the area of providing services for children. PACER is a coalition of 19 organizations providing parents of children with disabilities with information and help in seeking services for their children, said Goldberg.

PACER receives 13,000 calls and letters each year requesting assistance in finding services, said Goldberg. Goldberg said that it is important for Minnesota to continue its efforts for interagency cooperation. She also said that more must be done to make services more accessible to children of color and that programs need to be implemented for children who are not classified as learning disabled, but are in need of assistance.

Bob Wedl from the Unique Learner Needs Division, Dept. of Education, updated the subcommittee on department efforts with regard to children and youth with emotional/behavioral disorders.

Wedl said that department's philosophy is oriented toward developing a comprehensive health service through its collaborations with other departments. The Children's Mental Health Act of 1989 is vital to such efforts, he said.

Wedl said that the best way for a family to obtain this information is to call the local service provider—the school. A secondary source is the Dept. of Education, he said.

The interagency efforts need to be directed toward the goals of intervention and prevention, day or noninstitutional treatment, and a combination of resources for success, said Wedl.

Wedl also spoke on the issue of emotionally/behaviorally disturbed. He said that 1 in 8 children have an emotional problem that limits their capacity to function, 1 in 20 have a severe emotional disturbance, and an additional 15 to 20 percent of all children are from groups which are at higher risk of developing mental health problems.

Last, Mark Wolak, director, Rum River Special Education Cooperative spoke to the panel on his region's interagency day treatment programs and on some of the barriers to the adequate provision of services.

The day treatment programs provide educational and therapeutic services to children and families through shared interagency agreements, said Wolak. The programs serve to meet children's needs locally, provide family support, and

Committee update

provide a central point for area agencies to share in service planning.

Wolak said that the major barrier to providing effective service is that providers and administrators often use rules as a guide for how a service should be administered rather than the need of the recipient. Wolak also said that the rules are difficult to understand and tend to deemphasize education, human services and caring for students.

Library cooperation

A Joint House/Senate Libraries Subcommittee, chaired by Sen. Sandra Pappas (DFL-St. Paul), Fri., Feb. 22, to hear overviews of cooperative agreements, shared facilities, schools and public libraries.

William Asp, director, Library Development and Services, Dept. of Education, said that Minnesota is a national leader on the issue of library combination. In the state, 31 percent of 346 public libraries share facilities and there are 79 multi-type library cooperation programs, he said.

Problems in combination include difficulties in combining governance and the responsibility for financing, and in cases where public libraries are placed in schools, the public is not served as well as students, said Asp.

Myron Koets, mayor of Pipestone, testified on the current school-library cooperation in his city. In developing a plan for a library within the school, it was important to ensure access for all, to have parking space and an outside entrance, and to provide space for the public, he said. Koets added that in order for the venture to be successful, there must be one supervisor for library operations.

William Burkholder, superintendent of schools, Pipestone, suggested that in order for other library combinations to be as successful as the one in Pipestone, guidelines similar to those governing combinations in North Dakota should be used. Those guidelines include requirements for a separate public entrance for the library, authority for library boards to contract with public schools, requirements that both public and school library services be administered as one program with one staff and with one collection of materials, and requirements for access to the library at least 15 hours per week beyond the school day, said Burkholder.

John Christenson, representing the Traverse des Sioux Library System, said that the libraries and branches in the

south central Minnesota consortium are not opposed to sharing facilities. Nearly 50 percent of the libraries in that system share facilities with some other government or commercial operation, he said. Many exist in converted buildings, he added.

Mary Birmingham, director, Metro Net, described some factors that are important for success with multi-type library networks. She said that it is important to know the resources that make up the library function. Instead of thinking in terms of collections of books, we need to think in terms of information resources and how they can be accessed, she said. In addition, facilities need to be thought of in terms of technologies and not merely buildings; and the human resource needs to be emphasized, she said. Collaboration is a matter of putting people together, not just buildings or collections, she said. It is vital to focus on the user and not just the institution that makes up the library, she concluded.

Ken Johnson, district media coordinator, Bloomington, said that cooperation between libraries should occur only when it means that there will be increased effectiveness and efficiency. Libraries tend to be specialized either by subject matter or the people they serve, he said. Specialization helps a library meet the needs of those they serve and cooperation or merger should not be considered if service is compromised, said Johnson.

Lastly, Alice Neve, youth services coordinator, St. Paul Public Library spoke on cooperation between the St. Paul Public Library and public schools. The St. Paul example shows that, given adequate resources, both public and school libraries have their greatest effect on the community and learners if they remain as separate and cooperative entities, she said.

MSPAN I overview

An overview of the Minnesota Study of Post-Secondary Access and Needs (MSPAN I) recommendations by the Higher Education Coordinating Board (HECB) and reaction to the report from the Community College and State University systems were given to the Education Committee Higher Education Division, Mon., Feb. 25.

The division, chaired by Sen. John Hottinger (DFL-Mankato) first heard from HECB board member Charles Neerland. He said that the MSPAN I study had as its purpose addressing the

post-secondary education needs of the Metropolitan Corridor, an area extending from St. Cloud through the Twin Cities to Rochester. Following the MSPAN I study, the Legislature directed the systems of higher education to prepare plans that address two areas of need: access to upper division undergraduate and practitioner-oriented graduate programs, and access to master's level programs for working professionals, said Neerland.

HECB Executive Director, David Powers, presented recommendations of the board that resulted from the MSPAN I report. The six recommendations are: that no public institutions build new campuses in the Metro Area in this biennium; that Metropolitan State University evolve into an institution offering four-year baccalaureate programs and selected master degree programs; that Metro State merge with community colleges to offer lower division credits by 1993 and offer classes at sites in the western suburbs; that the HECB should identify sites for co-location or merger; that financial aid to students be increased to promote access; that the U of M take on major responsibility for graduate programs and that the programs be practitioner oriented; and that there be an increase in the use of instructional television.

Robert Carothers, chancellor, State University System offered several caveats on accepting the HECB recommendations. He said that the MSPAN report is one that addresses issues of access and needs. The state has relatively good access, he said, and what we need is better education, not just more. He said that it should not be the HECB's jurisdiction to make decisions for other institutions on who should collaborate and that past experience has shown that coexistence without consolidation does not work well. Last, the suggestion that Metropolitan State offer more access in the western suburbs does not show a commitment to urban education and does not address the needs of people who are now least well served, most vulnerable, and need to be worked into the mainstream of society, said Carothers.

Gerald Christenson, chancellor, Community College System, said that his system agreed with 90 percent of the HECB recommendations, but that the recommendations do not address the need to economize or take into account changing demographic and cultural trends. There is a need to focus on place

bound students and those using community colleges as a step toward their bachelor's degree, he said.

Bill forwarded

The Governance and Structures Subcommittee, chaired by Sen. Tracy Beckman (DFL-Bricelyn), met Wed., Feb. 27, to hear H.F. 245, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls).

The bill is necessary to allow the consolidation of two school districts in Kittson and Marshall counties, said Stumpf. He said that the referendum election required to authorize the consolidation cannot take place in a timely fashion due to a restriction on the amount of time a locality must wait between elections. The bill allows the election to take place and still meet the deadline for the submission of an order setting the effective date of the consolidation, he said.

The committee approved the bill and sent it to the full Education Committee.

Education Funding Ed program presentation

The Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing) met Mon., Feb. 25, to hear an explanation of the 1992-93 biennium education budget.

Gary Farland, Dept. of Education began by stating that the General Education Program's purpose is to provide school districts with general operating revenue promoting an adequate and equitable system of elementary and secondary education. Included in the objectives of the program are equity for students, equity for taxpayers, efficient use of resources, and local control.

The revenue components that go into the calculation of revenue are basic revenue, compensatory revenue, training and experience (T&E) revenue, sparsity revenue, supplemental revenue, and operating fund balance reduction, said Farland. Basic revenue is determined by multiplying a districts Weighted Average Daily Membership (WADM) by a designated formula allowance, he said.

Compensatory, T&E, and sparsity revenues are for districts facing uncontrollable costs. Compensatory revenue is a means by which a district receives funding for students from families receiving Aid to Families with Dependent Children, said Farland. T&E revenue goes to districts with teachers having high average levels of graduate training and experience, while sparsity revenue goes

to districts that may be small enough to consolidate but are too isolated to make consolidation cost effective, he said.

Supplemental revenue goes to districts to ensure that revenues do not drop below 1988 levels and operating fund balance reductions go to districts that have exceptionally high costs in areas such as transportation, food service and community service funds, said Farland.

Farland said that aids and levies figure into the funding system in a way that ensures the greater a districts per student property tax wealth, the greater the portion of that district's funding that is paid by local taxes.

The governor believes that the General Education Program provides for adequate funding, said Farland. Still, an increase in the number of students in coming years and accurately forecasting the increase may cause problems.

Tom Melcher, Dept. of Education, outlined the recommendations of the governor's education plan. The recommendations include changing the formula allowance from \$2,953 to \$3,050 per WADM, changing the secondary pupil weight from 1.35 to 1.30 in computing WADM to more closely reflect costs in educating secondary students, and providing \$20 per WADM for elementary school preparation time, he said.

Elections and Ethics

Election bill

Members of the Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), met Wed., Feb. 27 to continue discussion on a measure clarifying election procedures.

As amended, S.F. 4, authored by Sen. William Luther (DFL-Brooklyn Park), allows gubernatorial candidates the authority to select his or her running mate in the event of a vacancy; clarifies that if the candidate for governor withdraws, the name of lieutenant governor is also removed; provides deadlines for filling vacancies in nominations; clarifies the method of determining voter intent when casting a write-in vote for governor and lieutenant governor; and allows a candidate the right to withdraw from the general election 10 days after the primary.

Sen. Patrick McGowan (IR-Maple Grove) objected to a section of the bill that specifies when election judges can begin examining absentee ballot envelopes. Under the provisions of the bill, judges can begin examining envelopes after 12 p.m., or after the last mail

delivery on election day. McGowan said that the examination process should be consistent throughout the state, since each city has varying mail delivery times. No action was taken on the bill pending further discussion.

Employment

Confirmation hearings

Two gubernatorial appointments were approved by members of the Employment Committee and Chair Florian Chmielewski (DFL-Sturgeon Lake) at the Wed., Feb. 27, meeting.

The appointments of John Lennes, Jr., as commissioner of the Dept. of Labor and Industry, and R. Jane Brown as commissioner of the Dept. of Jobs and Training, will now move to the full Senate for a vote.

Committee members also heard from Patty Garvey, Care Providers of Minnesota, on the Dept. of Human Services report on workers' compensation costs in nursing homes. She said the main concern of the organization is the 21-month delay in reimbursing for workers' compensation costs. Jim Waldhauser, attorney for Care Providers of Minnesota, said another problem in Minnesota's workers' compensation system stems from the minimum benefit payment structure that allows injured workers to receive more money while they are disabled than while they are actively employed.

Energy and Public Utilities

Private sector overviews

Sen. Steven Novak (DFL-New Brighton) and members of the Energy and Public Utilities Committee met Thurs., Feb. 21, to hear representatives of private telecommunications companies speak on the telecommunications industry in Minnesota.

U. S. West Vice President Ron James gave an overview of new developments in the telecommunications industry. He described the technologies U. S. West is using to respond to many companies' need to manage time in a more efficient way. He said the current regulatory system allows his company to return money into the state by offering customers a portion of the company's profits. In addition, he said U. S. West is investing money in technologies to be used in other countries.

John DuDa, United Telecom vice president, spoke on the company's history, marketshare and some current industry developments. He told the

Committee update

committee that United Telecom is studying the telecommunications infrastructure to examine the impact of modernization on the local, state and national economy.

Executive Secretary Mike Norwick, Minnesota Telephone Association, talked about some activities in the association, which is comprised of 94 of the state's telephone companies. He said Minnesota has a state-of-the-art telecommunications system and consistently ranks in the top five states for telephone access. He also said the Legislature should keep an open mind as to regulatory methods in order to keep this quality intact.

Dave Kelly, Minnesota Equal Access Network Service president, said his company's goal is to centralize service in Minnesota by implementing an all fiber optic line system throughout the state. He said Minnesota would benefit because phone service in Greater Minnesota would have parity with that in the Metropolitan Area, and customers would have more choice as to their long distance service company.

Private sector programs

Private industry energy conservation programs were highlighted at the Tues., Feb. 26, meeting of the Energy and Public Utilities Committee, chaired by Sen. Steven Novak (DFL-New Brighton).

Bruce Wieteki, Northern States Power (NSP), said Demand-Side Management (DSM) is top on NSP's agenda. DSM attempts to modify current electricity use patterns so that new capacity (like nuclear power stations) is not needed. He said one successful DSM program, the Peak Reduction Program, involves commercial customers who agree to decrease energy use for a few hours during peak energy consumption hours. He also said some customers agree to load shifting, whereby their energy use is moved from high-cost (day) to low-cost (night) periods.

Minnegasco representative Sue Nathan said Minnegasco is working with various community action groups to administer the M-200 program to low income Minnesotans. The M-200 program combines numerous energy conservation measures to assist in residential energy savings. She said Minnegasco has worked to provide incentives for rental property owners to implement energy conservation measures but the owners have not responded as planned. She indicated that

their reluctance to act on these measures makes energy conservation among low income people difficult because many live in rental properties.

Steven Betzler, Minnesota Power and Light Company, said the company has instituted an arrearage forgiveness program for customers who cannot pay their energy bills. He said the program assists customers by scheduling fixed monthly payments over a year's time. He also said the company is working with the community action group Minnesotans for an Energy Efficient Economy on a proposed energy efficiency act.

Midwest Gas representative Ray O'Connell said one energy conservation program, aimed at persons over 62 years old, offers workshops on energy savings, free energy audits, and delayed bill payments under certain circumstances.

Environment and Natural Resources

Bills advance

A bill establishing Glendalough State Park and a bill affecting Pollution Control Agency (PCA) rulemaking procedures were approved at the Environment and Natural Resources Committee meeting Tues., Feb. 26. Chair Bob Lessard (DFL-Int'l. Falls) and members also recommended the appointment of Don Ogaard as chair of the Board of Water and Soil Resources.

S.F. 74, authored by Sen. Dallas Sams (DFL-Staples), establishes the Glendalough Game Farm area in Ottertail County as a state park. The bill was rereferred to the Finance Committee.

S.F. 218, authored by Bob Lessard (DFL-Int'l Falls), allows the PCA to change water rules under the Administrative Procedures Act, rather than under the special requirements that mandate public hearings for which often there is no expressed public interest. It also allows the PCA to charge user costs to agencies using PCA data bases for information, and allows the PCA to recycle training program fees back into the training programs. However, a PCA sponsored provision authorizing any leftover monies in the Waste Tire Management Account to be spent on junkyard investigation was deleted from the language. S.F. 218 was rereferred to the Finance Committee.

The committee also discussed a bill that would enable some soil and water conservation districts to obligate funds for contracts prior to receiving the funds.

S.F. 54, authored by Sen. Tracy L. Beckman (DFL-Bricelyn), was laid over until some areas are clarified.

Measure considered

A bill that would make changes in state and local government responsibility and authority for waste management was discussed by members of the Environment and Natural Resources Subcommittee on Environmental Protection Wed., Feb. 27. S.F. 256, authored by Sen. Gene Merriam (DFL-Coon Rapids), specifies that the Legislative Water Commission oversee Pollution Control Agency activities relating to water pollution control. The bill also allows for residential waste materials that are not collected for recycling to be counted as part of a municipality's total solid waste generation. Consideration of the measure will continue at a later date.

Sen. Gregory Dahl (DFL-Ham Lake) chairs the subcommittee.

Finance

Budget presentation

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids) met Fri. Feb. 22, to hear an overview of the governor's 1992-93 biennium budget from Finance Commissioner John Gunyou.

The budget reflects the governor's priorities, said Gunyou. He said that it reflects the governor's commitment to children and education especially with proposed initiatives in outcome-based education. The budget also reflects an intent to restructure state-local finance, including property tax relief, he said. Other priorities are in the area of the environment, especially with regard to wetlands protection, and economic competitiveness.

Gunyou said that the governor wants to fully fund elementary and secondary education and initiate a number of changes directed at improving academic outcomes. The budget shows a six percent decrease in funding for higher education, he said, but there is a commitment not to increase tuition above the rate of inflation. General Fund expenditures for elementary/secondary education and higher education are \$4.5 billion and \$2.7 billion, respectively, said Gunyou.

Gunyou said that the budget will require a more cooperation between state and local governments in establishing a funding structure. The budget proposes property tax relief, and a one-class, full

valuation system for determining property tax, he said. As the budget decreases aid to local governments, equalization aid will be provided for communities that have low tax capacities and for special needs faced by communities, said Gunyou. The budget proposes a decrease of \$753 million for FY 1992-93, with total local aids equaling \$1.6 billion, said Gunyou.

In the area of human development, the budget proposes to increase spending 14.7 percent for the next fiscal year, said Gunyou. There are a number of cuts, though, with most of the cuts coming from services the state will no longer mandate, he said. The budget proposes increases in spending in areas such as health care, children's programs, and for incentive grants for programs that provide an alternative to institutional care, said Gunyou.

Some other proposals in the budget include a decrease in economic development aid, an elimination of dedicated transportation funds and an increase of 24 cents per pack on cigarettes. Sen. Gene Waldorf (DFL-St. Paul) asked about the success of a tax on cigarettes, saying that the tax might bring about an increase in bootlegging. Dorothy McClung, Dept. of Revenue, said that substantially higher tax rates had been enacted before with desired results.

A major portion of the governor's budget policy is the maintenance of the \$550 million budget reserve, said Gunyou. In the present budget proposal, no more than \$450 of the reserve will be used only for cash flow purposes, he said. The circumstances under which the reserve can be depleted, under the governor's policy, are when revenues are forecasted to be below the last forecast, and when there is an anticipated shortfall, said Gunyou. The policy is one that does not allow the reserve to be used to fund the next biennial budget or when it is not likely that the reserve can be restored without a tax increase, he said. Gunyou said that while certain criteria were met, most recent forecasts does not indicate a need to depart from maintaining the reserve.

Gunyou said that the emphasis of the budget proposal is on a restructuring of government and spending policy.

Gunyou was also unanimously confirmed as commissioner at the meeting.

PCA budget overview

A budget overview of the Pollution Control Agency (PCA) was the focus of the Mon., Feb. 25, meeting of the Finance Division on Environment and

Natural Resources.

Representatives of the PCA presented an outline of the proposed \$128 million budget for Fiscal Years 92 and 93. Assistant Commissioner Ann Glumac said the budget includes a plan to reduce reliance on the General Fund by generating \$3.2 million from a fees. The governor's PCA budget recommendation includes phasing out a \$500,000 grant to the Western Lake Superior Sanitary District and reducing Clean Water Partnership grants by \$90,000. In addition, Household Hazardous Waste Program funds will be reduced by \$300,000, but will be offset by the reallocation of SCORE funding. Finally, the recommended budget does not include the \$500,000 allocation from the Motor Vehicle Transfer Fund for junkyard investigations. Instead, the recommendation is that \$2 million from the Motor Vehicle Transfer Account go to the Superfund Account.

Sen. Steven Morse (DFL-Dakota) chairs the division.

Budget requests

Members of the Finance Division on Agriculture, Transportation and Regulation met Mon., Feb. 25, and began the process of hearing departmental budget requests. The panel, chaired by Sen. Keith Langseth, will hear a number of budget presentations over the coming weeks.

Commissioner Bert McKasy, Dept. of Commerce, began the presentation with an overview of departmental functions. Overall, McKasy said, the department is a revenue generator because of the fees charged for various services. The department is requesting \$22.29 million for the biennium but the governor's recommendation is slightly higher, McKasy said. The difference, about \$55,000, is earmarked for a contract for the unclaimed property division, he added.

The major department divisions—financial examiners, registration and policy analysis, enforcement and licensing, administrative services and the Petroleum Tank Release Cleanup Fund,—provide oversight for financial institutions, and the securities, real estate and insurance industries, McKasy said.

The panel also heard presentations from Rick Lancaster, Dept. of Public Utilities, and Commissioner Kris Sanda, Dept. of Public Service.

Lancaster said that the Dept. of Public Utilities has a twofold mission; to insure fair, just and reasonable rates for utilities

and to insure that utility service is safe and efficient. Lancaster then outlined major programs under the department's jurisdiction and listed the budget request for each. In addition, Lancaster emphasized the importance of a four percent inflation adjustment built in to the budget for salary adjustments and equipment and software. Lancaster said that the alternative of not funding the base salary would result in fewer staff trying to analyze increasingly complex industries.

Sanda provided the division with an overview of the Department of Public Service. According to Sanda, the department is the descendent of the oldest state agency in Minnesota—the Railroad Commission that was created in 1871. Currently, the department provides public interest advocacy and enforcement for all utility cases, she said. Major divisions within the department include telecommunications, weights and measures, energy, and information and operations management. Much of the activity of the department is funded by fees, Sanda said. The department is requesting a four percent inflation adjustment and additional positions that are to be fee funded for the coming biennium. Sanda also pointed out that there will be a budget reduction because of the phasing out of oil overcharge funding.

Sanda also touched on the strategic planning functions of the department, particularly in the area of energy policy. According to Sanda the cornerstones of the state's energy policy are maximizing energy efficiency and encouraging cost-effective energy conservation; encouraging the use of cost-effective and technically feasible renewable energy sources; ensuring adequate and affordable supplies of energy for all consumers and protecting vulnerable citizens from major cost and supply fluctuations.

Boards' budgets

Representatives of a number of non-health boards spoke to members of the Agriculture, Transportation and Regulation Division, Tues., Feb. 26. Spokespersons for the Board of Accountancy, the Board of Abstractors, the Board of Barber Examiners, the Board of Electricity, the Board of Animal Health and the Board of Architecture, Engineering, Land Surveying and Landscape Architecture all made budget presentations. None of the various boards indicated much divergence from the governor's budget recommendations.

Committee update

The division, chaired by Sen. Keith Langseth (DFL-Glyndon), also listened to a budget presentation by Commissioner John Lennes, Dept. of Labor and Industry. Lennes began with an overview of the department's mission and organizational structure. The department is organized into four programmatic areas—workers' compensation regulation and enforcement, the Workers' Compensation Special Compensation Fund, workplace regulation and enforcement, and general support. Further, the goals of the department can be characterized as preventing workplace injuries, ensuring the prompt and efficient delivery of benefits and promoting fair wages and working conditions.

Lennes said that the department has reallocated within its base to reduce General Fund costs in order to meet the most pressing needs while still meeting statutory requirements. In addition, Lennes said that the department will generate sufficient revenue to cover the anticipated increase in the costs for the Special Compensation Fund and the fee funded programs in code enforcement.

DHS budget overview

Health and Human Services Division members of the Finance Committee were presented an overview of the Dept. of Human Services (DHS) 1992-93 budget at the Tues., Feb. 26, meeting. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Charles Schultz, an assistant commissioner from the DHS, led members through the 1992-93 Human Services Administration Division budget. He said that the base level of funding will be maintained for all administrative functions. The governor, he said, is proposing a \$297.1 million dollar budget request to fund the executive offices and the six support divisions.

Division hears DHS budget

The Wed., Feb. 27, meeting of the Health and Human Services Division on Finance, was devoted to reviewing the Dept. of Human Service's biennial budget.

Julie Brunner, an assistant commissioner with the DHS presented the proposed biennial budget for the Legal and Intergovernmental Division. She said that the base level of funding will be maintained for the majority of programs under this division.

In an attempt to reduce social service mandates, the department is requesting

new monies to develop and implement a Social Services Information System, said Brunner. The new system, she said, will ease the regulatory and reporting burdens placed on county social service programs. The total cost of the system is estimated at \$15 million. Of that total, \$8.7 million will be at county expense for the purchase of equipment and software. The remaining \$6.28 million will be funded by the state.

John Petrabor, an assistant commissioner for the DHS, briefed members on the Economic Support for Families and Individuals Division biennial budget. He said the greatest portion of the DHS budget goes to fund this division. The governor, he said, is proposing \$1.39 billion to fund this division.

In an attempt to raise the standard of living for welfare recipients, the DHS will be implementing a new program called the Minnesota Family Investment Plan. The plan, he said, is the most ambitious welfare reform initiative in the nation. It will combine AFDC, Food Stamps, and General Assistance programs and replace them with a single program that rewards families that work and stay together. Petrabor indicated that the DHS does not expect any increases in individuals who seek assistance under this program.

Tech College budget

The Education Division of the Finance Committee, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), met Wed., Feb. 27, to hear an overview of the Technical College System budget and to hear information on plans to delay building projects at higher education institutions.

John Ostrum from the Technical College system told the division of the needs that are not funded in the governor's budget plan. Ostrum said that the system needs instructional program funds; funding for library facilities and other program improvements required for North Central Association Accreditation; instructional technology, especially for use in remedial learning programs; student information systems that will allow better access to student services; equipment; and programs fostering cultural diversity in student and faculty populations.

Ostrum said that Technical College policy is driven by the desire to have all programs credit based, the pursuit of the North Central Association Accreditation, and the increase in part-time

enrollment by students. The budget proposal does not allow the system to address the needs expressed by the policy drivers implement its values to bring about desired successes, said Ostrum.

Peter Sausen, assistant commissioner, Dept. of Finance, said the governor's office proposed that projects with an "uncommitted" status be reviewed to see if delaying the construction is feasible and might save money in the coming fiscal year.

Uncommitted projects are those for which there may be plans, a contract for design, and an authorized bond sale, but there is no contract for construction, said Sausen.

Orley Gunderson from the Technical College System testified that some projects classified as uncommitted need to go forward due to binding commitments made by the colleges. Thief River Falls Technical College is legally committed to a project because of a commitment of the local share of the project and a long-term lease with the city, said Gunderson.

Also, completion of the project is a requisite for maintaining a lucrative job skills partnership grant from Northwest Airlines, he said. He also said that there is a commitment to students who have entered into the program on the assumption that the project will be completed.

Eric Radtke of the Community College System said that the system has invested a great deal of money in planning thus far. Delaying uncommitted projects means a loss of investment for planning and the loss of the benefits of well composed plans. The Community Colleges try to construct during the summer when most of the students are gone to keep from disrupting campus activity, and to do this, major planning is required, he said.

Metropolitan State University President Tobin Barrozo said that the 8,000 students of Metro State deserve and need classrooms and laboratories that the students at other institutions have.

Gaming Regulation

Compulsive Gambling Overview

The Senate Gaming Regulation Committee met Mon., Feb. 25, to hear an overview of compulsive gaming treatments in the state and to get a general idea of the scope of the problem. Steve Dentiger, chair of the State Advisory Committee on Compulsive Gambling gave a short profile of current trends and the advisory committee's recommendations to the legislature.

Dentiger explained that adolescents now make up a large percentage of gambling addicts in the state. He said \$1.5 million would be needed to meet the minimum maintenance requirements for treating compulsive gamblers. Insurance companies do not pay for compulsive gambling treatment, he explained. Besides research and the state's toll-free hotline, the task force recommends funds be allocated for training counselors and providing public information. Dentiger said that the greatest obstacle in treating compulsive gambling is lack of public awareness.

The committee also heard from Rod Radich, Gamblers Intervention Counselor and a recovering gambling addict. He explained that the most insidious quality about gambling addiction is that it is quite easy to hide and the addict is well on the way to breaking the law before anyone knows about the problem.

Betty George, Executive Director of Minnesota Council on Compulsive Gambling, explained that there are four stages of gambling addiction: winning phase, losing phase, desperation phase and recovery. It is often in the desperation phase that the gambler turns to illegal activity to fund their gambling habit.

Dr. James Schaeffer, a researcher at the Center for Addiction Studies, University of Minnesota, Duluth, testified about his experience as a pull-tab dealer during a three-month study that the center conducted. Schaeffer echoed the testimony of the other witnesses that "pulltab gambling seems to be the most addictive form of gambling." He urged the committee to impose a moratorium on new forms of gambling.

In addition, Sandy Brustuen, chemical dependency and gambling addiction counselor also spoke on various aspects of compulsive gambling. She said that there is a dire need for treatment which addresses the unique qualities of gambling addiction.

The committee is chaired by Sen. Charles Berg (DFL-Chokio).

Gambling changes considered

Changes to current gaming laws were discussed at the Wed., Feb. 27, meeting of the Senate Gaming Regulations Committee chaired by Sen. Charles Berg (DFL-Chokio). Three separate bills were heard, with the understanding that none would be acted on during the meeting. Berg said it is his intention, if there were no objections from committee members, to roll all gambling measures finally agreed upon into one bill.

The first bill discussed, S.F. 318, sponsored by Sen. Gary Laidig (IR-Stillwater), makes payment of the combined receipts tax on pull-tab and tipboard receipts a lawful purpose expenditure and strikes the existing posting requirement for pull-tab winners, making that requirement discretionary with the Gambling Control Board. In addition, the bill removes restrictions on allowable expenses. It also sets minimum percentages of gross gambling profits that must be spent for lawful purposes. Laidig explained that the change in posting would only penalize those clubs whom the board cites as being prone to insider trading. He said gambling managers in his area have complained that games aren't being sold because of the posting requirement.

The second measure discussed, S.F. 313, carried by Sen. Don Frank (DFL-Spring Lake Park), changes the two percent of ideal gross tax at the distributor level to two percent of gross receipts at the organization level. The two percent tax on the ideal gross of a play of pull-tabs is unfair, Frank said, because distributors are being taxed on all the pull-tabs whether they are sold or not.

The third bill discussed was a measure sponsored by Sen. Joe Bertram, Sr. (DFL-Paynesville). The bill, S.F. 58, adds the cost of the required annual audit to the list of lawful purposes for which gambling profits may be spent. The measure also repeals the pull-tab prize posting requirement.

Discussion centered on the ideal gross tax and the posting requirement for pull-tab prizes. Berg suggested that if organizations were having such a problem with the ideal gross tax, the state should institute a straight six percent sales tax on pull-tabs similar to the sales tax on other non-essentials.

Tom Anzelc, Director of the Gambling Division of the Department of Gaming, testified that while the posting requirement may not be very popular with some clubs, it has virtually wiped out any hint of insider training and therefore was a worthwhile measure. He said that the Legislature should instead focus on the tax situation and find a way to make it more equitable.

All of the bills were laid over and the committee agreed to take up the discussion again at a later date.

Governmental Operations

Commissioners confirmed

The Governmental Operations Committee, chaired by Sen. Gene

Waldorf (DFL-St. Paul) met Wed., Feb. 27, to hear testimony from commissioners appointed to the Dept. of Employee Relations and the Dept. of Administration.

Appearing first before the panel was Linda Barton, commissioner, Dept. of Employee Relations. Barton said that her goals as commissioner will be to promote a service oriented work force that will provide the very best service for the people of the state; evaluate how prepared the state is to meet the challenge of cultural, social and technological change; examine the structure of the department; and develop a long-term vision of the department's role.

Several committee members asked Barton about her commitment to the issue of comparable worth. Sen. Phil Riveness, (DFL-Bloomington) asked if the department would continue its activist role in promoting pay equity programs. Barton responded by saying that she intends to execute and defend the law and that she hopes to involve people on the local level in developing pay equity policy and plans.

Also appearing before the committee for confirmation was Commissioner of Administration Dana Badgerow.

Badgerow said that she has two major priorities as commissioner. The first is the good management of the department, she said. My experience in corporate management will serve this goal well, she said. It is important to create cost effective programs that meet customer needs, said Badgerow.

The other priority is the assembly and management of the governor's new Commission on Reform and Efficiency (CORE), said Badgerow. She said that CORE is a public/private partnership whose mission is to identify areas for immediate cost savings and the long-term actions needed to improve effectiveness in state operations.

Badgerow said that she will bring corporate management experience to state government. The elements of that style include the statement of objectives, the communication of those objectives, setting goals and time tables, holding people accountable for their actions, and recognizing people's successes, she said.

Also on the agenda was S.F. 461, authored by Sen. William Luther (DFL-Brooklyn Park). The bill increases the amount of vacation time a state employee may donate for the benefit of another state employee to help them meet the costs of an illness. The bill was approved by the committee and sent to the full Senate.

Committee update

Health and Human Services

Pediatric Hospital bill discussed

A bill that establishes a cost-based reimbursement system for Medical Assistance (MA) and General Assistance Medical Care (GAMC) outpatient services provided to children by pediatric specialty hospitals was heard at the Mon., Feb. 25, Health and Human Services Committee meeting.

S.F. 12, authored by Sen. Don Samuelson (DFL-Brainerd) provides for a fair cost reimbursement structure for pediatric hospitals. The bill was approved as amended and re-referred to the Finance Committee.

The second half of the meeting, chaired by Sen. Linda Berglin (DFL-Mpls.), centered on the Dept. of Human Services (DHS) biennial budget.

Commissioner Natalie Haas Steffen said the DHS proposes a \$7.3 billion budget for the 1992-93 biennium, \$4 billion of which would come from state funds.

She also indicated key areas that the DHS will be focusing upon in the next few years. The first area is developing community-based alternatives to institutional care, she said. "An additional \$12 million to fund in-home care for seniors through the Alternative Care Grant Program will help seniors stay in their homes," said Steffen.

Increased funding for the Seniors' Agenda for Independent Living (SAIL) provides incentives to counties to keep seniors in their homes, said Janet Wiig, an assistant commissioner for the DHS.

Also, Steffen said, an additional \$3.9 million will be available to families who choose to keep their disabled children at home rather than placing them in institutions.

In the area of health care, Steffen pointed out that \$19 million has been earmarked for the Children's Health Plan (CHP). She indicated that the CHP is one of the department's biggest health care success stories.

Next, Steffen went on to explain the Minnesota Family Investment Plan, which encourages economic self-sufficiency and families staying together. The plan, she said, will receive \$4.8 million for FY 91-92. In the area of income maintenance, the state will fund the expanding costs of the major income maintenance programs to county governments, Steffen said.

The budget, she said, also directs \$2 million in new funds toward

the Families First Program. "Families First works with at-risk families who are on the brink of separation," Steffen said. The initiative, said Wiig, will help reduce the number of children inappropriately placed in foster care as a result of a crisis.

Steffen also addressed the issue of court ordered child support payments. She said that a new child support bill now being introduced will result in \$6.3 million in additional revenue for the state. There will also be a \$3 million increase in funding for the Children's Integrated Mental Health Program, she said.

The latter half of the meeting was spent hearing presentations by assistant commissioners from DHS. Their presentations resulted in committee members expressing frustration and confusion concerning the lack of substantive budget information for review.

Judiciary

Data privacy testimony

Members of the Data Privacy Subcommittee, chaired by Sen. Jane Ranum (DFL-Mpls.), met Thurs., Feb. 21, to hear testimony on the Data Practices Act.

Don Gemberling, director of the Data Protection Division of the Dept. of Administration, provided members with an overview of the Data Privacy Act and its purpose.

The division then heard testimony from various social service, judicial and law enforcement officials on the problems they encounter when trying to obtain and share data privacy information.

Judge Isabel Gomez, from the Juvenile Division of the Hennepin County District Court, explained how the current Data Privacy Law restricts the court's effectiveness when obtaining and sharing information with social services in adult pre-sentencing investigations.

She suggested that the legislature allow juvenile courts, adult corrections, family court services and social welfare services the opportunity to share data without court orders when working with court cases involving the same individuals.

Steve Kley, director of Nicollet County Court Services, said he shares many of the same concerns as Gomez and voiced frustration concerning the inability to share information among agencies. He said he realizes that the Data Practices Act is meant to protect the privacy of an individual. However, it also limits the

court's ability to help the individual, said Kley.

In order to serve all concerned, Connie Peterson, a probation officer with Arrowhead Regional Corrections, said agencies need to be allowed some flexibility in sharing information with each other.

In response to the testimony, Gemberling informed members and witnesses that the court system is not subject to the Data Privacy Act. He said that the problem seems to be with interpreting the Act, not with the Act itself. Jay Wilkinson, a lawyer with the Legal Aid Society of Minneapolis, concurred with Gemberling's statement. He said the state does not need to change the law; all that is required is a better understanding of it, Wilkinson said.

Release order bill gains

The Judiciary Committee advanced three bills at its Mon., Feb. 25, meeting. The committee is chaired by Sen. Allan Spear (DFL-Mpls.).

S.F. 127, sponsored by Sen. John Marty (DFL-Roseville), establishes requirements for the issuance of judicial release orders during emergency holds under the Commitment Act. In addition, the bill provides that if the basis for the emergency hold is to protect specific individuals from imminent danger, a written statement must include identifying information on those individuals.

The bill also specifies that a person may be released only through a writ of habeas corpus, in addition to written findings by the court. The measure requires the court to notify those individuals who were identified in the statements as being in imminent danger, before the person is released.

As amended, S.F. 246, authored by Sen. John Hottinger (DFL-Mankato), increases the value of estates that are subject to collection of personal property by affidavits from \$5,000 to \$10,000. In addition, the bill clarifies that allowances to spouses and children are superior to claims by county agencies or other persons who collect personal property by affidavits. Hottinger stated that the bill will save approximately \$400,000 in probate fees.

Senators amended and approved S.F. 224, sponsored by Sen. William Luther (DFL-Brooklyn Park), relating to public defender representation for appeals after a conviction. The measure limits the entitlement to appellate representation by the state public defender only on the first direct appeal of a conviction. The

bill also specifies that if an individual has already appealed the case, the public defender can choose whether or not to represent the individual.

Under current law, the state public defender is required to represent anyone who is financially unable to obtain legal counsel when seeking postconviction relief.

In addition, the bill clarifies that when the state public defender is directed by the court to represent a defendant, the state public defender may assign the representation to any district public defender.

In other action, Robert Spangenberg, presented a summary of the Weighted Caseload Study for the State of Minnesota Board of Public Defense.

The report, Spangenberg said, identifies key factors that have caused an increase in public defense caseloads. Some of these factors include a rise in crime rates, a rise in filings and court appointments and reductions in court processing time. Changes in the method of case disposition, changes in the case mix of public defenders, changes in sentencing law and procedure, and changes in statutes or court rules mandating procedure altering procedures, have also affected public defense caseloads, he said.

The task force also discovered that public defenders are overworked, have large caseloads, spend a minimal amount of time with clients and that they are cutting corners by not conducting investigations or filing motions, Spangenberg said.

Consequently, he said, the task force developed caseload standards for Minnesota public defenders. These standards specify the number of cases they can process per year depending on the type of case.

Data Practices examined

The Wed., Feb. 27, meeting of the Data Privacy Subcommittee was devoted to hearing testimony on the Data Practices Act. The committee is chaired by Sen. Jane Ranum (DFL-Mpls.).

Leading off the testimony was Dr. Carolyn McKay, director of Maternal and Child Health from the Dept. of Health. She informed division members that people are concerned about personal liability when sharing information. In addition, she told members that people experience difficulty interpreting the Data Practices Act. Hence, people don't share information, she said. McKay recommends that credited training on the

Data Practices Act be implemented to combat the problem.

Don Gemberling, director of the Data Practices Division, the Dept. of Administration, commented on last week's testimony. He reiterated that court services and court service agencies are not subject to the Data Practices Act and are not subject to personal liability. He also said that education on the Data Practices Act is necessary to dispel misconceptions. However, a better dispute mechanism also needs to be established, he said.

Considerable discussion was generated by S.F. 70, authored by Sen. Richard Cohen (DFL-St. Paul). The measure attempts to clarify when portions of personnel data for public employees can be made public based on changes to the Data Practices Act passed last year.

The measure resulted from a recent district court decision on whether last year's amendment applies to data that has already been collected.

Debate among members centered around whether pre-existing data collection and settlement agreements should be made public. No action was taken on the bill.

Prison overcrowding

The Judiciary Criminal Justice System Oversight Subcommittee, chaired by Sen. Randy Kelly (DFL-St. Paul) met Wed. Feb., 27, to hear testimony from county jail facility administrators on the status of populations in those facilities.

Joan Fabian, director, Ramsey County Community Corrections, said that the crowding problem in Ramsey county facilities is at a crisis stage. She said that Hennepin and Ramsey counties process 73 percent of the state's violent offenders and the majority of other criminals whose offenses require incarceration, but receive only 37 percent of the state funds available to county facilities. There has been an increase of 158 percent in the number of cases supervised by Ramsey County while the percentage of funding from the state has decreased over that same period, she said.

Fabian said that the corrections and court systems in the county are looking at different options and alternatives to incarceration, including day reporting, electronic monitoring and getting offenders into treatment programs sooner. However, funding is still needed.

Russell Reetz, director of Court Services, Washington County, spoke to the panel on the county's jail facilities and sentencing alternatives. A person

convicted of a nonviolent crime does not necessarily need to be in jail, he said. People are held accountable in the Washington County system, regardless of the type of sentence they receive, and people who need to be in jail to enforce that accountability go there, he said.

Sen. Patrick McGowan (IR-Maple Grove) said a major problem with establishing guidelines for sentencing is that the legislature delegates authority to make sentencing determinations to the Sentencing Guideline Commission, and under such a policy, there is little accountability.

McGowan said that given the obvious need for increased jail space, we need to build the facilities. Kelly responded by saying that we don't have the luxury taxing people when there are alternatives and there are other funding needs for human services and education.

Local Government

Township concerns

The Local Government Committee, chaired by Sen. Betty Adkins (DFL-St. Michael), met Thurs., Feb. 28, to consider a bill clarifying terms for town supervisors, and to hear general concerns voiced by representatives of township governments. S.F. 81, a bill authored by Sen. John Hottinger (DFL-Mankato), specifies that an incumbent town supervisor serves until a successor is elected and qualified. The current language in statute is ambiguous, Hottinger explained. The bill also adds the position of deputy treasurer to the positions for which the town board may set compensation. The 1990 legislation authorizing the employment of deputy town treasurer inadvertently omitted language allowing the town board to set salary for that position. The bill was approved and sent to the Senate Floor for final action.

The remainder of the committee time was set aside for visiting town officers to express their concerns. David Fricke, Executive Director of the Minnesota Association of Townships, explained that many of the townships concerns center around Governor Arne Carlson's proposed cuts in aid to local governments. He expressed a fear that there would be much confusion as various local units of government try to pass along cuts on other local units of government. He suggested that townships will bear the brunt of such maneuvering. Another concern expressed by visiting township officials was the fear that proposed

Committee update

wetlands legislation with its "no-net loss" policy would have a negative impact on townships. Fricke and others expressed the wish that town road right-of-ways be exempt from such legislation.

Metropolitan Affairs

MAC overview

The Committee on Metropolitan Affairs, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Thurs., Feb. 21, to hear an overview of the Metropolitan Airports Commission (MAC).

Jeffrey Hamiel, executive director of MAC, addressed the issue of noise abatement. He reported that the U.S. Congress recently passed legislation concerning the issue. The new federal policy, he said, requires the airline industry to replace or modify all Stage 2 aircraft with newer and planes by the year 2000.

At the local level, Hamiel indicated that two-thirds of the Northwest Airlines fleet will be affected by this legislation. According to Hamiel, the commission prefers that Northwest Airlines replace all Stage 2 aircraft with Stage 3 aircraft, rather than modifying their existing fleet. Hamiel said that replacing the aircraft will result in lower fuel costs, less pollution more and noise abatement. Hamiel pointed out that between 1986 and 1990, there has been a 24 percent noise reduction in the Metro Area.

Lastly, Hamiel explained the role the Metropolitan Council plays in directing and guiding the commission's planning process. At this time, he said, the commission is preparing the airport to meet future needs of the community, while ensuring a safe, user friendly airport.

LRT discussed

The Metropolitan Affairs Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park) met Tues., Feb. 26, to discuss the Light Rail Transit System.

Natalio Diaz, manager of the Transportation Division of the Metropolitan Council, provided members with the council's outlook on the transportation issue in the Metro Area.

Diaz said various factors have contributed to transportation and congestion problems within the Metro Area. He pointed out that there are almost 2 million vehicles on Minnesota roads today, compared to only 385,712 vehicles in 1950. Taking into consideration these statistics, Diaz said that the 2.5 million

people living in the Metro Area have become too dependent on one form of transportation — the automobile.

Diaz said in order to eliminate congestion, the state will not only need to manage the existing system, but will also need to offer other options. These options, he said, include all-bus alternatives, high occupancy vehicle alternatives and LRT alternatives.

Diaz explained that LRT would be cost effective, would reduce the dependency on single occupancy vehicles and would help alleviate congestion.

Committee members whether any research has been conducted on the feasibility of using existing heavy rail tracks and commuter rails. Diaz and David Minister, director of LRT, responded by citing the technical problems involved with such an endeavor.

Minister said that the state will need to build a basic infrastructure that would extend 7 to 8 miles outside the downtown areas, in order to demonstrate the benefits of LRT. This basic system would cost approximately \$300 million, he said.

Redistricting

Standards discussed

Members of the Redistricting Committee, chaired by Sen. Roger Moe (DFL-Erskine), met Thurs., Feb. 28, and began consideration of two resolutions that would set standards for the redistricting process.

One resolution establishes standards for congressional redistricting plans and the other sets standards for legislative plans. The resolutions were developed from constitutional, statutory and judicial requirements that have been of importance in previous redistricting efforts.

The resolution outlining standards for congressional redistricting plans includes a number of provisions. First, there must be eight districts, each entitled to elect a single member. In addition, the districts must be as nearly equal in population as practicable. Third, the districts must be composed of convenient contiguous territory. The resolution also specifies that contiguity by water is sufficient if the water is not a serious obstacle to travel within the district. Fourth, the districts must be numbered in a regular series, beginning the First District in the Southeast corner and ending with the Eighth District in the Northeast corner of the state.

In addition, the resolution specifies that the districts must not dilute the

voting strength of racial or language minority populations. Sixth, a county, city, or town must not be divided into more than one district except when necessary to meet equal population requirements or to form districts that are composed of convenient contiguous districts. Also, the districts should attempt to preserve communities of interest. Finally, the geographic and population counts used in maps, tables, and legal descriptions must be those used by the Legislative Coordinating Commission's Subcommittee on Redistricting.

The resolution establishing standards for legislative redistricting plans is very similar to the resolution for congressional districts. However, the standard requiring that the districts must be substantially equal in population further specifies that the population of a district must not deviate from the ideal by more than plus or minus two percent. Also, the standard on the numbering of the districts is more complex than that for congressional districts. Finally, the standard specifying that the districts must not dilute the voting strength of racial or language minority populations further specifies that where a concentration of a racial or language minority population makes it possible, the districts must increase the probability that members of the minority will be elected.

Both resolutions contain a provision requiring the LCC Subcommittee on Redistricting to notify the Senate and House of Representatives when the necessary census data has been received, loaded into the computerized system and verified as ready for use in redistricting.

No action was taken on the resolutions in order to allow panel members adequate time to consider the provisions. In other action, the panel heard an update on 1990 census population counts. According to census data, the deviations from the ideal district population in current Senate districts ranges from 60 percent over the ideal to 22 percent under the ideal.

Taxes Tax Laws

Property tax admin bill

The Taxes and Tax Laws Division on Property Taxes and Local Government Aids met Tues., Feb. 26, to consider a departmental measure that makes technical corrections, administrative changes and alters the mortgage registry tax for reverse mortgages. S.F. 362, carried by Chair Ember Reichgott (DFL-

New Hope), has no revenue impact. Discussion on the measure focused on several individual provisions. A section providing that vacant, unimproved real property not used as part of a commercial or industrial activity is to be classified and assessed according to its highest and best use generated some debate. As a result the section was deleted from the bill.

In addition, the members heard testimony and discussed the provisions relating to reverse mortgages. Reverse mortgages allow older homeowners to borrow against the equity value of their home and receive a monthly payment until the owner leaves the home at which time the mortgage becomes due. The residence is then sold and the mortgage paid off. The question under discussion was the correct method of calculating the mortgage registry tax. Members laid the bill over for further discussion.

Technical bills advance

The Taxes and Tax Laws Division on Income, Sales and Economic Development advanced two departmental bills to the full committee at the Wed., Feb. 27, meeting. The measures, S.F. 363 and S.F. 364, sponsored by division Chair Lawrence Pogemiller (DFL-Mpls.), had both been heard earlier by the division.

S.F. 363 makes technical corrections, clarifications and administrative changes to income, franchise and mining taxes. Two technical amendments were adopted before the division approved the measure. S.F. 364 makes technical and administrative corrections and clarifications to laws relating to sales and use taxes and to laws relating to special taxes.

Three issues concerning the bill that had been raised at a prior hearing were also addressed. The first was a question as to whether the service fee charged for tickets to the Super Bowl game would be subject to the sales tax. As it turns out, the National Football League has a system for distributing Super Bowl tickets that does not include organizations charging a service fees for tickets. The second issue, of deleting taconite relief areas as well as distressed counties from the bill, was addressed by an amendment. The amendment deleted the language but inserted new language that specifies that the provision relating to capital equipment and construction materials will remain in effect only for the purpose of application to a facility used primarily for the repair and overhaul of jet aircraft engines. The third issue, relating to a law suit by West Publications over the

taxation of capital equipment purchased to provide a service, was rendered moot by a recent announcement that the court would not rehear the case.

Local officials speak

In other action, Wed., Feb. 27, the Taxes and Tax Laws Committee heard testimony from a number of local government officials on the effects of the governor's proposed budget plan. Speakers warned that property taxes would rise dramatically and that counties and cities would have to drastically cut personnel and services if the governor's proposals are enacted. Marilyn Krueger, Cook County commissioner, said that the governor's proposal would cut the Cook County budget by \$20 million or nearly a third of the entire budget. Tim Flaherty, Coalition of Greater Minnesota Cities, said that property taxes could double on moderately priced homes. Linda Louma, a St. Louis County Township Officer, said that her township receives \$34,200 in aid but under the proposal the township would only receive \$12,000. The total budget for the township is \$120,000, she said.

Veterans and General Legislation

Military emergency aid

A bill that creates an emergency assistance fund for families of military personnel called to active duty was approved during the Wed., Feb. 27, meeting of the Veterans and General Legislation committee. The panel, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), heard from Commissioner of Veterans Affairs Bernie Melter, who testified that some families of activated soldiers "are slipping through the cracks" because of unforeseen hardships or discontinued insurance coverage. He stressed that the fund is intended as a stop-gap measure when other forms of assistance, such as county departments of human services, the Veterans Relief Fund, county veterans services offices or the American Red Cross are unable to help. He said that the emergency fund is not meant to cover loss of income as a result of activation.

"If the Legislature can allocate money to control grasshoppers it can certainly allocate money to help the families of our fighting men and women," Bertram, the bill's chief author, said. The bill, S.F. 274, was sent to the Finance Committee.

Another measure, which would provide for designation of a warning symbol to

inform children of the presence of a dangerous dog was delayed for further consideration. The bill, S.F. 274, carried by Sen. Ember Reichgott (DFL-New Hope), caused concern among committee members because of its implications for counties. Reichgott explained that the bill designates a universal symbol for owners of dangerous dogs to post on their property to warn small children, and others who cannot read, of the presence of a dangerous dog. It does not change the definition of a dangerous dog that is already established in statute. Under current law, there are specifications that classify a dog as dangerous. Once it is established that a dog is dangerous, the owner is required to register the dog with the county and post a sign prominently stating such, Reichgott explained. The proposed legislation creates a universal symbol that the county would provide, at a fee, to the owner, she said.

Sens. James Vickerman (DFL-Tracy) and Pat Pariseau (IR-Farmington) expressed concern that the bill would have a negative impact on already overburdened counties. Reichgott agreed to lay the bill over until county officials could address the committee with their concerns.

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.

Senate phone numbers

For copies of bills (voice mail)	296-2343
For index and information	296-0504
For committee schedules	296-8088
For TDD	296-0250
For TV comment	296-0264

Preview

The Minnesota Senate Week at a Glance

Monday, March 4

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 285-Kelly: Changing the exemption from certain bingo card requirements and changing the rate of the tax on pull-tabs and tipboards. S.F. 324-Berg: Abolishing the Dept. of Gaming and the position of Commissioner of Gaming.

Joint Health and Human Services Committee and Education Subcommittee on Early Childhood and Special Populations

Chairs: Linda Berglin and Judy Traub

8:30 a.m. Room 15 Capitol

Agenda: Children with special needs.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Budget overview of the Minnesota Historical Society.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 154-Merriam: Mobile home park sale restrictions. S.F. 268-Marty: Human Rights Act statute of limitations. S.F. 443-Mondale: Security for writ of certiorari costs.

Veterans and General Legislation Committee

Chair: Joe Bertram

10 a.m. Room 112 Capitol

Agenda: S.F. 444-Price: Providing a two-year tuition exemption to Minnesota veterans of the Persian Gulf War. S.F. 393-Samuelson: Authorizing the commissioner of Veterans Affairs to return land to a veterans organization that had donated the land for purposes of a state veterans cemetery.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 107 Capitol

Agenda: Confirmation hearing for Dept. of Trade and Economic Development Commissioner E. Peter Gillette. S.F. 307-Solon: Establishing a Board of Invention.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: Presentation of report by

Governor's Railroad Safety Advisory Committee.

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

Education Division on Education Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: Continuation of the governor's education budget proposal.

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Room 123 Capitol

Agenda: Budget overview of the Office of Waste Management.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: S.F. 227-Reichgott: Marriage dissolution and child support. S.F. 311-Metzen: Dakota County development of a mental health delivery system pilot project. S.F. 73-Flynn: Changes requirements for reciprocal licensing of physicians from other states and foreign medical school graduates and changes licensing for midwifery. S.F. 374-Berglin: Foodshelf tax checkoff.

Tuesday, March 5

Judiciary Subcommittee on Criminal Justice System Oversight

Chair: Randy Kelly

8 a.m. Room 112 Capitol

Agenda: Continuation of local Metro Area correctional facility bed space issues and Intermediate Sanctions. Dept. of Corrections budget proposal.

Legislative Commission on Pensions and Retirement

8 a.m. Room 15 Capitol

Agenda: Election of commission officers.

Finance Division on Health and Human Services

Chair: Don Samuelson

8:30 a.m. Room 125 Capitol

Agenda: Continuation of overview of the governor's budget proposal for the Dept. of Human Services for FY 1992-93.

Agriculture and Rural Development Subcommittee on Rural Development

Chair: Tracy Beckman

10 a.m. Room 112 Capitol

Agenda: The closing of the University of Minnesota at Waseca campus.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: Presentations by various regulatory agencies on energy conservation programs.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: Continuation of Light Rail Transit discussion with Regional Railroad Authority Chair Paul McCarron. Continuation of overview of the Metropolitan Airports Commission (MAC) by Executive Director Jeffrey Hamiel.

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: Confirmation hearing for Dept. of Commerce Commissioner Bert McKasy. H.F. 153-Hottinger: Real estate appraisers temporary license. S.F. 242-Hottinger: Motor vehicle contracts unlawful reassignment prohibition. S.F. 205-Solon: Changing the limits of delinquency and cancellation charges of insurance premium finance agreements. S.F. 441-Lessard: Senior citizen auto accident prevention course provisions and modifications.

Joint Education Division on Funding and Finance Division on Education

Chairs: Ronald Dicklich and LeRoy Stumpf

2 p.m. Austin, Minn.

Agenda: Public hearing on governor's education budget proposal.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

3 p.m. Room 125 Capitol

Agenda: Budget overview of the Secretary of State's Office, the Minnesota Arts Board, and the Iron Range Resources and Rehabilitation Board (IRRRB).

Finance Division on State Departments

Chair: Carl Kroening

3 p.m. Room 123 Capitol

Agenda: Budget overviews of the Supreme Court, Court of Appeals, District Courts, and Judicial Boards.

Taxes and Tax Laws Committee

Chair: Douglas Johnson

3 p.m. Room 15 Capitol

Agenda: Public testimony on the governor's property tax proposal. H.F. 57-Reichgott: Property tax technical changes bill.

Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard
7 p.m. Room 112 Capitol

Agenda: Explanation of existing wetland management programs by the U.S. Fish and Wildlife Service, Minnesota Dept. of Natural Resources, Board of Water and Soil Resources and Minnesota Association of Watershed Districts.

Joint Education Division on Funding and Finance Division on Education

Chairs: Ronald Dicklich and LeRoy Stumpf
7 p.m. Rochester, Minn.

Agenda: Public hearing on governor's education budget proposal.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

7:30 p.m. Blaine City Hall, Blaine, Minn.

Agenda: Public testimony on the governor's budget proposal and the effects of less transportation funding.

Wednesday, March 6

Education Division on Funding

Chair: Ronald Dicklich

8:30 a.m. Room 15 Capitol

Agenda: Continuation of the governor's education budget proposal.

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: Overview by Dept. of Public Safety Gambling Enforcement Division Director Tom Brownell. S.F. 452-Marty: Requiring posting of the compulsive gambling hotline number. S.F. 506-Berg: Requiring record keeping, reports, and audits by licensed gambling organizations.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: S.F. 384-Frank: Regulating disbursements from the Dislocated Worker Fund. S.F. 165-Price: Establishing a child labor curfew.

Judiciary Division on Civil Law

Chair: Richard Cohen

10 a.m. Room 15 Capitol

Agenda: S.F. 228-Spear: Minnesota State Bar Association Family Law Task Force bill.

Judiciary Division on Criminal Law

Chair: John Marty

10 a.m. Room 15 Capitol

Agenda: S.F. 89-Solon: Requiring health professionals to report the non-firearm wounding of crime victims to law

enforcement officials. S.F. 464-Merriam: Criminal foreclosure judicial review procedures.

Veterans and General Legislation Committee

Chair: Joe Bertram

10 a.m. Room 112 Capitol

Agenda: To be announced.

Elections and Ethics Committee

Chair: Jerome Hughes

12 noon Room 107 Capitol

Agenda: S.F. 4-Luther: Clarifying the procedure for the withdrawal of candidates for constitutional office. S.F. 367-Marty: Creating a Code of Ethical Conduct for Public Officials.

Commerce Subcommittee on Consumer Protection and Regulated Industries

Chair: John Hottinger

1 p.m. Room 112 Capitol

Agenda: S.F. 202-Dahl: Requiring residential building contractors and other related professions to be licensed by the state.

Environment and Natural Resources Subcommittee on Public Lands and Water

Chair: Len Price

1 p.m. Room 107 Capitol

Agenda: S.F. 142-Novak: Increasing the watershed administrative fund limit. S.F. 326-Dicklich: Providing a deadline for the legislative task force on minerals. S.F. 397-Stumpf: Altering terms of a grant to the Red Lake Watershed District.

Finance Division on Education

Chair: LeRoy Stumpf

3 p.m. Room 107 Capitol

Agenda: Budget hearing for Community Colleges.

Finance Division on Health and Human Services

Chair: Don Samuelson

3 p.m. Room 125 Capitol

Agenda: Continuation of overview of the governor's budget proposal for the Dept. of Human Services for FY 1992-93.

Finance Division on State Departments

Chair: Carl Kroening

3 p.m. Room 123 Capitol

Agenda: Budget overviews of the Board of Public Defense, Board on Judicial Standards, and others to be announced.

Taxes and Tax Laws Division on Income, Sales and Economic Development

Chair: Lawrence Pogemiller

3 p.m. Room 15 Capitol

Agenda: S.F. 80-Pogemiller: Nuclear Decommissioning Reserve Funds income tax

exemption. S.F. 339-Luther: Sales tax exemption for Special Olympics. S.F. 455-Benson, D.D.: State tax law references to the Internal Revenue code update. S.F. 456-Benson, D.D.: Cigarette and alcohol tax increase.

Joint Senate and House Taxes and Tax Laws Committee

Chair: Douglas Johnson

7 p.m. St. Cloud City Council Chambers, St. Cloud, Minn.

Agenda: Public hearing on property tax legislation.

Legislative Water Commission

Chair: Steven Morse

12 noon Room 15 Capitol

Agenda: Legislative Water Commission Wastewater Treatment Financing Report. Continuation of Dept. of Natural Resources presentation on Groundwater Act implementation. Continuation of Pollution Control Agency presentation on Groundwater Act implementation. Minnesota Dept. of Health presentations. Presentations by Dept. of Agriculture. Presentation by the University of Minnesota regarding IPM, sustainable agriculture, BMP education efforts and other water related issues.

Thursday, March 7

Finance Division on Education

Chair: LeRoy Stumpf

8 a.m. Room 125 Capitol

Agenda: Continuation of the governor's education budget proposal.

Governmental Operations Committee

Chair: Gene Waldorf

8 a.m. Room 15 Capitol

Agenda: S.F. 233-Waldorf: Dept. of Administration housekeeping bill. S.F. 235-Solon: Amending the definition of "manufactured in the United States" for state purchases. S.F. 424-Bertram: Expanding the preference for resident bidders on state contracts. S.F. 468-Luther: Changing the date for submitting compensation council recommendations.

Local Government Committee

Chair: Betty Adkins

8 a.m. Room 107 Capitol

Agenda: H.F. 55-Kelly: Peace officers soft body armor reimbursement program. Presentation of Minnesota State Planning Agency report Model Zoning Criteria for Recycling Facilities.

Agriculture and Rural Development Committee

Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: S.F. 34-R.D.Moe: Including the Red River Valley Winter Shows as an Agricultural Society member. S.F. 177-Berg:

Abolishing the right of first refusal for participants in the family farm security program.

Energy and Public Utilities Committee

Chair: Steven Novak
10 a.m. Room 107 Capitol
Agenda: To be announced.

Metropolitan Affairs Committee

Chair: Don Frank
10 a.m. Room 15 Capitol
Agenda: Discussion of S.F. 75-Langseth: Extending the due date for the international airport plan. Continuation of RTB overview.

Economic Development and Housing Committee

Chair: James Metzger
12 noon Room 107 Capitol
Agenda: To be announced.

Transportation Committee

Chair: Gary DeCramer
12 noon Room 112 Capitol
Agenda: S.F. 132-J.B. Johnson: Providing for wheelchair securement devices in transit busses. S.F. 208-Mehrkens: Extending in transit license plates for motor vehicle dealers to seven years. S.F. 217-Langseth: Adding a route to the state highway system.

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

Education Division on Education Funding

Chair: Ronald Dicklich
3 p.m. Room 107 Capitol
Agenda: Continuation of the governor's education budget proposal.

Health and Human Services Committee

Chair: Linda Berglin
3 p.m. Room 15 Capitol
Agenda: S.F. 296-Marty: Providing the

manner of authorizing abortion for minors. S.F. 8-Chmielewski: Prohibiting public funds, employees and facilities from being used for abortions.

Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard
7 p.m. Room 112 Capitol
Agenda: Explanation of existing wetland regulatory programs by the Minnesota Dept. of Natural Resources Division of Waters, U.S. Army Corps of Engineers, Soil Conservation Service and Agricultural Stabilization and Conservation Service.

Friday, March 8

Education Committee

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

Finance Division on Health and Human Services

Chair: Don Samuelson
9:30 a.m. Willmar Fire Dept., Willmar, Minn.
Agenda: Overview of the governor's budget proposal for FY 1992-93.

Judiciary Division on Civil Law

Chair: Richard Cohen
10 a.m. Room 125 Capitol
Agenda: S.F. 433-Reichgott: Criminal sexual conduct statute of limitations.

Judiciary Division on Criminal Law

Chair: John Marty
10 a.m. Room 15 Capitol
Agenda: S.F. 400-Kelly: Use of deadly force by peace officers; law enforcement agency written policies; officer training. S.F. 404-Kelly: Peace officer education.

Environment and Natural Resources Subcommittee on Environmental Protection

Chair: Gregory Dahl
1 p.m. Room 107 Capitol
Agenda: Overview of infectious medical waste. S.F. 13-Bertram: Requiring environmental impact statements and air emission permits for all new medical waste incinerators. S.F. 350-Mondale: Authorizing the city of Hopkins to issue bonds for environmental response costs at a landfill.

Finance Division on Health and Human Services

Chair: Don Samuelson
1 p.m. City Hall, Fergus Falls, Minn.
Agenda: Overview of the governor's budget proposal for FY 1992-93.

Redistricting Committee

Chair: Roger D. Moe
1 p.m. Room 15 Capitol
Agenda: Public testimony and discussion of redistricting standards.

Finance Division on Health and Human Services

Chair: Don Samuelson
3:30 p.m. Human Services Bldg., Brainerd, Minn.
Agenda: Overview of the governor's budget proposal for FY 1992-93.

Joint Senate and House Taxes and Tax Laws Committee

Chair: Douglas Johnson
7 p.m. La Crescent High School, La Crescent, Minn.
Agenda: Public hearing on property tax legislation.

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

March 8, 1991

POW/MIA resolution gains

Consideration of bills on the General Orders Calendar provided the primary focus for the Mon., Mar. 4, Senate floor session. S.F. 171, a resolution memorializing Congress to enact the POW/MIA truth bill, was the subject of some discussion. An amendment, offered by Sen. Gary Laidig (IR-Stillwater), changed the measure to specify that Congress be encouraged to begin hearings on the POW/MIA bill, rather than suggesting that Congress to enact the measure. The amendment was adopted and the bill, sponsored by Sen. Joe Bertram (DFL-Paynesville), was given preliminary approval.

Several other measures were also given preliminary approval on the General Orders Calendar. S.F. 172, also sponsored by Bertram, is another resolution memorializing Congress to continue funding of the POW/MIA special investigation that is being conducted by the U.S. Senate Foreign Relations Committee. S.F. 148, authored by Sen. Dallas Sams (DFL-Staples), authorizes alternative methods of delivering services through case management of persons with mental retardation or related conditions. S.F. 7, sponsored by Sen. Gene Waldorf (DFL-St. Paul), clarifies that alcoholic beverages are prohibited in public elementary and secondary schools. S.F. 246, sponsored by Sen. John Hottinger (DFL-Mankato), increases the limit on an estate subject to collection of personal property by affidavit. S.F. 224, authored by Sen. William Luther (DFL-Brooklyn Park), limits the entitlement to representation by the state public defender to the first direct appeal of a conviction.

In other action, two measures were granted final passage. S.F. 106, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake) was given concurrence and repassage upon return from the other body. The bill permits the name or identity change of a corporate mortgagee or the assignee of a mortgagee in the recital in a mortgage satisfaction or release to be recorded without further

evidence of the name or identity change. The second measure given final passage, H.F. 245, was on the Consent Calendar. The bill, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), allows two school districts in Kittson and Marshall Counties to hold an election to consolidate.

Final passage granted

Four measures that had received preliminary approval earlier in the week were granted final passage during the floor session Thur., Mar. 7. The exceptions were the two resolutions dealing with POW/MIA issues. Both of the resolutions were in the processing of being compared with House companion bills and could not be acted upon.

In other action, the Senate acting as one large committee granted preliminary approval to a bill clarifying provisions for the terms of town supervisor and providing for the compensation of town officers and employees. The bill, S.F. 81, is sponsored by Sen. John Hottinger (DFL-Mankato).

Child labor curfew fails

The Senate Employment Committee met Wed., Mar. 6, to hear a bill that establishes a child labor curfew. H.F. 156, authored by Sen. Len Price, prohibits 16- and 17-year-old high school students from working past 11 p.m. on a night before a school day. The bill does not apply to children working as actors, models, babysitters, on farms or in a parent's business.

Representatives from the education sector testified that many students who work late hours have trouble staying awake in class. Kathy Pearce, Coon Rapids School District, cited statistics indicating that 23 percent of employed students work past 11 p.m. at least one school night a week.

Sen. Nancy Brataas (IR-Rochester) said the bill targets certain industries and affects few circumstances. Witnesses in opposition to the bill testified that most employers are flexible with student schedules and that parents should decide whether or not a student's work hours are

interfering with his or her education.

The committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake) failed to approve the bill on a narrow 4-5 vote.

Cigarette tax bill

Members of the Income, Sales, and Economic Development Division of the Taxes and Tax Laws Committee met Wed., Mar. 6, to discuss three bills, one of which is the measure to increase cigarette and alcohol taxes.

S.F. 476, carried by Sen. Duane Benson (IR-Lanesboro), increases the tax on cigarettes from 38 to 62 cents per pack and changes the method of computation for alcohol taxes from a tax on volume to a tax on value. Benson offered an amendment, which was adopted, that includes smokeless tobacco and cigars in the cigarette tax provisions.

The division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), began hearing testimony on the measure. Opponents said that the bill places an unfair burden on just one segment of society. Benson countered that the bill will help discourage smoking and thus, will have a societal value as well as raise revenue. According to the Dept. of Revenue, the measure will raise \$165 million over the next biennium. Benson's amendment will raise another \$8 million. Because of time constraints no action was taken on the measure.

Earlier, the division discussed but did not take action on two other measures. S.F. 80, authored by Pogemiller, specifies that the income of an external nuclear decommissioning reserve fund is not subject to state income tax. The bill provides that the income is to be taxed when the utility receives it from the fund. S.F. 339, authored by Sen. William Luther (DFL-Brooklyn Park), extends the sales tax exemption for purchases by nonprofit organizations to organizations that provide athletic programs to mentally retarded adults as well as children. The measure is designed to extend the exemption for the International Special Olympic games.

Committee update

Agriculture and Rural Development

Waseca campus debate

Members of Agriculture and Rural Development Subcommittee on Rural Development met Tues., Mar. 5, to continue the debate on the University of Minnesota's proposal to close the Waseca campus.

The panel, chaired by Sen. Tracy Beckman (DFL-Bricelyn), first heard from Donna Peterson, director of governmental relations for the U of M, and Gene Allen, vice president of the Agricultural Institute, on the rationale involved in the decision to close the campus.

Peterson emphasized that the decision to close the Waseca campus was not made lightly. The Waseca program was measured by carefully considered criteria set forth by the University, Peterson said. Those criteria—quality, centrality, comparative advantage, demand and efficiency and effectiveness—have been developed in an attempt to make quality improvements with limited resources. As measured against the yardstick by which all of the University's programs and institutions are measured, the University decided that students could best be served by a reallocation of funds. Allen stated that the University was attempting to improve the quality of agricultural education through the restructuring program and that "We must stop confusing access with quality."

UMW Chancellor Tom Lindahl countered the arguments for closing the campus. Lindahl said that the graduation rates, unique nature of the campus and need for the technical agricultural education offered by the institution were valid reasons for keeping the campus opens.

Myron Eighmy, faculty member, also spoke against closing the campus. He added that one of the main focus areas of the institution is continuing education that adds numerous students to the population for short courses and workshops who never intend to graduate. In addition, the program offers a good blend of academic and technical education, he said. Eighmy also outlined the programs and other enrollment data at the Waseca campus. He said that the numbers of students enrolled in Waseca programs would overburden the alternative programs available. He also emphasized the

importance of the continuing education outreach programs for the surrounding communities. The Waseca campus draws students from all over the state and is an open enrollment institution, he said. Thus, the campus provides opportunities for students who might not otherwise attend college. In comparison with other agricultural colleges in the North Central states, the UMW enrollment data shows that the combination of part-time and full-time enrollment has remained steady over the last decade, Eighmy concluded.

Wetland management

The Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water, chaired by Sen. Charles Davis (DFL-Princeton), held an evening hearing Tues., Mar. 5, to discuss existing wetlands management programs.

Panel members heard an explanation of the U.S. Fish and Wildlife Service classification of wetlands and deepwater habitats. Ron Erickson, U.S. Fish and Wildlife Service, also explained the method the service is using to inventory wetlands. Erickson said that the classification system is based on three criteria—soils, plants and hydrology. The U.S. Fish and Wildlife Service is continuing to acquire and preserve wetlands for wildlife habitat and is also actively engaged in wetlands restoration.

Tim Bremicker, of the Dept. of Natural Resources, outlined the activities of the Wildlife Division in wetlands acquisition and protections. Bremicker emphasized the department's longstanding commitment to habitat preservation and resource stewardship.

Representatives of the Minnesota Association of Watershed Districts detailed a program underway in the Valley Branch Watershed District that adopts a no-net-loss wetlands policy.

Finally, Ron Harnack, executive director, Board of Water and Soil Resources began a presentation on the board's activities relating to wetlands. The panel will continue hearings over the course of the next several weeks on the wetlands issue and proposed legislation.

Right of first refusal

The full Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), debated a bill Thurs., Mar. 7, that repeals the right of first refusal by an immediately

preceding owner who was a participant in the family farm security program. Sen. Charles Berg (DFL-Chokio), chief author of S.F. 177, offered an amendment that abolishes the right of first refusal on agricultural land of an immediately preceding owner entirely. However, committee members objected to adopting the amendment because it substantially increased the scope of the bill.

Davis said that the adoption of the amendment would preclude the opportunity for adequate public testimony and that the panel had been prepared to discuss abolishing the right of first refusal for those who had been family farm security program participants. Committee members heard testimony on the original bill from Kurt Gartland, agricultural loan officer, Morris State Bank, and from Noel Kjesbo, a farmer from Wendell. Both testified in support of the measure. However, the director of the Farm Security Program said that it seemed unfair that participants of the Farm Security Program should be singled out under the measure. Berg withdrew the amendment to entirely abolish the right of first refusal. A second amendment, alters a portion of the statute relating to the time frame for the right of first refusal so that the provision is consistent with another section of law. The bill was approved and re-referred to the Judiciary Committee.

Earlier, committee members approved S.F. 34, including the Red River Valley Winter Shows as a State Agricultural Society member, and recommended the bill be placed on the Consent Calendar. Sen. Roger Moe (DFL-Erskine) is the author of the bill.

Commerce

Measures advance

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved the gubernatorial appointment of Bert McKasy as commissioner of the Dept. of Commerce, Tues., Mar. 5.

In addition, the panel advanced four measures. H.F. 153, carried by Sen. John Hottinger (DFL-Mankato), authorizes the commissioner of commerce to issue temporary licenses to real estate appraisers. According to Hottinger, the measure is needed because of federal government delays in setting examination and course

criteria for real estate appraisers. The measure was approved and sent to the floor.

S.F. 242, also sponsored by Hottinger, prohibits the unlawful assignment of motor vehicle contracts. Hottinger said the bill is designed to stop a practice in which a person who is not a party to an automobile lease contract, automobile retail sales installment contract or automobile security agreement from gaining control of the vehicle and then selling or leasing it to another person without the written authorization from the secured creditor, lessor or lienholder. Panel members approved the bill and sent it to the full Senate.

S.F. 205, sponsored by Solon, modifies the allowable delinquency charges in premium finance agreements. The measure allows a five percent delinquency charge and changes the cap on cancellation charge to \$10. The bill was approved and sent to the full Senate.

Finally, S.F. 441, authored by Sen. Bob Lessard (DFL-Int'l. Falls), requires an insurer to reduce the premium charges on a private passenger vehicle insurance policy held by a person 55 or older who completes an accident prevention course on the day the insurer receives the course completion certificate. In addition, the measure requires the establishment of an instructor certification program and the issuance of standardized course completion certificate. The measure also requires the State Patrol to review and approve motor vehicle accident prevention course for persons 55 and older. Finally, the bill requires the commissioner of public safety to establish a certificate fee to be used to offset the cost of the program. Sen. Cal Larson (IR-Fergus Falls), pointed out that requiring the reduction to start the day the certificate was received created excessive paperwork. As a result, Larson offered an amendment specifying that the premium reduction would be extended for a three year period beginning with the next renewal period. The amendment was adopted and the bill was approved and re-referred to the Committee on Finance.

Contractors' licensing

A bill to protect consumers from shoddy workmanship and unscrupulous building contractors provided the focal point for the Wed., Mar. 6, meeting of the Commerce Subcommittee on Consumer Protection and Regulated Industries. The bill, S.F. 202, authored

by Sen. Gregory Dahl (DFL-Ham Lake), requires residential building contractors, remodelers and specialty contractors to be licensed by the state. In addition, the measure sets up an advisory council, requires the commissioner of commerce to adopt standards for continuing education, requires the license applicant to complete an examination, and sets penalties for violations. The measure also establishes a residential recovery fund to compensate persons aggrieved by fraudulent, deceptive or dishonest practices by licensees.

Dahl said that the bill exempts the cities of Minneapolis and St. Paul because the two cities already have strict contractors licensing provisions. However, Dahl emphasized that the measure provided protection to consumers in areas of the state that currently have no protection at all.

The measure, Dahl said, was the product of intensive work done by the Builders Association and represents a compromise that will protect consumers while providing contractors with a "level playing field." Several witnesses, representing builders and contractors, spoke in favor of the measure. Those testifying were especially supportive of the provisions requiring continuing education and testing. In addition, supporters said that small communities have a hard time regulating contractors and that the measure would offer consumers in Greater Minnesota assurances of competency.

Sen. John Hottinger (DFL-Mankato), chair of the subcommittee, indicated that testimony and discussion would continue on the measure before action is taken.

Economic Development and Housing

Invention bill gains

Members of the Economic Development and Housing Committee, chaired by Sen. James Metzen (DFL-South St. Paul), met Mon., Mar. 4, and advanced a bill establishing a board of invention. S.F. 307, sponsored by Sen. Sam Solon (DFL-Duluth), establishes an 11 member board to encourage the creation, performance, and appreciation of invention in the state. In addition, the measure authorizes the establishment of an invention grant program to encourage the development of both commercial and social inventions. The measure was approved and re-referred to the Govern-

mental Operations Committee.

In other action, the panel also endorsed the appointment of E. Peter Gillette as the commissioner of the Dept. of Economic Development.

Education

Site-based management

The Committee on Education, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Fri., Mar. 1, to hear testimony on current efforts in school site-based management (SBM).

Ceil Critchley, assistant commissioner, Division of Instruction and Learning, said that there are two principles that drive SBM. They are that decisions should be made by those most affected by policy decisions, and that education reform will be most effective when carried out by those closest to issues, she said.

Richard Mesenburg, manager, Office of Independent Leadership, Dept. of Education, said that SBM is an approach that promotes decision making at the most basic level of operation. Site-based decision making recognizes the basic levels of operation, recognizes the culture of the school, frees faculty pressures outside of the learning setting, draws upon community resources and increases opportunities for innovation, said Mesenburg.

Mary Liliesve, Minnesota Education Effectiveness Program, said that national SBM studies show that there are certain variables that determine the success of a SBM program. She said that in order for a program to be successful, the plan must be known, shared and supported by the leadership team and administrators. Leadership teams and other building staff need time for planning and the principle must be an involved participant, she said.

There also needs to be group process training for staff and a support network or organization for SBM outside the school, said Liliesve.

Nancy Elsmore, teacher, Princeton Middle School, said that since 1986, the middle school has had success in implementing the elements of a participatory decision-making program. Having teachers involved has brought about positive change and enhanced a positive self image for teachers, she said.

Ron Jandura, superintendent, St. Cloud school district, said that SBM is not a management model of which makes decisions at the lowest level of the organization, but at the most important

Committee update

point in the organization—the classroom. Involving teachers in important decisions leads to the teachers being more committed to school success, he said.

Also, H.F. 245, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls) was heard by the committee.

The bill is necessary to allow the consolidation of two school districts in Kittson and Marshall counties, said Stumpf. The bill allows a referendum election to authorize the consolidation to take place and still meet the deadline for the submission of an order setting the effective date of the consolidation, he said.

The committee approved the bill and sent it to the full Senate for consideration on the Consent Calendar.

Education Funding

Levy recognition, transportation

The Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Thurs., Feb. 28, to hear continued presentation of the governor's education budget.

Gary Farland, Dept. of Education, presented the governor's recommendations with regard to property tax recognition. In FY 1992, the governor's proposal recommends a change in the proportion of levy that must be recognized in the year of the levy from 31 to 37 percent, he said. General aid is reduced by the amount of the portion of the levy recognized in the current year. This will result in a \$111.8 million reduction in aids for FY 1992 and \$26.4 million in FY 1993 due to early revenue recognition, said Farland.

Tom Melcher, Dept. of Education, presented the transportation program. He said that he expects the number of students to increase as will the percentage of students being transported in the coming years.

Melcher said that the governor's proposal calls for an inflation allowance of five percent for FY 1992 and two percent for FY 1993. It also eliminates transportation funding for summer program, late activity transportation, transport between public schools, and transport between nonpublic schools, he said.

Transportation, special programs

The Education Funding Division also met Mon., Mar. 4, to hear continued testimony on school transportation aid and on special education allowances in

the governor's budget proposal.

Joseph Beaton, representing the Minnesota School Bus Operators, said that the budget proposal not only eliminates funding in certain transportation areas, but also eliminates a district's option to levy for these purposes. The cuts will lead to underutilization of facilities and lost educational opportunities for students, he said.

Jan Vanderwall, representing the Minnesota Association for Pupil Transport, said that proposals for school transportation will have to be made in competition with other education programs, given current levels of funding. Given limited funds, school districts may be forced into balancing needs for safety in transportation with those for education programs.

Daniel Smith, president, Minnesota Vocational Association, said that the elimination of funds for transportation between public schools during the school day will force school districts to use discretionary funds to provide these opportunities for students.

Michael Landers, Dept. of Education, presented the governor's recommendations. The governor recommends increasing the overall aid and levy \$10 million for FY 1992 and \$12.5 million for FY 1993, he said. He also said that the governor recommends modifications to the Pupil Fair Dismissal Act of 1974 that included a prohibition on expelling students for identified handicaps, such as an emotional/behavioral problem.

Elections and Ethics

Election bill gains

Senators approved a bill clarifying election procedures at the Wed., Mar. 6, meeting of the Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood).

Senators also adopted a number of minor amendments answering concerns previously expressed about S.F. 4, authored by Sen. William Luther (DFL-Brooklyn Park). The bill, as amended, changes the time when election judges can begin examining absentee ballot envelopes on election day from noon to 8 p.m.; specifies the nomination procedures for filling vacancies in nonpartisan offices; and clarifies that a major political party may provide in its governing rules a procedure, including designating an appropriate committee, for filling vacancies in nominations.

Concern was raised by a number of

Senators in regards to the imposed deadline for a candidate to withdraw from the general election after the primary. Senators argued that extraordinary circumstances such as an acute health crisis could prevent a candidate from withdrawing under the 10 day deadline. Luther agreed to add language addressing this issue. The bill was approved, as amended, and sent to the floor.

Energy and Public Utilities

Energy conservation and management

Energy conservation and management among utilities were the topics of the Thurs., Feb. 28, meeting of the Energy and Public Utilities Committee, chaired by Sen. Steven Novak (DFL-New Brighton).

Vance Zehringer, United Power Association, said that the company is currently using Demand Side Management (DSM) to approach energy conservation. DSM programs encourage energy conservation in the home through measures such as weatherization, fluorescent lighting and ground coupled heat pumps. Zehringer said the DSM plan also provides incentives to businesses for participating in alternative energy programs like load shifting and peak clipping. He said such programs can entail a company's agreement to reduce energy consumption for a few hours each day or to rely on more than one power source for energy.

Lou Stroschein, Interstate Power Company, told the committee that Interstate is working with community action agencies to administer energy conservation programs to low income Minnesotans. He said Interstate offers energy audits, weatherization loans and rebates on purchases of high efficiency boilers and furnaces.

Representatives from other cooperatives and municipalities said they were using DSM programs to conserve energy and defer the need for additional power plants.

Agency conservation goals

Representatives from utility regulating agencies highlighted energy conservation goals at the Tues., Mar. 5, meeting of the Energy and Public Utilities Committee. Sen. Steven Novak (DFL-New Brighton) chairs the committee.

Dept. of Public Service (DPSv) Commissioner Kris Sanda told the committee that only 27 percent of Minnesota's municipal and cooperative utilities are currently implementing Demand Side Management Programs. She indicated that private utilities in Minnesota spend less than one and one half percent of their gross revenues on the Conservation Improvement Program (CIP). CIP requires utilities to make investments in conservation programs with special attention to low income people and renters. Sanda said the DPSv has formed a task force on energy and environmental planning to investigate incentives for companies to invest in energy conservation measures. She also said the DPSv is offering grants and technical assistance to community energy groups working to raise awareness of energy conservation in communities. In addition, Sanda said the DPSv is working with other state agencies to develop an energy conservation plan within state agencies, which she said should be a model for the rest of the state. Sanda stressed the need for a long term energy plan among all state sectors but added that unless the state provides incentives for utilities to invest in energy conservation, they will not invest much more than they are.

Commissioner Darrel Peterson, Public Utilities Commission (PUC), told committee members that the PUC has instituted the Integrated Resource Planning Process that involves investigating supply and demand side perspectives of utilities. He said the re

source planning process will also examine CIP procedures and the ratemaking process. Peterson said the PUC is developing programs that provide incentives for utilities to invest in alternative energy and energy conservation measures. He also said that programs targeted to conserve energy among low income Minnesotans should be separate from programs designed to assist them in paying their energy bills. He said that low income Minnesotans are already conserving energy because they don't have the money to waste it.

Environment and Natural Resources

Waste management bill

The Environment and Natural Resources Subcommittee on Environmental Protection met Fri., Mar. 1, to discuss S.F. 256, authored by Sen. Gene Merriam

(DFL-Coon Rapids). S.F. 256 amends a number of waste management statutes.

One of the bill's provisions addresses garbage haulers' circumvention of designated solid waste drop off destinations by allowing counties to charge up to a \$10,000 fine for violations. Both haulers and disposal facilities would be required to keep records that reflect weight, type and origin of loads and allow an authorized person to inspect those records. Sen. Gen Olson (IR-Mound) said there must be better way to account for where garbage is coming from and where it is going and indicated that paperwork would not necessarily prohibit the circumvention from continuing.

Another provision requires each resident in a town with a population over 5,000 to have a solid waste collection service. Merriam said the provision is targeted at people who attempt to avoid collection service payment by placing their garbage at someone else's collection point. Another provision requires large appliance retailers and wholesalers to accept at point of purchase, and without a charge, used appliances of the type they sell.

Chair Gregory Dahl (DFL-Ham Lake) said discussion on the bill would continue at a later date.

Watershed bills

The Environment and Natural Resources Subcommittee on Public Lands and Water approved two measures relating to watershed districts at the meeting Wed., Mar. 6. The committee, chaired by Sen. Len Price (DFL-Woodbury), also approved a bill that extends a mineral task force report deadline.

S.F. 397, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), alters the terms of a grant to the Red Lake Watershed District by allowing the Red Lake Band of Chippewa Indians a 40-year easement on the property for the Good Lake project. The Good Lake project will provide for storage of up to 11,000 feet of water for flood storage, wildlife and wild rice and blueberry growth.

The second measure relating to watershed districts, S.F. 142, increases watershed districts' administrative fund limit from \$125,000 to \$200,000. The bill's author, Sen. Steven Novak (DFL-New Brighton), said that the fund's levy cap has not been changed since 1983, but fees for carrying out projects have risen. One provision allows watershed districts to levy an additional \$50,000 for a natural resource protection fund. Novak said the provision provides Greater

Minnesota watershed districts, which often do not have the tax base capable of generating sufficient monies for projects, the opportunities offered in the Metropolitan Area for carrying out projects. However, he said no new levy cap combinations can exceed \$200,000.

S.F. 326, authored by Sen. Ronald Dicklich (DFL-Hibbing), extends an appropriation to the Legislative Commission on Minerals, which, as a result, will submit its final report in 1993.

All three measures were advanced to the full committee.

Finance

State University System

The Finance Division on Education, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), met Thurs., Feb. 28, to hear testimony from the State University System on matters pertaining to the budget.

System Chancellor Robert Carothers said that in facing the funding crisis, the State Universities have four options to fully fund every student. They are to increase tuition, decrease enrollment, increase the state's allocation of funds, or to reallocate funds within the existing commitment to funding, said Carothers. It is likely that all four options will be necessary, he said.

Edward McMahon from the State University system said that the governor's proposals decrease funding by \$59 million over the biennium. Some of the decrease will be offset by tuition increases equaling about \$35.5 million, but that leaves the system with \$23.5 million in lost spending, he said. Factors that will affect actual losses include a greater than expected rate of inflation and the effect of discontinuing reimbursements for nonresidential students, he said.

Safety budgets reviewed

Budget proposals for the Peace Officers Standards and Training (POST) Board, the Minnesota Safety Council and three divisions of the Dept. of Public Safety were reviewed by members of the Finance Committee Agriculture, Transportation and Regulation Division, Fri., Mar. 1.

William Carter, executive director of the POST Board, detailed the board's budget proposal. The board is requesting \$3.6 million the first year of the biennium and \$3.6 million the second year. The board is not requesting any new funds above the adjusted base level.

Committee update

According to Carter the major responsibilities of the board include administering a professional licensing program, developing the professional peace officer educational curriculum for higher education institutions, developing continuing education programs, investigating allegations of professional misconduct, providing technical assistance, conducting studies and research projects, and coordinating efforts to recruit women and minorities into law enforcement professions. Carter indicated that the board's efforts are being increasingly directed to the educational roles of curriculum development and provision of continuing education.

Commissioner Ralph Church, Dept. of Public Safety, spoke on the budget needs of the State Patrol. According to Church the department receives funding from several sources in addition to the General Fund including the Trunk Highway Fund, the Special Revenue Fund and the Highway User Fund. The State Patrol is funded out of the Trunk Highway Fund and is requesting increases to help offset an expected increase in gasoline cost, to maintain the equipment used for the patrol radio program, to replace and maintain other equipment, to provide Hepatitis B vaccinations required by OSHA and to convert several positions to full time employees. The governor agrees with the agency's plan except for reductions for salaries and equipment in both years of the biennium.

PCA budget overview

The Finance Division on Environment and Natural Resources met Fri., Mar. 1, to hear an overview of the Pollution Control Agency (PCA) budget recommendations for Fiscal Years '92 and '93. Sen. Steven Morse (DFL-Dakota) chairs the committee.

Rod Massey, PCA Ground Water and Solid Waste Division director, said that if the governor's budget is approved, many of the Superfund projects that are funded solely by the state will not be continued. He indicated that these projects need a more permanent funding source and suggested as two options the transfer of unallocated funds from the Motor Vehicle Transfer Fund and an increase in the hazardous waste tax. Mike Valentine, Air Quality Division director, said the PCA's budget proposal includes an Environmental Fund allocation of \$4 million, the bulk of which would go to program growth in the Air Quality Division.

MHS budget discussion

The lion's share of the Mon., Mar. 4, meeting of the Finance Committee Agriculture, Transportation and Regulation Division was devoted to discussion of the budget request and recommendations for the Minnesota Historical Society. However, panel members, chaired by Sen. Keith Langseth (DFL-Glyndon), began the hearing by finishing the discussion of the Traffic Safety Division of the Dept. of Public Safety.

The Traffic Safety Division is charged with improving safety on Minnesota's roads, Church said. Although Minnesota has one of the safest records in the nation on the basis of fatalities per million miles, improvement is always sought, Church added. The agency is requesting an increase in money available to promote community-based bicycle safety programs, however the proposed General Fund increase is to be funded through a reduction in the Driver and Vehicle Services Program by eliminating the bicycle registration program. The division is heavily dependent on federal funds, Church said, and any decrease in federal dollars has a large impact on the division.

Nina Archabal, director of the Minnesota Historical Society, began the budget presentation. "The goal of the society is to bring people's heritage to life," Archabal said. The biennial budget request comes at a time when the Minnesota Historical Society faces the impact of the largest workload and program growth in its 140 year history, she said. As a result the society's budget request differs from the governor's recommendation. However, John Wood, deputy director, said that the society was prepared to implement an increase in admission fees for the Split Rock Historical Site, parking fees at the new History Center and admission fees at the new center as the governor recommended. Wood outlined the reallocation efforts the society was contemplating. In addition, Wood said that the society was seeking additional state support in two areas not recommended by the governor; salary compensation costs and costs relating to the operations of the new State History Center.

The panel also heard testimony on another gubernatorial recommendation. The governor's budget proposal recommends eliminating the historic preservation-grant-in-aid program. The program has provided matching grants to county,

local and regional nonprofit organizations to preserve and interpret the state's history. The representatives of local historical societies testified on the importance of the grants to local programs.

OWM budget overview

An overview of the Office of Waste Management's (OWM) budget for Fiscal Years '92 and '93 was the topic at the Mon., Mar. 4, Finance Division on Environment and Natural Resources. OWM works with other state agencies, local units of government and the private sector to minimize landfilling through state policy that encourages waste reduction, recycling and resource recovery.

OWM representatives told the committee that the \$43 million budget concurred with the governor's recommendations except in one area. Linda Bruemmer, acting director, said the governor did not approve of the OWM's proposal to use SCORE grant monies to cover inflationary costs. She said the OWM would look to salaries or contractual money for recovery in that area.

Sen. Steven Morse (DFL-Dakota) chairs the committee.

Judicial branch budgets

Members of the State Departments Division of the Finance Committee met for the first time Tues., Mar. 5, to review the proposed budgets for the various elements of the judicial branch of government. The division, chaired by Sen. Carl Kroening (DFL-Mpls.), devoted most of the hearing to consideration of the Supreme Court budget and to consideration of issues related to the Legal Services Surcharge, one of the funding mechanisms for legal aid services throughout the state.

Sue Dosal, the court administrator, presented the Supreme Court's budget request. Dosal emphasized that the judicial branch of government has no control over the demand for services. Recent increases in criminal justice cases and in civil cases arising from recessionary factors place an ever increasing burden on the judicial system, Dosal said. In addition, the Supreme Court has undertaken several initiatives to make service more efficient, she said. Dosal also said that though the court recognizes there are fiscal constraints, the court is requesting some increases in funding above the governor's recommendation.

Specifically, the court is requesting \$49,000 the first year and \$54,000 the second year above the adjusted base.

Bruce Beneke, executive director of Southern Minnesota Regional Legal Services, outlined the legal aid programs in Minnesota. The Legal Services Surcharge provides funding for legal services or alternative dispute resolution programs through mandatory and discretionary grants. The mandatory grants provide legal services to low income people with civil legal problems. The organizations providing the services receive federal funding but that funding was cut severely in 1982. Since that time the state has increased funding for the programs. Beneke said that the legal aid organizations help over 41,000 people each year but that even with the increase in state funding, 18,000 are turned away. The distribution of state funds is overseen by the Minnesota Supreme Court, he said. Beneke said that the organizations providing legal aid need an increase in funding to insure that the most needy in society receive legal assistance in the areas that most impact their lives.

Finally, the division heard the budget request of the Uniform Laws Commission. Judge Jack Davies said the commission's request of \$17,000 each year is to be used for dues and for the cost of attendance at the annual meeting of the commission. The governor recommends an increase of \$4,000 the first year and \$5,000 the second year to pay for dues that the commission has deferred in past years.

DHS budget overview continued

Members of the Finance Committee Health and Human Services Division continued the process of hearing the Dept. of Human Services (DHS) budget request at the Tues., Mar. 5, meeting. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Assistant Commissioner John Petrabor, began the presentation by outlining the MAXIS computer system. MAXIS, he explained, is a statewide automated eligibility system that will administer and supervise AFDC, Medical Assistance, Food Stamps, General Assistance, Work Readiness, General Assistance Medical Care and the Minnesota supplemental Aid Programs.

Linda Ady, director of the MAXIS division, said that the system will carry the state through the year 2000. The governor is requesting \$45 million for the next biennium to fund the systems operating expenses.

Discussion then centered on funding for the AFDC Program. George Hoffman, director for Reports and Statistics, explained the governors' AFDC Program budget request in detail. He said that the governor is requesting \$167 million in direct general fund appropriations. Total state and local spending for the program is forecasted at approximately \$327.5 million. The statutory appropriations account for the difference between total spending and direct fund appropriations.

Lastly, Hoffman addressed AFDC caseloads. He said that in FY 91 and 92, unemployed parent AFDC caseloads will grow at a pace of 14 percent and then level off in FY 93. The state takeover of the counties share of the Income Maintenance Program, and the recession, are the reasons for the forecasted growth in AFDC cases, said Petrabor.

Semi-states overviews

The Agriculture, Transportation and Regulation Division of the Senate Finance Committee, chaired by Sen. Keith Langseth (DFL-Glyndon) met to hear general overviews from various state agencies. The committee met Tues., Mar. 5, to hear budget recommendations from the Secretary of State's Office, the Minnesota State Arts Board and the Iron Range Resources and Rehabilitation Board (IRRRB).

Secretary of State Joan Growe gave a brief description of the Secretary of State's Office and how the funds are appropriated. The Secretary of State's Office has a fixed appropriation that comes out of the General Fund, of approximately \$9 million, she said. At the same time, Growe explained that the office contributes approximately \$12 million to the General Fund through fees assessed for various services performed for the public.

Growe said that the governor traditionally does not comment on funding policy for the other constitutional officers, therefore the Secretary of State's Office was not included in governor's budget. The office is requesting the reinstatement of two positions that were cut in the last biennium. These positions will enable the office to be open all day instead of the present half-day arrangement, Growe said.

The Minnesota State Arts Board gave a brief overview of their duties and responsibilities. Sam Garbinske, Executive Director of the Minnesota State Arts Board explained that the board is not asking for additional funding but instead is asking the committee not to accept the

governor's budget recommendation of a 22 percent reduction in funding for the board. The arts community is in a crisis, Garbinske said. "We should not allow the present situation to have a negative impact on the state's position as an arts leader nationwide," he said. The committee also heard from leaders of several of the state's 11 Regional Arts Councils. The Regional Arts Councils are located throughout the state and traditionally fund smaller organizations that do not qualify for State Arts Board funding.

Wayne Dalke, Director of the IRRRB, also gave a brief budget overview. Dalke explained that the IRRRB funds come in large part from taconite production taxes, as well as from interest accrued on investments. He explained that the monies expended go to economic development, environmental protection and tourism. The IRRRB does not appropriate any money from the General Fund and is quite self contained, Dalke explained.

The committee continued the meeting at Blaine City Hall to hear public testimony on the governor's budget proposal and the effects of less transportation funding.

DHS budget continued

The Finance Committee Health and Human Services Division, chaired by Sen. Don Samuelson (DFL-Brainerd), also met Wed., Mar. 6, to hear a final budget presentation by John Petrabor, assistant commissioner for Family Support Programs from the Dept. of Human Services.

The budget reflects a modification of the General Assistance (GA) and Work Readiness (WR) Programs. Under the proposal, said Petrabor, 1,100 individuals on GA will be moved to WR. In addition, the proposal reintroduces the county share growth in the Emergency General Assistance Program, he said. These modifications will save the state approximately \$3.2 million in the next biennium, Petrabor explained.

In addition, the state will save approximately \$35 million in the next biennium through WR Program modifications, he said.

Savings will be achieved by reducing the period that recipients are eligible to receive WR grants from 12 months to 3 months, denying WR services and payments to post-secondary students, and changing the time when WR benefits begin to the first day of the next month following application, Petrabor said.

Committee update

Community college budget

The Finance Division on Education, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), met Wed., Mar. 6, to hear presentation of the 1992-93 biennial budget proposal from representatives of the state community college system.

Eric Radtke, director of policy and budget, Minnesota Community Colleges said that the colleges are in agreement with the governor's proposals with regard to some components, but not others. Radtke agrees that the base for funding should continue to operate on the Average Cost Funding (ACF) formula, which allocates funds based on the number of students two years previous to the current year. He also agrees with the policy of marginal cost funding (MCF), which funds a portion of the costs for the number of students above that determined by the ACF. The system and the governor's proposal differ on the number of students MCF will cover, said Radtke.

The governor's proposal calls for funding the number of students that is up to a three percent greater than the ACF figure while the community colleges want to fund up to five percent, said Radtke. He said that the colleges expect continued growth, especially if there is economic decline.

The governor also proposes reductions in base funding, including a general reduction of \$12 million for the biennium; a reduction of \$3.2 million in funding in each year of the biennium for nonresidential students; and a \$65 million reduction for all four systems of higher education in the second year of the biennium, said Radtke.

The community colleges will see a \$40 million shortfall if the governor's proposals are enacted, said Radtke.

Judicial budget continues

The presentations of budget requests for the judicial branch continued at the Wed., Mar. 6, meeting of the State Departments Division of the Committee on Finance. The division, chaired by Sen. Carl Kroening (DFL-Mpls.), continued discussion of programs funded by the Legal Services Surcharge, including the Family Farm Legal Assistance Program. The budget request and the governor's proposal of \$824,000 for each year of the biennium are identical.

Other portions of the Supreme Court budget request that were discussed included an increase for the office of state court administrator and for the Trial Court Information Systems.

Division members also completed discussion of the Court of Appeals budget request. The court is requesting increases for one staff attorney to assist with the increased caseload, for computerized legal research, and for computer programming to assist the Information Systems Office in extracting management data.

The panel also began reviewing budget issues relating to District Courts. A major factor driving the budgets of the trial courts is the increase in criminal caseloads and the transfer of funding for trial court staff from counties to the state. In order to perform the additional administrative, personnel and budgeting functions which are necessary under state funding the trial courts are requesting addition funding and two positions for judicial district administrative offices. Discussion among the division members centered on the topic of the transfer of funding of the trial courts to the state.

Gaming Regulation

More changes considered

The Senate Gaming Regulation Committee met Mon., Mar. 4, to consider more measures for inclusion in an omnibus gambling bill this session. The committee, chaired by Sen. Charles Berg (DFL-Chokio), heard testimony on a bill offered by Sen. Randy Kelly (DFL-St. Paul). The bill, S.F. 285, proposes several changes in present gaming law. A change in the paper bingo card requirement was one of the proposals discussed. Under current law, only organizations who do not pay compensation to workers and have gross receipts of \$150,000 or less can use reusable bingo cards. Under the proposal, Kelly explained, organizations with gross receipts under \$200,000 a year or organizations that do not pay compensation to workers may use reusable cards.

Kelly explained that the paper cards are sold in packages for a set amount of games. This works for the larger clubs, Kelly said, but the smaller clubs don't attract the sort of players who are going to play for a prescribed amount of time. Many of the smaller clubs are frequented by senior citizens who don't want to purchase paper cards and simply refuse to play them, Kelly said. He added, "It is my strong belief that if we don't change the law many of these smaller clubs will go out of business."

The committee also discussed the need for state and local governments to

cooperate in enforcement procedures. Kelly explained that the bill creates a task force of state and local officials to ensure that there is no duplication of enforcement efforts and to spread the cost between state and local governments.

Finally, the committee discussed a proposed change in the tax on pull-tabs and tipboards. This was another area where many of the smaller clubs are being hit very hard, Kelly explained. His proposal would change the two percent tax on the ideal gross to 1.8 percent. The loss in revenue from a change in this tax would need to be addressed, said Sen. Allan Spear (DFL-Mpls.). The committee agreed to continue their discussion at the next meeting.

Compulsive gambling

The Wed., Mar. 6, meeting of the Gaming Regulation Committee focused on requiring posting of a compulsive gambling hotline number. Sen. John Marty (DFL-Roseville), is the sponsor of a measure, S.F. 452, that requires posting of the hotline number in establishments that sell lottery tickets and pull-tabs, as well as at racetrack betting windows. The bill would double the recommended funds for the compulsive gambling hotline, paid for in part by a surcharge on gambling permits and licenses. Marty explained that the lottery would be picking up about two-thirds of the cost of posting, with the surcharge covering the remainder of the cost. Senator Allan Spear (DFL-Mpls.), moved to amend the bill to include a requirement that probation officers conduct a compulsive gambling assessment prior to sentencing for any one of three crimes that often involve compulsive gambling: theft, forgery or embezzlement. The amendment was adopted and the bill was laid on the table to be considered for inclusion in the omnibus gaming regulation bill.

Senator Charles Berg (DFL-Chokio), chair of the committee, presented a bill, S.F. 506, which he indicated would be the carrier for the omnibus gaming regulation legislation. S.F. 506 is a record-keeping bill, Berg explained. It requires that every organization keep records on file with the gambling control division and that organizations with \$1 million or more in gross receipts in a fiscal year be required to have an annual audit, he said. The bill would also make the cost of the annual audit a lawful purpose expenditure.

Tom Anzelc, Director of the Gambling Control Division, indicated that he would be opposed to such a measure. The organizations making \$300,000 or less are in need of better record keeping and benefit most from an annual audit, he said. Anzelc also said that he would favor making the cost of an audit an allowable expense, but not a lawful purpose expenditure. Under current law every organization must conduct an annual audit, but may not claim the cost of the audit as a lawful purpose or an allowable expense. After discussion, the bill was laid over.

Governmental Operations

Admin bill heard

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul) met Thurs., Mar. 7, to hear four bills including S.F. 233, the Dept. of Administration housekeeping bill.

S.F. 233, authored by Waldorf, makes adjustments to and clarifies state department guidelines.

Dick Diercks, assistant commissioner, Dept. of Administration, presented the components of the bill. The first section, he said, clarifies that contractors with the state under the Targeted Small Business Purchasing Program are required to perform 75 percent of the work required to meet the goal of the project, and can subcontract for others to work beyond the 75 percent; the second section of the bill permits state employees to purchase personal computers at state contract prices with the approval of the commissioner; the third section allows agencies to keep rebates offered by utilities for the use of energy efficient products in their own budget as opposed to the rebate going to the General Fund; the fourth section makes clear that the state's central store provides supplies for all branches of state government; the fifth section clarifies language allowing agencies to keep proceeds from the sale of official publications; the sixth section allows the Dept. of Administration to self-insure its workers' compensation funds; and the seventh section changes the requirement that three appraisals be provided prior to the sale of state land valued over \$20,000 to a requirement for three appraisals for land valued at over \$40,000.

The bill was approved and sent to the Committee on Finance.

S.F. 235, authored by Sen. Sam Solon

(DFL-Duluth) would amend the definition of "manufactured in the United States" for state purchases. Adoption of the bill's provisions would allow the state to purchase salt from a Minnesota distributor whose product is mined in Canada, said Solon.

Currently, bids provided to the state from countries other than the United States must be five percent lower than domestic bids in order for the state to accept. The bill makes an exception to this rule, said Solon, and is limited in scope so that it does not alter the state's overall buying policy.

Bob Kanuit, vice president, Cutler-Magner Company, Duluth, said that the bill would allow the state to save money on road salt and that it would not hurt Minnesota business since there are no miners of the salt in the state.

The bill was approved and sent to the full Senate.

S.F. 468, authored by Sen. William Luther (DFL-Brooklyn Park) changes the date by which the Compensation Council must submit its recommendations for salaries of state constitutional officers, judges, and legislators, he said. The bill would allow more time between this year's state revenue forecast and the time when the council must make its submissions, currently Apr. 1, said Luther. The bill changes the date to May 1.

Also, H.F. 85, sponsored by Sen. David Frederickson (DFL-Murdock), clarifies that an employer having 20 or more employees on a single working day in the previous 12 months must file an affirmative action plan in order for the state to accept a bid or proposal for contract.

Both bills were approved and referred to the full Senate.

Health and Human Services

Testimony heard

Representatives from social service and government agencies spoke to members of the Health and Human Service Committee, Thurs., Feb. 28, on the governor's proposed budget.

The property tax increase resulting from the governor's proposal will be a disaster for social service programs funded on the local level, said Hennepin County Commissioner Peter McLaughlin. He emphasized that it will be impossible for counties or cities to impose additional levies on top of the increase to fund social service programs.

Spokespersons from the Association of

Minnesota Counties, the Children's Subcommittee on Mental Health, Independence Crossroads and the Minnesota Family Based Service Association voiced their opposition to the governor's budget proposal. The recurring themes centered on how reduced funding for social service programs will negatively impact children's mental health services, State Operated Community Service facilities, the Personal Care Program and the future costs to Minnesotans'.

Brian Murphy, representing the Minnesota Ambulance Association, and Harlan Dahl, representing the Special Medical/Wheelchair Transportation Association, appeared before the committee to address the proposed reductions in reimbursement rates for providers under the Special Transportation Program administered through the Dept. of Human Services (DHS).

The governor proposes to reduce reimbursement rates for non-emergency special transportation charges from \$16 to \$12.50, and reduce mileage reimbursement rates from \$1 per mile to 60 cents per mile. Both Murphy and Dahl emphasized that the reductions may result in providers ceasing to serve Medical Assistance recipients, or result in providers going out of business.

Assistant Commissioners' Barbara Kaufman, John Petraborg and Maria Gomez, from the DHS, outlined major programs and initiatives under the department's control, and listed the funding requests for each.

Discussion centered around the proposed restructuring of the General Assistance (GA) Program. Under the proposal, said Petraborg, heads of families on GA and individuals with learning disabilities would have to participate in employment, training or rehabilitation services as a condition of receiving GA. Sen. Linda Berglin (DFL-Mpls.) chairs the committee.

Child support bill advanced

A bill modifying child custody, support orders and support guidelines was approved at the Health and Human Services Committee meeting Mon., Mar. 4.

S.F. 227, authored by Sen. Ember Reichgott (DFL-New Hope), authorizes the court to order an obligor to pay additional child support based on a percentage of income from bonuses or commissions, or other forms of compensation in addition to, or in lieu of base salary. It also specifies under what

Committee update

circumstances a court can decide when an obligor has satisfied the support obligations. The bill was re-referred to the Judiciary Committee.

The second bill discussed, S.F. 311, authored by Sen. James Metzen (DFL-South St. Paul), authorizes Dakota County to create a pilot project for a new mental health services delivery system. The bill, according to Metzen, will reduce the number of individuals who are committed to regional treatment centers and improve services to individuals with mental illness. In addition, the bill allocates a one time \$100,000 planning grant to Dakota County. The bill was approved and re-referred to the Finance Committee.

In other business, further testimony was heard in response to the governor's proposed FY 92-93 budget. Pam Marshall, representing the Minnesota Coalition for the Homeless, said the budget will directly increase the number of homeless individuals on the street. It will also, she said, prevent people from obtaining the most basic needs such as housing, food and clothing.

Opponents to the governor's budget argued against proposed cuts to chemical dependency treatment centers, cuts to the Consolidated Chemical Dependency Treatment Fund, the proposed reduction of efficiency incentive payments to nursing homes and the freeze on personal needs allowances for nursing home patients.

Committee members, chaired by Sen. Linda Berglin (DFL-Mpls.) were presented with further budget information from a representative of the DHS. In an attempt to have Medical Assistance recipients share the cost of services, Mary Kennedy, director of the Health Care Management Division, outlined the governor's recommendation to limit services and institute copayments within the MA Program. Kennedy reassured committee members that even if an MA recipient is unable to make a copayment, a provider cannot deny service to the patient.

Children's mental health

A Joint Health and Human Services and Early Childhood/Special Needs Committee met Mon., Mar. 4, to hear testimony on difficulties in serving the needs of emotionally/behaviorally disturbed children.

First to speak before the panel, chaired by Sen. Judy Traub (DFL-Minnetonka), was Kurt Sevig, a parent of an emotionally disturbed child. Families have a need for a case manager to help parents through the system, said Sevig.

Sevig said that there needs to be a phone number where parents can call for help with their children. There should be some sort of short-term respite care for the family of an emotionally disturbed child, he said.

Sevig said the service system is a ladder of failure. What is really needed is a system that addresses individual problems before they escalate, he said.

Susan Carstens, juvenile specialist, Crystal Police Department, spoke on the issue of emotionally disturbed children and police departments. When the mental health system fails, said Carstens, children end up in the criminal justice system. Also, she said that the system systematically underdiagnoses children with violent tendencies, and under such conditions, dangerous behavior escalates.

Kathleen Kelso, executive director, State Advisory Council on Mental Health, said that there is no real comprehensive mental health system in the state and that there is insufficient funding for mental health services in general. Services are fragmented in the counties and schools and many emotionally disturbed children do not get served, she said.

To respond to these problems, the Children's Mental Health Act of 1989 needs to be fully funded; department commissioners need to be held accountable for leadership and the implementation of mental health services; and school districts, counties and other agencies need integrate services and delivery, said Kelso.

Barbara Kaufman, assistant commissioner, Dept. of Human Services, said that while there is a mandate to the counties to provide services, statutes say that a county is only required to provide services to the extent money for these activities is provided. Sufficient funds are not provided.

Robert Wedl, from the Unique Learner Needs Division, Dept. of Education, said that the Children's Mental health Act is good policy, but needs funding to truly have an impact on mental health. The Act recognizes that early intervention is crucial, and that education on issues of mental health and related services is vital, he said.

Judiciary

Three bills advanced

Bills relating to the environment, to the courts and to corporations were approved and re-referred to the full Judiciary Committee Fri., Mar. 1, by members of the Civil Law Division. The division is chaired by Sen. Richard Cohen (DFL-St. Paul).

Members approved S.F. 186 that allows a governmental unit, by order of the county commissioner or a political subdivision, to test for hazardous substances on property that it is considering purchasing before eminent domain proceedings have been initiated. The bill, sponsored by Sen. Randy Kelly (DFL-St. Paul), also specifies that the governmental unit must notify the property owner 10 days prior to testing and give the property owner the option to refuse entry.

Sen. William Luther (DFL-Brooklyn Park), offered, and the committee adopted, an amendment specifying that if the owner refuses entry, the governmental unit must apply for a court order, and give notice of the court order to the property owner. The amendment also stipulates that if the governmental unit removes a sample of property for testing, an equal amount of sample and a copy of any data and report, must be given to the owner at the owners request. In addition, S.F. 186, provides that the governmental agency must restore the property to substantially the same condition in which it was found.

In other action, Senators amended and approved S.F. 283, sponsored by Sen. David J. Frederickson (DFL-Murdock), specifying that the sheriff of any Minnesota county shall not charge for service of process to individuals who are involved in forma pauperis proceedings. Division members adopted an amendment, offered by Luther, clarifying that the court will make payment for service of process to private process servers, if the sheriff is not available, or by publication.

In addition, Senators approved S.F. 395, sponsored by Sen. Ember Reichgott (DFL-New Hope), making technical and clarifying changes in the Minnesota Business Corporation Act. Robert Ranum, chair of the Committee to Consider Technical Amendments to Chapter 302A, highlighted various sections of the bill.

The bill contains provisions that

designate when shareholder approval is required in stock splits and reverse stock splits, clarifies when a corporation may cease mailing notices to shareholders, modifies voting requirements for general shareholder actions and requires separate majority voting for each item of business.

Public defender bill discussed

The Criminal Law Division, chaired by Sen. John Marty (DFL-Roseville), met Fri., Mar. 1, to hear S.F. 156. The bill, authored by Sen. Allan Spear (DFL-Mpls.) transfers authorities and responsibilities from the State Board of Public Defenders to the state public defender.

Spear said that the bill is intended to address some of the organizational problems of the state's public defender system. There is a lack of uniformity in policy, budget structure, and salary range, he said. The problems are a function of giving responsibility to a part-time board that is required to administer a large system and budget, said Spear.

The bill authorizes the state public defender, rather than the board, to appoint district public defenders and allows the state public defender, instead of the board, to appoint chief public defenders. The measure requires that qualified women and minorities be considered.

State Public Defender John Staurt said that public defense attorneys, especially in Greater Minnesota, feel they need more support from the state. While there is a lack of consensus on how the state system should be run, he said, there must be clearer lines of responsibility and accountability than in the current system. Staurt said public defenders in rural areas need the administrative support that would be afforded in the arrangement proposed in the bill—with the state public defender's office providing this assistance. The board of public defenders should have a broader mission that works to build a consensus on policy issues, he said.

Judge Kevin Burke, chair, State Board of Public Defenders, said that the attorneys in the public defense system are doing a good job, but are doing so under difficult circumstances. He said that these circumstances need to be addressed in order to affect due process for clients.

Burke said that included in the recommendations of the board is a recommendation that the board should retain fiscal responsibility for the Public Defenders Office. In addition the board, on a divided ballot, voted to continue the

right to appoint chief public defenders, he said. Though the board is divided on many issues with regard to the bill and the operation of the public defense system, all agree that it is important that there be clear expectations of the board, the state public defender, and the chief public defenders, said Burke.

Jon Erickson, chief public defender, 10th Judicial District, said that the current organizational structure is not working. There is both an organizational and budget crisis, but the system will be in no position to address its underfunded state until there is reorganization, he said. He said that he supports the bill because there must be strong governance structure.

Board member Stephen Cooper said that board members agree with portions of the bill and disagree with others. Cooper said that it is important that the responsibility for choosing chief and state public defenders should remain with the board. The office of the state public defender should be responsive to the board, a point of accountability the bill eliminates, he said. A bill that shifts responsibilities to the state public defender does not solve the political shortcomings of the appointment process, said Cooper.

No action was taken on the measure pending further discussion.

Discrimination bill discussed

A measure that lengthens the statute of limitations for human rights act violations from one year to two years was heard at the Mon., Mar. 4, Judiciary Committee meeting. The committee is chaired by Sen. Allan Spear (DFL-Mpls.).

S.F. 248, authored by Sen. John Marty (DFL-Roseville), changes the time for filing an unfair discriminatory practice claim with the commissioner of human rights, and changes the time for filing a charge with a local human rights commission.

Committee members also discussed and amended S.F. 154, authored by Sen. Gene Merriam (DFL-Coon Rapids), relating to the rights of residents of manufactured home parks. The measure specifies that the park owner must notify residents whenever there is a public sale. In addition, the measure outlines notice requirements of intentions to close or convert the park for other uses, within one year of the agreement or within one year after the purchase. The bill also outlines the timeframe residents have in making an offering on the park.

The measure, Merriam said, balances homeowner rights and property owner's rights. The bill was also laid over for further discussion by panel members.

A bill relating to civil cases involving writs of certiorari was amended and approved by panel members.

S.F. 443, authored by Sen. Ted Mondale (DFL-St. Louis Park), provides that writs of certiorari in civil cases be accompanied by either \$500 or a bond as required by court rules.

An amendment, offered by Merriam, repeals the statute that provides for security for writ of certiorari costs. Security for costs will be governed by rules of the court, which are already in existence. Merriam's amendment was adopted, and the bill was advanced to the full Senate.

Probation system

County representatives reported on the status of county probation efforts to the Criminal Justice System Oversight Subcommittee Tues., Mar. 5. The panel, chaired by Sen. Randy Kelly (DFL-St. Paul), heard first from Ann McDiarmid, adult program manager, Dakota County.

McDiarmid said that the Community Corrections Act, which includes guidelines for probation programs, provides good management policies for the probation system. The Act responds to jail population problems, victims' needs and the massive case load, she said. Support must be bolstered, though, in order for probation activities to hold offenders accountable and for it to be cost-effective for the community, said McDiarmid.

Current funding levels have led to a crisis management situation, said McDiarmid. The response has been to alter probation services, by using more of group supervision and cutting back on the level of supervision for non-dangerous offenders. However, the probation system is still less than adequate, she said.

Michael Cuniff, director of community corrections, Hennepin County, said that since 1987, there has been a sharp increase in the number of offenders on probation. While the cost of running the Hennepin County program has increased 161 percent since 1978, the increase in state contributions has risen only 36 percent, he said.

Cutbacks in service will have to come to an already stressed system because of a lack of funding, said Cuniff. High risk clients are increasing in number and resources are not available to do neces-

Committee update

sary one-to-one consultation, he said.

Also, reporting on the status of their respective county detention services were Scott County Jail Administrator Lt. Bud Halverson, Carver County Jail Administrator Capt. Edward Hjermstad, and Anoka County Sheriff Ken Wilkinson.

Divorce bill heard

The Civil Law Division, chaired by Sen. Richard Cohen (DFL-St. Paul), met Wed., Mar. 6, to hear S.F. 228, authored by Sen. Allan Spear (DFL-Mpls.).

The bill was drafted to streamline and decrease the number of steps required to dissolve a marriage, said Spear. The bill incorporates, he added, a number of recommendations by the Minnesota State Bar Association's Family Law Task Force.

Spear and Philip Arzt, a member of the task force, outlined key components of the bill. The measure requires that the summons in a dissolution action contain language that will, in effect, transform the summons into a temporary restraining order. The bill specifies that the language in the summons contain provisions to prohibit individuals from disposing of assets, prohibit harassment and ensure that insurance coverage is maintained and continued.

Three Senators argued against a provision of the bill allowing divorce judgements and decrees to be issued without requiring a court hearing under limited circumstances. The Senators said that final hearings can lead to reconciliations, and that a number of concerns are brought up at the time of final hearings.

In addition, S.F. 228, requires the court to order mandatory custody investigations in contested cases; and provides for a rebuttable presumption that joint physical custody is not in the best interests of the child, if either party objects to joint physical custody.

The measure also allows for the establishment of a summary dissolution procedure pilot project. The streamlined procedure is designed for couples with no children who have been married for less than five years, have limited assets and debts, and agree on all issues that must be addressed in marriage dissolutions. Senators objected to some of the criteria required to qualify for the summary process such as the valuation of assets, waiving rights to spousal maintenance and requiring the individuals to certify that there was no history of domestic abuse.

Lastly, the measure provides for an

appropriation that will improve access for low income clients who are seeking legal representation in family law matters. Spear said that there is a real concern for people who must stay married, because they cannot afford legal counsel. No action was taken on the bill.

Local Government

Peace officers reimbursement

A bill to clarify the law requiring local governments to reimburse police officers for the cost of bulletproof vests was the focus of the Thurs., Mar. 7, Local Government Committee. A 1989 statute specified that one-third of the price of a vest be picked up by the state, one third by the local unit of government, and one third by the police officer, chief author, Sen. Randy Kelly (DFL-St. Paul) explained. However, many local governments are still failing to pay their share of the cost, instead deducting the amount from the officers' uniform allowance, Kelly said. The measure, S.F. 55, clarifies the law so that local units of government will pay their share for the vests, he said. The bill was approved and sent to the Consent Calendar for final passage.

The second half of the committee was dedicated to an overview of the State Planning Agency's report on "Model Zoning criteria for Recycling Facilities." Steve Reckers from the Government Services Division of the State Planning Agency explained that most of the contents of the report are not mandates. Many local governments are already engaging in recycling or preparing to recycle, he said. The guide will assist local governments in their endeavors, Reckers said. Sen. Bob Lessard (DFL-Int'l. Falls) said that he hopes to see a statewide uniform recycling policy in the near future.

Metropolitan Affairs

LRT discussed

Members from the Metropolitan Affairs Committee met Thurs., Feb. 28, to hear testimony on the Light Rail Transit (LRT) System. The committee is chaired by Sen. Don Frank (DFL-Spring Lake Park).

Commissioners from Hennepin, Ramsey, Dakota and Washington counties provided members with their respective viewpoints on the feasibility of

LRT. Discussion centered around two recent polls conducted to gauge public opinion regarding LRT.

The first poll, conducted by the Star Tribune and KSTP-TV in January, showed "widespread support" for LRT development in the Metro Area. It also showed that 68 percent of those polled in the seven county Metro Area believe LRT should be state funded.

The second poll, conducted by the Regional Transit Board (RTB), showed that LRT development was favored over expanding bus service and car pools, and widening existing freeways. The RTB poll, found that most respondents believe that the two most important benefits of LRT is that it will relieve traffic congestion and that it is environmentally sound.

LRT, MAC overviews continued

The Metropolitan Affairs Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Tues., Mar. 5, to hear overviews of the on the Light Rail Transit System and the Metropolitan Airports Commission.

Commissioner Paul McCarron, from Anoka County and chair of the Regional Light Rail Authority, spoke on the feasibility of LRT for Minnesota. He said that it is not imperative to have LRT in Minnesota in 1991, but it is imperative that some form of mass transit be available by the turn of the century. He stressed to members that the state cannot continue to build more freeways.

He also informed panel members that Minnesota has an opportunity to receive up to \$250 million in federal monies to fund LRT as a pilot project. He indicated that of the top 16 cities with more than 2 million people, Minneapolis is the only one that does not have a fixed guideway system. He warned members that if the state does not act quickly on the available federal dollars, Minnesota will be looking at another five years of studying the feasibility of LRT.

Jeffrey Hamiel, executive director of the MAC, spoke on the commission's long term planning process. The commission, he said, is studying whether the state needs to improve the existing airport system, or build a new airport. Frank questioned whether the state can afford a new airport, and whether it can be politically accomplished.

Hamiel illustrated a number of runway and terminal configurations for consideration. One of the proposed runways would eliminate the Air National Guard

and Reserve Base and remove a number of residential units in the process.

Taxes and Tax Laws

Joint hearing

Members of the Senate Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), traveled to St. Cloud to hear public testimony on the property tax implications of the governor's budget proposal. The Senators met jointly with the House Tax Committee for an evening hearing Wed., Mar. 6.

Transportation

School bus proposals

The Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent), met Thurs., Feb. 28, to discuss two measures relating to school bus laws.

S. F. 354, authored by Sen. William Luther (DFL-Brooklyn Park), provides for stronger enforcement of school bus stop arm law violations and better education of traffic safety laws regarding school bus operation. Discussion centered on the provision that would require school bus drivers in residential or business districts to activate the prewarning signals unless the school district directed them not to. Current law specifies that drivers not activate the prewarning signals in residential or business districts unless they are directed to do so. Sen. Carol Flynn (DFL-Mpls.) indicated that this would result in a variance of bus drivers' use of the stop arm in some districts and circumstances and would thus confuse motorists. Sen. Don Frank (DFL-Spring Lake Park) agreed, saying the flow of traffic is secondary to the children's safety. But the new language remains in the measure. The bill was approved rereferred to Judiciary.

S.F. 128, authored by John Hottinger (DFL-Mankato), clarifies that the "MN" designation be placed within the bus body serial number. The "MN" designation indicates that the bus has been made to Minnesota standards by the manufacturer. In addition, the bill gives the State Patrol authority to enforce the Dept. of Education's school bus inspection provisions and to set a penalty for non-compliance. The bill was recommended to pass and was rereferred to Judiciary for possible engrossment into S.F. 354.

Railroad safety

Railroad safety was the topic of the Mon., Mar. 4, meeting of the Transporta-

tion Committee, chaired by Sen. Gary DeCramer (DFL-Ghent). Members heard Railroad Safety Advisory Committee representatives speak on recommendations designed to improve safety at railroad crossings.

Safety Committee Chair John Harbinson said safety must be addressed through engineering, enforcement and education. He indicated that said some proposals can be addressed by the Legislature, but some must be addressed on a national basis because trains cross state lines.

Cecil Selness, director of the Office of Railroads and Waterways, said the main issue is the visibility of trains. Some of the recommendations include increased education in driver education courses and the implementation of a set of safety standards for all public and private railroad crossings. In addition, the safety committee recommended the continuation of state funding, a portion of which would go to research and review of railroad crossing safety projects. DeCramer said the safety committee's recommendations may be incorporated into proposed legislation arising from the Transportation Study Board Report.

Veterans and General Legislation

Tuition exemption

A bill to provide a two-year tuition exemption to Minnesota veterans serving in the Persian Gulf war was the focus of the Mon., March 4, meeting of the Veterans and General Legislation Committee. The bill, S.F. 444, sponsored by Sen. Leonard Price (DFL-Woodbury), provides the tuition exemption at any of the state's colleges or universities, including technical or community colleges. The exemption may be used at any time during a five year period after discharge and only for the attainment of a baccalaureate degree. During the committee, chaired by Sen. Joe Bertram, Sr., discussion centered around the eligibility criteria of veterans awarded the exemption, including area of active service and conditions of discharge. The committee amended the bill to include any active duty personnel who served after Aug. 2, 1990, not just those serving in the Persian Gulf area combat zone. The amendment also specified that service and discharge be under "honorable conditions." The bill was approved

unanimously and re-referred to the Education Committee.

The committee also heard S.F. 393, a bill carried by Sen. Don Samuelson (DFL-Brainerd). The bill authorizes the commissioner of administration to convey land in Morrison County to the Morrison County Disabled American Veterans. The land was originally transferred to the state by the veterans for the purpose of establishing a state veterans cemetery. In the deed, the condition was placed that if the state did not develop and maintain the cemetery within five years, the land would revert to the veterans organization. The state has made it clear that it will be unable to develop a veterans cemetery at the site. The Morrison County Veterans would like to have the land returned before the five year period has expired in the hope that they can raise the funds to establish a veterans cemetery there, Samuelson explained. The bill was approved unanimously and sent to the Senate floor.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6 the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6 the Metro Cable Network.

Also, watch for Senate Report, a weekly public affairs program, featuring lawmakers from specific regions around the state reviewing legislative issues from a regional perspective. Senate Report is broadcast on PBS stations as well as Channel 6 the Metro Cable Network.

The following is the schedule for broadcast of Senate Report.

Austin KSMQ - 11:30 a.m. Sundays;
Duluth WDSE - 11:30 a.m. Sundays;
Appleton KWCM - 11:30 a.m. Sundays;
Bemidji KAWK/KAWB - 11:30 a.m. Sundays (Beginning Feb. 3);
Fargo KFME 11 a.m. - Saturdays (Beginning Feb. 2);
and Channel 6, the Metro Cable Newtwork - 6:30 p.m. Mondays and 7:30 p.m. Wednesdays.

Preview

The Minnesota Senate Week at a Glance

Monday, March 11

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 324-Berg: Abolishing the Dept. of Gaming and the position of Commissioner of Gaming. S.F. 506-Berg: Requiring record keeping, reports, and audits by licensed gambling organizations.

Finance Division on Agriculture, Transportation & Regulation

Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Budgets for the Boxing Board, the Minnesota Municipal Board, the World Trade Center, the GMC, and the TRB.

Judiciary Division on Civil Law

Chair: Richard Cohen

10 a.m. Room 125 Capitol

Agenda: S.F. 555-Price: Eliminating domestic abuse order for protection filing fee. S.F. 482-Reichgott: Corporate takeover amendments. S.F. 379-Chmielewski: Marriage solemnization by court commissioners designated by the chief judge of the judicial district.

Judiciary Division on Criminal Law

Chair: John Marty

10 a.m. Room 15 Capitol

Agenda: S.F. 273-Ranum: Child abuse and neglect extended to medical neglect caused by reliance on spiritual health care.

Veterans & General Legislation Committee

Chair: Joe Bertram

10 a.m. Room 112 Capitol

Agenda: S.F. 460-Beckman: Changing requirements for appointing county veterans service officers. S.F. 355-Pogemiller: Bond requirement for caring for seized animals.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: Overview of Metro Mobility.

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

Education Division on Education Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: Education budget proposal as it affects special programs, community education and family education.

Finance Division on Environment & Natural Resources

Chair: Steven Morse

3 p.m. Room 123 Capitol

Agenda: Budget overview of the Science Museum.

Health & Human Services Division on Health Care Access

Chair: Pat Piper

3 p.m. Room 15 Capitol

Agenda: S.F. 222-Samuelson: Optometrists certification for administration or prescription of legend drugs.

Health & Human Services

Subcommittee on Social Services

Chair: Carol Flynn

3 p.m. Room 318 Capitol

Agenda: S.F. 453-McGowan: Juvenile detention services subsidy program. S.F. 583-Flynn: Clarifying requirements for vaccination of children. S.F. 550-Pappas: Employee drug testing. S.F. 429-Flynn: Amends Clean Indoor Air Act.

Joint Finance Division on State Departments & Economic Development & Housing Committee

Chairs: Carl Kroening and James Metzen

6 p.m. City Council Chambers, Duluth.

Agenda: Hearing on the effects of the budget proposals on property taxes, education, economic development, and housing.

Finance Division on Environment & Natural Resources

Chair: Steven Morse

7 p.m. City Hall, Bemidji.

Agenda: Public hearing on the effects of the governor's budget proposal.

Health & Human Services Committee

Chair: Linda Berglin

7 p.m. Room 15 Capitol

Agenda: Testimony on governor's budget.

Tuesday, March 12

Judiciary Subcommittee on Criminal Justice System Oversight

Chair: Randy Kelly

8 a.m. Room 112 Capitol

Agenda: Governor's corrections proposal by Dept. of Corrections. Response by Hennepin, Ramsey and Anoka county.

Legislative Commission on Pensions & Retirement

Chair: Gene Waldorf

8 a.m. Room 10 SOB

Agenda: Review of actuarial condition of major and statewide pension plans. S.F. 72-Dicklich: Virginia firefighters, S.F. 5-Johnson, D.J.: Eveleth firefighters, S.F. 162-Lessard: Nashwauk police, S.F. 244-Hottinger: PERA police and firefighters, H.F. 611-Farrell: Duluth and St. Paul firefighters, S.F. 314-Laidig: PERA St. Paul, S.F. 10-Chmielewski: PERA Carlton County, S.F. 279-Storm: MTRFA, S.F. 567-Lessard: PERA purchase of prior service, S.F. 297-Belanger: TRA, S.F. 293-Bertram: TRA, S.F. 537-Halberg: Eagan PERA, S.F. 9-Chmielewski: PERA, S.F. 377-Waldorf: Local police and paid firefighter plans, S.F. 338-Waldorf: Legislators plan, S.F. 192-Bertram: Judges, S.F. 236-Solon: Duluth police.

Finance Division on Health & Human Services

Chair: Don Samuelson

8:30 a.m. Room 125 Capitol

Agenda: Overview of DHS budget.

Local Government Committee

Chair: Betty Adkins

8:30 a.m. Room 107 Capitol

Agenda: S.F. 573-Chmielewski: Permitting the creation of library tax districts. S.F. 334-Marty: Providing for distribution of public notices in cities of the fourth class in the Metropolitan Area.

Agriculture & Rural Development Committee

Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: S.F. 281-Frederickson, D.J.: Appropriating money for the promotion of ethanol. S.F. 559-Frederickson, D.J.: Requiring ethanol in oxygenated fuels. S.F. 560-Frederickson, D.J.: Providing information to developers of ethanol plants.

Commerce Subcommittee on Insurance

Chair: William Luther

10 a.m. Room 123 Capitol

Agenda: S.F. 2-Berglin: Health Care Access bill.

Energy & Public Utilities Subcommittee on Energy

Chair: Harold "Skip" Finn

10 a.m. Room 107 Capitol

Agenda: To be announced.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: S.F. 385-Frank: MAC membership

reduction and Senate confirmation of chair.
Continuation of Metro Mosquito Control overview.

Commerce Committee

Chair: Sam Solon
1 p.m. Room 112 Capitol
Agenda: S.F. 37-Luther: Insurance companies hazardous financial condition determination bill.

Environment & Natural Resources Committee

Chair: Bob Lessard
1 p.m. Room 107 Capitol
Agenda: S.F. 326-Dicklich: Providing a deadline for the task force on minerals. S.F. 142-Novak: Increasing the watershed administrative fund limit. S.F. 397-Stumpf: Altering terms of a grant to the Red Lake Watershed District. S.F. 13-Bertram: Requiring an Environmental Impact Statement and air emissions permits for new medical waste incineration facilities.

Joint Education Division on Funding & Finance Division on Education

Chairs: Ronald Dicklich and LeRoy Stumpf
2 p.m. Staples Technical College, Staples.
Agenda: Hearing on governor's education budget proposal.

Finance Division on Agriculture, Transportation & Regulation

Chair: Keith Langseth
10 a.m. Room 123 Capitol
Agenda: Budget hearings for the Ethical Practices Board, the Regional Transit Board, the Veterans of Foreign Wars and the Military Order of the Purple Heart.

Taxes & Tax Laws Committee

Chair: Douglas Johnson
3 p.m. Room 15 Capitol
Agenda: Confirmation hearing for Dept. of Revenue Commissioner Dorothy McClung. Public testimony on the governor's property tax proposal. H.F. 57-Reichgott: Property tax technical changes bill.

Joint Education Division on Funding & Finance Division on Education

Chairs: Ronald Dicklich and LeRoy Stumpf
5 p.m. Lon's Restaurant, Thief River Falls.
Agenda: Public hearing on governor's education budget proposal.

Finance Division on Agriculture, Transportation & Regulation

Chair: Keith Langseth
7:30 p.m. Ramada Inn, Rochester.
Agenda: Public testimony on the governor's budget proposal and the effects of less transportation funding.

Wednesday, March 13

Education Subcommittee on Early Childhood & Special Populations

Chair: Judy Traub
8:30 a.m. Room 15 Capitol
Agenda: S.F. 169-Dicklich: Establishing grants for parent to parent support programs. S.F. 516-Reichgott: Enhancing Adult Basic Education programs.

Gaming Regulation Committee

Chair: Charles Berg
8 a.m. Room 107 Capitol
Agenda: Overview by the Dept. of Revenue.

Employment Committee

Chair: Florian Chmielewski
10 a.m. Room 107 Capitol
Agenda: S.F. 384-Frank: Regulating disbursements from the Dislocated Worker Fund.

Judiciary Division on Civil Law

Chair: Richard Cohen
10 a.m. Room 15 Capitol
Agenda: S.F. 228-Spear: Minnesota State Bar Association Family Law Task Force bill.

Judiciary Division on Criminal Law

Chair: John Marty
10 a.m. Room 15 Capitol
Agenda: S.F. 371-Bertram: Sex offender registration; missing children data base and investigation training. S.F. 514-Marty: Regulating private detectives, protective agents and proprietary security guards.

Legislative Commission on Employee Relations

Chair: Rep. Wayne Simoneau
10 a.m. Room 10 SOB
Agenda: Election of Officers. Review of LCER duties. Presentation of LCER reports.

Elections & Ethics Committee

Chair: Jerome Hughes
12 noon Room 107 Capitol
Agenda: S.F. 552-Hughes: Providing for employee time off to vote in primary elections. S.F. 367-Marty: Creating a code of ethical conduct for public officials.

Commerce Committee

Chair: Sam Solon
1 p.m. Room 112 Capitol
Agenda: S.F. 231-Kelly: Health insurance dependent coverage of disabled students. S.F. 295-Lessard: Unfair cigarette sales tax act modifications. S.F. 425-Laidig: Payment of out-of-state unclaimed property claims expenses. S.F. 557-Price: Removing real estate licensing prohibition. S.F. 484-Hottinger: Regulating farm equipment dealerships. S.F. 329-Metzen: Real estate closing regulations.

Environment & Natural Resources Subcommittee on Environmental Protection

Chair: Gregory Dahl
1 p.m. Room 107 Capitol
Agenda: S.F. 256-Merriam: Changing state and local responsibility and authority for waste management. S.F. 257-Merriam: Establishing a centralized recycling program for state operations.

Finance Division on Education

Chair: Le Roy Stumpf
3 p.m. Room 112 Capitol
Agenda: Budget hearing for the HECB.

Finance Division on Health & Human Services

Chair: Don Samuelson
3 p.m. Room 125 Capitol
Agenda: Continuation of the governor's budget proposal for the DHS.

Taxes and Tax Laws Division on Income, Sales & Economic Development

Chair: Lawrence Pogemiller
3 p.m. Room 15 Capitol
Agenda: S.F. 339-Luther: Special Olympics sales tax exemption.

Finance Division on Environment & Natural Resources

Chair: Steven Morse
7 p.m. Woodbury Junior High Woodbury.
Agenda: Hearing on the governor's budget.

Senate and House Tax Committees

Chair: Douglas Johnson
7 p.m. Mankato City Council Chambers, Mankato, Minn.
Agenda: Hearing on property tax legislation.

Thursday, March 14

Governmental Operations Committee

Chair: Gene Waldorf
8 a.m. Room 15 Capitol
Agenda: S.F. 88-Solon: Expanding coverage of state employee insurance plan. S.F. 368-Morse: Deputy registrar appointments for statutory or home rule charter cities. S.F. 548-Cohen: Permitting state investments in all federally insured accounts. S.F. 143-Marty: Regulating affirmative action in public employment. Bills approved at the March 12 meeting of the LCPR may be added to the agenda.

Agriculture & Rural Development Committee

Chair: Charles Davis
10 a.m. Room 112 Capitol
Agenda: S.F. 118-Knaak: Prohibiting cruelty

to animals including horses. S.F. 284-Frederickson, D.J.: Appropriating money to county fairs. S.F. 303-Sams: Appropriating money for farm and small business management programs at technical colleges.

Metropolitan Affairs Committee

Chair: Don Frank
10 a.m. Room 15 Capitol
Agenda: To be announced.

Economic Development & Housing Committee

Chair: James Metzen
12 noon Room 107 Capitol
Agenda: S.F. 431-Stumpf: Permitting Pennington County and Thief River Falls to construct, finance and own student housing. S.F. 286-Pogemiller: Providing for neighborhood revitalization policy boards in cities of the first class. S.F. 175-Davis: Exempting Isle from certain tax increment financing provisions. S.F. 196-Beckman: Specifying that money transferred or appropriated to the capital access program account is appropriated to commissioner of the DTED. S.F. 446-Beckman: Authorizing the establishment of rural development zones. S.F. 543-Metzen: Changing the definition of a mentally ill person and consolidating special needs housing programs, etc.

Transportation Committee

Chair: Gary DeCramer
12 noon Room 112 Capitol
Agenda: S.F. 212-Finn: Extending the waiting period for a person who has been convicted of manslaughter or criminal negligence with a motor vehicle for receiving a limited driver's license. S.F. 262-Vickerman: Allowing service signs along interstates. S.F. 528-Riveness: Dept. of Transportation omnibus bill.

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

Finance Division on State Departments

Chair: Carl Kroening
3 p.m. Room 123 Capitol
Agenda: Continuation of budget of Trial Courts, Judicial Boards, Public Defense Board, Board on Judicial Standards, Tax Court and Workers' Comp Court of Appeals.

Health & Human Services Committee

Chair: Linda Berglin
3 p.m. Room 15 Capitol
Agenda: Continuation of DHS report on governor's budget proposal regarding RTCs. S.F. 73-Flynn: Changes requirements for reciprocal licensing of physicians from other states and foreign medical school graduates; changes licensing of midwifery. S.F. 374-Berglin: Foodshelf tax checkoff.

Environment & Natural Resources Subcommittee on Fish and Wildlife

Chair: Charles Berg
7 p.m. Room 107 Capitol
Agenda: S.F. 134-Berg: Authorizing an experimental season on mourning doves. S.F. 139-Berg: Designating raccoon and fox as unprotected wild animals. S.F. 46-Berg: Prohibiting a fee for certain goose permits.

Friday, March 15

Education Subcommittee on Governance & Structures

Chair: Tracy Beckman
8:30 a.m. Room 15 Capitol
Agenda: S.F. 152-Mehrkens: Permitting a referendum on combining school districts before formal cooperation begins. S.F. 396-Finn: Permitting education districts operating under joint powers agreements to conduct meetings via interactive television. S.F. 348-Riveness: Authorizing school districts to levy for replacement and restoration of facilities.

Finance Division on Health & Human Services

Chair: Don Samuelson
8:30 a.m. Room 125 Capitol
Agenda: Continuation of overview of the governor's budget proposal for DHS.

Finance Division on Agriculture, Transportation & Regulation

Chair: Keith Langseth
10 a.m. Room 123 Capitol
Agenda: Budget hearings for the Dept. of Gaming, the Racing Commission, the State Lottery, Lawful Gambling and the Gambling Enforcement Division of the Dept. of Public Safety.

Judiciary Division on Civil Law

Chair: Richard Cohen
10 a.m. Room 125 Capitol
Agenda: S.F. 503-Pogemiller: Public defender juvenile and misdemeanor representation. S.F. 403-Finn: UCC conforming amendments related to leases and bulk sales.

Judiciary Division on Criminal Law

Chair: John Marty
10 a.m. Room 15 Capitol
Agenda: Testimony on S.F. 156-Spear: Modifies administration of the statewide Public Defender system.

Commerce Subcommittee on Consumer Protection & Regulated Industries

Chair: John Hottinger
1 p.m. Room 112 Capitol
Agenda: S.F. 202-Dahl: Requiring residential building contractors to be licensed by the state.

Finance Division on Environment & Natural Resources

Chair: Steven Morse
3 p.m. Room 123 Capitol
Agenda: To be announced.

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

March 15, 1991

Final passage granted

Two measures were granted final passage at the Mon., Mar. 11, Senate floor session. S.F. 81, authored by Sen. John Hottinger (DFL-Mankato), clarifies provisions for the terms of town supervisor, and provides for the compensation of town officers and employees. S.F. 393, authored by Sen. Don Samuelson (DFL-Brainerd), authorizes the commissioner of administration to return land to the Morrison County Disabled American Veterans. The land was originally transferred to the state by the veterans for the purpose of establishing a state veterans cemetery.

In other action, the Senate gave preliminary approval to four measures on the General Orders Calendar. H.F. 290, carried by Sen. William Luther (DFL-Brooklyn Park), increases the amount of vacation time a state employee can donate into a special account for the benefit of another state employee. H.F. 13, carried by Sen. David Frederickson, allows national guard and reserve personnel called to active duty an extension in filing their income tax returns and property tax refund claims. In addition, the measure provides that the state conform to federal practice in paying interest on refunds, and clarifies that the provisions of the measure apply to spouses. S.F. 443, authored by Sen. Ted Mondale (DFL-St. Louis Park), repeals the statute that provides for security for writ of certiorari costs. H.F. 153, carried by Sen. John Hottinger (DFL-Mankato), authorizes the commissioner of commerce to issue temporary licenses to real estate appraisers.

POW/MIA resolutions

Senators granted final passage Thurs., Mar. 14, to two resolutions dealing with the issue of POW/MIAs. H.F. 196, sponsored by Sen. Joe Bertram (DFL-Paynesville), memorializes the Congress of the United States to begin hearings on the POW/MIA truth bill. The second measure, H.F. 195, also sponsored by Bertram, memorializes Congress to continue funding the POW/MIA special

investigation that is being conducted by the U.S. Senate Foreign Relations Committee.

Senators also granted final passage to all but one of the bills given preliminary approval during the Mon., Mar. 11, floor session. The exception, H.F. 290, carried by Sen. William Luther, was progressed and will be taken up at the next floor session.

In addition, one measure on the Senate Consent Calendar was granted final passage. H.F. 55, sponsored by Sen. Randy Kelly (DFL-St. Paul), clarifies the provisions of the soft body armor reimbursement program.

Two measures on the General Orders Calendar were given preliminary approval. H.F. 104, sponsored by Sen. Sam Solon (DFL-Duluth), makes several technical changes to the laws regulating automatic garage door opening systems. S.F. 132, authored by Sen. Janet Johnson (DFL-North Branch), allows a disabled person riding on a transit bus to engage and release the wheelchair securement device without the bus driver's assistance.

Parental notification bill amended, okayed

The bill altering Minnesota's parental notification law was amended and approved at the Thurs., Mar. 14, meeting of the Health and Human Services Committee. Current law requires a minor who wishes an abortion to notify both parents or ask a judge for permission without notifying the parents. Originally, the bill, S.F. 296, authored by Sen. John Marty (DFL-Roseville), allowed a minor seeking an abortion the option of notifying either one parent, a trusted adult, a licensed psychiatrist or psychologist, a clergy person, registered nurse, social worker or school counselor. Under the amendment, the minor need notify only one parent or may opt for the judicial bypass of parental consent. According to Marty, in three quarters of the court cases, the reason the minor sought the judicial bypass arose from the two parent notification requirement.

The committee, chaired by Sen. Linda Berglin (DFL-Mpls.), adopted the amendment and approved the bill.

Redistricting discussed

Two resolutions setting forth the standards to be used in the redistricting process provided the focal point for discussion at the Fri., Mar. 8, meeting of the Redistricting Committee. The panel, chaired by Sen. Roger Moe (DFL-Erskine), heard testimony from three individuals on the proposed standards to be used in drawing new boundaries for Congressional and legislative districts.

Barb Sykora, cochair, Minnesota IR Party, emphasized the need to avoid diluting the strength of racial or language minority populations. In addition, Sykora, said that the standard recommending convenient contiguous territory be augmented by compactness. Finally, Sykora said that the new district plans should be blind to incumbency.

Beverly McKinnell, president, League of Women Voters Minnesota, echoed Sykora's comments on minority populations and the compactness and contiguity of districts. McKinnell questioned the timetable for the redistricting process. According to McKinnell, the timetable does not allow enough time for local units of government to prepare for the 1992 elections. Finally, former House member Walter Klaus told of redistricting attempts in the late 1950's and 1960's.

The panel also discussed the terms "convenient" and "compact" to determine the nuances of meaning in reference to the standard requiring convenient contiguous districts. Discussion of the standards for both Congressional and legislative districts will continue at the next hearing.

Service for hearing-impaired available

The Minnesota Senate is continuing to offer TDD service. The TDD telecommunications service allows deaf or hearing-impaired persons to communicate with Index staff. The telephone number is (612) 296-0250.

Committee update

Agriculture and Rural Development

Wetlands regulatory programs

The Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water held an evening meeting Thurs., Mar. 7, to hear presentations on existing wetland regulatory programs. The panel, chaired by Sen. Charles Davis (DFL-Princeton) and Sen. Bob Lessard (DFL-Int'l. Falls), heard explanations from representatives from the Minnesota Dept. of Natural Resources Division of Waters, U.S. Army Corps of Engineers, the Soil Conservation Service, and the Agricultural Stabilization and Conservation Service.

Ethanol bills

Three bills dealing with the promotion of ethanol as a motor fuel were the focal point of the Tues., Mar. 12, meeting of the Agriculture and Natural Resources Committee. The panel, chaired by Sen. Charles Davis (DFL-Princeton), approved all three measures and referred them to other committees.

S.F. 559, authored by Sen. David Frederickson (DFL-Murdock), requires that ethanol be used as the oxygenate for oxygenated gasoline. Further, the bill specifies that oxygenated gasoline be sold in those counties that do not comply with the Federal Clean Air Act for the four months following Oct. 31, 1992. (Currently, the counties include the seven county Metro Area and Chisago, Isanti and Wright Counties). The bill also specifies that oxygenated gasoline be sold year round in those 10 counties after Oct. 31, 1993. After Oct 31, 1994, no gasoline other than oxygenated gasoline may be sold as motor vehicle fuel. The bill was rereferred to the Transportation Committee.

S.F. 281, sponsored Frederickson, appropriating \$400,000 from the General Fund to the commissioner of agriculture to promote the use of ethanol fuel was rereferred to the Committee on Finance.

S.F. 560, also authored by Frederickson, providing comprehensive information to potential developers of ethanol production plants, was also rereferred to the Committee on Finance. The bill specifies that the commissioner of agriculture, in consultation with other state agencies, publish a document describing the steps necessary for planning, permitting, and constructing an ethanol plant.

Wetlands bill

Members of the Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water held an evening meeting Tues., Mar. 12, to begin work on S.F. 3. The panel, chaired by Sen. Charles Davis (DFL-Princeton) and Sen. Bob Lessard (DFL-Int'l. Falls), buckled down to the task of going section by section through the proposed wetlands bill. A major amendment, altering many of the provisions of the original bill provided a working document for panel discussion.

The bill with the amendment, sponsored by Davis, provides for the preservation, enhancement, restoration and establishment of wetlands in Minnesota. In addition, the measure requires the identification of wetlands and the adoption of wetland public value and classification criteria. The bill spells out the procedure for designating priority areas to establish and preserve wetlands and requires local water plans to include wetlands with high public value. The bill provides for the establishment of wetland preservation areas and authorizes a tax exemption for those areas. Under the measure a Wetland Restoration and Compensation fund is established and compensation for wetland use denial is required. The bill also requires permits for alternative uses of wetlands and provides authority to establish and restore wetlands on private land. The bill requires an assessment of direct benefits and payment of damages for the establishment and restoration of wetlands. Finally, the measure requires a report on the simplification and coordination of state and federal wetland permitting procedures.

Discussion on the bill will be continued at the Thurs., Mar. 14, evening hearing.

Commerce

Health care access

S.F. 2, the health care access bill, was the sole subject of the Commerce Insurance Subcommittee hearing Tues., Mar. 12. The measure, sponsored by Sen. Linda Berglin (DFL-Mpls.), creates a Dept. of Health Care Access to administer a program to provide health coverage to individuals, families and employers who do not have access to affordable health care coverage. The new department will also administer most existing state health care programs.

The bill specifies that individuals and families must pay some or all of the cost of coverage based on a sliding scale and participating employers must subsidize their employees' costs. In addition, the measure requires that all Minnesotans have health coverage through the state program or through another plan. The measure provides for three benefit packages: an intermediate benefit set that provides basic coverage emphasizing preventive care; a supplemental benefit set that brings the intermediate benefit set up to the level of coverage commonly provided by HMO group contracts; and a universal benefit set that is a combination of all the coverage requirements and mandated benefits that apply to health plans.

In addition, the bill prohibits the denial of coverage to an individual or group if the plan offers the type of coverage being sought to other individuals or groups. The measure also restricts termination of coverage, prohibits preexisting condition restrictions, places restrictions on agent commissions and prohibits health plans and insurers from using a minimum loss ratio that is less than a ratio to be specified by the state.

Under the measure a reinsurance pool is established for high cost cases and specifies minimum benefit levels to be sold in the private market.

The panel, chaired by Sen. William Luther (DFL-Brooklyn Park), began discussion on the measure and will continue debate at a later hearing.

Insurance solvency bill

The full Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), met Tues., Mar. 12, to begin discussion of a bill to strengthen the Dept. of Commerce role in regulating insurance companies. The measure, S.F. 37, authored by Sen. William Luther (DFL-Brooklyn Park), adopts a number of model acts devised by the National Association of Insurance Commissioners to aid in the regulation of insurance companies and prevent insurance company insolvencies. According to Luther the parallels, nationally, between the present state of insurance companies and the early stages of the S & L debacle are disturbing. The bill is designed to put Minnesota on the cutting edge of insurance regulation in order to head off an insurer insolvency crisis, Luther said. The bill has the support of both the Commerce Dept. and the insurance

industry and is the result of work begun last May.

The bill includes limitations on investments of various types, enhances the department's regulation, overview, and enforcement powers, and incorporates several model acts to standardize regulation among states.

Luther submitted twelve amendments for the committee members review. No action was taken on either the amendments or the bill in order to allow members time to study the massive proposal. Another hearing on the bill is scheduled for next week.

Unclaimed property bill okayed

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), met Wed., Mar. 13, and advanced six bills. Most of the measures were relatively noncontroversial and were approved with little debate.

S.F. 425, authored by Sen. Gary Laidig (IR-Stillwater), authorizes the commissioner of commerce to request an attorney general of another state or another person or entity in the other state to make a demand or bring an action to recover unclaimed property in the name of the commissioner of the other state. Further, the measure specifies that the state of Minnesota is to pay all expenses for claims made in other states and that the commissioner may agree to pay fees based on a percentage of the value of any property recovered. S.F. 231, authored by Sen. Randy Kelly (DFL-St. Paul), specifies that an insurer that provides coverage for dependents after what otherwise would be the limiting age, if the dependents are full-time students or otherwise eligible for coverage, must treat any student who because of illness or disability is unable to carry a full course load as a student for coverage purposes. S.F. 557, authored by Sen. Leonard Price (DFL-Woodbury), removes the prohibition on issuing a real estate salesperson license to an officer of a corporation or member of a partnership to which a real estate brokers license has been issued. The measure does prohibit a corporate officer who maintains a real estate salesperson's license from exercising any authority over any trust account administered by the broker nor may the person be vested with any supervisory authority over the broker.

S.F. 329, authored by Sen. James Metzen (DFL-South St. Paul), prohibits requiring a person to use any particular attorney, real estate broker, real estate salesperson or real estate closing agent in

connection with a residential real estate closing. The measure also specifies that all listing agreements must include a notice informing sellers of their rights to a closing agent of their choice. S.F. 484, sponsored by Sen. John Hottinger (DFL-Mankato), clarifies and restates laws regulating farm equipment dealerships. All five of the above bills were sent to the full Senate.

S.F. 295, authored by Sen. Bob Lessard (DFL-Int'l. Falls), was also approved and rereferred to the Committee on Taxes and Tax Laws. The measure provides that "cost of doing business" by cigarette wholesalers does not include a cigarette manufacturer's timely payment and stamping discounts or other discounts or rebates. The measure also requires the annual cigarette distributor fees to be appropriated to the commissioner of revenue for the enforcement of the Minnesota Unfair Cigarette Sales Act.

Economic Development and Housing

Joint hearing

Members of the Economic Development and Housing Committee, chaired by Sen. James Metzen (DFL-South St. Paul) and the Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met Mon., Mar. 11, in Duluth to hear public testimony on the governor's budget proposal. Specifically, the two committees were gather public input on the effects of the governor's proposed budget on property taxes, education, economic development, housing and other issues in the Duluth area.

Education

Library funding

A Joint House/Senate Libraries Subcommittee, chaired by Sen. Sandra Pappas (DFL-St. Paul), met Fri., Mar. 8, to hear testimony on the status of the state's libraries.

William Asp, director, Office of Public Library Development and Services, Dept. of Education, said that there are 12 regional libraries in Minnesota, all formed by contract between city and county governments whereby public libraries in the region agree to share all or some of their resources. While federal and state governments provide some funding for library operations in the state, local governments fund about 84 percent

of budgets, he said.

Asp identified six basic grant programs to which libraries have accesses. They are Establishment Grants to regional systems with member counties without a pervasive library service; Regional Library Basic System Support (Formula) Grants; Special Grants for innovative projects; interlibrary sharing grants, including funds for the Minnesota Interlibrary Telecommunications Exchange (MINITEX); grants to improve services at institutions of the Dept. of Corrections and the Dept. of Human Services; and federal public library construction grants, he said.

Asp said that the governor's recommendation is to maintain funding for public libraries at 1991 levels, \$6.1 million for each year of the biennium, and fund the cooperations grants at \$256,000 in each fiscal year.

Marge Adkinson, chair, Minnesota Library Association (MLA) said that time and money efficiencies are lost when public library usage has increased 56 percent in the past decade and the number of staff able to serve the growing need has increased only 10 percent. Library development is necessary in order to meet present needs, especially in low-population areas that will be hardest hit by present funding formulae and levels, she said.

Spec. Service, ABE bills heard

The Education Early Childhood/Special Populations Subcommittee, chaired by Sen. Judy Traub (DFL-Minnetonka), met Wed., Mar. 13, to hear testimony on S.F. 169, authored by Sen. Ronald Dicklich (DFL-Hibbing) and S.F. 516, authored by Sen. Ember Reichgott (DFL-New Hope).

S.F. 169 establishes grants for parent-to-parent or parent support programs. The programs serve parents who have children with disabilities, said Dicklich, and the requested funding is necessary to provide continuity for a needed service.

Lynne Frigaard, director, Pilot Parents, a parent-to-parent program, said that Pilot Parents provides emotional support for parents of at-risk and special needs children.

From the central office in Duluth, Pilot Parents helps those in other communities develop grass roots programs for service, provides training for volunteers, and provides technical support, said Frigaard. Most of the resources for the operation come from foundation grants or are volunteered, she said, but it is difficult to obtain grants for general operating

Committee update

purposes. Frigaard said that an appropriation of \$60,000 per year for parent-to-parent programs around the state would be sufficient to maintain an important service that is mostly run with the efforts of volunteers.

The bill was approved and sent to the Education Funding Division of the Education Committee.

S.F. 516 provides more support for adult basic education (ABE) and literacy programs, said Reichgott. The governor's budget proposal maintains the current funding level for programs serving adults and their families, while the bill calls for an increase in funding for programs that have proven to be successful, she said.

Reichgott said that the bill increases funding for adult basic education from \$5.04 million in 1991 to \$6.5 million in 1992 and \$8 million in 1993; changes the funding mechanism to a per pupil formula; includes adult education teachers in the definition of "teacher" in state statute; expands the adult high school program to allow those demonstrating an eighth grade proficiency to participate; eliminates the \$30 charge to take the GED; increases from \$25,000 to \$100,000 the funding available for adult literacy providers, employers and labor groups offering workplace literacy programs; funds television programming for GED ON TV and Learn to Read; and increases the number of public members on the Interagency Adult Learning Advisory Council from four to eight.

S.F. 516 was laid over for the next meeting of the subcommittee.

Education Funding

Special program budget

The Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing) met, Thurs., Mar. 7, to hear presentation of budget recommendations for special programs.

Tom Strom, manager, Secondary Vocational Services, Dept. of Education, presented aspects of the secondary vocational program for students with disabilities. The program supports students with disabilities through the career decision-making process while they gain skills and knowledge for successful transition to the workplace. Strom said that the program assists in the difficult school-to-work transition.

Mike Landers, Dept. of Education, said that the governor recommends an increase in aid and levy from \$6.9 million

to \$7.1 million for FY 1992 and \$7.5 million for FY 1993.

The secondary vocational program (for non-handicapped students), Strom said, is to increase technical vocational opportunities for students in grades 10-12. The program's purposes include helping students make wise career choices, developing student's skills, assisting in the school-to-work/higher education transition, and applying computational, comprehension, communication, and problem solving skills. The participation in vocational programs has decreased as graduation requirements increase and student perceptions on technical careers change, he said.

Landers said that the governor's proposal calls for aid entitlements of \$10.5 million for FY 1992 and \$11.4 million for FY 1993.

Daniel Smith, president, Minnesota Vocational Association, said that vocational programs offer alternatives in serving at-risk students. These programs recognize non-traditional learning styles not normally rewarded in the education system, he said.

Tom Melcher, Dept. of Education, presented the Special Education Levy Equalization Aid proposal. Currently, the state does not equalize levies for special education, he said, and the governor's recommendation would provide equalization based on a \$3,400 per pupil unit levy limit. The department views this as a first step, but they would like to do more, said Melcher.

David Beaulieu, Dept. of Education, said that it is the goal of programs directed at American Indians to improve the quality of education in public and Indian schools. The Indian Language and Culture program provides instruction in American Indian language and culture, activities to improve the quality of teaching, and personal and vocational counseling, he said.

Beaulieu said that requests for funding are twice that of current funding of \$590,000 per year, a level of funding that the governor recommends maintaining.

The Indian Education program, formerly Johnson-O'Malley program, provides state funds for school districts that have traditionally maintained Indian village elementary schools on Indian reservations, said Beaulieu. The governor recommends no increases in the 1991 \$175,000 aid entitlement, he said.

The Indian Postsecondary Preparation program provides assistance for American Indian students to improve basic skills,

inform students of vocational and educational opportunities beyond high school, and, most importantly, to prevent students from dropping out, said Beaulieu. The governor's proposal calls for funding at the FY 1991 level, \$857,000 per fiscal year, he said.

The Indian Scholarship program was started in 1955, said Beaulieu, and has been extremely successful. The program provides need-based financial assistance to American Indian students for postsecondary educations. Due to a lack of funding, the number of students served decreased each year, and 1,000 applicants will be turned away for this assistance, he said. The governor recommends an appropriation of \$1.6 million for each fiscal year, the same as for FY 1991, he said.

The Indian Teacher Grants is a program of loan forgiveness for American Indians who become teachers to American Indian students, said Beaulieu. The governor recommends funding at the FY 1991 level of \$150,000 per year, he said.

The Tribal Contract Schools program promotes equal education opportunities for students enrolled in Tribal contract schools, and the governor recommends continued funding at the FY 1991 level of \$200,000, said Beaulieu.

Community education budget

The Education Funding Division also met Mon., Mar. 11, to hear budget presentation on Community and Family Education. Gale Anderson, director, Community Education Programs, said that there are four basic activities under Community Education. The four activities are community education, which strives to serve involvement and learning for the community; youth development; youth service; and GED, he said.

Greg Sogaard, Dept. of Education, said the governor recommends a decrease in the per capita revenue from 50 cents to 44 cents for the youth service program beginning in FY 1993. Also in that fiscal year, the governor's proposal calls for an increase from 25 cents to 50 cents for the youth service activities, he said.

Anderson said that many adults do not possess basic skills in reading, math and writing. The Adult Basic Education (ABE) Program helps people develop salable skills, he said. The program is funded at a level sufficient to provide 64 hours of service per year for each student, but the demand is for 25 hours per week, said Anderson.

Sogaard said the the governor proposes

that no tuition be charged to individuals seeking ABE, but businesses, agencies and other organizations should be charged fees. The governor recommends an aid entitlement of \$5.07 million for each year of the biennium.

Anderson said that \$670,000, an amount which each district must match, is being provided for the Adults With Disabilities program. The funds enable adults with physical disabilities to participate in community education. The program consists of 34 activities in 71 school districts, but serves only a fraction of those in need, he said.

Sogaard said that the governor recommends continuation of the \$670,000 funding for each year of the biennium.

Joleen Durken, Lerner Support Systems, Dept. of Education said that the Diploma Opportunities for Adults Program is for adults who have had less than 14 years of education, have completed grade 10 and are economically disadvantaged. She said that the governor's recommendations improve the service. The governor's recommendations include eliminating the grade 10 requirement and providing legislation ensure that program funds follow a student when they move to another district, said Durken.

Elections and Ethics

Code of Conduct bill heard

Members of the Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), met Wed., Mar. 13, to consider two measures.

S.F. 552, authored by Hughes, provides that an employee has the right to take time off to vote the morning of a general or primary election without being penalized by an employer. The committee approved the bill and sent it to the floor.

In other action, the panel discussed S.F. 367, sponsored by Sen. John Marty (DFL-Roseville), creating a code of ethical conduct for public officials.

Marty outlined the major components of the bill. S.F. 367 prohibits public officials from using their position to obtain preferential treatment; restricts the acceptance of gifts; prohibits a public official from accepting private compensation from someone other than an employer; specifies that the Ethical Practices Board is to enforce the code of conduct; prohibits a public official from using information obtained through an official position for personal gain; authorizes state agencies or political subdivisions to impose stricter standards; and

amends existing advisory opinion provisions by the Ethical Practices Board. The bill also sets forth procedures for the Ethical Practices Board to use in investigating alleged violations.

No action was taken on the bill.

Employment Committee

Dislocated worker fund

A bill that would extend the expiration date of the Dislocated Worker Fund was debated at the Wed., Mar. 13, Employment Committee meeting, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake).

Sen. Don Frank (DFL-Spring Lake Park), author of S.F. 384, said the Dislocated Workers Fund will cease to exist in June 1992. Frank said the bill extends the timeline for the fund, which is supported by an assessment tax on wages subject to unemployment taxation. The bill also broadens the definition of dislocated worker. Current law limits beneficiaries of the fund, which is used to assist dislocated workers in finding employment, to workers previously employed by a firm of 50 or more employees. The new definition of dislocated worker is expanded to include temporary workers, homemakers, the self-employed and those working for a firm employing less than 50 people. Sen. Nancy Brataas (IR-Rochester) pointed out that the new bill's definition would extend benefits to workers not traditionally covered by unemployment benefits. Brataas asked for an estimate on the number of people who would fall under the new definition. Jane Brown, Dept. of Jobs and Training, said a previous estimate indicated that about 25,000 dislocated workers are in Minnesota, but she said current indicators put the number below that. Brown did not have an estimate for the number of workers who would fall under the definition in S.F. 384. Brataas said that S.F. 384 also includes migrant workers, and that these types of workers should not come before workers who are employed in Minnesota and are terminated through no fault of their own. Frank replied that all workers have to qualify for the fund before they receive services.

Chmielewski said the discussion would continue at a later date.

Energy and Public Utilities

Energy savings bill

The Energy and Public Utilities Subcommittee on Energy met Tues., Mar.

12, to hear testimony on a bill that prohibits incandescent lighting in some exit signs in buildings.

S.F. 562, authored by Sen. John Marty (DFL-Roseville), prohibits the use of incandescent lighting in certain exit signs within all Minnesota buildings in 1994. Paul Hanson, director of the Izaak Walton League of Minnesota, said that the payback for retrofitting current exit signs with compact fluorescent light bulbs is six months to one and one half years. He said that among the environmental benefits of the retrofit is the elimination of landfilling two million incandescent light bulbs a year. The bill was recommended for passage and advanced to the full committee.

Chair Harold "Skip" Finn (DFL-Cass Lake) and members also heard testimony on a resolution memorializing Congress and the president of the United States to increase funding for low-income energy assistance. Sen. Steven Novak (DFL-New Brighton), author of S.F. 562, said federal funding for the program has been reduced by approximately \$600 million since 1986, and that it could be reduced by another two thirds by 1992. The resolution was approved and will go to the full committee.

Environment and Natural Resources

Incinerator bill

The Environment and Natural Resources Subcommittee on Environmental Protection met Fri., Mar. 8, to discuss a bill relating to incineration facilities.

S.F. 13, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), requires environmental impact statements and air emission permits for new infectious waste incineration facilities. Currently, Pollution Control Agency (PCA) rules allow incinerators emitting less than 1,000 pounds per hour or 25 tons per year to operate without a permit or statement.

Anne Jackson, PCA Air Quality Division, said the PCA is in the process of adopting rules that eliminate the exception for smaller incinerators, but that the new rules may not take effect for another year. She said S.F. 13 would prohibit a new incinerator from operating without a permit and statement until the new rules are adopted. Chair Gregory Dahl (DFL-Ham Lake) said discussion on the bill will continue at a later date.

Watershed bill

The Environment and Natural Resources Committee, chaired by Sen. Bob

Committee update

Lessard (DFL-Int'l. Falls), discussed a bill pertaining to watershed districts at the Tues., Mar. 12, meeting. Members also discussed two other bills.

S.F. 326, authored by Sen. Ronald Dicklich (DFL-Hibbing), provides an extended deadline and funding for a report by the Legislative Task Force on Minerals. The bill was recommended to pass and rereferred to the Finance Committee.

S.F. 397, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), allows the Red Lake Band of Chippewa Indians to grant the Red Lake Watershed District a 40-year easement on property to be used for the Good Lake project, which will provide storage for flood water and wildlife, wild rice and blueberry growth. The bill was approved and will go to the full Senate for a vote.

S.F. 142, authored by Sen. Steven Novak (DFL-New Brighton), increases the amount that watershed districts can levy for projects. It also allows districts to levy additional taxes for projects as defined under a newly created Natural Resource Protection Fund. Sen. Steven Morse (DFL-Dakota) offered an amendment that restricts each additional levy to the approval of the district's county board(s). Another amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), stipulates that any levied amount over \$125,000 be allotted to the Natural Resources Protection Fund. Sen. Dennis Fredrickson (IR-New Ulm) offered an amendment that allows gifts and donations to be deposited into the protection fund. Committee members adopted the amendments and approved the bill, which was rereferred to the Tax Committee.

Hopkins bill okayed

A bill that authorizes the city of Hopkins to issue bonds to pay for landfill cleanup costs was approved at the Wed., Mar. 13, Environment and Natural Resources Subcommittee on Environmental Protection.

S.F. 350, authored by Sen. Ted Mondale (DFL-St. Louis Park), allows the city of Hopkins to use funds from the Metropolitan Landfill Contingency Action Fund for cleanup. The bill addresses the need to clean up a portion of land located on a closed landfill site previously owned and operated by the city. According to an attorney from Earth Protectors, that segment of land was never properly closed and is now causing problems for residents of townhomes

located on the property. Mondale said the city needs approval for the funds until investigation on the extent of the problem is completed and the site can be considered for Superfund programs. Mondale said funds would be used for groundwater contamination control and methane remediation. Sen. Gene Merriam (DFL-Coon Rapids) offered an amendment that would limit the amount of allocated funds to \$1.3 million. Merriam also offered an amendment specifying that the first \$400,000 paid by the city for methane remediation would be on a pro rata basis. The amendments were adopted and the bill was approved and rereferred to the full committee.

Finance

Public hearings

Members from the Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), traveled to Willmar, Fergus Falls and Brainerd to hear public testimony on the proposed governor's budget, Fri., Mar. 8.

GMC, World Trade Center budgets

Budget presentations by the Minnesota World Trade Center Corporation and the Greater Minnesota Corporation dominated the discussion at the Mon., Mar. 11, meeting of the Finance Agriculture, and Regulation Division. The division, chaired by Sen. Keith Langseth (DFL-Glyndon), also heard presentations by representatives of the Boxing Board, the Minnesota Municipal Board and the Transportation Regulation Board.

Rick Nolan, president of the Minnesota World Trade Center, presented the corporation's budget request. Under the governor's proposed budget, state funding for the corporation is eliminated for the next biennium. Nolan said that while the goal has always been to have the world trade center corporation become financially independent, the corporation is not yet at that point. If the governor's recommendation is followed, Nolan said, the World Trade Center Corporation would close down. Nolan further said that it would be irresponsible for the state to withdraw all funding at this time. The corporation is requesting \$700,000 the first year and \$600,000 the second year.

Jacques Koppel, executive director of the Greater Minnesota Corporation, said that the current goals of the GMC are to attain financial stability and to narrow

the focus of activities. Koppel said that the GMC is requesting \$14 million for each year of the biennium and that the governor's recommendation is for \$12 million for each year. The governor also recommends that funding for the GMC come directly from the General Fund rather than from lottery receipts, a recommendation with which the GMC agrees. Further, Koppel said that the GMC is restructuring to concentrate on three primary areas—applied research and development, technology transfers to small manufacturers, and the financing of new product development and technology start-ups.

Science Museum overview

The Finance Division on Environment and Natural Resources, chaired by Sen. Steven Morse (DFL-Dakota), met Mon., Mar. 11, to hear an overview of the Science Museum of Minnesota.

Science Museum President Jim Peterson said that the museum is Minnesota's number one cultural attraction. He said a goal for next biennium is to expand delivery of outreach programs that bring science education to classrooms throughout the state. Peterson said that the governor's budget recommendation for the museum next biennium is base level funding of \$1.2 million. He said this does not include a one-time \$400,000 Environmental Trust Fund grant recommended by the Legislative Commission on Minnesota Resources for an environmental exhibits program. Peterson said that cuts in Ramsey County funding will result in a ten percent decrease in the museum's operating budget.

Proposed budget testimony

The Finance Division on Environment and Natural Resources, chaired by Sen. Steven Morse (DFL-Dakota), held an evening meeting Mon., Mar. 11, to hear public testimony on the governor's budget proposal.

The meeting, which was held in the Bemidji City Hall, was attended by about 100 people. Representatives of the health care industry, the state university, environmental groups and city and county officials spoke about the effects of the next biennium's proposed budget on their areas of interest.

DHS budget continued

Dept. of Human Service budget presentations continued at the Tues., Mar. 12, meeting of the Finance Division

on Health and Human Services.

Assistant Commissioner Janet Wiig, led division members through the governor's budget proposal relating to programs for the elderly. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Wiig said that the base level of funding for the Aging Area Services Grant, the Foster Grandparents Grant, the Retired Senior Volunteer Grant and the Senior Companion Grant will be maintained under the proposed budget.

In an attempt to address long term care needs, the DHS has proposed a new strategy called the Alternative Care Grant/Seniors' Agenda for Independent Living Initiative (ACG/SAIL). The initiative, under the proposal, receives \$12 million in new funding.

Wiig said that Minnesota has the highest institutionalization rate for the elderly population in the nation. By the year 2010, she said, the state share of Medical Assistance nursing home costs will increase from \$226 million to \$713 million unless alternatives are developed.

Wiig then described the proposed demonstration projects, presented changes to the Alternative Care Program, the implementation of a public awareness campaign and the development of caregiver support and respite care programs.

Regional Transit Board

The focus of the Tues. Mar. 12, meeting of the Finance Division on Agriculture, Transportation and Regulation was a budget presentation by the Regional Transit Board (RTB). Chair of the RTB, Michael Erlichman, explained the purpose of the RTB and the goals and initiatives for the coming biennium. There are approximately 350,000 disabled residents in the seven-county Metro Area. Close to 110,000 are potential participants of Metro Mobility, Erlichman said. He said that the RTB will be exploring and implementing ways that mainline buses can be made accessible to disabled riders. The ultimate goal is to increase the mainline usage by disabled riders in order to decrease the need for programs like Metro Mobility.

Executive Director Greg Andrews said that the RTB requires approximately \$58 million in FY92 and FY93 to maintain the same level of services and accommodate increased demand for Metro Mobility. If the RTB receives the governor's recommendation of \$45 million, the RTB will have to reduce service and raise fares, even though there was a substantial fare increase on Mar. 1, Andrews

explained.

The committee, chaired by Sen. Keith Langseth (DFL-Glyndon) also heard a general budget overview from the Ethical Practices Board. The governor's and the board's recommendations were identical except for an inflationary increase requested by the governor. Jeanne Olson, Asst. Director of the Ethical Practices Board, explained that the board is, in part, a regulatory agency that oversees the administration and enforcement of state laws relating to the conduct of political campaigns and lobbying. The board also is responsible for the distribution of public financing to qualified state candidates. Olson said that the passage of last year's campaign finance reform has increased the task and client load of the board. She added that the board is finding almost 99 percent compliance with the law.

Mental health budget heard

The Wed., Mar. 13, meeting of the Finance Division on Health and Human Services, was devoted to reviewing the Dept. of Human Service's budget proposal.

Assistant Commissioners' Janet Wiig and Barbara Kaufman, and Director Pam Parker, briefed members on special programs for the mentally ill.

In an attempt to provide decent, affordable housing for mentally ill adults, the DHS is requesting an additional \$1.9 million to fund the Mental Health Housing Initiative, they said.

The initiative includes the development of a pilot rental subsidy program for approximately 400 adults. About 200 of the 400 are homeless and the other 200 live in Regional Treatment Centers (RTCs) or negotiated rate facilities. The pilot program will reduce Minnesota Supplemental Assistance (MSA) costs by moving individuals from negotiated rate facilities to supported housing facilities, they said.

Also under the initiative, the DHS plans to expand housing support services from 10 counties to 40 counties, and downsize 18 existing Institutions for Mental Disease (IMD). By downsizing the IMD's, an additional 400 adults will be served. In addition, the downsizing will maximize federal reimbursements for individuals who would otherwise be eligible for Medical Assistance if they were not in living in IMD's. The DHS indicated that this effort is intended to reduce MSA costs for nursing facilities and reduce General Assistance Medical Care costs for ancillary services.

HECB budget

The Finance Education Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), met Wed., Mar. 13, heard testimony from representatives of the Minnesota Higher Education Coordinating Board (HECB).

Joseph Graba said that the HECB is asking the legislature for a major increase for the basic grant system. He said that there needs to be an adjustment to keep even with inflation and the increasing numbers of students. Graba said there also needs to be an increase in the living and miscellaneous expense allowance (LME) because current living costs are in excess of the amount allotted.

Graba said that the HECB is asking for an increase of 25 percent for the Child-care Grant System because there is a significant unmet need, he said.

Other major proposals include a discontinuation of the dislocated workers grant, which the HECB recommends be handled through jobs and training programs; discontinuation of the rural health care profession grants; and increases in work study program funding; increases for reciprocity agreements; and increases for support for MINITEX library materials sharing, said Graba.

Budget testimony

A meeting of the Finance Division on Environmental Resources included a discussion of the effects of the governor's proposed budget on the Audubon Society. Chair Steven Morse (DFL-Dakota) and committee members met at Woodbury Junior High School Wed., Mar. 13, to hear public testimony on next biennium's proposed budget.

Gaming Regulation

Paddlewheel ban proposed

The Gaming Regulation Committee met Mon., Mar. 11, to hear testimony from gambling operators on pending gambling legislation. The committee, chaired by Sen. Charles Berg (DFL-Chokio), has been considering legislation to be included in an omnibus gambling bill for the past two weeks. The committee focused on a bill, S.F. 324, that would eliminate the Dept. of Gaming and abolish the paddlewheel as a form of lawful gambling.

Most of the testimony centered on the provision abolishing the paddlewheel as a form of lawful gambling. Eli Miletich, Duluth Chief of Police, testified that the city of Duluth has passed an ordinance

Committee update

establishing the paddlewheel as a public nuisance and has effectively banned it throughout the city. "A roulette wheel by any other name is still a roulette wheel and the paddlewheel is just that," Miletich said. He said that the police force doesn't have the time or resources necessary to regulate the use of paddlewheels. He supports the ban of such instruments throughout the state, he said.

Several representatives from various charitable organizations, most of them gambling managers, testified that paddlewheels are least likely to be used for cheating. Sen. Patrick McGowan (IR-Maple Grove) suggested eliminating the table part of the paddlewheel. Sen. Allan Spear (DFL-Mpls.) said that the table offered more accountability. The bill was laid over and the committee agreed to consider the measure again at the next meeting.

Video games of chance

The bulk of discussion during the Wed., March 13, meeting of the Gaming Regulation Committee centered around video games of chance. Sen. Charles Berg (DFL-Chokio), committee chair and sponsor of S.F. 324, the bill to eliminate paddlewheels, offered an amendment that also bans video games of chance. The committee heard testimony from Lance Bolter, Assistant Director of the Liquor Control Division of the Dept. of Public Safety. Bolter said he had done extensive undercover work in clubs and could testify that most video games of chance were being used to pay out money. Bolter explained that the odds in a video game of chance can be electronically altered.

The committee also heard testimony from Robert Latz, representing the Minnesota Operators of Music and Amusements. Latz said it was not fair to ban video games of chance when the games are allowed on Indian reservations. Berg countered that the Legislature has little control over what is allowed on Indian land but does control what happens in the rest of the state. The amendment was adopted on a roll call vote of six to four.

The committee also heard testimony from Roger Franke, former chair of the Gambling Control Board. He gave a brief history of the paddlewheel and in particular the Minnesota Triwheel, manufactured by Great Gamble. Franke said that he thought that the Tri-wheel, including the addition of a table was in compliance with law and rule. Gambling

Division Director Tom Anzelc testified that the preliminary findings of a report from the Attorney General's Office is "that the Tri-wheel, as it is manufactured at present, is entirely legal."

The bill was laid over for further consideration.

Governmental Operations

Bills heard

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), met Thurs., Mar. 14, to hear several bills relating to government policy and pensions.

S.F. 548, authored by Sen. Richard Cohen (DFL-St. Paul), makes a change to the State Board of Investment's investment policy. The policy currently states that the board must invest in accounts insured by the Federal Deposit Insurance Corporation (FDIC). The bill changes the policy to allow investment in any federally insured account. The bill also allows investment in Credit Union which provide proof of federal insurance. The bill was approved and sent to the full Senate.

S.F. 368, authored by Sen. Steven Morse (DFL-Dakota), allows a city to request a deputy registrar when the city is the county seat or the largest city in the county and is more than 20 miles away from the nearest registrar. The bill addresses the problem of people having to drive great distances to renew motor vehicle licenses, he said. The bill was approved and sent to the full Senate.

S.F. 143, authored by Sen. John Marty (DFL-Roseville), prevents an agency from stating that affirmative action efforts are the reason a person did not receive a job with the state. Committee members expressed concerns over the appropriateness and efficacy of the provision. Marty withdrew the bill and said that he would take up the provisions of the bill with the state departments.

S.F. 72, authored by Sen. Ronald Dicklich (DFL-Hibbing), allows a widow to receive the pension benefits of a deceased Virginia firefighter. S.F. 5, authored by Sen. Douglas Johnson (DFL-Cook), increases Eveleth firefighters pension benefits by \$75 per month. S.F. 162, Authored by Sen. Bob Lessard, increases pension benefits for Nashwauk police retirees by \$375 per month. S.F. 567, also sponsored by Lessard, allows appointed public officers to buyback PERA pension benefits. All of the bills

were approved and sent to the full Senate.

Health and Human Services

Abortion bill laid over

The full Health and Human Service Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Thurs., Mar. 7 to debate a bill changing the parental notification law.

Sen. John Marty (DFL-Roseville), chief author of S.F. 296, outlined major sections of the bill. Under current law, a minor who wishes to have an abortion must notify both parents or ask a judge for permission to have the abortion without notifying her parents.

The proposed bill will eliminate the "judicial bypass" and allow minors who seek an abortion the option of notifying either one parent, or a "trusted adult," such as another family member, licensed psychiatrist or psychologist, clergy person, registered nurse, clinical social worker or licensed school counselor.

Marty said that the current law does not make a bad family relationship better or improve communication between families. By providing the option of being able to confide in a "trusted adult," the minor is protected from possible abuse or punishment by the parents, he said.

Karen and Bill Bell of Indianapolis, supporters of the bill, told committee members that their 17-year old daughter Becky died of an infection after undergoing an illegal abortion. They said that their daughter didn't want to hurt them by telling them she was pregnant, and she didn't want to attempt to get permission from an unsympathetic judge, so she decided to undergo an illegal abortion. Indiana has a law similar to Minnesota.

The Bells' said that most young girls can talk to their parents, but laws such as Minnesota's punish those girls that can't tell their parents.

Dr. Bernard Nathanson, an obstetrician and gynecologist from New York, disputed the Bells' testimony on how their daughter died. Nathanson said that after reviewing Becky's autopsy report, he concluded that she did not die from a septic abortion, but had a miscarriage and died from pneumonia.

After further discussion, committee members tabled the bill on a 9-8 vote.

Committee members also heard S.F. 8, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), prohibiting the use

of public funds, employees and facilities for abortions.

After further testimony, Chmielewski withdrew the bill pending review of financial data.

Indoor Clean Air Act changes

A bill addressing problems associated with secondhand smoke dominated the discussion at the Mon., Mar. 11, Health and Human Services Social Services Subcommittee. The panel, chaired by Sen. Carol Flynn (DFL-Mpls.), heard testimony supporting S.F. 429, a bill tightening the smoking restrictions set forth under the Clean Indoor Air Act. The bill, sponsored by Flynn, expands the law to include industrial settings, requires every employer to implement a smoking policy, sets the minimum standards for smoking policies, strengthens the requirements for preventing smoke from infiltrating nonsmoking areas and limits designated smoking areas in restaurants to 50 percent or less.

Proponents of the measure testified at the hearing and opponents are to be heard at the next meeting. Dr. Stuart Hanson, speaking for the measure, said that smoking causes over one half of all indoor air pollution. Further, secondhand smoke is the third leading preventable cause of death in this country, he said. No action was taken on the measure pending further testimony.

In other action, the panel advanced three bills to the full committee. S.F. 453, authored by Sen. Pat McGowan (IR-Maple Grove), establishes a juvenile detention services subsidy program. According to McGowan the measure is designed to remove juveniles from adult corrections facilities.

S.F. 583, sponsored by Flynn, clarifies the requirements for the vaccination of children. Under the bill, haemophilus influenza type b, a leading cause of meningitis in children, is added to the list of diseases for which immunizations must be given. The measure also establishes the immunization requirements for children of various ages enrolled in child care facilities and specifies that students entering grades 7 through 12 from 1992 through 1997 must have received at least two doses of vaccine against measles, mumps and rubella.

S.F. 550, authored by Sen. Sandy Pappas (DFL-St. Paul), clarifies the requirements for laboratories that test employees for drugs. The measure requires employers to use labs that are

certified by the National Institute on Drug Abuse or labs licensed under federal drug testing laws and regulations. In addition, the bill establishes chain-of-custody requirements for drug samples.

Optometric drug bill approved

Members of the Health Care Access Division approved a bill, Mon., Mar. 11, that allows a board-certified optometrist to prescribe or administer legend drugs to treat certain eye conditions. Sen. Don Samuelson (DFL-Brainerd), chief author of S.F. 222, outlined the major components of the bill. The bill establishes certification requirements, lists the legend drugs that optometrists may use, requires optometrists to refer a patient to a physician when there is evidence of a disease that requires treatment beyond the practice of optometry, prohibits an optometrist from treating glaucoma and prohibits an optometrist from selling legend drugs at retail.

The division, chaired by Sen. Pat Piper (DFL-Austin), heard testimony on the bill. Testimony centered around accessibility and educational requirements for both optometrists and ophthalmologists. Dr. Kerry Beebe, an optometrist and supporter of the bill, said that there are optometrists in 85 of the 87 counties in Minnesota, whereas there are ophthalmologists in only 58 counties. Dr. Anthony Jaspers of the Minnesota Academy of Family Physicians, countered these statistics by stating that even though there are only 253 ophthalmologists in Minnesota, there are over 2,000 family physicians in Minnesota that can also treat eye disorders.

Proponents of the bill said that basic training and educational philosophies are the same for both optometrists and ophthalmologists. Currently, optometrists attend an additional four years of training in schools of optometry, whereas, ophthalmologists must complete medical school and residency training in surgery and treatment of eye diseases.

The committee adopted an amendment offered by Sen. Linda Berglin (DFL-Mpls.) that outlines complaint reporting procedures.

The bill was approved 6-4, and referred to the full Health and Human Services Committee.

Further testimony heard

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Mon., Mar. 11, for an evening meeting to hear further testimony from social service agencies on

the governor's proposed budget.

Testimony by spokespersons representing the Food First Coalition, Minneapolis Youth Diversion Programs, Council on the Economic Status of Women, Legal Service Advocacy Project, Minnesota Association of Community Mental Health Programs Inc. and the Minnesota League of Women Voters was heard. All of the speakers voiced concerns about the negative impact the governor's budget will have on social service programs throughout the state.

Judiciary

Sexual abuse bill heard

Members of the Judiciary Civil Law Division met Fri., Mar. 8, to discuss two bills, one of which is a measure to extend the statute of limitations for intentional torts involving the sexual abuse of a minor.

S.F. 433, authored by Sen. Ember Reichgott (DFL-New Hope), extends the statute of limitations for civil actions involving personal injury damages caused by sexual abuse from two years to six years.

The division, chaired by Sen. Richard Cohen (DFL-St. Paul), began hearing testimony on the measure. The reality is that victims are often unable to recognize and report the source of harm done by the perpetrator until years later, explained Jeff Anderson, an attorney who represents sexual abuse victims. Anderson said this realization is called delayed discovery of injury and is not provided for under current law.

The measure also eliminates the statute of limitations for criminal sexual conduct cases involving a minor. Under current law, a complaint must be filed within seven years after the offense, or within two years after the offense was reported, but in no case after the victim reaches 25 years of age. The bill was laid over pending further discussion.

In addition, the division heard additional testimony on S.F. 228, authored by Sen. Allan Spear (DFL-Mpls.). The measure provides for a more streamlined marriage dissolution process. Witnesses argued against a provision allowing divorce judgements and decrees to be issued without a court hearing and against a section providing for a rebuttable presumption that joint physical custody is not in the best interests of the child, if either party objects to joint physical custody.

Spokespersons from Remember Kids in Divorce Settlements (R-KIDS), said the

Committee update

latter provision will create more litigation and make it harder for one parent to obtain joint physical custody. Three Senators pointed out that current provisions in the law already address the rebuttable presumption by requiring the court to make detailed findings on its determinations. No action was taken on the bill.

Criminal forfeiture

The Judiciary Criminal Law Division, chaired by Sen. John Marty (DFL-Roseville), met Fri., Mar. 8, to hear testimony on S.F. 464, authored by Sen. Gene Merriam (DFL-Coon Rapids). The bill reforms the criminal forfeiture judicial review process.

Merriam said that current procedures call for a person who wishes to contest the seizure of property during an arrest to be charged a \$93 filing fee to gain access to judicial review. There is no due process in the judicial review procedure, said Merriam, and often, the \$93 fee is prohibitive for many who have cause to file such a claim. A section of the bill removes the filing fee requirement, he

Another section of the bill calls for the use of interpreters to explain the procedure of judicial review for persons who cannot speak English and whose property has been seized.

The division adopted an amendment, offered by Sen. Randy Kelly (DFL-St. Paul), that allows waiver of the filing fee only for cases where the value of property seized is less than \$500. Also adopted was an amendment offered by Sen. Patrick McGowan (IR-Maple Grove), allowing the return of the filing fee if the criminal defense of the claimant is successful.

Sen. Lawrence Pogemiller (DFL-Mpls.) offered an amendment to the McGowan amendment allowing a claimant to receive other appropriate costs in addition to the filing fee if the seizure is done in bad faith. The amendment was adopted with opposition from several panel members.

The bill was held over for further consideration.

Corporate takeover bill heard

The Mon., Mar. 11, meeting of the Judiciary Civil Law Division focused on a bill relating to corporate takeovers. Sen. Ember Reichgott (DFL-New Hope), is the sponsor of the bill S.F. 482, that amends Minnesota corporate takeover statutes.

Reichgott outlined key components of the bill. The bill amends the Insurance Holding Company Act to eliminate consideration of the effect an insurance company takeover has on the shareholders and creditors of the insurance company. Under current law, the commissioner of commerce is authorized to approve or disapprove a takeover of an insurance company under certain circumstances. The Minnesota Wellspring Committee on Corporate Takeovers concluded that allowing the commissioner to disapprove a takeover of an insurance company on the grounds that the offer is unfair to shareholders may be unconstitutional.

In addition, the bill exempts employee stock ownership plans from control share acquisition and business combination statutes, eliminates the Minnesota nexus requirements when defining an "issuing public corporation," extends the holding period under the "greenmail" statute from six months to two years and tacks on a holding period for a donee, heir, devisee or personal representative of a deceased person. Lastly, the bill repeals shareholder concerns under the Insurance Company Holding Act and repeals the fair price provision under the Minnesota Corporate Takeover Law. The bill was approved as amended, and referred to the full Judiciary Committee.

Committee members, chaired by Sen. Richard Cohen (DFL-St. Paul), spent the second half of the meeting hearing S.F. 379, offered by Sen. Florian Chmielewski (DFL-Sturgeon Lake). The bill allows a former court commissioner the authority to solemnize marriages by orders of the chief judge of the commissioner's judicial district. The bill was also approved and referred to the full Judiciary Committee.

Child abuse bill

The Judiciary Criminal Law Division, chaired by Sen. John Marty (DFL-Roseville) met Mon., Mar. 11, to consider S.F. 273. The bill expands the crime of child neglect to include children who are neglected due to reliance by a parent or guardian solely on spiritual means or prayer for the treatment of disease.

Sen. Jane Ranum (DFL-Mpls.), chief author of the measure, said the bill is consistent with the state's public policy that the standard of evaluation of any practice must be the best interest of the child. The state has always recognized rights of parents to raise and provide for

their children without interference, but children cannot be counted as property and must have rights to medical care, she said.

Douglass Lundman was first to testified in favor of the bill. Lundman's son, Ian, died from a serious form of diabetes while in the custody of his mother, Lundman's ex-wife. Lundman said that his son received only spiritual healing from the mother and a Christian Science practitioner. Most countries require that along with spiritual healing, medical care be provided for children, he said. By the definition of Minnesota code, maltreatment had occurred, said Lundman.

Bill opponent Jim Van Horn, Christian Science Committee on Publication, said that the record of success in spiritual healing has lead to recognition in statute as an appropriate treatment. He also said that current statutes are written so that there is no criminal sanction against practitioners using spiritual treatment.

Attorney Terry Flemming said that present legislative accommodations for spiritual healing are constitutional and affirm basic rights to religious practice. He said that removing spiritual treatment provisions from statute will lead to a loss of civil liberties.

The bill was held over for further testimony.

Counties corrections budget

Representatives of county correctional units testified before the Criminal Justice System Oversight Subcommittee Tues., Mar. 12, in response to the budget proposals for the Dept. of Corrections. The subcommittee is chaired by Sen. Randy Kelly (DFL-St. Paul).

Dept. of Corrections Commissioner Orville Pung identified some components of the budget proposal. The proposal calls for matching funds to counties for sentence-to-service programs, with a \$1.2 million contribution from the state, he said. The budget also calls for funding the removal of juveniles from county jails at a level of \$1.5 million, said Pung.

In all, the governor's proposal calls for an increase of \$7 million and an increased use of chargebacks, a system by which counties are charged for offenders arraigned in the counties but housed in state facilities, said Pung.

Richard Fritzke, director, Anoka County Corrections, said that he is concerned with the overall budget cuts proposed for counties. The Homestead Agricultural Credit Aid cut of 25 percent

will cost Anoka county almost \$1 million, he said.

If more chargebacks are reinstated, as the governor proposes, greater responsibility will be shifted from the state to local governments that are already receiving a cut in state aid, said Fritzke.

Fritzke said that counties have little control over where an offender is housed, and thus, whether the county will be charged back for housing the offender in state facilities. If chargebacks are reinstated, said Fritzke, it may be appropriate for the state to pay counties for the prisoners that are housed in county facilities who could be in state prisons.

Sexual abuse bill gains

The Judiciary Civil Law Division advanced two bills at its Wed., Mar. 13, meeting. The committee is chaired by Sen. Richard Cohen (St. Paul).

S.F. 433, authored by Sen. Ember Reichgott (DFL-New Hope), originally extended the civil statute of limitations from two years to six years for intentional torts involving the sexual abuse of a minor. Two amendments offered by Sen. William Luther (DFL-Brooklyn Park), and approved by the panel, expand the statute of limitations to include adults and clarify effective dates. The amendment also provides for special applicability in a case where the claim would otherwise be barred by allowing a suit to be brought up to Aug. 1, 1992.

In other action, Senators discussed S.F. 228, authored by Sen. Allan Spear (DFL-Mpls.) that streamlines and decreases the number of steps required to dissolve a marriage.

As a result of concerns raised at last Friday's meeting, a number of amendments were offered and adopted by the division. The bill as amended, clarifies summons/temporary restraining order language, specifies payment criteria for court ordered custody investigations, clarifies the rebuttable presumption language and deletes the provision that requires the court to order mandatory custody investigations in contested cases.

In addition, division members failed to adopt an amendment that would expand some of the criteria required to qualify for the summary process. Several Senators said that unequal bargaining tools and coercion by one spouse over another could result if the criteria were expanded.

Both bills were approved as amended, and referred to the full Judiciary Committee.

Child abduction bill

A bill relating to child abduction and the registration of sex offenders was presented to the Judiciary Criminal Law Division Wed., Mar. 13. S.F. 371, authored by Sen. Joe Bertram, Sr. (DFL-Paynesville), contains several provisions to assist law enforcement in finding lost and abducted children.

Bertram told the division, chaired by Sen. John Marty (DFL-Roseville), that the bill requires convicted sex offenders and kidnappers whose victims are minors to provide probation officers with a current address for ten years after being discharged from prison. The bill also directs the commissioner of public safety to distribute a bulletin to law enforcement agencies and other appropriate parties; to adopt standards for training appropriate personnel in missing children issues; and to compel health care facilities to release identifying information to law enforcement agencies.

Patty Wetterling, St. Joseph, said that the bill would provide the necessary means for law enforcement to pursue cases dealing with a range of offenses against children. The measure would be especially effective in identifying suspects in child abduction and sex offense cases since offenders characteristically repeat their offense, she said.

Sen. Gene Merriam (DFL-Coon Rapids) offered two amendments. The first requires health care facilities to release identifying data on a missing child when law enforcement officials state that the information is needed for the investigation. The second amendment specifies that information maintained on offenders be used only for law enforcement purposes. Both amendments were adopted.

Local Government

Library districts

The Local Government Committee, chaired by Sen. Betty Adkins (DFL-St. Michael), met Tues., Mar. 12. The committee considered S.F. 573, allowing cities, counties and towns to jointly form a library tax district with the authority to impose a tax for library service. Sen. Florian Chmielewski (DFL-Sturgeon Lake), author of the measure, explained that creation of library districts would be subject to a referendum from voters in the affected areas. Under current law, local units of government set up and tax separately for library services. The regional library system apportions the tax

for library services to the various local units of government that levy the tax individually. The proposed legislation authorizes a single tax levy throughout a library district, Chmielewski said. The bill was approved and sent to the Committee on Education.

Another measure, S.F. 334, carried by Sen. John Marty (DFL-Roseville), allows cities of the fourth-class to print public notices in a printed newsletter instead of a newspaper. Marty explained that in some communities it is cheaper to print and distribute a newsletter with the public notices included (for example, Truth-in Taxation notices) rather than the daily metro newspaper. In addition, Marty said, the notices are more likely to be read. The measure was approved and sent to the full Senate.

Metropolitan Affairs

Airport plan deadline

A bill extending the deadline for the Metropolitan Airports Commission (MAC) 30-year development plan for the international airport was heard at the Thurs., Mar. 7, Metropolitan Affairs Committee meeting.

S.F. 75, sponsored by Sen. Keith Langseth (DFL-Glyndon), extends the deadline to Jan. 1, 1992. According to Langseth, the extension only affects the planning process for the current airport facility. The bill was approved and moved to the full Senate.

The second half of the meeting was devoted to a review of the Citizen's League Report on Light Rail Transit (LRT). Ted Kolderie, representing the League, spoke in opposition to any LRT corridor construction.

According to Kolderie, the Legislature has not considered other alternatives such as expanding High Occupancy Vehicle (HOV) Lanes and improving bus services. Chair Sen. Don Frank (DFL-Spring Lake Park) and Sen. Carol Flynn (DFL-Mpls.) both objected to Kolderie's statement that other alternatives have not been considered by the Legislature. Frank pointed out that while the League continues to be anti-LRT, it has not presented the Legislature any supporting documentation or data on viable alternatives.

MMCC bill heard

A bill that would prohibit the Metropolitan Mosquito Control Commission (MMCC) from purchasing real estate was discussed by members of the Metropoli-

Committee update

tan Affairs Committee Mon., Mar. 12.

Sen. Donald Storm (IR-Edina), author of S.F. 536, said the bill clarifies the original intent of the statute by adding a prohibition on the MMCC from purchasing real estate. The bill stems from the MMCCs purchasing property from the Ramsey County Port Authority for \$500,000.

Chair Don Frank (DFL-Spring Lake Park), and committee members then heard testimony on the bill. Storm said that the commission exceeded their authority under current statutes. Opponents to the bill countered by stating that the MMCC does have the authority to purchase property and construct buildings under the General Powers statute that relates to commissions.

Debate among Senators centered around whether it is appropriate for the MMCC to be given the authority to purchase land and to construct buildings on that land. According to Ramsey County Commissioner Hal Norgard, chair of the Building Committee for the MMCC, the MMCC needs to consolidate their research and development efforts under one roof to be cost effective and efficient.

Construction costs for a new building also sparked debate. Norgard informed members that the MMCC has already set aside \$2.5 million for construction. Storm said that if the MMCC has been able to set aside one-third of their annual budget for a building, maybe the Legislature needs to look more closely at the MMCC's budget and taxing requests. The bill specifies that the MMCC can lease real estate for a period of up to five

Cook), approved the appointment of Dorothy McClung as commissioner of the Dept. of Revenue, Tues., Mar. 12.

In addition, the panel devoted most of the meeting to public testimony on the governor's tax proposal. John Tomlinson, League of Minnesota Cities, pointed out that the governor's proposal would result in a \$432 million reduction in property tax relief aids.

Ed Clark, Virginia Emergency Services, detailed the cutbacks in emergency services that would result if the governor's proposal were to be enacted.

St. Paul Mayor Jim Scheibel detailed the "five myths contained in the governor's budget." According to Scheibel, the proposal presupposes that local government's aren't accountable, that city spending is the root of the state's financial problems, that the state does not have an interest in the services provided by local governments, that cities can handle the cuts through belt tightening and that property tax payers with low valued homes pay too little in taxes. Scheibel refuted each of the statements and said that local units of government and the state are all trying to do what is best for the citizens of Minnesota.

Special Olympics tax exemption

The Taxes and Tax Laws Division on Income, Sales and Economic Development met Wed., Mar. 13, and advanced a bill providing a sales tax exemption for the International Special Olympics. The measure, S.F. 339, authored by Sen. William Luther (DFL-Brooklyn Park), was amended to extend the exemption to meals and lodging purchased by the organization, to apply retroactively to May 5, 1989, and to terminate Aug. 15, 1991. The bill was approved and advanced to the full committee.

In addition, the panel, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), continued to hear testimony on a bill to raise the taxes on tobacco products and alcoholic beverages. S.F. 476, carried by Sen. Duane Benson (IR-Lanesboro), would raise the cigarette tax from 38 to 62 cents per pack and changes the method of computation for alcohol taxes from a tax on volume to a tax on value.

John Bergland, Minnesota Licensed Beverage Association said that the association is opposed to the measure because the bill is regressive in nature, falling most heavily on low and middle income individuals. In addition, Bergland cited concerns about the disparity with border

states and the timing of the increase so soon after the federal tax increase.

David Giese, Dept. of Health, testified in support of the bill; calling it an effective public health measure. Giese said that part of the strategy to discourage cigarette consumption includes economic disincentives. Giese said that raising the excise tax on cigarettes provided a valuable economic disincentive for cigarette use. Arlene Wilson, Minnesota Coalition for a Smokefree 2000, also testified in support of the bill. Wilson argued that the measure would not fall disproportionately on the poor, but would instead help low income Minnesotans make wise health decisions. In addition, Wilson said that some younger smokers have indicated that the costs of smoking does play a role in their decisions to smoke.

Joint hearing

The Senate and House Tax Committees traveled to Mankato Wed., Mar. 13, for an evening meeting. The two committees heard public testimony on the governor's budget proposal. Local officials explained the budget implications for local government and for local property owners should the governor's proposal become law.

Transportation

Securement device bill

One of three bills okayed at the Thurs., Mar. 7, Transportation Committee relates to the operation of securement devices on transit buses. Sen. Gary DeCramer (DFL-Ghent) chairs the committee.

Sen. Janet Johnson (DFL-North Branch) told committee members that S.F. 132 allows a disabled person riding on a transit bus to engage and release the wheelchair securement device without the bus driver's assistance. Johnson, author of the bill, said that passengers can still ask for assistance in securing the device, but that they want the option of securing it themselves. Current law requires the driver to secure the device whether or not the disabled passenger is capable of doing so. A provision in the new measure requires the driver to check the device after the initial securement. If the bill passes, Johnson said Minnesota would be the first state to offer this choice to disabled transit bus passengers. The bill was approved and sent to the full Senate.

Taxes and Tax Laws

Property tax testimony

Members of the Senate Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), traveled to La Crescent, Minnesota, Fri., Mar. 8, to hear public testimony on the governor's budget proposal and the effect of the proposal on property taxes. The panel met with the House Tax Committee in order to gather more information on the effects of the proposed cuts in local government aids on property taxes in various parts of the state.

Confirmation of commissioner

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-

Motor vehicle dealer plates will be issued every seven years as opposed to every single year under a bill authored by Sen. Lyle Mehrkens (IR-Red Wing). S.F. 208, which retains the current fee schedule for tab and sticker issuance, was approved and rereferred to the Finance Committee.

The final measure for the committee's consideration, S.F. 217, establishes a two-mile segment of Clay County Highway No. 11, near Moorhead, as State Highway No. 336. The bill, authored by Sen. Keith Langseth (DFL-Glyndon), was approved and will go to the full Senate for a

Metro Mobility overview

An overview of the Metro Mobility program was the focus of the Transportation Committee meeting on Mon., Mar. 11. Sen. Gary DeCramer (DFL-Ghent) chairs the committee.

Ed Kounesky, Regional Transit Board (RTB), said the Metro Mobility program is the principal program for transporting disabled individuals in 91 communities. He said the RTB is becoming a supplemental paratransit service as fixed route buses and community service transportation options become lift-equipped. But Kounesky said that demand for Metro Mobility service, which is funded exclusively by state funds, has tripled since 1987. Because of this, Kounesky said that monies for the program could take up to 45 percent of RTB's requested state funds next biennium. He added that a Metro Mobility fare increase and disincentives for long distance trips will help fund the program's \$27 million budget next bien-

Veterans and General Legislation

County Veterans Service Officers

The Veterans and General Legislation Committee met Mon., Mar. 11, to process bills. The committee, chaired by Sen. Joe Bertram (DFL-Paynesville), considered one bill, S.F. 460, which requires that a veterans service officer be given written notice if the county board does not intend to reappoint the veterans service officer. The bill, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), requires that the veterans service officer be given the written notice 90 days in advance of the end of the officer's term. Beckman explained that currently notice need not be given to county veterans service officers if their terms are not to be renewed. In addition, the bill requires veterans service officers to take an oath of office similar to other county officers. The bill also clarifies that the probationary period for a veterans service officer is twelve months. The bill was approved and sent to the Committee on Local Government.

A second bill, requiring that a bond or other security be paid by the owner to counties for the expense of caring for seized animals, was considered. Sen. Lawrence Pogemiller (DFL-Mpls.), explained that the measure did not address the seizure of strays. The measure applies to cases of large scale animal abandonment and certain cases of suspected animal cruelty, when the county has trouble meeting the cost of caring and providing for the animals,

Pogemiller explained. The measure also changes the holding time before disposal of the animals from five to seven days to allow more time for notification of owners. The bill, S.F. 355, was approved and sent to the full Senate for final consideration.

Flag desecration prohibition

The Veterans and General Legislation Committee met Wed., March 13, to consider a resolution memorializing Congress to propose an amendment to the United States Constitution to prohibit the physical desecration of the United States flag. The bill, S.F. 168, sponsored by Sen. Charles Berg (DFL-Chokio), was approved unanimously and sent to the full Senate.

The committee also took action on a measure, S.F. 640, that allows the Veterans Homes Board to lease space. The money received by the board would then go into the veterans homes resources fund, Sen. Janet Johnson (DFL-North Branch) the bill's author explained. The veterans homes resources fund is to be used for maintenance of veterans homes around the state, she said. The bill was approved and sent to the Committee on Finance.

A housekeeping bill that clarifies the Veterans Homes Board rule-making authority was also approved. The bill, S.F. 611, carried by Sen. Joe Bertram (DFL-Paynesville), allows the board to create time periods within which a resident must appeal an administrative determination. If the determination is not appealed within the time set by the board in rule, the determination becomes final.

Preview

The Minnesota Senate Week at a Glance

Monday, March 18

Education Subcommittee on Early Childhood and Special Populations

Chair: Judy Traub

8 a.m. Room 15 Capitol

Agenda: S.F. 516-Reichgott: Enhancing ABE programs. S.F. 122-Pappas: Expanding parent education programs. S.F. 613-Pappas: Authorizing expanded revenue for Early Childhood Family Education (ECFE) pro-

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: Continuation of S.F. 324-Berg: Abolishing the Dept. of Gaming and the position of Commissioner of Gaming. S.F. 506-Berg: Requiring record keeping, reports, and audits by licensed gambling organizations.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Budget hearing on the Dept. of Transportation.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 113-Knaak: Rule against perpetuities. S.F. 154-Merriam: Mobile home park sale restrictions. S.F. 187-Spear: Advance psychiatric care directives.

Veterans and General Legislation Committee

Chair: Joe Bertram

10 a.m. Room 112 Capitol

Agenda: S.F. 513-Johnson, D.E.: Issuance of a state ribbon to participants in the Persian Gulf War. S.F. 759-Bertram: Authorizing emergency child care assistance. S.F. 714-Johnston: Camp Ripley land acquisition.

Legislative Commission on Pensions and Retirement Subcommittee on Actuarial Services

Chair: Gene Waldorf

10 a.m. Room 400 South SOB

Agenda: Further consideration of the provision of actuarial services issue.

Economic Development and Housing Committee

Chair: James Metzger

12 noon Room 107 Capitol

Agenda: To be announced.

Judiciary Subcommittee on Data Privacy

Chair: Jane Ranum

12 noon Room 318 Capitol

Agenda: S.F. 70-Cohen: Annandale clarification. S.F. 408-Merriam: Cause of action for invasion of privacy.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: S.F. 559-Frederickson, D.J.: Requiring ethanol in oxygenated fuels. S.F. 694-DeCramer: Dept. of Transportation truck bill. S.F. 321-Mehrkens: Motor carrier regulation. S.F. 790-DeCramer: Motor carrier regulation.

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

Education Division on Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: The governor's education budget proposal.

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Room 123 Capitol

Agenda: Overview of the DNR.

Health and Human Services

Division on Health Care Access

Chair: Pat Piper

3 p.m. Room 15 Capitol

Agenda: S.F. 774-Berglin: Dept. of Health resources bill. S.F. 422-Solon: Establishes a board of chemical dependency counselors for licensing and regulation. S.F. 641-Piper: Creates a special account for pediatric access and training.

Health and Human Services

Subcommittee on Social Services

Chair: Carol Flynn

3 p.m. Room 318 Capitol

Agenda: S.F. 429-Flynn: Amends Clean Indoor Air Act. S.F. 310-Berglin: Brain and spinal cord injury. S.F. 221-Berglin: Foster children procedures for placement and removal. S.F. 414-Berglin: Drug abuse.

Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard

7 p.m. Room 112 Capitol

Agenda: S.F. 3-Davis: Wetlands bill.

Tuesday, March 19

Commerce Subcommittee on Insurance

Chair: William Luther

8 a.m. Room 123 Capitol

Agenda: S.F. 2-Berglin: Health Care Access bill. S.F. 501-Merriam: Small employer health benefit plan bill.

Judiciary Subcommittee on Criminal Justice System Oversight

Chair: Randy Kelly

8 a.m. Room 112 Capitol

Agenda: Discussion of goodtime for time served in local correctional facilities.

Legislative Commission on Pensions and Retirement

Chair: Rep. Leo Reding

8 a.m. Room 10 SOB

Agenda: Consideration of the following bills: S.F. 244-Hottinger: Mankato PERA police and firefighters, H.F. 611-Farrell: Duluth and St. Paul firefighters, H.F. 389-Jefferson: State patrol death benefits, S.F. 314-Laidig: PERA St. Paul, S.F. 10-Chmielewski: PERA Carlton County, S.F. 279-Storm: MTRFA, S.F. 297-Belanger: TRA service credit purchase, S.F. 293-Bertram: TRA merchant marines, S.F. 537-Hallberg: Eagan PERA, S.F. 9-Chmielewski: PERA, S.F. 377-Waldorf: Local police and paid firefighter plans, S.F. 338-Waldorf: Legislators plan, S.F. 192-Bertram: Judges benefit reduction, S.F. 236-Solon: Duluth police, S.F. 646-Solon: Duluth police surviving spouse coverage, S.F. 112-Frederickson, D.J.: Ambulance personnel.

Finance Division on Health and Human Services

Chair: Don Samuelson

8:30 a.m. Room 125 Capitol

Agenda: Overview of the governor's DHS budget proposal.

Agriculture and Rural Development Committee

Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: S.F. 437-Bernhagen: Changing shade tree disease and wood use programs. S.F. 330-Vickerman: State inspections of

meat processing facilities.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: To be announced.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: S.F. 385-Frank: MAC membership reduction and Senate confirmation of chair. Overview of the Minnesota Dept. of Transportation. Discussion of the feeder bus system.

Education Subcommittee on Indian Education

Chair: Jane Ranum

11 a.m.

Agenda: Tour of Anderson school.

Redistricting Committee

Chair: Roger D. Moe

12 noon Room 15 Capitol

Agenda: Update on Minnesota Redistricting Application (MRA) installation, training, and data base development. Continued discussion of concurrent resolution on redistricting standards. S.F. 643-Pogemiller: Setting redistricting goals and deadlines. S.F. 644-Pogemiller: Limiting special elections and setting times and procedures for boundary changes. Discussion of assigning district numbers to regions. Discussion of plan development sequence.

Legislative Commission to Review Administrative Rules

Chair: Gene Waldorf

12 noon Room 400 South SOB

Agenda: Election of officers. Review and approve the LCRAR budget for FYs 1992 and 1993.

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: S.F. 202-Dahl: Residential building contractors licensure. S.F. 582-Pappas: First class cities on-sale liquor closing hours extension. S.F. 539-Spear: Resale price maintenance actions evidentiary presumption in restraint of trade cases.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: S.F. 531-DeCramer: Authorizing a water or sewer commission to issue bonds. S.F. 561-Lessard: Authorizing minors to harvest wild rice. S.F. 420-Finn: Sale of tax-forfeited lands in Cass County. S.F. 350-Mondale: Authorizing Hopkins to issue bonds for environmental response costs.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

3 p.m. Room 125 Capitol
Agenda: Budget hearing on the Dept. of Transportation.

Finance Division on Education

Chair: Le Roy Stumpf
3 p.m. Room 107 Capitol
Agenda: Budget hearing for the U of M. Discussion on the NRRJ/Vermillion Community College building project.

Taxes and Tax Laws Division on Property Tax and Local Government Aids

Chair: Ember Reichgott
3 p.m. Edina City Hall, Edina, Minn.
Agenda: Discussion of the governor's property tax proposal.

Taxes and Tax Laws Division on Property Tax and Local Government Aids

Chair: Ember Reichgott
7 p.m. Irondale High School, New Brighton,

Agenda: Discussion of the governor's property tax proposal.

Wednesday, March 20

Gaming Regulation Committee

Chair: Charles Berg
8 a.m. Room 107 Capitol
Agenda: S.F. 671-McGowan: Lawful gambling, etc. S.F. 506-Marty: Prohibiting State Lottery advertising. Continuation of S.F. 324-Berg: Abolishing the Dept. of Gaming and the position of commissioner of gaming. S.F. 506-Berg: Requiring record keeping, reports, and audits by licensed gambling organizations.

Education Subcommittee on Governance and Structures

Chair: Tracy Beckman
8:30 a.m. Room 15 Capitol
Agenda: S.F. 630-Reichgott: Authorizing outcome-based schools.

Employment Committee

Chair: Florian Chmielewski
10 a.m. Room 107 Capitol
Agenda: S.F. 407-Waldorf: High-pressure piping. S.F. 471-Chmielewski: Regulating an employee's lien for wages. S.F. 675-Chmielewski: Wage protection program.

Judiciary Division on Civil Law

Chair: Richard Cohen
10 a.m. Room 125 Capitol
Agenda: S.F. 634-Spear: Tort immunity from liability arising out of use of breathalyzers. S.F. 213-Johnson, D.E.: Tort immunity for injuries caused by beach or pool equipment. S.F. 248-Novak: Tort immunity for physician subsidiary corporations.

Judiciary Division on Criminal

Chair: John Marty

10 a.m. Room 15 Capitol
Agenda: S.F. 400-Kelly: Use of deadly force by peace officers. S.F. 404-Kelly: Peace officer education.

Veterans and General Legislation Committee

Chair: Joe Bertram
10 a.m. Room 112 Capitol
Agenda: S.F. 532-Finn: Pound officers temporary appointment during military service. S.F. 436-Luther: Resolution supporting the 1991 International Special Olympic Games. S.F. 491-Vickerman: Non-commercial TV station construction appropriation.

Joint Economic Development and Housing and Education Subcommittee on Governance and Structures

Chairs: James Metzen and Tracy Beckman
12 noon Room 318 Capitol
Agenda: Legislative Task Force report on Human Resource Strategies.

Elections and Ethics Committee

Chair: Jerome Hughes
12 noon Room 107 Capitol
Agenda: S.F. 638-Merriam: Ballot instructions. S.F. 225-Luther: Election reform.

Commerce Committee

Chair: Sam Solon
1 p.m. Room 112 Capitol
Agenda: S.F. 549-Pappas: Regulating agent rehabilitations and cancellations of agency contracts of fire and casualty insurance companies. S.F. 635-Samuels: Health insurers health care providers agreements prohibitions. S.F. 37-Luther: Insurance regulation.

Environment and Natural Resources Committee

Chair: Bob Lessard
1 p.m. Room 107 Capitol
Agenda: S.F. 46-Berg: Prohibiting fees for certain goose permits. S.F. 134-Berg: Season on mourning doves in a designated area. S.F. 139-Berg: Raccoon and fox as unprotected wild animals.

Finance Division on Education

Chair: Le Roy Stumpf
3 p.m. Room 107 Capitol
Agenda: Presentation of HECB report.

Finance Division on Health and Human Services

Chair: Don Samuelson
3 p.m. Room 125 Capitol
Agenda: Overview of the governor's DHS budget.

Taxes and Tax Laws Division on Property Tax and Local Government Aids

Chair: Ember Reichgott

3 p.m. Room 15 Capitol
Agenda: S.F. 71-Johnson, D.E.: Agricultural homestead classification. S.F. 111-Riveness: Homestead treatment to the residence of a disabled parent of the owner. S.F. 250-Belanger: Extending homestead treatment to certain property. S.F. 362-Reichgott: Dept. of Revenue property tax bill. S.F. 556-Price: Extending homestead treatment to certain property. S.F. 690-Cohen: Homestead treatment for disabled tenants.

Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water

Chairs: Charles Davis and Bob Lessard
7 p.m. Room 112 Capitol
Agenda: S.F. 3-Davis: Wetlands bill.

Finance Division on Education

Chair: Le Roy Stumpf
7 p.m. Room 15 Capitol
Agenda: The future of higher education in Minnesota.

Transportation Committee

Chair: Gary DeCramer
7 p.m. Room 112 Capitol
Agenda: Overview of toll facilities.

Thursday, March 21

Governmental Operations Committee

Chair: Gene Waldorf
8 a.m. Room 15 Capitol
Agenda: Bills recommended for consideration by the Legislative Commission on Pensions and Retirement on March 19th. S.F. 237-Marty: Abolishing the authority to appoint corporations or private individuals as deputy registrars.

Local Government Committee

Chair: Betty Adkins
8:30 a.m. Room 107 Capitol
Agenda: S.F. 717-Hottinger: Fixing various fees for documents. S.F. 636-Bernhagen: Enlarging the authority to participate in certain federal loan programs.

Agriculture and Rural Development Committee

Chair: Charles Davis
10 a.m. Room 112 Capitol
Agenda: S.F. 664-Bertram: Regulating certain sales and services offered by grocery stores. S.F. 391-Bertram: Alternative methods of animal carcass disposal.

Energy and Public Utilities Committee

Chair: Steven Novak
10 a.m. Room 107 Capitol
Agenda: To be announced.

Metropolitan Affairs Committee

Chair: Don Frank
10 a.m. Room 15 Capitol

Agenda: Discussion of LRT with a representative of the Sierra Club. Continuation of MAC overview.

Judiciary Subcommittee on Data Privacy

Chair: Jane Ranum

12 noon Room 318 Capitol

Agenda: S.F. 140-Kelly: Media access to information on juveniles involved in traffic accidents. S.F. 495-Kelly: Court hearing for access by Commissioner of Human Rights to other-than-public law enforcement data.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: S.F. 598-Langseth: Transportation Study Board bill.

The Senate will be in session at

Education Division on Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: Governor's education budget proposal.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: H.F. 131-Bernhagen: Meeker County hospital addition. S.F. 254-Johnson, J.B.: Maternal and child health. S.F. 713-Traub: Repeals a Dept. of Human Services rule that disqualifies certain licensing applicants. S.F. 120-Berglin: Notification to parents of available social services. Bills passed out of the Social Services Subcommittee and Health Care Access Division on Monday, March 18th.

Environment and Natural Resources Subcommittee on Environmental Protection

Chair: Gregory Dahl

6 p.m. Room 112 Capitol

Agenda: S.F. 256-Merriam: Changing responsibility and authority for waste management. S.F. 257-Merriam: Centralized recycling program for state operations.

Friday, March 22

Education Subcommittee on Early Childhood and Special Populations

Chair: Judy Traub

8 a.m. Room 15 Capitol

Agenda: S.F. 116-Traub: Expands extended day child care programs. S.F. 519-Reichgott: State aid increase for school breakfast and lunch programs.

Finance Division on Health and Human Services

Chair: Don Samuelson

8:30 a.m. Room 125 Capitol

Agenda: Budget proposal for the Veterans Nursing Homes and Veterans Nursing Homes Board for FYs 1992-93.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Budget hearing on the Dept. of Transportation.

Judiciary Division on Civil Law

Chair: Richard Cohen

10 a.m. Room 125 Capitol

Agenda: S.F. 624-Chmielewski: Tort immunity for government and non-profit volunteers. S.F. 565-Stumpf: Tort immunity remedy, U.C.C. limitations for economic loss arising from sale of goods.

Judiciary Division on Criminal Law

Chair: John Marty

10 a.m. Room 15 Capitol

Agenda: S.F. 464-Merriam: Criminal forfeiture judicial review procedures. S.F. 514-Marty: Regulates private detectives, protective agents and proprietary security guard employees. S.F. 526-Spear: Intensive community supervision, supervised release amendments.

Joint Senate and House Education Subcommittees on Libraries

Chairs: Sandra Pappas and Rep. Edwina Garcia

1 p.m. Room 500 North SOB

Agenda: H.F. 740-Simoneau: Community College libraries, State University libraries and the U of M library system.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: To be announced.

Finance Committee

Chair: Gene Merriam

3 p.m. Room 123 Capitol

Agenda: Governor's capital budget recommendations by Dept. of Finance Commissioner John Gunyou. S.F. 69-Stumpf: Maximum effort school loan bonds; removing requirement to capitalize first interest payment. S.F. 105-Samuelson: Removing restrictions on use of money for projects for the Veterans Home Board.

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

March 22, 1991

Bar hours; contractors' licensing

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), advanced two controversial measures Tues., Mar. 19. S.F. 582 extends bar closing hours until 2:30 a.m. and S.F. 202 requires building contractors to be licensed by the

S.F. 582, authored by Sen. Sandra Pappas (DFL-St. Paul), originally extended the bar closing hours from 1 a.m. until 2:30 a.m. in Minneapolis, St. Paul and Duluth. However, an amendment, offered by Sen. Don Samuelson (DFL-Brainerd), removes the language restricting the measure to the three cities with the effect that the bill applies statewide. Samuelson argued successfully that resort areas businesses would also derive benefit from the later closing hours. Minneapolis Councilmembers Alice Rainville and Joan Campbell spoke in favor of the bill. Rainville said that the bill was a needed tool in marketing the new Minneapolis Convention Center. A representative of Mothers Against Drunk Driving argued that by extending the bar hours more drunk drivers would be on the road. However, Pappas said that the measure provides local control of the hours by specifying that the extended closing hours are subject to restrictions and regulations the municipality may impose and that some communities may choose not to extend the closing hours. Committee members approved the bill and sent it to the full Senate.

S.F. 202, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), requires building contractors to be licensed, sets forth the licensing requirements, establishes an advisory council, outlines continuing education requirements and details procedures of license denial, suspension or revocation. Much of the discussion on the bill in subcommittee had revolved around the concept of a recovery fund to compensate homeowners. The result was a decision to eliminate the recovery fund and require contractors to post a bond scaled to the number of permits issued per year. An amendment, adopted by the panel, alters the provision by requiring

that the bond scale be based on the gross annual receipts of the licensee. Further, the amendment specifies that contractor and remodeler licensees must post a bond of at least \$5,000 but not to exceed \$50,000. A specialty contractor licensee must post a bond of at least \$2,500, under the amendment. The measure was approved and rereferred to the Governmental Operations Committee.

Dove bill advances

A bill designating an experimental season on mourning doves was approved at the Environment and Natural Resources meeting Wed., Mar. 20. Sen. Bob Lessard (DFL-Int'l. Falls) chairs the committee.

S.F. 134, offered by Sen. Charles Berg (DFL-Chokio), allows mourning doves to be hunted in the western part of the state for a two-year period ending December 1992. Berg said the Department of Natural Resources (DNR) will set the bag limit and use proceeds from a \$5 hunting stamp to determine the effects of the season. The DNR will report its findings to the Legislature in 1993. The bill will go to the Senate floor.

S.F. 139, also authored by Berg, was defeated in the committee. The bill puts fox and raccoon off the unprotected wild animal list and allows them to be taken year-round. Opponents of the bill expressed concern about the provisions regarding hunting with lights. Witnesses also said that the DNR, the U.S. Fish and Wildlife Service and Minnesota trappers could control the predators in a more beneficial way.

Indoor Clear Air Act changes

The lion's share of the Mon., Mar. 18, meeting of the Health and Human Services Social Services Subcommittee was devoted to consideration of a bill to tighten smoking restrictions under Minnesota's Clean Indoor Air Act. S.F. 429, authored by Sen. Carol Flynn, chair of the subcommittee, expands the law to include industrial settings and increases nonsmoking areas in restaurants to 50 percent. The panel devoted most of the meeting to hearing testimony against the

measure. Proponents were heard at a previous meeting. Representatives of the restaurant industry, the Teamsters Union and the Tobacco Institute, said that the bill infringed on individual liberties. Members adopted an amendment that removes the new language requiring restaurants to set aside 50 percent of the seating area for nonsmokers. The effect is to maintain current practice in restaurants. While expressing general support of the measure's intent, several subcommittee members indicated that the measure needed more work before advancing to the full committee.

Hearing televised

A Joint Finance Education Division/Higher Education Division of the Committee on Education held the first televised committee hearing, Tues., Mar. 19, in order to hear from representatives of each of the systems of higher education and higher education students. Because of the innovative procedure viewers from around the state were given the opportunity to participate by calling in questions to the panel and legislators.

Panel participants included U of M President Nils Hasselmo, State University System Chancellor Robert Carothers, Community College System Chancellor Gerald Christenson, Technical College System Chancellor Carole Johnson, and Higher Education Coordinating Board Student Advisory Council Chair James Stigman.

The participants were asked to respond to questions concerning the long- and short-term impacts of the current recession and budget problems; how institutions can provide better guidance for students in selecting majors and making career choices; the policies Minnesota should set to ensure quality and access during the decade.

Service for hearing-impaired

The Minnesota Senate is continuing to offer TDD service. The TDD telecommunications service allows deaf or hearing-impaired persons to communicate with Index staff. The telephone number is (612) 296-0250.

Committee update

Agriculture and Rural Development

County ag society appropriation

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), took action on three measures at the Thurs., Mar. 14, hearing. S.F. 284, authored by Sen. David Frederickson (DFL-Murdock), was approved and rereferred to the Finance Committee. The measure appropriates \$772,000 from the General Fund to the commissioner of agriculture for supplemental funding to provide full statutory funding for county and district agricultural societies over the biennium.

In other action, the panel also approved S.F. 118, increasing penalties and tightening laws prohibiting cruelty to animals. The measure, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), requires a court to order seizure of pet or companion animals and any equines—horses, mules, burros and ponies—whose owner is found to be unfit. Current law only applies to pet or companion animals. The bill also exempts equines from the farm animal exclusion. In addition, the bill increases the penalty for two or more violations of laws prohibiting cruelty to animals from a misdemeanor to a gross misdemeanor. The measure also makes it a gross misdemeanor for two or more violations within five years of the Pet and Companion Animal Welfare Act. The committee adopted an amendment that removes the references to equines and deletes the exemption of equines from the farm animal exclusion. With the adoption of the amendment, the bill simply provides for the increases in penalties. The measure was approved and rereferred to the Judiciary Committee.

The panel also approved, and rereferred to the Committee on Finance, a bill appropriating money for farm and small business management programs at technical colleges. The measure, S.F. 303, authored by Sen. Dallas Sams (DFL-Staples), is designed to aid in providing instructional staff for farm and small business management programs, beginning farmer programs and enterprise classes specific to community needs.

Wetlands bill amended

A major amendment, the Minnesota Peatland Protection Act, was incorporated into S.F. 3, the wetlands bill, at the Thurs., Mar. 14, evening hearing of the Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water. The measure, sponsored by Sen. Charles Davis (DFL-Princeton), provides for the preservation, enhancement, restoration and establishment of

wetlands. Committee members, chaired by Davis and Sen. Bob Lessard (DFL-Int'l. Falls), also adopted the language of the working document the panel used for discussion earlier in the week.

The peatlands amendment designates specific areas as peatland scientific and natural areas to be preserved and managed by the commissioner of natural resources. The amendment sets forth the specifications for activities that may and may not be conducted in peatland scientific and natural areas.

The panel also heard additional public testimony on the entire bill. Merle Lundeen, a livestock and grain producer from Pennington County, and Greg Hilgeman, a farmer from Oklee, articulated their concerns with the measure. Both indicated doubt that a state bill was really needed to protect wetlands because of the protections offered under provisions of federal law. In addition, both said that any wetlands bill enacted by the Legislature should stress local control over a centralized bureaucracy. Finally, Lundeen and Hilgeman said that a state law should not conflict with the current federal laws that citizens are already in compliance with.

Continued testimony and work on the bill will take place at hearings to be held later.

Shade tree changes okayed

The Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Tues., Mar. 19, to consider three measures. S.F. 437, authored by Sen. John Bernhagen (IR-Hutchinson), brings together two state agency programs relating to shade tree disease control and wood use. Under the measure, the Dept. of Natural Resources and the Dept. of Agriculture are to combine efforts to investigate, evaluate and make recommendations concerning the potential uses of wood from community trees removed because of disease. The measure also authorizes the departments to make grants to municipalities, nurseries, colleges, universities or state or federal agencies to assist municipalities in establishing priority designation areas for shade tree disease control and energy conservation. The measure was approved and sent to the Senate floor.

The panel also approved a resolution memorializing Congress and the president to expedite passage of a law establishing class 1 dairy support prices at the market value levels prevailing on Aug. 1, 1990. The measure, S.F. 846, sponsored by Sen. Dallas Sams (DFL-Staples), was sent to the full Senate. A third bill, S.F. 330, was laid over for interim study. The measure, sponsored by Sen. Jim Vickerman (DFL-Tracy), requires that the

commissioner of agriculture reinstate the state program of animal, meat, and meat product inspection.

Wetlands testimony, amendments

The Mon., Mar. 18, evening hearing of the Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water was devoted to hearing testimony on the wetlands bill, S.F. 3. The measure, sponsored by Sen. Charles Davis (DFL-Princeton), provides for the preservation, enhancement, restoration, and establishment of wetlands in Minnesota. Dr. H.H. Cheng, U of M Dept. of Soil Sciences, detailed the role soil composition plays in wetland creation. Representatives of the MN Farm Bureau Federation and the MN Farmers Union testified on the measure and stressed the importance of proper compensation and local control. In addition, farmers want assurances that existing drainage systems will be allowed to be maintained under the new law they said. Representatives of various wildlife groups also testified on the bill.

Ron Nargang, deputy commissioner, Dept. of Natural Resources, said that the bill was needed because reliance on two federal agricultural laws—Swampbuster and 404—that really have nothing to do with wetlands is an extremely risky proposition. Nargang said that the issue is really one of setting policy for the greater public good. If Minnesota is to have an influence on federal policy, now is the time to act on wetlands legislation, Nargang said.

Panel members continued their discussion of S.F. 3, the wetlands bill, at an evening hearing Wed., Mar. 20. Members considered and adopted three amendments offered by Davis. According to Davis, the first amendment requires that all available information, including existing maps and information developed by federal, state and local units of government be used in identifying wetlands. In addition, the amendment more accurately details the kinds of wetlands constituting Class E wetlands and specifies the deadline and contents for an annual wetlands report. The second amendment deletes references to "mitigate" and uses the word "replace" to clarify that when activities decrease the public value of wetlands the lost public value is replaced. The third amendment, designed to streamline the permit process sparked considerable debate. The amendment specifies eleven activities for which the Board of Water and Soil Resources may issue statewide activity permits and discussion centered on the precise wording of the activity descriptions. Other amendments are to be considered at the next meeting.

Commerce

Health insurance bills

The Commerce Subcommittee on Insurance, chaired by Sen. William Luther (DFL-Brooklyn Park), met twice Tues., Mar. 19, to consider two measures to provide health coverage to Minnesotans without insurance. The first meeting was devoted to explanations of the two bills—S.F. 2, the health care access bill and S.F. 501, the small employer health benefit plan.

S.F. 2, sponsored by Sen. Linda Berglin, establishes the Minnesotans' health care plan to provide health coverage to uninsured and underinsured Minnesotans. Berglin detailed the insurance provisions in the last article of the bill. The measure requires health plan companies to accept applications for coverage from individuals, small groups, or medium sized groups if the company sells to other applicants in the same category. The bill also forbids cancellation in the individual, small group and medium-sized group markets except for reasons unrelated to health status and bill forbids pre-existing condition limitations in the three markets. In addition, the bill requires community rating of health insurance and health plan premiums and specifies that community rates are permitted to vary based upon differences in benefit levels, family size, administrative costs and wellness promotion activities. The measure also requires compliance with minimum loss ratios and requires participation in a state-operated reinsurance pool.

Sen. Gene Merriam, chief author of S.F. 501, the small employer health benefit plan, explained the major provisions of the bill. The measure regulates the availability of health insurance to small employers, imposes restrictions on the underwriting and rating of small employer groups, establishes a reinsurance pool for small employer business, requires a review of the social and financial impacts of proposed mandated benefits, and sets forth definitions. Merriam stressed that the bill is not intended to be a substitute for and an alternative to the more encompassing health care access bill.

The second subcommittee hearing focused on public testimony about the two bills.

Antitrust bill gains

A bill specifying the type of evidence that may be sufficient to raise a rebuttable assumption of the unreasonable restraint of trade was approved at the Wed., Mar. 20 meeting of the Commerce Committee. S.F. 539, authored by Sen. Allan Spear (DFL-Mpls.), specifies that evidence that a supplier received from a competitor of a reseller communication

regarding price competition by the reseller in the resale of a commodity or services and in response terminates the reseller as a buyer may be used in a civil action based on a violation of the unreasonable restraint of trade law.

In addition, the panel, chaired by Sen. Sam Solon, advanced two additional bills. S.F. 635, sponsored by Sen. Don Samuelson (DFL-Brainerd), specifies that an agreement between an insurer and a health care provider may not prohibit the provider from contracting with other insurers to provide services at a lower price than the payment specified in the contract, may not require the provider to accept a lower payment in the event the provider agrees to provide services to any other insurer, and may not require termination or renegotiation of the contract if the provider agrees to provide services to any other insurer at a lower price. S.F. 598, sponsored by Sen. Sandra Pappas (DFL-St. Paul), regulates agent rehabilitations and the cancellations of agency contracts by fire and casualty companies. All three bills were forwarded to the full Senate.

Economic Development and Housing

Neighborhoods bill advances

A bill providing for the organization and powers of neighborhood revitalization policy boards was approved at the Thurs., Mar. 14, meeting of the Economic Development and Housing Committee. S.F. 286, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), allows governmental units to become a member of the policy board. Nongovernmental organizations and individuals may become members upon invitation. In addition, the bill authorizes the board, with the consent of two or more governmental units to exercise joint powers set forth in law with the exception of bond issuance. The measure was sent to the full Senate.

The committee, chaired by Sen. James Metzen (DFL-South St. Paul), advanced five additional bills. S.F. 431, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), permits Pennington County and Thief River Falls to construct and own student housing in Thief River Falls. S.F. 175, sponsored by Sen. Charles Davis, (DFL-Princeton), exempts development district No. 1 in the city of Isle from reductions in local government aid, education aid and homestead and agricultural aid because of tax increment financing revenue. S.F. 446, authored by Sen. Tracy Beckman (DFL-Bricelyn), authorizes municipalities to establish rural development zones for financing projects costing less than \$150,000. All three measures were rereferred to the Taxes and Tax Laws Committee.

S.F. 196, also sponsored by Beckman,

clarifies that money transferred or appropriated to the capital access program account is appropriated to the commissioner of trade and economic development. S.F. 543, authored by Metzen, a Minnesota Housing Finance Agency housekeeping bill, makes numerous technical changes to definitions, consolidates requirements and clarifies language.

Both measures were sent to the Senate floor.

Affordable housing bill

The Economic Development and Housing Committee met Mon., Mar. 18, and advanced a measure establishing several new housing programs designed to improve housing stock in Minnesota. S.F. 720, authored by Chair James Metzen (DFL-South St. Paul), authorizes the Minnesota Housing Finance Agency (MHFA) to establish a shallow rent subsidy program, to establish a lease-purchase housing program, to initiate a blighted residential property acquisition and rehabilitation housing program and to set up a housing capital reserve program. The measure also allows homestead treatment of a building leased by the occupant under a lease-purchase agreement with the difference in taxes to go to an escrow fund. Metzen said that the bill is a bipartisan effort aimed at helping middle income as well as low income individuals obtain decent affordable housing.

Two amendments were incorporated into the bill. The first, offered by Metzen, allows loans from the statewide housing loan pool to be sold on the secondary market. The second amendment, offered by Sen. Jim Gustafson (IR-Duluth), establishes a family stabilization demonstration project within the shallow rent subsidy program. The purpose of the project is to provide rental assistance to families receiving public assistance which have a caretaker parent participating in a self-sufficiency, education, or job-training program. The bill was approved and rereferred to the Taxes and Tax Laws Committee.

In other action, the panel advanced two additional bills to the full Senate. S.F. 252, authored by Sen. Earl Renneke (Le Sueur), authorizes a multicounty housing and redevelopment authority to appoint additional commissioners. S.F. 652, sponsored by Sen. Sam Solon (DFL-Duluth), provides for the payment of fees for inspection of manufactured home parks or recreational camping areas owned by any municipality or political subdivision.

Education

Bills heard

The Education Governance and Structures Subcommittee, chaired by

Committee update

Sen. Tracy Beckman (DFL-Bricelyn) met Fri., Mar. 15.

S.F. 152, allowing a referendum on combination for the school districts of Elgin-Millville and Plainview was heard. The bill, authored by Sen. Lyle Mehrkens (IR-Red Wing), is necessitated by the desire of the two school districts to hold a referendum on both the issue of combination and on a bonding initiative for a new school building to be used by the new combined district, said Mehrkens. Current law would not permit voters in the district other than where the new building will be built to vote on the bond issue. The bill permits voters in both districts to consider the bond issue when the combination referendum is considered. The bill was approved and sent to the full Education Committee.

A bill permitting school districts and education districts operating under joint powers agreements to conduct public meetings using interactive television was also considered. S.F. 396, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), clarifies that district boards may conduct meetings that are required to be open to the public by using interactive television to connect participants at different sites. The bill was approved and sent to the full Education Committee.

Sen. Phil Riveness (DFL-Bloomington) said that S.F. 348 provides another tool for school districts to use to take care of catastrophic repairs on school buildings. The bill authorizes school districts to levy for the replacement or restoration, such as roof replacement or to correct violations cited by the Fire Marshal, without referendum. Districts would be allowed to levy up to two percent of current replacement costs of all its school facilities per year, said Riveness.

Bills presented

The Education Subcommittee on Early Childhood and Special Populations met Mon., Mar. 18, to hear two bills and continue discussion on a third.

The subcommittee, chaired by Sen. Judy Traub (DFL-Minnetonka) continued consideration of S.F. 516, authored by Sen. Ember Reichgott (DFL-New Hope). The bill enhances adult basic education programs. An amendment, offered by Reichgott, that removed a provision intended to classify adult basic education teachers in the statutory definition of "teacher" was adopted. The bill was approved as amended and sent to the Education Funding Division.

S.F. 122, authored by Sen. Sandra Pappas (DFL-St. Paul) authorizes additional community education levies for parent education programs serving parents of children enrolled in the school district. Support for the programs is necessary because parenting does not end

when a child reaches kindergarten, said Pappas. The bill was approved and sent to the Education Funding Division.

A bill authorizing funding for early childhood education programs (ECFE) for families with non-English speaking parents was also presented to the subcommittee. S.F. 613, also authored by Pappas, calls for employment of bilingual interpreters, significant outreach, home visits, assistance in basic living skills, and transportation to and from ECFE programs. The cost of an interpreter is not included in the budgets of ECFE programs, but interpreters are needed, especially in serving the Hmong communities, said Pappas. Ge Vang, a parent participating in the Northeast ECFE program, said through an interpreter that participation has been beneficial for her and her older children, but she is unable to take part in significant English classes due to a lack of child care for her younger children. The bill was approved and sent to the Education Funding Division.

Outcome-based schools

The Education Governance and Structures Subcommittee, chaired by Sen. Tracy Beckman (DFL-Bricelyn), met Wed., Mar. 20, to hear testimony on S.F. 630, authorizing Outcome-Based Schools. The bill is authored by Sen. Ember Reichgott (DFL-New Hope).

Reichgott said that the bill brings together several initiatives including site-based management and outcome based education. The bill encourages school district innovation by providing funding and eliminating much of the bureaucracy, she said.

The bill allows the establishment of Outcome-Based Schools to improve learning, increase learning opportunities, and encourage innovated teaching methods. In addition, the bill requires the schools to establish learner outcomes. The bill also requires the school to have a sponsor that is a school board, education district board, or an intermediate district board to authorize the operation of the outcome-based school.

The bill requires that schools participate in outreach activities to establish diversity among the school population and to accept any student applying to the school. The school must be non-sectarian, must not charge tuition, and must have a written contract, not exceeding three years, between the sponsor and the board of directors of the school.

The measure allows school districts to grant teachers a leave of absence to participate in an outcome-based school, provides for transportation on a basis similar to that of open enrollment, and establishes that sponsors are immune from civil or criminal liability with

respect to activities of the school.

Doug Wallace, Minnesota State Board of Education, said that the bill provides an alternative for students, not just for those with a special interest, but also for those who have different learning styles. It also creates opportunities for those wishing to establish culturally sensitive programs, he said.

Bill opponent, Cheryl Furrer, Minnesota Education Association (MEA), said that problems that Outcome-Based Schools set out to address have origins outside of the structure of schools and curricula. The MEA also opposes provisions allowing non-licensed teachers to be involved in instruction, she said.

The bill was held over for further testimony.

Education Funding

Facilities, cooperation budgets

The Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing) met Thurs., Mar. 14, to hear continued presentation of the governor's education funding proposals.

Len Nachman, Dept. of Education, said that the Capital Expenditure - Facilities Program provides revenue to school districts to acquire land, construct buildings, improve structures and acquire certain equipment. Michael Landers, Dept. of Education, said that the governor recommends an appropriation of \$72.4 million in FY 1992 and \$71.6 million in FY 1993.

The Capital Expenditure - Equipment Program provides revenue for school districts for such purposes as the purchase or lease of instructional and non-instructional equipment and the purchase of text and library books, said Nachman. The governor recommends an appropriation of \$36.3 million in FY 1992 and \$36 million in FY 1993, said Landers.

The Capital Expenditure - Health and Safety Program, said Nachman, facilitates the pursuit of a healthy and safe environment for education services. The governor recommends that aid and levy for health and safety be limited to \$58.8 million in FY 1993 and recommends appropriations of \$11.6 million for FY 1992 and \$10.4 million for FY 1993, said Landers.

The Maximum Effort School Loan Program provides capital loans for school districts that need to repair or replace facilities and for debt service beyond the district's capacity to pay, said Nachman. Landers said that the governor's program calls for the authorization of Maximum Effort Loans totaling \$45.1 million for FY 1993 at sites already approved by the Legislature and an appropriation of \$9.6 million in FY 1993 to cover the cost of these loans.

Nachman said that the Education District Program is designed to increase the opportunities for cooperation and coordination between districts. Gary Farland, Dept. of Education, said that the governor recommends that the total aid plus levy revenue be changed from \$60 times the weighted average daily membership (WADM) to \$48 and recommends an appropriation of \$2.8 million in FY 1992 and \$2.6 million in FY 1993.

Terri Yetter, Dept. of Education, said that the Secondary Vocational Cooperatives Program is intended to increase educational opportunities to students by providing vocational and non-vocational programs through cooperative efforts between school districts. The governor recommends a decreased appropriation for FY 1992 and a program elimination in FY 1993, she said. Yetter said that cooperation initiatives proposed by the governor and the department would make this program less important.

Yetter said that the Interdistrict Cooperation Levy Program encourages school districts to cooperate to increase curriculum offerings in the areas of science, mathematics, computers, and foreign language. The governor recommends no change in this program for FY 1992 and an elimination of the program in 1993, she said. Many school districts have joined education districts and, thus, have become ineligible, she said. The phaseout recognizes the ineligibility that comes with increased consolidation.

The Minority Teacher Incentives Program was established to increase the number of minority teachers in the state in response to a recognition of the increase in the number of students in color in the state, said Gale Anderson, Dept. of Education. The program funds 50 percent of the salary of a minority teacher who is new to the state system, up to \$20,000, he said. The governor recommends an appropriation of \$1 million for the biennium, said Anderson.

Continued budget proposals

The Education Funding Division also met Mon., Mar. 18, for further testimony on the governor's budget proposals.

Barbara Yates, Dept. of Education, said that the Tobacco Use Prevention Program are designed to reduce tobacco use among K-12 students. She said that 90 percent of school districts participate in the program. The governor recommends that there be an appropriation of \$100,000 for FY 1992 and that the program be addressed through the Prevention Risk Reduction incentive, she

The Alcohol-Impaired Driver Education Program, said Marita Hale, Dept. of Education, is designed to increase the number and quality of educational activities stressing dangers of alcohol-impaired driving. Some of the alcohol-

impaired program is funded through drivers' license reinstatement fees, she said. The governor recommends an appropriation of \$720,000 for each fiscal year, and that any balances in the program fund be available to fund the program, said Hale.

Margaret Gray, Child Nutrition Program, Dept. of Education, said that the School Lunch Program provided state funds to match federal funds for the National School Lunch Program. The state provides 7.5 cents for each full-paid lunch served, she said. The governor recommends a \$4.6 million appropriation for each fiscal year, said Gray.

The School Milk Program ensures access to milk for all kin

dergarten children, said Gray, and reimburses each school food authority 12 cents for each half pint of milk served. The governor recommends continuing funding at the 1991 level of \$800,000 per fiscal year, and that funds from previous appropriations be spent, she said.

Gale Anderson, Dept. of Education, said that the Integration Grants Program provides funding to school districts' implementation of approved desegregation plans. The three cities of the first class now participate and receive grants totalling \$14.9 million, he said. The governor recommends continuation of this level of funding for the biennium, said Anderson.

Elections and Ethics

Ethics reform bill

A bill relating to election and government ethics reform dominated the discussion at the Wed., Mar. 20, meeting of the Elections and Ethics Committee. The committee is chaired by Sen. Jerome Hughes (DFL-Maplewood).

S.F. 225, authored by Sen. William Luther (DFL-Brooklyn Park), includes language clarification on local government ethics and increases late filing penalties for lobbyist reporting, economic disclosure and campaign spending reports.

In addition, the measure specifies that food and beverage costs for volunteers are considered noncampaign disbursements; reduces the public subsidy to unopposed candidates; requires candidates to file a campaign spending report 30 days before the general election; requires reporting of the sum of noncampaign disbursements; requires the reporting of last-minute loans; and limits pre-primary expenditures to the spending limit. No action was taken on the bill.

In other action, S.F. 638, authored by Sen. Gene Merriam (DFL-Coon Rapids), was approved with little debate. The measure clarifies language pertaining to the preparation of ballot instructions. The bill allows an individual to vote for one, or to vote for up to, the number of

candidates to be elected. The bill was sent to the floor.

Employment

Wage protection bill

The Employment Committee okayed two bills authored by Chair Florian Chmielewski (DFL-Sturgeon Lake) at the Wed., Mar. 20, meeting.

Testifying on H.F. 324, Bill Peterson, AFL-CIO, said that current statutes allow an employee to collect unpaid wages from an employer who has declared bankruptcy by filing for a labor lien against that employer. But, he said the employee cannot collect wages—such as vacation pay and pension funds—that are withheld from the paycheck. He said H.F. 324 allows employees to file for such wages and protects those wages through a lien against the employer's property. The bill will go to the Senate floor.

S.F. 675 establishes a fund in the State Treasury for employees who cannot collect wages from employers because of unavailability of assets. Chmielewski said the fund would allow workers to collect at least a portion of their wages while the state pursues proceedings against the employer. Sen. Chuck Halberg (IR-Burnsville) questioned the rationale for this type of fund when nothing like it is created for professionals who are not paid for services rendered. But Sen. Pat Piper (DFL-Austin) indicated that credit bureaus exist for that purpose, and Chmielewski added that employers have the option of not providing services based on the client's ability to pay. The bill will go to the Senate floor.

Energy and Public Utilities

Bills okayed

Two bills were okayed at the Thurs., Mar. 14, meeting of the Energy and Public Utilities Committee, chaired by Sen. Steven Novak (DFL-New Brighton).

S.F. 137, authored by Sen. John Marty (DFL-Roseville), prohibits the use of incandescent bulbs in over one million exit signs throughout Minnesota's buildings. Mike Noble, president of Minnesotans for an Energy Efficient Economy, said retrofitting the current bulbs with fluorescent bulbs would result in energy savings of approximately \$13 million per year. He added that since energy for the new bulb is not generated from power or coal fired-power plants, the retrofit would prevent about 371,000 tons of carbon dioxide from being emitted into the air. The bill, which takes effect in 1994, was approved and was sent to the Senate floor.

The second bill approved by the committee, S.F. 562, memorializes Congress and the president to retain

Committee update

funding for low income energy assistance programs. Novak, the bill's author, said the resolution is in response to a letter by the secretary of health and human services indicating that cuts in the program will increase by two thirds, with the remaining funds being targeted at the New England states. The resolution was approved and sent to the Senate floor.

Telephone assistance plan

The Energy and Public Utilities Committee met Tues., Mar. 19, to discuss a bill relating to the Dept. of Human Services (DHS) telephone assistance plan application process. S.F. 699, authored by Sen. John Hottinger (DFL-Mankato), requires applicants to prove they are eligible for assistance.

Hottinger told Chair Steven Novak (DFL-New Brighton) and committee members that current rules allow applicants to receive assistance as soon as they apply. Because applications are received first by the phone companies and then by the DHS for review, the DHS now has a backlog of 37,000 applicant who still need to be verified. He added that 25 percent of these applicants are currently receiving funds but are believed to be ineligible for the program. He said S.F. 699 prohibits fund disbursement until applications are approved by the DHS. It also specifies a yearly review process to ensure eligibility. Sen. Gen Olson (IR-Mound) asked if the \$242,000 backlog review process is necessary when all applicants are required to refile for eligibility each year. Paul Timbrock, DHS, indicated that while cutting everyone off and starting fresh would save some money, some people would be lost in the process. He added that federal appropriations would be forfeited without the annual review. Novak and Sen. Donald Storm (IR-Edina) suggested that Timbrock request a waiver from the federal government so the review process could take place every other year. Timbrock agreed to do this. The bill was approved and rereferred to the Finance Committee.

Environment

Mourning doves bill okayed

A bill that authorizes an experimental season on mourning doves was one of three bills okayed at the Environment and Natural Resources Subcommittee on Fish and Wildlife meeting Thurs., Mar. 14. Chair Charles Berg (DFL-Chokio) authored the three bills up for considera-

tion information on the season and report the results to the Legislature in 1993. Berg said hunters should be allowed to hunt the dove in part because their nesting habits in Minnesota provide doves for virtually all states west of the Mississippi River. In support of the measure, witnesses said dove hunting would provide an economic boost to a part of the state in need of help. Witnesses also said dove numbers are unaffected by a hunting season. But a member of FATE said that a recent Fish and Wildlife Service study indicated that the dove population was declining, and that Minnesota hunters are currently allowed to hunt more species of birds than any other state. The measure was approved and advanced to the full committee.

Proponents of S.F. 139, which designates raccoon and fox as unprotected wild animals, said the bill helps restore dwindling numbers of waterfowl preyed upon by an exploding population of raccoon and fox. A good portion of the discussion centered on the use of artificial lights for hunting raccoon at night. Sen. Bob Lessard (DFL-Int'l. Falls) said the provision allowing artificial lights might result in the lights being used to hunt deer. A provision specifies that a hunter can use an artificial light can only if the person is hunting with dogs or if the raccoon is causing damage on land owned or occupied by the person. A representative of Friends to Animals in Their Environments (FATE) said that the bill does not address the issue of waterfowl numbers because their numbers are related more to quantity and quality of habitat than to predators.

A Department of Natural Resources (DNR) representative indicated that an alternative to the bill would be to control predator populations through intervention by the Fish and Wildlife Division. But, he added that the cost would amount to about \$50 per bird, and the DNR does not have the revenues to approach the problem in this way. Committee members approved the bill and rereferred it to the full committee.

S.F. 46 prohibits the DNR from imposing a fee for West Central goose zone hunting permits. A DNR representative said the fee was charged to fund a survey estimating the number of Eastern Prairie geese in the Lac Qui Parle area. He said the number of permits sold exceeded expectations and, as a result, revenues exceeded cost by almost \$20,000. The measure was passed and advanced to the full committee.

Wild rice bill

A bill allowing minors to harvest and sell wild rice without a license was recommended to pass at the Fri., Mar. 15, meeting of the Environment and Natural

Resources Subcommittee on Public Lands and Water, chaired by Sen. Len Price (DFL-Woodbury).

Sen. Bob Lessard (DFL-Int'l. Falls), author of S.F. 561, told committee members that current law allows minors to fish without a license. He said minors who want to harvest wild rice should be able to do so without a license as well. Lessard said the impact as far as the state is concerned is almost negligible. The bill was sent to the full committee for a vote.

Committee members also heard testimony on S.F. 420, a bill allowing Cass County to offer tax-forfeited lands for sale. Sen. Harold "Skip" Finn (DFL-Cass Lake), author of the bill, said the county needs special permission to sell the lots, which border public water. Lessard raised the concern that the land be offered through the public sale process so that any previous lessees could bid on it. The bill was approved and forwarded to the full committee for a vote.

Water association bill

The Environment and Natural Resources Committee approved a bill Tues., Mar. 19, allowing rural water districts to issue bonds. The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), also approved three other bills.

Sen. Gary DeCramer (DFL-Ghent), author of S.F. 531, said the bill offers the state's six rural water systems a flexible and expedient way to finance improvements if an emergency arises. He said that, currently, if a water system encounters problems supplying good water for the areas it serves, developing a suitable aquifer and acquiring funds to address the problem can take up to two years. The bill was approved and will go to the Senate.

The committee also approved S.F. 561, authored by Lessard. S.F. 561 allows minors to harvest wild rice without a license. The bill will to the Senate floor.

S.F. 350, which allows Hopkins to issue bonds for groundwater contamination cleanup in a landfill, was approved and rereferred to the Taxes and Tax Laws Committee. Author Ted Mondale (DFL-St. Louis Park) said the bill also allows the city to access Metropolitan Landfill Contingency Action funds to pay for methane remediation, though he said the city is responsible for \$400,000 of that cost.

A bill authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), allowing Cass County to sell tax-forfeited lands, was approved and sent to the Senate floor. Finn said the lots will be subject to public sale requirements and grandfathered from current zoning ordinances. He added that improvements on the lots will be appraised separately.

S.F. 134 provides for a two-year experimental hunting season on mourning doves in the state's western region. Berg said a five dollar hunting stamp would enable the DNR to collect

Finance

DHS budget discussed

The focus of the Fri., Mar. 15, meeting of the Finance Division on Health and Human Services was a budget presentation by assistant commissioners from the Dept. of Human Services.

Assistant commissioners outlined the governor's budget proposal and his initiatives for programs affecting children with mental health, chemical dependency, family support and social services.

Considerable discussion among division members centered around a proposal that would require counties to pick up the full non-federal share of Medical Assistance payments for children's services in regional treatment center's (RTC's). At the same time, Barbara Kaufmann, assistant commissioner, said the DHS proposes to expand Medical Assistance (MA) costs to cover children's residential treatment under Rule 5 community settings. Under the proposal, Kaufmann said, counties will be paying about half the cost for both RTC and community based settings. Currently, counties are paying 62 percent of the cost for community based placements while paying only six percent of the cost for RTC place-

By equalizing the county share for children's residential treatment, Kaufmann said, the DHS will be able to obtain additional federal dollars, and counties will be able to redirect current costs towards the development of more community-based, low cost alternatives. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Gaming overviews

The Agriculture, Transportation and Regulation Division of Finance met Fri., Mar. 15, to hear a general overview of the various gaming divisions. The committee, chaired by Sen. Keith Langseth (DFL-Glyndon), heard testimony from the directors of the three gaming divisions as well as the Dept. of Gaming and the Dept. of Public Safety.

Mark Johnson, assistant to the commissioner of gaming, explained that the commissioner position is presently vacant. He said that he does not support the proposal before the Gaming Regulations Committee to eliminate the Office of the Commissioner but instead supports the governor's recommendation that the commissioner be given more power to regulate. He explained that while the commissioner's office does not have any direct authority over the three divisions, it does perform many valuable regulatory functions. Johnson also said that lawful gambling revenues will be more important as the budget crunch tightens both statewide and locally. Lawful gambling

will be needing more regulation not less, Johnson said. He indicated that the commissioner's office recommends a moratorium on any new gambling initiatives such as off-track betting or video lottery.

Dick Kreuger from the Racing Commission gave a brief overview of Canterbury Downs. He said the track is operating in the black for the first time since it opened, largely attributable to the winter simulcast program approved by the Legislature last year. The commission is in the process of completing an Economic Impact Statement that will be available to members in the near future, Kreuger said.

The committee also heard from Lottery Director George Anderson. Anderson said that the Lottery is doing very well now that the war is over and gas prices are down. He cautioned that the novelty of the lottery has worn off and that has affected sales somewhat.

The committee then heard from Tom Anzels, the director of the Lawful Gambling Division. Anzels explained that the division is responsible for licensing, regulation and technical assistance for the operation of tipboards, pulltabs, raffles, bingo and paddlewheels. Anzels said that the gambling industry made approximately \$1.3 million in the last year with \$56 million going to the general fund. He said the increase of staff along with the establishment of three regional offices in greater Minnesota has greatly improved compliance among organizations and clubs.

Game and fish audit

Members of the Finance Division on Environment and Natural Resources heard a report on the Game and Fish Fund audit at the Fri., Mar. 15, meeting. Representatives of the Office of the Legislative Auditor told Chair Steven Morse (DFL-Dakota) and members that the audit was authorized last year to determine if the Department of Natural Resources (DNR) was managing Game and Fish Fund revenues and expenditures in compliance with legislative intent.

Tom Wahlstrom, Office of the Legislative Auditor, said that 72 percent of the fund's revenues come from hunting and fishing license fees, and 55 percent of the fund is spent on programs in the Fish and Wildlife Division. He said the remaining 45 percent of the fund goes to activities not directly related to the Fish and Wildlife Division or management. Wahlstrom highlighted the largest areas of fund expenditures: enforcement, administration, treaty payments and payments in lieu of taxes. He said the fund is not paying more than its proportionate share to enforcement or administrative costs, which he said are indirect costs that do benefit fish and wildlife programs. Wahlstrom said the fund pays

for 20 percent of total treaty payments to the Leech Lake Band of Chippewa Indians through legislative policy, and about \$725,000 yearly for payments in lieu of taxes for wildlife management areas. Sen. Bob Lessard (DFL-Int'l. Falls) said that land acquired by the state for wildlife management areas serves a much broader purpose than for hunting and fishing activities. Therefore, he said, payments in lieu of taxes for wildlife management areas should not be funded exclusively by the Game and Fish Fund.

Although the audit did not reveal any inconsistency in the DNR's management of the fund, Wahlstrom said it did project a negative fund balance by 1996.

The committee also heard testimony on funding for the Generic Environmental Impact Statement, a study to identify the status and impacts of timber harvesting in Minnesota. State Planning Agency Deputy Commissioner Jack Dittmore said the study, which was ordered by the Environmental Quality Board, will provide a basic understanding of the environmental impacts of timber harvesting and develop policy recommendations for mitigation. The governor's budget recommendation supports base level funding of \$200,000, but Dittmore said a fully funded study will cost at least \$800,000. Representatives from the MN Audubon Council, the MN Deer Hunters Association, the MN Forest Industries and the DNR testified on their support for funding.

DNR overview

An overview of the various divisions and structure of the Department of Natural Resources (DNR) was given at the Mon., Mar. 18, meeting of the Finance Division on Environment and Natural Resources, chaired by Sen. Steven Morse (DFL-Dakota).

Ron Nargang, DNR deputy commissioner, said the \$372 million governor-recommended budget program for next biennium includes a commitment to achieve balance in natural resource protection and development. He said wetlands legislation, the Generic Environmental Impact Statement and Native American treaty rights are high on the DNR's agenda this session. He added that the department will focus on cultivating public interest in programs, in part through continued participation in such groups as the metro-area wetlands forum. Nargang said some other items on the DNR's agenda are management improvement and human resources development.

Dept. of Transportation

Members of the Finance Division on Agriculture, Transportation and Regulation met Mon., Mar. 18, to begin a week-long series of hearings on the budget of the Dept. of Transportation (Mn/DOT). Commissioner John Riley began with an

Committee update

overview of the entire department. In addition, Riley outlined several major departmental goals that include maintaining integrity of the infrastructure, seeking maximum productivity through advanced traffic management, developing stronger research capabilities and becoming more of a transportation planning entity.

Ed Cohoon, Dept. of Transportation, began the explanation of budget considerations and departmental priorities. According to Cohoon, priorities include attaining a competitive advantage for Minnesota, enhancing economic development, solving emergin safety problems and preserving existing systems. Cohoon said that state highway funding is derived from constitutionally dedicated funds and from federal sources. Expenditures from the Trunk Highway Fund are used for public safety, maintenance, operations and debt service. The largest amount, though, is used for construction, Cohoon

The panel, chaired by Sen. Keith Langseth (DFL-Glyndon), began the detailed budget review with the aeronautics division. According to the department, the aeronautics is the fastest growing segment of transportation; accounting for nearly \$4.4 billion brought into the state. In addition, over 49,000 jobs are directly linked to aviation in Minnesota. Total aeronautics revenues for 1990 were \$39.9 million. Anticipated revenue for the next biennium includes \$15.6 million from airline flight property taxes, \$6.2 million from aviation fuel taxes, \$4.1 million from aircraft registration and \$2.2 million from investment income. In addition, \$60 million in federal revenues are expected. Expenditures fall under five divisions: aeronautics administration, airport development and assistance, air transportation services, civil air patrol and the Mid-American Aviation Resource Consortium.

The second session devoted to the Dept. of Transportation, held Tues., Mar. 19, concentrated on the division of transit, railways and waterways, motor carriers, state road construction, equipment and state road operations. Departmental representatives detailed division goals, explained revenue sources and outlined reallocation decisions.

Budget presentations continue

Members of the Finance Division on Health and Human Services continued the process of hearing the Dept. of Human Services (DHS) budget request at the Tues., Mar. 19, meeting. The division, is chaired by Sen. Don Samuelson (DFL-Brainerd).

Robert Baird, deputy assistant commissioner, began the presentation by

outlining the section dealing with State Operated Residential Care for Special Needs Populations Programs. The budget reflects a recommendation by the DHS to close seven Regional Treatment Center Chemical Dependency Treatment Programs in FY 92. Previously, the DHS recommended as recently as last year, to continue the program. As a result, Samuelson questioned the dramatic shift in policy.

Discussion then centered on funding for Regional Treatment Center (RTC) Program Staff, and funding for RTC salary supplements. Baird explained that approximately 211 staff positions will be eliminated due to a decline in patients in the RTC Developmentally Disabilities Program. Under the recommendation, the budget base for this program will be reduced by \$9 million

The budget also reflects the governor's rejection of the department's recommendation to delay opening five State Operated Community Service (SOCS) facilities for the developmentally disabled. Instead, the governor recommends opening the five SOCS facilities and also one day program.

Lastly, Director Mary Kennedy, addressed funding for the Health Care Management Division. The governor is requesting \$1.64 billion for the next biennium in direct General Fund appropriations for Health Care to Families and Individual Programs. Kennedy said that a majority of these services are to receive approximately 54 percent in federal matching funds. The federal dollars are returned to the General Fund, she said. Kennedy also discussed the proposed elimination of inflationary rate increases for certain types of providers, and the sheltering of assets by patients in nursing homes requesting Medical Assistance.

DOER budget overview

The State Departments Division of the Senate Finance Committee met Tues., Mar. 19, to hear a general overview of the Dept. of Employee Relations (DOER). Newly appointed Commissioner Linda Barton explained that the department trains and develops state employees, and manages the overall insurance program for state employees. She said that goals of the department are to reevaluate the missions of DOER as an organization and promote customer service; re-evaluate the structure to ensure efficiency and productivity; and attempt to lower health care costs while ensuring qualified health care to state employees. Barton went through the seven divisions of the Department: Administration, Employee Health and Benefits, Labor Relations, Staffing and Compensation, Safety and Workers' Compensation, Training and Develop-

ment and Equal Opportunity. She explained that the budget for the next biennium is to remain basically the same as the last biennium. The governor's \$900,000 reduction in the DOER budget in the next biennium can be accounted for by salary, travel and hiring freezes now in effect, Barton said.

The Committee also heard an opening statement from Commissioner of Administration Dana Badgerow. Badgerow explained that the Department of Administration (DoA) is the staff agency charged with managing the internal operations of the executive branch of the state. The governor has given instructions to hold costs steady and absorb inflation, Badgerow said.

Vehicle emissions testing

A hearing on the proposed Pollution Control Agency (PCA) Vehicle Inspection Program headed the agenda of the Finance Division on Environment and Natural Resources on Tues., Mar. 19. Sen. Steven Morse (DFL-Dakota) chairs the committee.

PCA Commissioner Charles Williams told the committee that federal Environmental Protection Agency (EPA) requirements warrant proceeding with the inspection program. He said he will still consider information from an impending Legislative Auditor's report on data in the PCA's Report on Engine Block Heaters. He also said the agency is selecting a contractor to review information relative to the program and report back to the committee.

David Thornton, Air Quality Division, said the testing charge would be \$7.65. Contractor fees would comprise \$6.25 of that cost with the remainder going to the state for the PCA, the Department of Public Safety (DPS), and to payback the \$1.8 million borrowed from the Motor Vehicle Transfer Fund to pay for program implementation. He said a small amount would be collected to ensure program solvency in the future.

Explaining the program, Thornton said that if the estimate for fixing a car newer than 1980 is over \$200, customers qualify for a waiver they agree to an emissions checklist. However, if the estimate is less than \$200, the car must be repaired. There is a repair cap of \$75 on cars between 1976 and 1979, and cars older than 1975 do not have to be repaired.

Keith Ness, PCA, said the PCA's appropriation for the program is \$1.2 million annually for a seven-year period. He said the program's fees amount to an estimated \$8.8 million annually.

The program is scheduled to begin July 1, 1991, and will continue until the Metro Area is in compliance with federal Clean Air Act requirements.

HECB reports

Representatives of the Higher Education Coordinating Board (HECB) appeared before the Finance Higher Education Division Tues., Mar. 19. The panel, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), heard a report along with recommendations on higher education in Minnesota.

Paul Thomas, Policy and Program Planning, HECB, said that a program inventory shows that nearly 3800 programs are offered at Minnesota institutions of higher education, and that about half of these are at the baccalaureate level. With so many programs, there is substantial duplication, he said. One goal of the HECB's efforts is to find unnecessary duplication, said Thomas.

HECB Director David Powers said that the inventory led to several recommendations. Powers said these include: requiring the Board of Regents, the State Board of Community Colleges, the State Board of Technical Colleges, and the State University Board to work to decrease duplication in subbaccalaureate programs; developing legislation to allow personnel to move between systems so that when a program is eliminated at one institution someone employed in one higher education system can transfer to an adjacent program; allowing the HECB to authorize institutions to offer specified degrees; assessing the extension programs at Bemidji, Staples, Southwestern and Hennepin Technical Colleges; and determining opportunities for colocation.

Gaming Regulation

More gambling measures

The Gaming Regulation Committee, chaired by Sen. Charles Berg (DFL-Chokio) met Mon., Mar. 18 to discuss various gambling measures and hear related testimony. Berg distributed a list of gaming measures, already heard by the committee, for possible inclusion in an omnibus gambling regulation bill. Discussion centered on a proposal by Berg to remove bonuses for lottery employees. Berg explained that during a budget crisis, it is inappropriate to reward an employee, in this case the lottery director, for selling more tickets.

Among the other measures discussed and included on Berg's list were: allowing half of the costs of a required yearly audit to be paid for as a lawful purpose and half as an allowable expense; changing the tax on ideal gross from two percent to 1.6 percent; allowing hard cards instead of paper cards for small bingo operators; changing licensing requirements to two years instead of each year; appropriating funds for compulsive gambling treatment programs and establishing a \$100 threshold on recipient acknowledgment

forms. The committee agreed not to take any formal action on the measures until a later date.

Focus then shifted to S.F. 324, a bill sponsored by Berg, that abolishes the Department of Gaming and the position of commissioner of gaming. The measure also eliminates paddlewheels and video games of chance as forms of lawful gambling. Sen. Dean Johnson (IR-Willmar), offered an amendment that allows paddlewheels to stay in operation provided that the prizes are kept at a \$50 limit. Currently the law allows a \$500 prize limit. The amendment also requires the Charitable Gambling Board to promulgate rules governing operating procedures, internal control standards, posted information, records, and reports. The amendment was defeated on a roll call vote of 5-5. S.F. 324 was approved and rereferred to the Governmental Operations Committee.

The committee also discussed S.F. 506, a bill to require annual financial audits for organizations with gross receipts over \$1 million and to require financial statements for organizations making less than that amount. The measure allows half of the expense of the annual audit be paid as a lawful purpose expenditure and half as an allowable expense.

Tom Anzelc, director, Lawful Gambling Division, spoke in opposition of the bill. The control board does not support the audit in its present form and does not support Berg's measure, Anzelc said. He said that the audit is a tax issue and the Dept. of Revenue should assure tax compliance. At present, all licensed organizations are required by rule to have an annual audit, Anzelc explained. No action was taken on the bill.

Gambling changes proposed

Sen. Patrick McGowan (IR-Maple Grove) presented a measure eliminating the combined receipts tax. The measure, S.F. 671 also eliminates required reporting of allowable expenses. McGowan said the bill will bring fairness, uniformity and equity to lawful gambling organizations and streamline paperwork. In addition, the proposal changes the ideal gross tax on tipboards and pulltabs to 4.5 percent while setting the prize payout at 75 percent. The bill also repeals the posting mandate, making it optional. At the same time, the board may require posting as a sanction against organizations who have defaulted, McGowan explained. Tom Anzelc, director, Lawful Gambling Division of the Dept. of Gaming, told committee members that he strongly opposed repealing the posting requirement. Anzelc also spoke in opposition of eliminating allowable expense reporting. Anzelc suggested that a reference to "expenses directly relating to the conduct of lawful gambling," would be acceptable to the board.

Patrick Finnegan, an attorney for the Dept. of Revenue, testified that the department supports the 4.5 percent tax on gross receipts. He said it would be a positive step toward enforcement, compliance and record-keeping. The department is not concerned with the expenditure except as it relates to taxes, Finnegan said. The bill was laid over.

Sen. Joe Bertram (DFL-Paynesville) briefly explained two bills that remove certain restrictions on lawful gambling. S.F. 390 removes restrictions on treating liability insurance premiums as allowable expense. The bill strikes language in statute that prevents commercialization. The proposal also allows gambling managers to complete training after licensing. The bill was laid over. S.F. 389 repeals the posting requirement and allows the acceptance of personal checks for gambling purchases. The measure removes the requirement for organizations to report purchases of gambling equipment and register net profit recipients and allows unlimited bingo occasions. S.F. 389 was also laid over.

A bill prohibiting any state funds to be spent on lottery advertising was considered. S.F. 721 does not block local advertising of lottery products, the bill's author, Sen. John Marty (DFL-Roseville), explained. Sen. Leonard Price (DFL-Woodbury) said that the state would have no control over how local advertisers advertise. "It makes more sense for us to allow it and control it," Price said. The bill was laid over until a later date.

Health and Human Services

Four bills advanced

A bill establishing a tax checkoff on Minnesota's income tax forms and property tax refund forms for foodshelf programs was heard at the Thurs., Mar. 14, meeting of the Health and Human Services Committee.

Sen. Linda Berglin (DFL-Mpls.), chair of the committee and author of S.F. 374, said the bill offers citizens one more option to help raise funds for foodshelf programs in Minnesota. The bill establishes a foodshelf account in the General Fund for the purpose of receiving contributions designated on income tax returns and property tax refund forms.

An amendment offered by Berglin, and adopted by the committee, designates the Minnesota Food Shelf Association as the statewide grantee; establishes eligibility standards for foodshelves; and specifies restrictions on the use of donated money by the foodshelves.

Proponents added that the bill ensures that foodshelves will be able to meet the immediate needs of people by making a difference between eating and not eating.

Karen Vitalis, speaking against the bill, said that the measure would decrease monthly donations to the foodshelves.

Committee update

and also decrease citizen participation in food drives. The bill was recommended to pass and was referred to the Committee on Taxes.

In other action, the panel advanced three bills. S.F. 453, authored by Sen. Pat McGowan (IR-Maple Grove), establishes a juvenile detention services subsidy program. The measure is designed to remove juveniles from approximately 250 adult correction facilities. The bill was approved and rereferred to the Governmental Operations Commit-

S.F. 583, authored by Sen. Carol Flynn (DFL-Mpls.), clarifies the requirements for the vaccination of children. Under the bill, two doses of vaccine against measles, mumps and rubella are required for students entering grades 7 through 12 from 1992 through 1997. In addition, the bill establishes immunization requirements for children of various ages enrolled in child care facilities, and adds haemophilus influenza type b to the list of diseases for which immunizations must be given.

S.F. 550, authored by Sen. Sandy Pappas (DFL-St. Paul), clarifies the requirements for laboratories that test employees for drugs. The measure requires employers to use labs that are certified by the National Institute on Drug Abuse or labs licensed under federal drug testing laws and regulations. Also, the measure requires that a non-certified testing laboratory follow chain-of-custody procedures, and establishes chain-of-custody requirements for drug samples.

Both S.F. 550 and S.F. 583 were approved and sent to the floor.

Pediatric bill approved

Members of the Health Care Access Division, chaired by Sen. Pat Piper (DFL-Austin), approved a bill, Mon. Mar. 18, that creates a special account for pediatric access and outpatient training within the Dept. of Health. S.F. 641, sponsored by Piper, is designed to encourage medical students and residents to specialize in pediatrics. The bill establishes the goals and components of the program, and designates that all monies be appropriated to the Dept. of Pediatrics at the University of Minnesota School of Medicine.

Piper is requesting that the state appropriate \$1.5 million the first year to fund the training program. According to Luann Nyberg, representing the Children's Defense Fund, the state appropriated \$7 million from the general fund in 1989 to provide funding for family practice resident training.

Panel members also discussed S.F. 744, authored by Sen. Linda Berglin (DFL-Mpls.), which is a Dept. of Health

housekeeping bill. The bill clarifies licensing requirements for residential programs that serve individuals with chemical dependency; establishes procedures for appealing a transfer or discharge from a nursing home; authorizes that the commissioner can order a facility to readmit a resident if the discharge or transfer was in violation of state or federal law; sets time limits for civil penalty appeals under nursing home licensing laws; and provides for procedures when contesting findings under the Vulnerable Adults Act. An amendment specifies that the commissioner of health can approve a competency evaluation program for nursing assistants, and describes the Dept. of Health's procedures for hearing appeals in cases of abuse, neglect or misappropriation of property by nursing assistants.

Berglin said the bill is only temporary until federal rules are adopted. Both bills were approved and referred to the full Health and Human Services Committee.

In other action, panel members heard testimony on S.F. 422, establishing a board of chemical dependency counselors. The measure is sponsored by Sen. Sam Solon (DFL-Duluth). The bill was laid over for further discussion.

Judiciary

Two bills advanced

The Judiciary Civil Law Division, chaired by Sen. Richard Cohen (DFL-St. Paul), approved two bills and referred them to the full Judiciary Committee at the Fri., Mar. 15, meeting.

S.F. 503, sponsored by Lawrence Pogemiller (DFL-Mpls.), provides for continuation of the state's takeover of public defender costs for some misdemeanor and juvenile offenses in the third and sixth judicial districts.

The measure also provides for public defender representation of an individual accused of some misdemeanor and juvenile offenses in the juvenile courts in the second, third, fourth, sixth and eighth judicial districts.

S.F. 403, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake) clarifies amendments to the Uniform Commercial Code that relate to personal property leases. Under the bill, parties of lease contracts are allowed to either assign their interests to a third party or grant a security interest against leasehold rights. In addition, the bill clarifies under what circumstances a lessor is not entitled to the right of self-help repossession; and provides new formulas for calculating damages following a default by a lessee. The bill also repeals the Bulk Sales section of the Uniform Commercial Code.

Public defender bill

The Judiciary Criminal Law Division, chaired by Sen. John Marty (DFL-Roseville), revisited S.F. 156, the bill changing the organization and administrative authorities in the state public defense system.

Bill author, Sen. Allan Spear (DFL-Mpls.) offered two amendments that make changes arising from testimony provided at the last division meeting. Spear said that the bill incorporates a State Board of Public Defenders resolution calling for a board with at least three members from Greater Minnesota. Other changes included striking a provision in the original bill that extends the term of the state public defender and establishes that the state public defender is not supervised by, but must report to the board.

The most significant change made by the amendments, said Spear, is in the appointment of chief district public defenders. The amendments reestablish the current appointment process whereby the chief district public defender is appointed by an ad hoc board, and not the state public defender. The amendment also changes the membership of the ad hoc board by removing county commissioners from its membership.

Minnesota Supreme Court Chief Justice A.M. "Sandy" Keith spoke on behalf of the bill. He said that the bill addresses issues of appointment and reorganization. The court also supports efforts to have diverse representation on the state board, he said. Resolving the issues of organization and administration is important so that issues of adequate staffing and funding can be addressed, said Keith.

Board member Jesse Overton said the bill reinforces state board employment and appointment practices that do not follow affirmative action guidelines and competitive application processes. Also the provision that calls for judges' participation in the process of appointment of the chief district public defender creates a serious conflict of interest, he said. The bill was held over for further testimony.

Mental health bill gains

S.F. 187, a bill that allows a competent adult to make advanced declarations regarding future intrusive mental health treatment, such as electroshock therapy and neuroleptic medication was approved at the Mon., Mar. 18, Judiciary Committee meeting.

An amendment, authored by Sen. Allan Spear (DFL-Mpls.), provides that a competent adult may declare preferences or instructions regarding treatment or may designate a proxy to make decisions

about treatment; specifies notarizing procedures; specifies that the declaration must be included in the declarant's medical record; specifies when a declaration is effective; and specifies revocation provisions.

Under current law, a person who objects or refuses treatment must wait for a Jarvis hearing to be given intrusive treatment.

S.F. 254, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), relates to the rights of residents of manufactured home parks. Three amendments were offered and adopted by the committee with little debate. The bill, as amended, specifies that park owners must notify residents of a public sale or the intent to close or convert the park for other uses; outlines the timeframe residents have in making an offer on the park, and requires that residents meet the cash price within 90 days of the date of the purchase agreement. The two measures were approved and were sent to the full Senate for a vote.

In other action, members, chaired by Spear, failed to approve S.F. 113, authored by Sen. Fritz Knaak (IR-White Bear Lake). The bill allows for immediate reformation of an interest in real or personal property that violates the rule against perpetuities upon petition of an individual. In addition, the bill would have repealed the statutory rule against perpetuities, which takes effect Jan. 1,

Privacy bills heard

Members of the Data Privacy Subcommittee, chaired by Sen. Jane Ranum (DFL-Mpls.), met Mon., Mar. 18, to consider two measures.

S.F. 408, authored by Sen. Gene Merriam (DFL-Coon Rapids), establishes a cause of action for invasion of privacy based on public disclosure of private facts. Under the bill, a suit can be brought for publishing information about an individual if it can be shown that the information would be considered highly offensive by a reasonable person and the information is not considered to be of legitimate concern to the public. Opponents argued successfully that the bill allowed lawsuits to be brought for "telling the truth." The bill failed to gain panel approval.

S.F. 70, sponsored by Sen. Richard Cohen (DFL-St. Paul), clarifies that the classification of data is determined by the date on which the request for the data is made. The bill was laid over for further consideration.

Goodtime provisions

The Judiciary Subcommittee on Criminal Justice Oversight met Tues., Mar. 19. Chair Randy Kelly (DFL-St. Paul) said that the panel needed to

thoroughly examine the issue of goodtime. The issue arose in S.F. 224, authored by Sen. William Luther (DFL-Brooklyn Park), a bill allowing discretionary powers and establishing uniformity for goodtime when it is a condition of probation.

Mark Anderson, State Public Defenders Office, said that the term goodtime refers to the practice of shortening the time an incarcerated individual serves in prison or county jail. He said that 10 days of goodtime is generally awarded for each month served in a state correctional facility, and five days for each month served in local facilities. These goodtime provisions are set in two separate state statutes, he said.

One sentencing condition where goodtime is not covered in statute is when a felon is sentenced to time in a local facility as a condition of probation, said Anderson. Judges tend to award goodtime consistent with the five day for each month served standard, he said, but judges in some counties do not.

Local Government

Mandate management

S.F. 448, a measure to regulate the development, imposition and management of state mandates was the topic of discussion at the Tues., Mar. 19, meeting of the Senate Local Government Committee. The bill, authored by Sen. Steven Morse (DFL-Dakota), defines mandates and other terms relating to state mandates. The measure creates a new division of state and local mandates in the office of state auditor to prepare fiscal notes on any state action that forces local units of government to incur costs. Sen. Florian Chmielewski (DFL-Sturgeon Lake) said that the bill is a giant step forward in reducing mandates and cutting red-tape. The bill was approved and re-referred to the Governmental Operations Committee.

Also considered was S.F. 333, authored by Sen. Randy Kelly (DFL-St. Paul), increasing the hotel-motel tax for the city of St. Paul from two percent to three percent. The bill was approved and re-referred to the Committee on Taxes and Tax Laws. The Local Government Committee is chaired by Sen. Betty Adkins (DFL-St. Michael).

Metropolitan Affairs

LRT debated

The Thurs., Mar. 14, meeting of the Metropolitan Affairs Committee was devoted to hearing testimony on the Light Rail Transit (LRT) System. The committee is chaired by Sen. Don Frank (DFL-Spring Lake Park).

Panel members heard testimony in support of LRT from Anoka County Commissioner Paul McCarron, and representatives of the Energy Task Force. Proponents said LRT is necessary if Minnesota is truly committed to solving the transportation problem in the Metro Area.

McCarron, in his testimony, recommended that the best corridors to begin construction on are the Northwest and Hiawatha corridors. In addition, he told members that federal funding is available, but only until the end of April.

The committee also heard testimony from John Riley, commissioner of the Dept. of Transportation. He disputed McCarron's testimony on the limited availability of federal funding. Riley told committee members that Minnesota has two sources of federal funding. One source, he said, is reconstruction highway funds and the second source is New Start funds. Riley also told members that there will be approximately \$300 million available in New Start money after Congress passes a new authorization bill. However, he cautioned members that there is no guarantee Minnesota will receive any New Start funding. But, he told members that Minnesota is guaranteed highway funding.

Riley told members that the state will need to consider multiple alternatives to attempt to resolve urban congestion. The alternatives include expanding existing highways, encouraging car pools, using more express buses and possibly the construction of LRT.

LRT bus feeder system

The Metropolitan Affairs Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Tues., Mar. 19, to discuss the Light Rail Transit (LRT) Feeder Bus System Plan.

John Diers, maintenance administrator for the Metropolitan Transit Commission (MTC), and Scott Thompson, senior service planner for the MTC, explained the plan in detail.

Thompson said the LRT Bus Feeder System will allow travel times to remain constant, provide shuttle service for people from urban areas to the suburbs, provide suburb to suburb travel and lastly reduce bus traffic in downtown Minneapolis. Diers said additional costs will result if feeder buses are included in the LRT System. However, he said, the costs will be offset by reductions in duplicate bus routes.

In other action, Senators discussed S.F. 385, authored by Frank. The bill removes four outstate members of the Metropolitan Airports Commission (MAC) and requires that the chair of the commission be confirmed by the Senate. The bill was laid over for further discussion.

Committee update

Redistricting

Redistricting deadlines

The Redistricting Committee, chaired by Sen. Roger Moe (DFL-Erskine), met Tues., Mar. 19, and advanced two bills. S.F. 643, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), sets forth redistricting goals and deadlines. The measure specifies the deadlines in terms of counting back from the date of the statewide primary. Thus, wards must be redistricted at least 19 weeks before the state primary, that is by May 5, 1992. Other election districts must be redistricted by June 2, 1992 and precinct boundaries must be reestablished by May 5, 1992. The measure also spells out the rights of voters to apply for revisions of redistricting plans and specifies that the voter must begin the procedure between within one week after the plan has been filed and no later than June 9, 1992. The measure also specifies the duties of the secretary of state after redistricting has been completed. The bill was approved and rereferred to the Committee on Finance.

The second bill, S.F. 644, also sponsored by Pogemiller, specifies that no municipality or school district may conduct a special election during the 19 weeks before the state primary, except for special elections conducted on the date of the school district general election. The bill also sets forth the procedures for publicizing new congressional, legislative and county commissioner district boundaries and requires precinct boundaries to follow physical features. Finally, the measure changes the requirements for polling places. The bill was approved and rereferred to the Committee on Elections and Ethics.

Taxes and Tax Laws

Homestead credit bills

Three bills extending homestead credit treatment in specific circumstances were advanced to the full committee by members of the Taxes and Tax Laws Division on Property Tax and Local Government Aids at the Wed., Mar. 20, meeting. The panel, chaired by Sen. Ember Reichgott (DFL-New Hope), also continued the discussion of a departmental property tax administration bill but delayed action on the measure.

S.F. 71, authored by Sen. Dean Johnson (IR-Willmar), extends agricultural homestead treatment to a noncontiguous homestead if it is contiguous to agricultural land, land owned or administered by the U.S. Fish and Wildlife Service, or land administered by the DNR on which in lieu taxes are paid.

S.F. 111, sponsored by Sen. Phil Riveness (DFL-Bloomington), provides homestead treatment for a residence that is occupied by a parent of the owner of the property if that parent has a permanent disability. S.F. 556, authored by Sen. Leonard Price (DFL-Woodbury), provides homestead treatment to property for which a relative of the occupant is a co-owner of the property in order to enable the occupant, a first time homeowner, to qualify for financing and provides that when a homestead has been occupied by two or more persons in joint tenancy the homestead will continue to receive homestead treatment if one of the owners moves out but the remaining occupant continues to live in the residence.

Transportation

Omnibus bill

The Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent), met Thurs., Mar. 14, to discuss a number of bills, one of which is an omnibus "housekeeping" bill for the Department of Transportation.

S.F. 528 is a transportation omnibus bill authored by Sen. Phil Riveness (DFL-Bloomington). Among the provisions in the bill is an authorization for state departments to cancel uncollectible debts of up to \$200 and employ debt collection services. Riveness said the amount of litigation required to collect the debts in some cases exceeds the amount owed. Another provision authorizing the use of white strobe lamps on road maintenance vehicles during daylight met with objections from a representative from the Minnesota School Bus Operation Association. Joe Beatty indicated that the provision could result in confusion for drivers, who have been conditioned to recognize that the only vehicles operating strobe lights during daylight are school buses. Riveness asserted that half of the almost 50 yearly snowplow/vehicle accidents could be cut in half with the provision.

Another portion of the bill allows the Chippewa Tribe in Cook County to trade land with the department. Other sections allow the placement of fiber optic cables or conduits in all freeway rights-of-way and authorize the commissioner to adopt rules providing for placement fees. A representative from US West testified that if utilities are charged by the department for placing cables, customer utility rates would have to be raised. Riveness agreed to delete those provisions from the bill.

S.F. 292, authored by Sen. Cal Larson (IR-Fergus Falls), specifies that a route consisting of trunk highways 210 and 259 be turned back to local governments in

the Fergus Falls area. The bill was amended into S.F. 528.

The committee also approved a bill prohibiting, for a period of 180 days, the issuance of a limited license to a person who has been convicted of manslaughter or criminal negligence with a motor vehicle, or criminal vehicular homicide or injury. S.F. 212, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), was approved and rereferred to the Judiciary Committee.

And, a bill allowing service signs to be erected at trunk highway intersections and other controlled-access roads was approved and will go to the Senate for a vote. Sen. Jim Vickerman (DFL-Tracy), author of H.F. 243, said about 12 businesses throughout the state may be signed.

Ethanol measure okayed

The Transportation Committee okayed a measure establishing a schedule for mandated use of oxygenated gasoline Mon., Mar. 18. The bill defines oxygenated gasoline as a gasoline blend that contains up to 10 percent ethanol.

S.F. 559 also specifies that gasoline sold in ten specified counties must be oxygenated gasoline containing 10 percent ethanol, which is derived mainly from corn. The bill's author, Sen. David Frederickson (DFL-Murdock) said the bill addresses the Metro Area counties incompliance with Federal Clean Air Act requirements. He said that the bill also provides an economic boost to Greater Minnesota corn producers. Opposition to the bill rose from the provision mandating the use of ethanol. Concern was also based on the provision mandating ethanol use in the Metro Area but not in Greater Minnesota. Frederickson countered that the air quality problems are in the Metro Area, and that if the counties are not specified in the bill, current rules would allow them to opt out of the mandate. A representative from the Minnesota Transportation Alliance opposed the bill on the ground that it is subsidized with highway funds. The bill was approved and rereferred to the Energy and Public Utilities Committee.

The committee also heard testimony on two bills relating to motor carrier regulation. S.F. 321, authored by Sen. Lyle Mehrkens (IR-Red Wing), amends the definition of regular route common carrier and redefines transportation of property through preestablished service areas and time schedules. The bill also amends the definition of irregular route common carrier by striking the current restriction against operating between fixed termini or over a regular route or on a regular time schedule. Among provi-

sions in S.F. 790, authored by Committee Chair Gary DeCramer (DFL-Ghent), is a definition of an irregular route common carrier as one that does not operate between fixed termini on a regular basis and does not cross-dock shipments. Trucking industry representatives expressed opposition to S.F. 790 and support for S.F. 321 on the basis said that switching to a regular route carrier would put them out of business and cripple Greater Minnesota businesses through high shipping and delivery rates. DeCramer said testimony on the measures will continue at a later date.

Veterans and General Legislation

Persian Gulf ribbons

A measure authorizing the state adjutant general to issue a state ribbon to each Minnesota National Guard member who served in the Persian Gulf conflict was approved Mon., Mar. 18, in a meeting of the Senate Veterans and General Legislation Committee. The committee, chaired by Sen. Joe Bertram (DFL-Paynesville), heard testimony from Tom Ryan, Executive Director of the Minnesota Army National Guard. Ryan, explained that the measure, S.F. 513, sponsored by Sen. Dean Johnson (IR-Willmar), only applies to members of the the national guard because of a federal law that prohibits the issuance of state ribbons to federal components and that the reserves are under federal jurisdiction. The measure was approved and rereferred to the Finance committee.

A bill that authorizes the Commissioner of Human Services to pay emergency child care assistance to military spouses or dependents was discussed and approved. The measure, S.F. 759, carried by Bertram, spurred considerable debate on fairness. Vicki Kunerth, Supervisor of the Child Care Fund Administration, Dept. of Human Services, told committee members that the end result of the legislation would be that certain families would be bumped from the waiting list if the measure were implemented. She explained that in the majority of Minnesota counties there is no waiting list, but that in certain counties, the waiting list is two or three years long. Bertram urged the committee to approve the measure and allow the discussion to be resumed in the Health and Human Services Committee. The measure was approved and rereferred to Health and Human Serv-

The committee also took action on S.F. 714, a bill that authorizes the adjutant general to use funds appropriated for land acquisition in either year of the biennium if the appropriation for a single year is insufficient. The measure, carried by Sen. Terry Johnston (IR-Prior

Lake), was approved and sent to the full Senate.

Floor action

Bills processed

Senators conducted a routine floor session Mon., Mar. 18, and granted final passage to four bills and preliminary passage to four additional measures. None of measures engendered a great deal of discussion. H.F. 290, authored by Sen. William Luther (DFL-Brooklyn Park), authorizes an increase in the amount of vacation time a state employee may donate for the benefit of another state employee. H.F. 104, sponsored by Sen. Sam Solon (DFL-Duluth), makes a number of technical changes in the laws regulating automatic garage door opening systems. S.F. 132, authored by Sen. Janet Johnson (DFL-North Branch), allows a disabled person riding on a transit bus to engage and release the wheelchair securement device without the bus driver's assistance. S.F. 34, authored by Sen. Roger Moe (DFL-Erskine), includes the Red River Valley Winter Shows as a state agricultural society. All four measures received final passage.

S.F. 242, sponsored by Sen. John Hottinger (DFL-Mankato), prohibits the unlawful assignment of motor vehicle contracts. The measure is designed to stop a practice in which a person who is not a party to an auto lease contract, sales installment contract or auto security agreement from gaining control of the vehicle without the written authorization of the creditor, lessor or lienholder. S.F. 205, sponsored by Solon, modifies the allowable delinquency and related charges in premium finance agreements. S.F. 75, sponsored by Sen. Keith Langseth (DFL-Glyndon), extends the deadline for the international airport plan until Jan. 1, 1992. S.F. 468, sponsored by Luther, changes the date for the submission of recommendations by the compensation council from Apr. 1, 1991 until May 1, 1991. Luther said the extension was needed because members of the compensation council wanted to review revenue figures that will be released Mar. 28, before making salary recommendations for agency directors, judges and legislators. All four measures were granted preliminary passage on the General Orders Calendar.

The Thurs., Mar. 21, floor session was devoted to the processing of bills on the Calendar and the General Orders Calendar. All four of the measures given preliminary approval at the Monday floor session received final passage.

The Senate also granted preliminary passage to six bills on the General Orders Calendar. S.F. 425, authored by Sen. Gary Laidig (IR-Stillwater), authorizes

the commissioner of commerce to request an attorney general of another state or another person or entity in the other state to make a demand or bring an action to recover unclaimed property in the name of the commissioner of the other state and authorizes the payment of expenses for the claims. S.F. 5, sponsored by Sen. Douglas Johnson (DFL-Cook), authorizes a benefit increase for police officers, firefighters and surviving spouses in Eveleth. S.F. 368, authored by Sen. Steven Morse (DFL-Dakota), requires the appointment of officers of statutory and home rule charter cities as deputy registrars in those cases where the distance to the county seat is greater than 15 miles.

S.F. 286, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for the organization and powers of neighborhood revitalization policy boards in Minneapolis, St. Paul and Duluth. S.F. 550, sponsored by Sen. Sandra Pappas (DFL-St. Paul), clarifies the requirements for laboratories that conduct employee drug tests and establishes chain-of-custody requirements for drug samples. H.F. 243, authored by Sen. Jim Vickerman (DFL-Tracy), allows specific service signs to be erected at intersections of trunk highways with interstate highways.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6 the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6 the Metro Cable Network.

Also, watch for Senate Report, a weekly public affairs program, featuring lawmakers from specific regions around the state reviewing legislative issues from a regional perspective. Senate Report is broadcast on PBS stations as well as Channel 6 the Metro Cable Network.

The following is the schedule for broadcast of Senate Report.

Austin KSMQ - 11:30 a.m. Sundays;
Duluth WDSE - 11:30 a.m. Sundays;
Appleton KWCM- 11:30 a.m. Sundays;
Bemidji KAWK/KAWE - 11:30 a.m. Sundays (Beginning Feb. 3);
 Fargo KFME 11 a.m. - Saturdays (Beginning Feb. 2);
and Channel 6, the Metro Cable Newtwork - 6:30 p.m. Mondays and 7:30 p.m. Wednesdays.

Senate phone numbers

For copies of bills (voice mail)	296-2343
For index and information	296-0504
For committee schedules	296-8088
For TDD	296-0250
For TV comment	296-0264

Preview

The Minnesota Senate Week at a Glance

Monday, March 25

Education Division on Higher Education

Chair: John Hottinger

8 a.m. Room 15 Capitol

Agenda: Overview of the MSPAN II recommendations from the HECB. S.F. 444-Price: Providing a two-year tuition exemption to Minnesota veterans of the Persian Gulf War. S.F. 563-Hottinger: Grant programs for nurse education.

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: Overview by the Dept. of Revenue. Presentation by non-profit lawful gambling organizations.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: S.F. 597-Chmielewski: Employment practices during strikes. S.F. 596-Chmielewski: Worker's Compensation.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Dept. of Public Safety budget hearing.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 177-Berg: Right of first refusal. S.F. 268-Marty: Human Rights Act statute of limitations. S.F. 354-Luther: School bus traffic safety. S.F. 395-Reichgott: Corporate law amendments. S.F. 400-Kelly: Use of deadly force by peace officers. S.F. 403-Finn: UCC conforming amendments related to leases and bulk sales. S.F. 404-Kelly: Peace officer education. S.F. 482-Reichgott: Corporate takeover amendments.

Veterans and General Legislation Committee

Chair: Joe Bertram

10 a.m. Room 112 Capitol

Agenda: S.F. 806-Bertram: Continuing the public fire safety educator program.

Legislative Commission on Pensions and Retirement Subcommittee on

Actuarial Services

Chair: Gene Waldorf

10 a.m. Room 400 South SOB

Agenda: Continuation of consideration of actuarial services.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 107 Capitol

Agenda: S.F. 951-Pogemiller: Housing provisions. S.F. 648-Pogemiller: Rental housing provisions and programs. S.F. 632-Morse: Establishing a small business innovation marketing program. S.F. 402-Dahl: Establishing regional international trade service centers. S.F. 554-Frederickson, D.R.: Traverse de Sioux history center appropriation.

Judiciary Subcommittee on Data Privacy

Chair: Jane Ranum

12 noon Room 318 Capitol

Agenda: S.F. 434-Marty: Prohibiting sale of motor vehicle and driver's license lists for commercial use. S.F. 762-Pappas: Disclosure of birth records of out-of-wedlock children.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: Continuation of S.F. 598-Langseth: Transportation Study Board bill (Articles 2,5,9,7 and 8). S.F. 345-Bertram: Establishing a rustic road system. S.F. 799-Moe, R.D.: Establishing natural preservation routes.

Senate session at 2 p.m.

Education Division on Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: S.F. 169-Dicklich: Parent to parent support programs. Funding for school accessibility. Kids Plus Program. S.F. 122-Pappas: Parent education opportunities programs. S.F. 613-Pappas: Early Childhood Family Education for families with limited English. S.F. 681-Reichgott: Early Childhood Family Education. S.F. 824-Knaak: Foreign exchange student status.

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Room 123 Capitol

Agenda: Budget review of the LCMR.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: S.F. 222-Samuelson: Optometry bill. S.F. 932-Marty: Interpreter fees (DHS). S.F. 383-Frederickson, D.J.: Death records availability to coroners and medical examiners. S.F. 910-Berglin: Dept. of Health housekeeping bill. S.F. 609-Berglin: Marijuana legalization for medical treatment. S.F. 310-Berglin: Brain and spinal cord injury. S.F. 414-Berglin: Drug abuse. S.F. 917-Berglin: DHS child support bill. S.F. 829-Berglin: Child support study.

Environment and Natural Resources Subcommittee on Public Lands and Water

Chair: Len Price

4 p.m. Room 318 Capitol

Agenda: S.F. 219-Dahl: Authorizing sale of tax-forfeited lands in Anoka County. S.F. 305-Dahl: Water maintenance and repair fund for the Coon Creek Watershed District. S.F. 505-Laidig: Private sale of tax-forfeited lands in Washington County. S.F. 515-Finn: State land timber permit number increase. S.F. 732-Lessard: Timber cutting deposit requirement alternative. S.F. 754-Chmielewski: Transfers state land to Moose Lake.

Commerce Subcommittee on Insurance

Chair: William Luther

6 p.m. Room 125 Capitol

Agenda: S.F. 2-Berglin: Health Care Access bill. S.F. 501-Merriam: Small employer health benefit plan bill.

Health and Human Services Division on Health Care Access

Chair: Pat Piper

6 p.m. Room 15 Capitol

Agenda: S.F. 91-Berglin: Wage fairness. S.F. 783-Dahl: DHS Infectious Waste Act. S.F. 604-Dicklich: Health assurances plan.

Health and Human Services Subcommittee on Social Services

Chair: Carol Flynn

6 p.m. Room 107 Capitol

Agenda: S.F. 226-Samuelson: Fiscal

limits on social service mandates. S.F. 469-Day: Consolidating county mental health and social service planning. S.F. 429-Flynn: Amends Clean Indoor Air

Environment and Natural Resources Subcommittee on Fish and Wildlife

Chair: Charles Berg

7 p.m. Room 123 Capitol

Agenda: S.F. 278-Larson: Repealing deer license accompaniment by absentee voter application. S.F. 497-Merriam: Special hunting seasons for people with disabilities.

Tuesday, March 26

Education Subcommittee on Indian Education

Chair: Jane Ranum

8 a.m. Room 318 Capitol

Agenda: S.F. XXX-Ranum: Omnibus Indian Education bill. S.F. 479-Traub: Neighborhood preschool home instruction program grant.

Finance Division on Health and Human Services

Chair: Don Samuelson

8 a.m. Room 125 Capitol

Agenda: Budget hearings for the health related boards for FYs 1992-93.

Local Government Committee

Chair: Betty Adkins

8 a.m. Room 107 Capitol

Agenda: S.F. 948-Hottinger: Mankato and North Mankato improvement debt and tax provisions. S.F. 499-Bertram: County assistance with State Fair exhibits.

Legislative Commission on Pensions and Retirement

Chair: Rep. Leo Reding

8 a.m. Room 10 SOB

Agenda: H.F. XXX-Johnson, R.: TRA administrative provisions. Budget request of the LCPR. Consideration of the following bills: S.F. 377-Waldorf: Local police and paid firefighter plans, S.F. 677-Pogemiller: Mpls. firefighter surviving spouse benefit, S.F. 338-Waldorf: Legislators plan, S.F. 10-Chmielewski: PERA Carlton County, S.F. 279-Storm: MTRFA, S.F. 297-Belanger: TRA service credit purchase, S.F. 537-Halberg: Eagan PERA, S.F. 9-Chmielewski: PERA, S.F. 192-Bertram: Judges benefit reduction, S.F. 236-Solon: Duluth police, S.F. 646-Solon: Duluth police surviving spouse coverage, S.F. 112-Frederickson, D.J.: Ambulance personnel, S.F. 244-Hottinger: Mankato PERA police and firefighters, S.F. 314-Laidig: PERA St. Paul.

Agriculture and Rural Development Committee

Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: S.F. 685-Sams: Establishing "Minnesota Pure" dairy products. S.F. 517-Morse: Bovine somatotropin (BST) free dairy product certification. S.F. 664-Bertram: Grocery store licensing.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: S.F. 944-Novak: Energy conservation bill.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: S.F. 470-Dahl: Metropolitan Mosquito Control Commission (MMCC) property lease authority. S.F. 536-Storm: MMCC property lease authority. Continuation of MMCC overview.

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: S.F. 37-Luther: Insurance company solvency bill. S.F. 880-Spear: Bank check verification changes; worthless check provisions.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: To be announced.

Legislative Coordinating Commission Subcommittee on Salaries and Budgets

Chair: Roger D. Moe

2:30 p.m. Room 500 North SOB

Agenda: Review of budgets of all legislative commissions and joint agencies.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

3 p.m. Room 125 Capitol

Agenda: Dept. of Public Safety budget hearing.

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Room 107 Capitol

Agenda: Budget hearing for the DNR.

Finance Division on State Departments

Chair: Carl Kroening

3 p.m. Room 123 Capitol

Agenda: Budget overviews for the Depts.

of Finance and Military Affairs and the Housing Finance Agency.

Taxes and Tax Laws Division on Property Tax and Local Government Aids

Chair: Ember Reichgott

3 p.m. Room 15 Capitol

Agenda: Presentation by Commercial Industrial Tax Equity (CITE). S.F. 166-Novak: Reducing homestead class rate. S.F. 280-Novak: Reducing homestead property tax class rate. S.F. 361-Knaak: Reducing homestead class rate. S.F. 405-Price: Reducing homestead class rate. S.F. 541-Kelly: Reducing rental property class rate. S.F. 578-Traub: Reducing homestead class rate.

Legislative Coordinating Commission

Chair: Rep. Robert Vanasek

3:30 p.m. Room 500 North SOB

Agenda: Appointments to the Legislative Commission on Planning and Fiscal Policy. Report of the Subcommittee on Salaries and Budgets.

Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water

Chair: Charles Davis

7 p.m. Room 112 Capitol

Agenda: S.F. 3-Davis: Wetlands bill.

Judiciary Division on Criminal Law

Chair: John Marty

7 p.m. Room 15 Capitol

Agenda: S.F. 156-Spear: Modifying administration of the statewide public defender system. S.F. 273-Ranum: Child abuse and neglect extended to medical neglect caused by reliance on spiritual health care. S.F. 588-Finn: Criminal damage to timber and wood processing equipment.

Wednesday, March 27

Education Subcommittee on Governance and Structures

Chair: Tracy Beckman

8 a.m. Room 15 Capitol

Agenda: S.F. 630-Reichgott: Authorizing outcome-based schools. S.F. 348-Riveness: School district levies for facility replacement and restoration. S.F. 86-Ranum: Post-probationary teacher termination dispute arbitration. S.F. 340-Benson: Independent School Dist. 239 special operating debt levy.

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 506-Berg: Requiring record

keeping, reports, and audits by licensed gambling organizations.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: S.F. 384-Frank: Dislocated worker fund. S.F. 764-Dahl: Amusement ride safety. S.F. 707-Gustafson: Boiler and pressure vessel inspection. S.F. 407-Waldorf: High-pressure piping.

Judiciary Division on Civil Law

Chair: Richard Cohen

10 a.m. Room 125 Capitol

Agenda: S.F. 591-Stumpf: Joint and several liability.

Judiciary Division on Criminal Law

Chair: John Marty

10 a.m. Room 15 Capitol

Agenda: S.F. 494-Spear: Intensive probation for repeat DWI offenders. S.F. XXX-Marty: Implied consent law advisory. S.F. 716-Reichgott: Domestic abuse penalties, arrest powers and probation. S.F. 276-Kelly: Felony penalties for intentionally disarming a peace officer.

Veterans and General Legislation Committee

Chair: Joe Bertram

10 a.m. Room 112 Capitol

Agenda: To be announced.

Senate session at 12 noon.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: To be announced.

Redistricting Committee

Chair: Roger D. Moe

1 p.m. Room 123 Capitol

Agenda: Continued discussion of concurrent resolutions on redistricting standards.

Finance Division on Education

Chair: Le Roy Stumpf

3 p.m. Room 107 Capitol

Agenda: Budget hearing for the U of M. Discussion on the NRRI/Vermillion Community College building project.

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Room 318 Capitol

Agenda: Budget hearing for the DNR.

Finance Division on State Departments

Chair: Carl Kroening

3 p.m. Room 123 Capitol

Agenda: Budget hearings for the State Board of Investment, Office of Administrative Hearings and the Dept. of Revenue.

Thursday, March 28

There are no Senate meetings scheduled.

Friday, March 29

There are no Senate meetings scheduled.

Information Office services profiled

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request 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.

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

March 29, 1991

Health care bills advance

Two bills that take different approaches to providing affordable health care coverage to uninsured Minnesotans cleared the Commerce Subcommittee on Insurance Tues., Mar. 26. S.F. 2, authored by Sen. Linda Berglin (DFL-Mpls.), establishes the Minnesotans' health care plan to provide health coverage to uninsured and underinsured Minnesotans. The measure requires all Minnesotans to maintain health care coverage and provides assistance to those who are unable to afford coverage. The subcommittee, chaired by Sen. William Luther (DFL-Brooklyn Park), considered and adopted a number of amendments. One of the more significant amendments deleted provisions in the bill that creates a Department of Health Care Access. Under the amendment, the duties originally prescribed for the new department are assigned to the Department of Health. A second amendment requires the commissioner to adopt, by rule, asset limitations and transfer prohibitions to be applied in determining an individual's or family's eligibility for a subsidy. A third amendment provides that the intermediate benefit set covers care provided by doctors of chiropractic and provides limits on the number of visits.

The second bill, S.F. 501, authored by Sen. Gene Merriam (DFL-Coon Rapids), is designed to enable small employers to provide health insurance to their employees. The plan is a no frills, voluntary program to provide health insurance to uninsured Minnesotans, Merriam said. Several amendments were offered and adopted by members of the panel. One of the most significant includes mental health care and alcoholism and chemical dependency treatment in the list of minimum benefits set forth in the bill. In addition, the amendment caps the annual maximum benefit for any one person at \$75,000. Originally, the bill did not include coverage for mental health or chemical dependency treatment and the bill specified a lifetime benefit cap of \$500,000. A second amendment adds chiropractic services to the list of minimum benefits in the bill.

Both bills were advanced to the full committee.

At the Wed., Mar. 26, meeting of the Commerce Committee both bills were

discussed, approved and rereferred to other committees.

Sen. John Hottinger (DFL-Mankato) offered, and the committee adopted, two amendments to S.F. 501. Both amendments add to the list of minimum benefits in the bill. The first amendment includes coverage of prescription drugs subject to a \$5 co-payment. The second amendment removes coverage for children from coinsurance and deductibles. Both amendments were opposed by Merriam because of the added cost for coverage per employee per month. A third amendment, offered by Sen. Sandra Pappas (DFL-St. Paul), authorizing coverage of services by registered nurses, nurse-midwives and nurse practitioners in addition to coverage of services by physicians, was also adopted. S.F. 501 was approved and rereferred to the Committee on Health and Human Services.

The Health Care Access bill, S.F. 2, sponsored by Berglin, was approved and rereferred to the Governmental Operations Committee.

Wetlands bill

S.F. 3, the wetlands preservation bill cleared its first Senate hurdle Tues., Mar. 26, when members of the Joint Agriculture/Environment and Natural Resources Ad Hoc Committee on Water advanced the bill to the full Environment and Natural Resources Committee.

The panel, chaired by Sen. Charles Davis (DFL-Princeton), debated the measure and considered numerous amendments before granting approval to the bill. One amendment sets forth a timeline for the identification of wetlands and for landowner appeals. The amendment also specifies that Mar. 1, 1992, is the deadline for proposed rules to be submitted to the Legislature. Another amendment includes an educational component in the bill by authorizing the Board of Water and Soil Resources to make grants for the education and training of local government officials relating to the implementation of the wetlands bill. A third amendment provides for the valuation of agricultural lands, including wetlands, for property tax purposes. Finally, the panel also adopted an amendment clarifying activities for which a wetland use permit is not re-

quired. The panel failed to adopt three other amendments. The most significant amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), would have altered the wetlands classification system in the bill and would have included terminology relating to water regimes as part of the system. The amendment failed on a voice vote.

Permanent replacement bill

The Senate Employment Committee okayed a bill designating certain hiring practices during a strike or lockout as unfair labor practices at the Mon., Mar. 25, meeting. Sen. Florian Chmielewski (DFL-Sturgeon Lake) chairs the committee.

H.F. 304 makes the hiring of permanent replacement workers during a strike or lockout by employers with certified bargaining units an unfair labor practice. Chmielewski, sponsor of the bill, said thirty percent of walkouts end in the hiring of permanent replacements. He said the bill is an attempt to restore balance in the collective bargaining system.

Bernie Brommer, president of the AFL-CIO, said the bill addresses an increasing trend in permanent replacement hires during strikes by restoring the legal right to strike. Jack Mogelson, Minnesota Teamsters president, added that there is no bargaining power if the opportunity to strike is not an option.

But Sen. Charles Halberg (IR-Burnsville) said there is no evidence of a trend in permanent replacement hiring and that the percentage of permanent replacement hires hovers at 4 percent, not 30.

George Hawkins, Association of Builders and Contractors, supported Halberg's statistics and said the measure should be postponed until Congress makes a decision on pending legislation that is virtually the same. Other testimony opposed the measure on the grounds that it would not affect large businesses that are subject to federal laws governing interstate commerce. Jerry Olson, Chamber of Commerce, added that current law strikes the balance in collective bargaining by protecting both employer and employee.

The measure was okayed on a roll call vote and goes to the Senate floor.

Committee update

Agriculture and Rural Development

Premium milk bill gains

A bill establishing a "Minnesota premium" category for dairy products was approved at the Tues., Mar. 26, meeting of the Agriculture and Rural Development Committee. S.F. 685, authored by Sen. Dallas Sams (DFL-Staples), specifies that the term "Minnesota premium" may only be used on milk and dairy products made from milk from dairy cows certified by the producer to be free from artificial growth drugs and other artificial drugs or hormones. The measure also sets forth the procedures to follow in order to participate in the program, specifies record keeping requirements and provides that a processor that manufactures milk products for sale as Minnesota premium products must pay the producer a price of at least \$1.00 per hundredweight higher than is paid to noncertified milk producers. The bill also specifies the duties of the commissioner and authorizes the Minnesota Dairy Promotion Council to provide funds for producers or manufacturers of Minnesota premium dairy products to promote the products.

Testimony on the measure questioned the need for the bill and expressed concern that consumers, who are already well served by the quality of Minnesota dairy products, would be misled by the term "premium." The bill was approved and rereferred to the Committee on Finance on a 6-4 roll call vote.

In other action, the committee, chaired by Sen. Charles Davis, also adopted an amendment and approved the grocery licensing bill. S.F. 664, authored by Sen. Joe Bertram (DFL-Paynesville), was amended to include a provision authorizing the commissioner of agriculture to enter into an agreement with a local board of health to delegate all or part of the licensing and inspection duties of the commissioner pertaining to retail food handlers that are grocery or convenience stores. In addition, the amendment also specifies that a board of health must work with the commissioner of agriculture to eliminate duplicate licensing and inspection of grocery stores and convenience stores. The bill was approved and rereferred to the Health and Human Services Committee.

Commerce

Bad check provisions

Members of the Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), devoted most of the Tues., Mar. 26, hearing to discussing a bill that makes numerous changes to laws dealing with bad checks. S.F. 880, authored by Sen.

Allan Spear (DFL-Mpls.), increases bank verification requirements for opening checking accounts, prohibits service charges for dishonored checks on persons other than the issuer, regulates check numbering procedures, requires the commissioner of commerce to adopt rules regarding verification procedure requirements, authorizes fees for obtaining information from financial institutions to assist in prosecution of bad check cases, modifies procedures and liability for civil restitution for holders of worthless checks, authorizes service charges for use of law enforcement agencies to obtain payment of a dishonored check, clarifies criminal penalties and increases the information that banks must provide to holders of worthless checks.

Controversy on the measure centered on a provision prohibiting banks from imposing a fee on a retailer, or individual, who accepts—in good faith—a worthless check. Current law allows the banks to charge the fee, which ranges from \$2 to \$15 per check. Opposition to the provision from the banking industry resulted in a motion, by Sen. James Metzen (DFL-South St. Paul), to delete the provision. The amendment failed on a divided voice vote. A second amendment, offered to the Metzen amendment, deleting the provision that banks may charge law enforcement agencies a fee for providing information to prosecute worthless check cases, also failed to be adopted. The bill was approved and rereferred to the Judiciary Committee.

In other action the panel continued discussing the insurance insolvency bill. S.F. 37, authored by Sen. William Luther (DFL-Brooklyn Park), is designed to enhance the Dept. of Commerce's ability to regulate and enforce laws relating to the insurance industry in order to insure solvency. A number of author's amendments were adopted to get the bill in the shape the author wanted. In addition, the panel adopted an amendment, offered by Sen. Linda Berglin (DFL-Mpls.), relating to investments by health maintenance organizations. Discussion on the measure will continue.

Economic Development and Housing

Housing bill discussed

A bill modifying policies set forth in last year's housing legislation was thoroughly discussed at the Mon., Mar. 25, meeting of the Economic Development and Housing Committee. The panel, chaired by Sen. James Metzen (DFL-South St. Paul), also added several amendments to the measure.

S.F. 951, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), makes changes

to landlord-tenant provisions, clarifies and changes provisions relating to unlawful detainer actions, authorizes two emergency mortgage and rental assistance projects, makes changes to provisions relating to the assignment of rents and receivership, alters housing and redevelopment authority provisions, makes changes to local housing and economic development programs and makes changes in the application of homestead treatment.

Discussion centered on several specific provisions in the measure. The emergency mortgage and rental assistance pilot projects engendered some discussion. According to Pogemiller, the projects are designed to aid homeowners and renters who, because of a sudden change in financial circumstances, are in danger of losing their homes. A provision of the bill that would have allowed the use of project money for security deposits on rental housing was deleted from the measure. Discussion also focused on provisions relating to an accessibility loan program and relating to a program allowing tax credits for housing projects designed for persons with serious and persistent mental illness, with a developmental disability, with physical disabilities, who have been assessed as drug dependent, or with brain injuries. The debate concerned the income limits for the accessibility loan program and the allocation procedure for the tax credits. Both issues were addressed by an amendment that sets the income limit at the maximum allowed under the federal tax code and that clarifies the language in the procedure for allocating tax credits. The panel also adopted an amendment providing that Minneapolis may use taxable bond proceeds for the rehabilitation of single family housing for persons with an adjusted gross income of 175 percent of the median income of the seven county metropolitan statistical area.

An amendment, offered by Sen. Randy Kelly (DFL-St. Paul), allowing the St. Paul Housing and Redevelopment Authority to function as an economic development authority generated discussion. However, because of time constraints, the committee took no action on the amendment or on the bill.

Education

Bills heard

The Education Early Childhood and Special Populations Subcommittee met Fri., Mar. 22, to hear bills related to extended day child care programs and school breakfast and lunch programs.

S.F. 580, authored by Subcommittee Chair Judy Traub (DFL-Minnetonka), authorizes a local levy and provides state funds to encourage development and

expansion of day child care programs for school-age children. The programs are funded in part with parent fees, said Traub, and provides a better service for low and moderate income families.

Roz Anderson, Adventure Club, Robbinsdale Area Schools, said that the school system has no formal program of development and growth for times before and after school. Providing programs for students during the off hours will eliminate much of the isolation that contributes to low school performance and risk behavior, she said.

The bill was approved without dissent and referred to the Education Funding Division.

S.F. 519, authored by Sen. Ember Reichgott (DFL-New Hope) prohibits the sale of food or beverage by anyone other than a food service during breakfast or lunch hours. The bill also increases the state funding for lunch programs from 7.5 cents to ten cents per full-paid lunch and provides funding for school breakfast programs.

The bill was held over for further consideration.

MSPAN 2000 report, bill heard

The Higher Education Division of the Education Committee, chaired by Sen. John Hottinger (DFL-Mankato) met Mon., Mar. 25, to hear a presentation of the MSPAN 2000 report from the Higher Education Coordinating Board (HECB) and to hear S.F. 444, providing tuition assistance to veterans of the Persian Gulf conflict.

HECB President Mona Hintzman said that the board's priority is the assurance of access to undergraduate, upperdivision and graduate programs that are appropriate to students' needs.

Hintzman said that the report yielded recommendations which include adjusting postsecondary system structures to match program demand and capacity, altering structures to meet changing demographics, decreasing duplication of programs and services, committing to enrolling and graduating students of color, and increasing the number of graduates in mathematics and science.

The division amended S.F. 444, authored by Sen. Leonard Price (DFL-Woodbury), providing tuition waivers to veterans who served in the Persian Gulf War. The amendment provides a \$750 tuition benefit to affected veterans and allows children of veterans who died or are missing in action to be eligible for this tuition waiver. The bill was approved and sent to the Education Funding Division.

Indian education

The Indian Education Subcommittee, chaired by Sen. Jane Ranum (DFL-Mpls.) met Tues., Mar. 26, to hear bill presentations.

S.F. 936, authored by Ranum, provides revenues for Early Childhood Education Programs (ECFE) for American Indian communities. The bill ensures that districts having more than 100 enrolled American Indian pupils can receive ECFE funds to establish culturally based early childhood programs. The bill provides ECFE funds for any Indian school, grants assistance to American Indian people to become teachers, expands the types of vocations in American Indian education for which a secondary student can receive loan forgiveness, and requires school districts to adopt long-range plans for Indian education.

S.F. 479, authored by Sen. Judy Traub (DFL-Minnetonka) establishes grant programs for home based instruction programs for four- and five-year-old American Indian children. The bill is endorsed by the Home Instruction Program for Preschool Youngsters (HIPPY), which is dedicated to increasing the chances of a positive early school experience and empowering parents as primary educators, said Traub.

The bill would provide grants for HIPPY programs serving American Indian communities.

Both bills were approved and sent to the Education Funding Division.

Education Funding

Budget overview

The Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Thurs., Mar. 21, to hear continued presentation of the governor's education budget proposals.

Gale Anderson, Dept. of Education, said that the Adult GED and Learn to Read on TV Program serves as a tutor for people studying for the GED, brings programs into homes, libraries, and collages, and can be found on video tape. The program provides a significant means for participation, he said, and the governor recommends funding at the 1991 level of 100,000 for each year of the biennium.

Barry Sullivan, Government Relations Division, Dept. of Education, said that the ECSU Administration Program provides funding, along with state and local sources, for Educational Cooperative Service Units (ECSU) for regional planning activities. The governor recommends an appropriation at the FY 1991 level of \$748,000 for each year of the biennium, he said.

Mary Lillesve, Minnesota Educational Effectiveness Program (MEEP), said that her program provides assistance to school buildings interested in site-based management. The governor is recommending an increase of \$300,000 in funding for regional MEPP facilities in each fiscal year to bring the total appropriation to \$900,000 per fiscal year, she said.

Wade Karli and Ted Suss, Faribault Academies - Deaf and Blind said that the academies fulfill the federal requirement to provide educational opportunities for the deaf and blind. There are approximately 181 students at the academies at any one time, said Karli, and they are placed there when both the parents and the school district deem that it will offer the best service for the student.

Karli said that the academies are facing an increase in the number of students they serve, and through formula funding, the appropriation increases. This provides more funds, but the increase is not sufficient to meet student needs. The governor recommends a change in the funding mechanism that will provide \$250,000 more for the operation of the academies said Suss.

James Undercofler, Minnesota Center for Arts Education, said that the arts high school operates on an outcome-based model for students in the 11th and 12th grades. The center also works to provide summer programs and student-taught educational opportunities around the state, he said.

Undercofler said that the level of funding recommended by the governor will require them to cut back on programs and is especially difficult for their operation because the center has no levy authority.

Bills heard

The Education Funding Division met Mon., Mar. 25, to hear bills and presentations from proponents of school accessibility.

S.F. 169, authored by division Chair Ronald Dicklich (DFL-Hibbing), provides grants for parent-to-parent support programs that serve parents of children with disabilities.

S.F. 122, sponsored by Sen. Sandra Pappas (DFL-St. Paul), allows school districts to levy for parent education programs. Dorothy Rippy, White Bear Lake School Board, said that the bill is a way to allow districts to fund parent education in a time of fiscal constraint.

S.F. 613, also sponsored by Pappas, authorizes revenue for Early Childhood and Family Education (ECFE) programs for families with non-English speaking parents.

S.F. 681, authored by Sen. Ember Reichgott (DFL-New Hope) designates a portion of Head Start funds for grants to establish home- and center-based Head Start Programs. Currently, having one Head Start site creates transportation problems for children and parents living far from the site, said Reichgott. She said that the bill provides better access by placing the site in the community and that the community presence of the program will increase visibility and success.

Committee update

All four bills were held over for later consideration.

S.F. 824, authored by Fritz Knaak (IR-White Bear Lake), clarifies the definition of foreign exchange students who have graduated from a high school level program in their home country and limits their participation in postsecondary enrollment options.

The bill was approved and referred to the full Education Committee.

The division also heard testimony related to funding for school accessibility. Virginia Hanel, parent and ARC member said that it is important to desegregate disabled students. Physical barriers deny access and effect the natural bonding between a pupil and friends, she said. Students, parents, and staff need to be able to participate in all aspects of the school's function, and authorization of general obligation bonds can address the issue of accessibility, said Hanel.

Energy and Public Utilities

Energy omnibus bill

The Energy Committee began hearings on the energy omnibus bill, S.F. 944, authored by Committee Chair Steven Novak (DFL-New Brighton), at the Tues., Mar. 26, meeting.

Novak said the bill proposes a course of action to attain energy conservation goals. Among those goals are a 5 to 25 percent decrease in state office building energy consumption and the creation of a revenue stream for low income energy programs. The measure also defines what a "significant investment" is for a utility's financial commitment to low income and energy conservation programs. To this end, the bill requires electric utilities to invest one and one half percent of their gross revenues to a proposed low income energy and conservation account and requires gas utilities to invest one half percent of gross revenues. Novak indicated the required investment is a minimum requirement and is subject to higher limits.

Commissioners of both the Dept. of Public Safety and Public Utilities Commission expressed overall support of the bill with the exception of a provision allowing pass-through of property taxes for companies achieving energy investment and conservation goals.

Representatives of gas and electric utilities expressed opposition to the mandated investment, contending that it is not based on a company's ability to pay. Bill Barbeau, United Power Association, also expressed concern on a provision authorizing the Dept. of Public Service to administer the low-income energy and conservation account monies on the grounds that it may result in utilities

funding low-income programs. Rich Haubansok, People's Gas Company, said the investment floor will put gas companies at a competitive disadvantage with fuel oil distributors and result in rate increases with little return on investment.

Witnesses testifying in support of the bill included representatives from Minnesotans for an Energy Efficient Economy and Minnesota Community Action Programs, who indicated the investment floors may not be significant enough. Denise Devaan, Energy Cents Coalition, specifically supported a provision extending the cold weather rule to municipal and cooperative utilities.

Novak said testimony on the measure would continue at a later date.

Environment

Waste management bill approved

A bill that amends provisions in the Waste Management Act was approved at the Environment and Natural Resources Subcommittee meeting Thurs., Mar. 21. Chair Gregory Dahl (DFL-Ham Lake) and members considered a number of amendments to the bill, S.F. 256, authored by Sen. Gene Merriam (DFL-Coon Rapids).

One of three amendments offered by Sen. LeRoy Stumpf (DFL-Thief River Falls) changes language that requires counties to ensure recycling efforts among solid waste generators. Stumpf maintained the provision puts undue pressure on counties that are already making strides in recycling efforts. Sen. Bob Lessard (DFL-Int'l. Falls) added that current legislation should be allowed to work before further mandating is effected. The amendment, which states counties should encourage recycling efforts, was adopted.

Stumpf also offered an amendment deleting a provision that requires appliance distributors to accept used appliances for recycling. While Merriam maintained that the provision would result in less waste because packaging responsibility is put back on the packagers, Sen. Charles Berg (DFL-Chokio) said the provision would result in small appliance dealers closing shop. The amendment specifies that counties must ensure that residents have the opportunity to recycle major appliances. The amendment also specifies that recycling must include the removal of hazardous materials within the appliance. Merriam said the amendment's language should include reuse as well as recycling. The language was added to the amendment, which was adopted.

A third amendment, offered by Stumpf, addressed a provision enabling counties to charge a fee to haulers who dump at locations other than those designated. A Minnesota Haulers Association represen-

tative said some haulers have to go elsewhere as a result of the designated site's temporary closing and, therefore, shouldn't be fined. Merriam said the provision is not intended to address the reason for the circumvention because the counties have to deal with the waste regardless of why it is dumped at a location. The amendment caps the fee at \$2 per cubic yard and exempts haulers who are referred to another site because of the designated site's temporary closing. The amendment was adopted.

The committee also adopted two amendments offered by Dahl. The first requires licensing for all mixed municipal solid waste collectors and specifies that charges for collection vary with volume or weight. The second extends the designation of incinerator ash as a special waste until rules regarding handling and disposal are promulgated.

Berg offered an amendment deleting a section specifying that counties base recycling goals on the amount of waste generated in the county. Berg said some rural counties would not meet quotas because of the manner in which they are allowed to properly dispose of their garbage. The amendment was adopted. Another amendment, offered by Berg, deletes a section requiring all households in a city of 5,000 or more to contract with a solid waste collection service. On a divided vote, the amendment did not prevail.

S.F. 256 was advanced to the full committee.

Bills advance

A bill that designates the the 1990's as the "decade of the environment" was approved at the Fri., Mar. 22, meeting of the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls).

S.F. 587, authored by Sen. John Hottinger (DFL-Mankato), also designates a \$75,000 appropriation for grants to fund promotional activities relating to environmental programs. Discussion centered on the source of the funding, which would be available to third and fourth class cities and towns only. The bill was rereferred to the Finance Committee.

The committee approved a bill, also authored by Hottinger, requiring recycling centers to accept certain hazard signs. S.F. 302 also specifies that the centers can only accept the signs from government officials. The bill is designed to prevent theft of the signs, which are fabricated from aluminum and can be redeemed for money at the centers. The bill will go to the Senate floor.

S.F. 729, authored by Gene Merriam (DFL-Coon Rapids), requires persons born after 1980 to participate in a firearms safety course before they can obtain a

hunting license. A provision excludes persons who have been in the military. The bill was approved and goes to the Senate floor.

Watershed bill

The Environment and Natural Resources Subcommittee on Public Lands and Water okayed a bill, Mon., Mar. 25, that raises a watershed district's levy limit. Sen. Len Price (DFL-Woodbury) chairs the committee.

Sen. Gregory Dahl (DFL-Ham Lake), author of S.F. 305, said the bill authorizes a tax levy for ditch maintenance and repair in the Coon Creek Watershed District. Dahl said the levy would raise about \$30,000 yearly. Sen. Phil Riveness (DFL-Bloomington) questioned whether pending legislation that raises watershed districts' levy limit from \$125,000 to \$200,000 wouldn't result in sufficient funds. But Dahl said that that legislation raises funds for administration purposes, not repairs. The committee okayed the bill and advanced it to the full committee, along with S.F. 219, also authored by Dahl. S.F. 219 authorizes the sale of ten parcels of tax-forfeited lands that border public water or wetlands in Anoka County.

The committee also okayed a number of other bills: S.F. 505, authored by Sen. Gary Laidig (IR-Stillwater), authorizes the sale of tax-forfeited lands to the original property owners; S.F. 515, a bill authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), increases the number of permits that may be held by one purchaser of timber on state lands; S.F. 732, authored by Sen. Bob Lessard (DFL-Int'l. Falls), allows an alternative to bond or deposit requirements on contracts for cutting timber. And, a bill offered by Sen. Florian Chmielewski (DFL-Sturgeon Lake) allows the state to transfer land to the city of Moose Lake. All bills were advanced to the full committee.

Disabled persons hunting season

A bill allowing a special hunting season for disabled persons was approved by the Environment and Natural Resources Subcommittee on Fish and Wildlife at the Mon., Mar. 26, meeting. Sen. Charles Berg (DFL-Chokio) chairs the committee.

S.F. 497, authored by Sen. Gene Merriam (DFL-Coon Rapids), allows the Department of Natural Resources commissioner to establish a special season for disabled hunters who, under the bill, must participate in a hunting program sponsored by a nonprofit organization. The bill authorizes the commissioner to define what constitutes "disabled." Merriam said the Minnesota Deer Hunters Association supports the bill, which will go to the full committee.

The committee also approved a bill that repeals the requirement that deer licenses

be accompanied by absentee ballot applications. Sen. Cal Larson (IR-Fergus Falls), author of S.F. 278, indicated the cost of sending applications to hunters should not be a burden on the entity issuing the hunting license. The bill was approved and advanced to the full committee.

Confirmation hearings

The Environment and Natural Resources Committee approved two gubernatorial appointments at the Tues., Mar. 26, meeting. Sen. Bob Lessard (DFL-Int'l. Falls) chairs the committee.

Members subjected Charles Williams, commissioner designate of the Pollution Control Agency, to a number of questions on his past environmental record and employee-management record. Specifically, committee members expressed concern about Williams' comments on the Marvin Windows case and the public confusion surrounding the PCA's upcoming vehicle emissions testing project. Some Senators, though, expressed support for Williams, contending that he has considerable experience in waste management issues. After extensive discussion the panel approved Williams' appointment.

The appointment of Rod Sando as commissioner of the Dept. of Natural Resources was approved with little debate.

The recommendations for approval were sent to the full Senate.

Finance

Private Colleges

The Finance Education Division met Wed., Mar. 20, to hear a presentation on Minnesota's private colleges.

The panel, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls) heard testimony on the status and concerns of private colleges from David Laird, president, Minnesota Private College Council. He said that the private colleges are important because of the service they provide and because they save the state over \$100 million each year.

Laird said that his specific concerns about the governor's recommendations for higher education are that: the budget proposal creates tension between systems competing for scarce funds; there is no incentive in the proposal to increase quality; and the proposal increases burdens on the family, by not providing more financial aid.

Laird said that more needs to be done in the way of financial aid. Direct aid to students makes up only six percent of the higher education budget, he said, but it is the fairest way to distribute financial support since it is based on need. Financial aid is especially important since the portion of the cost of education for which students and their families are responsible

has increased greatly over the past decade, said Laird.

Changes to MA Program heard

Representatives from the Dept. of Human Services briefed members of the Finance Division on Health and Human Services on major programs affecting Medical Assistance (MA) and listed the funding requests for each at the Wed., Mar. 20, meeting.

Assistant Commissioner George Hoffman led members through the MA forecast figures. He told members that a combination of factors will cause an increase in the MA Program. The factors include inflationary increases in nursing homes, increases in nursing home caseloads, and increases in the general eligibility categories such as AFDC caseloads, medically needy families and the elderly and disabled populations.

Division members were presented with further budget information that delays client based reimbursement for Intermediate Care Facilities for the Mentally Retarded (ICFs/MR); reduces worker's compensation premiums for ICFs/MR and nursing facilities; reduces efficiency incentives for ICFs/MR; reduces reimbursement rates for non-emergency special transportation services; adjusts nursing home operating payments, property limits and efficiency incentive payments; and institutes copayments within the MA Program. The governor is requesting \$1.28 billion for the next biennium in direct General Fund appropriations for MA grants.

DNR overview

Representatives of the Department of Natural Resources (DNR) gave a budget overview to members of the Finance Division on Environment and Natural Resources Wed., Mar. 20. Sen. Steven Morse (DFL-Dakota) chairs the committee.

Gene Gere, DNR, said that the DNR's response to the \$372 million governor-recommended budget for next biennium includes laying off 62 full-time employees and 43 part-time seasonal employees. He said the seasonal employment period would be shortened.

Roger Holmes, Fish and Wildlife Division, said the federal government has pledged an additional \$2 million yearly to the Game and Fish Fund, which comprises 80 percent of the total Fish and Wildlife Division budget. He also said the Legislative Commission on Minnesota Resources has proposed \$5 million in special project funding for next biennium. Holmes said that although some fees will have to be raised, a few fees that were previously planned to be raised will not be. But, he said absorbing inflationary increases will amount to some staff and program reduction. Some areas that will incur

Committee update

reductions are fisheries habitat improvement programs and cost-sharing on private lands habitat development projects. Morse said the overview would continue at a later date.

Dept. of Administration overview

The Finance Division on State Departments heard an overview of departments within the Dept. of Administration (DoA) at the Thurs., Mar. 21, meeting. Sen. Carl Kroening (DFL-Mpls.) chairs the committee.

Commissioner Dana Badgerow, DoA, said that a 26 percent increase in state office recycling levels is among the achievements in the Operations Management area. She also highlighted the employee self-insurance program, the cost of which is 67 percent less than that offered through private carriers, and the daycare program. Badgerow said that, over the last 10 years, Central Mail has handled a 25 percent increase in mail volume with no increase in resources; therefore, she said the previous prospect of cutting service to once a day would not be worth the \$40,000 it would save.

She said the \$20 million General Fund budget request for next biennium includes funding for a material recovery facility to achieve recycling activities mandated by SCORE legislation. The request also includes a \$6 million loan for implementing STARS (Statewide Telecommunications Access and Routing System): the InterTechnologies Group area's answer to telecommunication within government agencies. Badgerow said that, while DoA's Property Management area has negotiated state office lease agreements saving \$127,000 per year for the next three to five years, some funding will be needed for the Plant Maintenance Division within Property Management to provide service to new Capitol Complex buildings.

Badgerow and committee members also briefly discussed the governor's recommendation of a \$1 million General Fund appropriation next biennium for the Commission on Reform and Efficiency (CORE). The DoA's Management Analysis Division would staff CORE, the goal of which is to reform government through reorganization. The governor recommends another \$1 million funding through private donations.

Budget overviews

The Finance Division on Environment and Natural Resources, chaired by Sen. Steven Morse (DFL-Dakota), heard budget overviews of the Board of Water and Soil Resources and the Minnesota Zoological Garden at the Thurs., Mar. 21, meeting.

Kathryn Roberts, Zoological Garden,

briefed members on the \$22.7 million governor-recommended budget for next biennium. She said the zoo anticipates an enrollment of 130,000 children into their education programs, a significant increase over last year. She said that although the zoo will have to raise admission prices for extra revenue, the \$1 parking fee has been eliminated.

Ron Harnack, executive director of the Board of Water and Soil Resources (BWSR), gave a brief overview of the board, which provides assistance to local governments in the management of water and soil resources. Among the board's priorities are the Reinvest in Minnesota (RIM) Reserve program and wetlands protection. He said the \$17 million budget plan for next biennium includes funding of \$190,000 for floodplain management.

Transportation budget concluded

Members of the Finance Division on Agriculture, Transportation and Regulation concluded a week-long series of hearings on the Dept. of Transportation (Mn/Dot). The panel heard presentations from the Operations, Technical Services and Finance and Administration Divisions at the Fri, Mar. 22 meeting.

Larry McNamara, Asst. Commissioner, Operations Division explained that operations encompasses construction engineering and state road operations. The state is divided into eight Mn/DOT districts, roughly equivalent to the eight congressional districts. Each district has a district headquarters and all but one has a maintenance area headquarters, McNamara said.

Assistant Commissioner Ed Cohoon of the Finance and Administration Division, concluded the meeting by giving an overview of general management and services of the Department of Transportation. He explained that the department uses the attorney general's office for all legal transactions and pays for those services out of the Mn/DOT budget.

The Committee is chaired by Sen. Keith Langseth (DFL-Glyndon).

Bill approved; capital budget

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids) met Fri., Mar. 22, to hear presentation of the governor's capital budget recommendations from the Dept. of Finance.

Finance Commissioner John Gunyou said that the capital budget recommendations are a product of the governor's office and the Dept. of Finance and consist of three major components, debt management, capital budget reform, and project recommendations.

The debt management policy proposed reaffirms long standing policies estab-

lished in the state, said Gunyou. He said that the objectives for debt management are to regain and retain the state's AAA bond credit rating, to minimize state borrowing, and to provide a reasonable financing mechanism within a prudent debt burden. Guidelines used to attain these objectives include limiting appropriations to General Fund debt service to three percent of General Fund nondedicated revenues; limiting the amount of general obligation debt to 2.5 percent of the total personal income of the state; and limiting total assets of state agencies, state public corporations and the U of M to 3.5 percent of the total personal income of the state, said Gunyou.

The governor proposes bond sales of \$200 million in July, 1991 and \$145 million in July, 1992, said Gunyou. There are \$494 million in authorized capital projects remaining to be funded, but 24 projects will temporarily be put on hold, he said. Gunyou added that the current policy will require that the state exceed the three percent guideline, but the governor is committed to a policy that agrees with the guideline in the long term.

The governor has directed the Depts. of Administration and Finance to institute administrative policies and procedures for the purpose of capital budget reform, said Gunyou. The governor recommends that building standards relating to cost and design be instituted; that a data base of facilities be established; that standards on building acquisition be established to minimize cost and ensure the prudent use of limited resources; that a full-cost approach be used in asset management; that facility users participate in debt financing; and that there be increased analysis of the interaction between operations and the capital budget, he said.

Gunyou highlighted some of the projects that are recommended in the proposal, including a direct appropriation from the Trunk Highway fund of \$955,000 to complete construction and remodeling of the Mn/DOT district headquarters in Duluth; \$50 million Wetlands/RIM bonding authorization spread over several years; and a \$350,000 authorization for a potato inspection facility in East Grand Forks where the debt service will be paid from user fees.

Gunyou said that greater attention will be given to long range capital planning.

The Committee also heard S.F. 69, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls). The bill eliminates the requirement that the first year's debt payments be capitalized on Maximum Effort Loans. Stumpf offered an amendment that limits the amount of money the commissioner can transfer from the Loan Repayment Account to the Debt Service Account to only the amount necessary for loans, and allows the Pierz School District

to receive its loan following its deviation from application guidelines.

The bill was approved and sent to the full Senate.

Veteran's Homes budget heard

A hearing on the proposed governor's budget for the Dept. of Veteran's Affairs headed the agenda of the Finance Division on Health and Human Services at the Fri., Mar. 22, meeting.

Division members, chaired by Sen. Don Samuelson (DFL-Brainerd), heard testimony from James Sieben, chair of the Board for Veteran's Homes. Sieben told members that the \$56.6 million budget request from the governor falls short of the required resources needed for long range planning initiatives.

The budget, he said, will negatively impact programs, delay physical plant maintenance projects, reduce the number of clients served and increase the amount of time future clients will have to spend on waiting lists. The budget, Sieben said, also reflects a reallocation of non-operational facilities funds from the Silver Bay Veteran's Home. The reallocation will accommodate inflationary increases for food, drugs, nursing supplies and contract services for the Minneapolis and Hastings Veterans Homes.

Discussion centered on federal per diem reimbursements rates. According to Sieben, federal per diem rates have not kept pace with the cost of care. For example, he pointed out that the daily cost of providing domiciliary care is \$57.02 per patient, yet the homes are receiving a daily federal reimbursement rate of only \$9.33. Consequently, residents pay approximately \$22, while the state makes up the difference. Sieben explained that the state can end up paying more of the difference because of veterans' receiving income from General Assistance, Social Security and pensions. Sieben informed members of pending legislation in Congress that will require the federal government to reimburse 30 percent of the cost for care.

Dept. of Public Safety

The Agriculture, Transportation Regulation Division of the Finance Committee met Mon., Mar. 25, to consider the budget recommendations for the Dept. of Public Safety. The panel, chaired by Sen. Keith Langseth (DFL-Glyndon), heard presentations from representatives of the Bureau of Criminal Apprehension (BCA), Emergency Management, Capitol Security, Driver and Vehicle Services and the State Fire Marshal.

The BCA has three major areas of activity; investigations, crime laboratories, and criminal justice records said Mark Shields, director. Shields said that the increases requested by the BCA are driven by pressures on all the law enforcement

and criminal justice agencies in the state. The agency is requesting increases of \$195,000 the first year and \$191,000 the second year for the criminal justice information system to be funded through an increase on fees for non-criminal justice record checks; increases of \$139,000 in each year for the BCA laboratory that will continue to be funded from DWI reinstatement fees; and increases of \$8,000 in each year for the BCA buy fund, again to be funded from DWI reinstatement fees.

The Emergency Management Division mission is to minimize the threats to life and property from man made and natural disasters through mitigation of the threat and implementation of planning, response and recover programs. To that end, the agency is requesting additional funding for positions to provide for a full time 24 hour duty officer. The funding would enable the agency to implement a single statewide emergency number for use by local governments, the public, businesses and industry to report emergencies.

LCMR overview

The Finance Division on Environment and Natural Resources, chaired by Sen. Steven Morse (DFL-Dakota), heard a budget overview of the Legislative Commission on Minnesota Resources (LCMR) at the Mon., Mar. 25, meeting. The LCMR is a group of 16 legislators appointed to recommend special natural resource projects to the Legislature for funding.

Director John Velin reviewed the 97 projects that the LCMR is recommending for next biennium. He said the commission's funding sources are the Minnesota Future Resources Fund, which receives money from cigarette taxes; the Minnesota Environment and Natural Resources Trust Fund, which receives 40 percent of the net state lottery receipts; and federal oil overcharge funds. Velin said revenues to the funding sources are estimated at \$32 million, \$10 million of which is earmarked for projects consistent with Reinvest in Minnesota (RIM) statutes.

Al Robinette, State Planning Agency, gave an overview of some Geographical Information Systems projects that relate to natural resources. One recommended project, Base Maps for the 1990's, provides a new generation of base maps for the state. The \$1.9 million funding is matched by the U.S. Geological Survey.

Questions arose on whether the commission is providing an appropriate level of administrative cost for some projects. Velin said he would provide the committee with names of "pass through" projects that are administered by some state agencies.

Health boards budgets heard

Budget presentations by the state health boards dominated the discussion at the

Tues., Mar. 27, meeting of the Finance Division on Health and Human Services.

Representatives from each of the health boards presented their respective budget requests. A majority of the boards are requesting only modest increases. According to a number of representatives, additional funds are needed due to costs associated with investigating the increased number of complaints that are being reported, along with cost of living increases for salaries, and increased costs for rent and leases.

Under the proposed budget, the governor is recommending the elimination of the Office of Social Work and Mental Health Boards. Currently, the office provides administrative support to three separate health boards. If the pending legislation regarding the policy change is passed, the Boards of Social Work and Marriage and Family Therapy will operate autonomously. In addition, the Board of Unlicensed Mental Health Service Providers is to be eliminated as scheduled. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Departmental budgets

Members of the Finance Committee Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), met Tues., Mar. 26, to hear budget presentations from representatives of the Dept. of Finance, the Dept. of Military Affairs and the Housing Finance Agency.

The primary emphasis for the Dept. of Finance is to enhance information and knowledge capabilities by investing in system improvements to create better statewide financial management capabilities. The department provides accounting, budgeting, cash management, debt management, economic analysis, financial consulting, financial reporting, payment and policy analysis services for other state agencies. The department is organized into five major divisions including accounting services, budget services, cash and debt management, economic analysis and administrative services. To accomplish departmental goals and to accommodate gubernatorial directives the department has reallocated funds by holding positions vacant, paying off a lease purchase agreement out of FY 91 funds, redesigning internal procedures and lowering computer costs. The department has also proposed that state employees be paid every four weeks, rather than every two weeks. However, the governor does not agree with the four week payroll plan.

The Department of Military Affairs also receives substantial federal funding. The department has requested \$10.1 million for the first year of the biennium and \$10.237 million for the second year from the General Fund. Total requests, including federal funding equal \$21.893 million for FY 92 and \$22.03 million for FY 93. The department is charged with

Committee update

providing personnel and units that are trained, equipped and supported by facilities to meet all federal and state military missions.

DNR overview

The Finance Division on Environment and Natural Resources heard presentations on two Dept. of Natural Resources divisions at the Tues., Mar. 26, meeting. Sen. Steven Morse (DFL-Dakota) chairs the committee.

Jerry Rose, director of the Forestry Division, highlighted some programs within the division, which is responsible for protecting and managing the state's forest resources. He said some continuing initiatives are the State Land Management Program and the Cooperative Forest Management Program. The division is expecting to receive federal funding next biennium for the Cooperative Forest Management Program. Rose said that although fewer people are employed by the division than ever before, salary expenses are rising. He said next biennium's expenditures include governor-proposed cuts of \$4.5 million in county forestry grants and \$4 million worth of payment-in-lieu-of-tax payments for tax-forfeited lands.

Bill Morrissey, director of Parks and Recreation, described the state park system. Discussion was generated on the feasibility of relocating the Parks Reservation Service from California to Minnesota, and the difference between state parks' operating costs and the Suburban Hennepin County Park System's operating costs.

Public Safety budget conclusion

The Agriculture, Transportation and Regulation Division of Finance concluded a budget overview of the Dept. of Public Safety, Wed. Mar. 27. The committee, chaired by Sen. Keith Langseth (DFL-Glyndon), heard testimony from nine divisions of the department: Emergency Response Commission, Pipeline Safety, Liquor Control, Drug Policy, Private Detective and Protective Agents Board, Children's Trust Fund, Crime Victims Services, Crime Victims Ombudsman and Administration. With the exception of the administration division, all of the divisions were in agreement with the governor's recommendation. The governor does not support the administration division's request for additional positions and recommends a reduction in salary funding for the biennium.

In addition, the governor is requesting a \$1 million increase for the Children's Trust Fund for the biennium. The recommendation represents the first time the agency has received money from the General Fund, Director Maureen Cannon said.

Gaming Regulation

Revenue overview

The Dept. of Revenue gave an overview of its special taxes division Mon., Mar. 25, to members of the Gaming Regulation Committee. The committee is chaired by Sen. Charles Berg (DFL-Chokio).

Pat Finnegan, attorney, Revenue Dept., explained the separate taxes gambling organizations must pay depending on classification and licensure. Roger Swanson, audit supervisor at the Dept. of Revenue and former asst. director of the Gambling Control Board, said that there are approximately 1,875 licensed organizations. Each organization must complete a minimum of four, two-sided, forms monthly listing combined receipts, gambling equipment purchases, allowable expenses, prize pay-outs and lawful purpose expenditures, Swanson said.

Marlin Possehl, the executive director of the Epilepsy Foundation spoke on behalf of Minnesota Charities, a coalition of 501(c)(3) non-profit organizations. He distributed a ninety-page handout, representing the Epilepsy Foundation's monthly tax documents, as an example of the paperwork organizations are processing.

Possehl also outlined legislative initiatives supported by Minnesota Charities. The group supports an overall five-percent tax on actual gross receipts as well as an exemption of gaming funds from the Minnesota Unrelated Business Income Tax. In addition, Minnesota Charities opposes video expansion of gambling.

Possehl said the introduction of video gambling will eliminate gambling as a funding source for charities.

Governmental Operations

Three bills heard

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul) heard three bills Thurs., Mar. 21.

S.F. 734, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides a refund of funds paid into the State Patrol Retirement Plan when the retiree dies before selecting an optional annuity plan and before the benefits received from that pension are less than the dollar contribution. The bill authorizes the payment of the difference between the refunded contributions and the nonrefunded contributions. The bill was approved and sent to the Finance Committee.

S.F. 453 establishes a juvenile detention subsidy program. The bill, authored by Sen. Patrick McGowan (IR-Maple Grove)

provides a funding mechanism to assist counties in creating juvenile detention space that is separate from adult detention facilities. The bill is in response to a federal mandate requiring that all states provide separate detention space for juveniles.

The bill also contained a provision exempting the Dept. of Corrections from certain guidelines in order to allow the development of rules to administer programs for juvenile detention. An amendment, offered by Pogemiller and adopted by the committee, deleted the provision because the existence of the federal mandates automatically allows emergency rule-making authority. The bill was approved and sent to the Finance Committee.

The committee began to hear testimony on S.F., authored by Sen. John Marty (DFL-Roseville). The bill abolishes counties' authority to appoint private individuals and corporations as deputy registrars, and requires that all corporations now acting as deputy registrars revert to private ownership.

The bill requires that if a county or resident city does not act as a registrar, opportunities to be a deputy registrar are to be put up for competitive bid. The bill provides a fairness in the allotment of registrar businesses and eliminates questionable practices, said Marty.

Health and Human Services

Drug abuse law approved

Members of the Health and Human Services Social Services Subcommittee, chaired by Sen. Carol Flynn (DFL-Mpls.), advanced three bills to the full committee at an evening meeting held Wed., Mar. 20.

Sen. Linda Berglin (DFL-Mpls.), chief author of S.F. 414, outlined the major provisions included in the bill. Berglin offered an amendment, adopted by panel members that removes all judicial sections from the bill. The judicial provisions will be addressed in a separate bill, said Berglin.

S.F. 414 includes provisions dealing with alcohol and drug abuse prevention programs, treatment, social services and education. The measure requires the commissioner of health to conduct statewide information programs on alcohol and drug abuse; establishes community prevention grants; requires at least a 25 percent local match for prevention grant money; prohibits the commissioner of human services from reducing or discontinuing AIDS outreach and education programs; and requires the office of drug policy to develop a statewide plan to target prevention strategies for high risk groups by January 1, 1993.

S.F. 310, also authored by Berglin, was approved with little debate. The measure requires that the commissioner of health establish a central registry of traumatic brain injury and spinal cord injury victims; establishes reporting requirements; specifies that data collected for the registry is private data; requires that four percent of the money collected from DWI reinstatement fees go toward supporting the registry; reduces the appropriation of DWI reinstatement fees to the Alcohol Impaired Driver Education Account from 15 percent to 11 percent; and requires that the Dept. of Jobs and Training notify injury victims about rehabilitation services.

S.F. 829, authored by Berglin, requires that the commissioner of human services undertake a feasibility study on the state takeover of child support enforcement and collection. An author's amendment, approved by the panel, includes involvement of an advisory committee, and specifies criteria to be used in determining the feasibility of the state administered system.

Finally, the committee discussed a proposal to revamp child support enforcement laws, authored by Berglin. The measure has not been formally introduced yet, but contains new procedures and requirements for determining child support obligations and modifies existing support and maintenance orders.

Proponents of the measure testified at the hearing. Testimony centered on determining child support obligations in cases of split physical custody, defining sole physical custody and the calculation of work-related child care expenses. Witnesses said that the measure does not address the ceiling on child care credits. No action was taken on the bill.

Inmate medical care bill

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.) considered a number of measures at an evening meeting held Thurs., Mar. 21.

The panel advanced five measures to the full Senate. S.F. 804, authored by Sen. William Luther (DFL-Brooklyn Park) requires county boards to provide medical aid for prisoners in jail. Currently, counties are paying \$1 million for inmate medical care. In an attempt to save counties approximately 10 to 20 percent in property taxes, the measure requires inmates who are insured to pay for their own medical care.

S.F. 713, authored by Sen. Judy Traub (DFL-Minnetonka), prohibits the commissioner of human services from disqualifying a person from working in a licensed human services program on the basis of whether the individual has or had a mental illness.

H.F. 131, carried by Sen. John

Bernhagen (IR-Hutchinson), authorizes the Meeker County Board of Commissioners to approve construction of an addition to the county hospital. The measure also specifies adherence to the hospital bed moratorium currently in effect.

S.F. 744, sponsored by Berglin, clarifies licensing requirements for residential programs that serve individuals with chemical dependency; establishes procedures for appealing a transfer or discharge from a nursing home; allows the commissioner to order a facility to readmit a resident if the discharge or transfer was in violation of state or federal law; specifies that the commissioner of health can approve a competency evaluation program for nursing assistants; and describes the Dept. of Health's procedures for hearing appeals in cases of abuse, neglect or misappropriation of property by nursing assistants.

S.F. 254, authored by Sen. Janet Johnson (DFL-North Branch), clarifies eligibility standards for maternal and child health services. The measure specifies eligibility requirements for the Maternal and Child Health Program, and changes reporting procedures in instances of prenatal exposure to controlled substances.

In other action, panel members approved two measures and referred them to other committees.

S.F. 641, authored by Sen. Pat Piper (DFL-Austin), creates a special account for pediatric access and outpatient training within the Dept. of Health. The measure is designed to encourage medical students and residents to specialize in pediatrics and to provide training for students outside the hospital setting. The bill was rereferred to the Committee on Finance.

S.F. 120, authored by Berglin, requires peace officers who place children into Protective Services to notify the parents or custodians of available social service agencies that offer child welfare services. The bill was rereferred to the Judiciary Committee.

In other action, the panel laid over two measures. S.F. 342, authored by Sen. Dennis Frederickson (IR-New Ulm), clarifies contested case procedures for public employees who are disqualified from working in a licensed facility. S.F. 874, sponsored by Berglin, establishes a Children's Mental Health Consolidated Fund consisting of state, federal and local government monies.

Further, the panel discussed two bills, but took no action on the bills. S.F. 325, authored by Berglin, requires the commissioner of human services to seek nonstate funding for adult and children's mental health services. The measure also requires the commissioner to revise existing rules governing case management services for mentally ill adults and

children; provides MA coverage for community-based residential treatment for children with severe emotional disturbances and requires counties to pick up the nonfederal share of costs.

S.F. 488, authored by Sen. Donald Storm (IR-Edina), amends the Adult and Children's Mental Health Acts. The bill specifies that counties must ensure that residential placement decisions are based on the clinical needs of the client; postpones the deadlines for full implementation of some services required under the Children's Mental Health Act; strengthens screening requirements for children going into residential placements; requires that commissioner of human services to make grants available for children's mental health services; and modifies reimbursement rates for Institutions for Mental Diseases (IMDs).

Clean Indoor Air Act changes

The Health and Human Services Subcommittee on Social Services met Mon., Mar. 25, and approved an amended version of the bill altering Minnesota's Clean Indoor Air Act provisions. S.F. 429, authored by Sen. Carol Flynn (DFL-Mpls.), includes industrial establishments, motor carriers and the common areas of apartments and condominiums in the definition of public place for purposes of the Clean Indoor Air Act. The measure originally required restaurants to set aside 50 percent of the seating area for nonsmokers and required the use of physical barriers and ventilation systems to prevent the presence of smoke in amounts detectable by nonsmokers in adjacent areas. The amended bill removes the required percentage of seats to be set aside and charges proprietors with the responsibility of limiting smoking to designated areas and to protect nonsmokers from exposure to smoke. In addition, the bill still specifies that in public places where smoking areas are designated, physical barriers and ventilation systems must be used to prevent the presence of smoke in amounts detectable by nonsmokers in adjacent nonsmoking areas.

In other action, the panel, chaired by Flynn, also approved a measure designed to reduce the burden of state mandates on county governments. S.F. 226 addresses the problem of the state ordering counties to provide social services without providing the necessary funding, said Sen. Don Samuelson (DFL-Brainerd). The bill requires counties to make reasonable efforts to comply with state social service mandates but, if the counties are unable to comply, they must provide services according to a plan developed by the county and approved by the Dept. of Human Services.

The panel also incorporated S.F. 469, authored by Sen. Richard Day (IR-Owatonna), into the mandates bill as an

Committee update

amendment. The amendment consolidates and simplifies county mental health and community social services planning, authorizes the review and reduction of social service administrative requirements, and establishes conditions that must be satisfied before a county may deny, reduce, or terminate services due to fiscal limitations.

Both S.F. 226, the county mandates bill and S.F. 429, the Clean Indoor Air Act change bill were advanced to the full committee.

Optometric bill fails

Before a packed audience, members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), failed to approve a bill Mon., Mar. 25, that would allow a board-certified optometrist to prescribe or administer legend drugs to treat certain eye conditions.

S.F. 222, sponsored by Sen. Don Samuelson (DFL-Brainerd), also prohibits an optometrist from treating glaucoma, prohibits an optometrist from selling legend drugs at retail and lists the legend drugs that optometrists may use. The motion that the bill be recommended to pass failed on a tie vote.

In other action, members rereferred five measures to the full Judiciary Committee. As amended S.F. 383, sponsored by Sen. Dennis Frederickson (IR-New Ulm), allows the attending physician of a deceased individual access to investigative data and records held by the medical examiner, county coroner or county sheriff. S.F. 310, authored by Berglin, establishes a central registry of traumatic brain injury and spinal cord injury victims and establishes reporting requirements. The bill also changes the percentage of money collected from DWI reinstatement fees to go toward supporting the registry from four to five percent; and increases the appropriation of DWI reinstatement fees to the Alcohol Impaired Drive Education Account from 11 percent to 25 percent.

S.F. 829, also authored by Berglin, requires the commissioner of human services to undertake a feasibility study on the state takeover of child support enforcement and collection.

S.F. 265 and S.F. 917, authored by Sens. Randy Kelly (DFL-St. Paul) and Berglin, address the issue of child support orders and enforcement. S.F. 265 requires that individuals who contract with the state must submit a statement regarding compliance with child support orders; authorizes suspension of an occupational license for child support obligors who fail to pay child support; instructs the courts to consider the needs of an unborn or adopted child when modifying child support; and includes an unborn child, under

the Domestic Abuse Act regardless of marital status of the parents. Kelly offered an amendment, adopted by the committee, that removes three sections dealing with streamlining the marriage dissolution process.

S.F. 917 contains new procedures and requirements for determining child support obligations and modifies existing support and maintenance orders. The measure, as amended, eliminates the cap on obligor income; provides for a minimum child support order; describes methods in determining the income of parents; requires the court to base child support orders on a determination of "potential" income for parents who are voluntarily unemployed or underemployed; requires the court to set income levels up to 150 percent of the average wage for an obligor who defaults; and provides relief for second families.

Panel members also advanced a Minnesota Dept. of Health housekeeping bill to the full Senate. S.F. 910, sponsored by Berglin, clarifies the definition of a community water supply system; clarifies cease and desist orders for X-ray equipment; specifies penalties imposed in violation of cease and desist orders; and expands the complaint handling system for hearing aid sellers.

S.F. 414, also sponsored by Berglin, establishes statewide alcohol and drug abuse prevention programs; establishes community-based family resource centers; requires that children up to age 18 must attend school beginning with the 1992-93 school year; and provides incentives for judicial districts to adopt local correctional guidelines. The measure was approved and rereferred to the Committee on Education.

S.F. 932, authored by Sen. John Marty (DFL-Roseville), clarifies membership requirements for the advisory committee for regional service centers for hearing impaired individuals, and authorizes fees for interpreter referral services. The measure was approved and rereferred to the Finance Committee.

The committee laid over two measures, both authored by Berglin, for further discussion. S.F. 609 reclassifies marijuana and Tetrahydrocannabinols (THC), the active ingredient in marijuana, from Schedule I controlled substances to Schedule II. A major amendment was offered that makes significant changes to S.F. 874, authored by Berglin. The amended bill requires that local mental health coordinating councils develop protocols and procedures to ensure delivery of services for children with severe emotional disturbances.

Wage fairness bill approved

The Health Care Access Division, chaired by Sen. Pat Piper (DFL-Austin),

took action on two measures at an evening hearing, Mon., Mar. 25.

The majority of time was spent discussing and hearing testimony on S.F. 91, authored by Sen. Linda Berglin (DFL-Mpls.). The measure provides for wage increases for employees who work in private residential mental health programs, developmental achievement centers (DAC), semi-independent living services (SILS), intermediate care facilities, Medical Assistance homes and community based services and community rehabilitation facilities. In addition, the bill specifies the formulas to be used in calculating the wage increases.

Division members approved, with little debate, a bill sponsored by Sen. Gregory Dahl (DFL-Ham Lake), that amends the Infectious Waste Control Act. S.F. 783, transfers responsibility for infectious waste from the Pollution Control Agency (PCA) to the Dept. of Health; clarifies that veterinarians are also covered by the Act; specifies disposal requirements for infectious wastes; and clarifies preparation requirements and fees for management and generators' plans. S.F. 91 and S.F. 783 were both approved and were advanced to the full Health and Human Services Committee.

Judiciary

Police officer data bill

Members of the Data Privacy Subcommittee discussed, at length, a bill Thurs., Mar. 21, relating to the collection and dissemination of data pertaining to law enforcement officials.

S.F. 495 authored by Sen. Randy Kelly (DFL-St. Paul), requires that data collected on an employee involving an internal review investigation can be given only after a subpoena has been requested by the commissioner of human rights, and only after a private review in District Court. The bill also prohibits the release of internal review data obtained from the law enforcement agency to other agencies, and requires that the data be returned to the law enforcement agency within 30 days after the department's case file is closed.

Opponents of the measure said that the bill provides special treatment and protection on "bad cop" information and that it dramatically slows down the investigation process. Proponents of the measure said that the burden of proof should be on the person seeking the data.

S.F. 70, authored by Sen. Richard Cohen (DFL-St. Paul), clarifies that the classification of personnel data is determined by the date on which the request for the data is made. Two amendments offered by Cohen, provides that if a termination or settlement agreement was entered into between Jan. 17, 1989 and

Aug. 1, 1990, the data can be made public, and specifies that the effective day applies to data collected, created and received before or on after the effective date. The bill arose from a case involving data classification in Annandale, Minn. Both measures were approved and referred to the full Judiciary Committee.

Three bills heard

The Judiciary Criminal Law Division, chaired by Sen. John Marty (DFL-Roseville), met Fri., Mar. 22, to hear bills related to intensive supervision, criminal forfeiture, and proprietary security guard employees.

S.F. 526, authored by Sen. Allan Spear (DFL-Mpls.) clarifies intensive supervision legislation passed in the 1990 session. The bill makes clear that intensive supervision or "house arrest" can be used as part of a probationary, non-prison sentence or when an offender has served a prison sentence but is placed on an intensive supervised release term.

The panel revisited S.F. 464, authored by Sen. Gene Merriam (DFL-Coon Rapids), exempting certain claimants whose property has been seized from paying a fee to have access to judicial review, and providing recourse for someone whose property has been seized in bad faith.

Merriam offered an amendment making it clear that when a court grants payment to a claimant whose property was seized in bad faith, the payment must come from funds generated as proceeds from a seizure, forfeiture program. Kelly offered an amendment specifying that notice on how to obtain judicial review must be printed in English, Hmong, and Spanish. Both amendments were adopted.

The bill was approved and sent to the full Judiciary Committee.

S.F. 514, authored by Marty, requires training and registration of certain categories of protective agents and security guard employees not covered in current statute. Several panel members questioned the clarity of who falls under the bill's requirements and its efficacy.

The bill was held over for further consideration.

Two bills advanced

The Judiciary Civil Law Division, chaired by Sen. Richard Cohen (DFL-St. Paul), revisited S.F. 213 relating to municipal tort liability at the Fri., Mar. 22, meeting.

The measure, sponsored by Sen. Dean Johnson (IR-Willmar), provides immunity from liability for some injuries caused by beach and swimming pool equipment owned, leased or operated by a municipality other than a school district.

The bill also provides that a municipality must inform trespassers of the risks involved when using beach or pool

equipment after hours through the posting of signs. The measure was approved and referred to the Judiciary Committee.

S.F. 565, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), addresses the ability for fire insurers to recover damages from the manufacturer that are caused by purchased goods. The bill amends the statute of limitations in contracts for sale under the Uniform Commercial Code. The bill also specifies the conditions under which the act does not apply, and specifies the conditions goods may be recovered in tort as well in contract. The bill was approved as amended, and referred to the full Judiciary Committee.

Right of first refusal limited

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Mon., Mar. 25, and advanced four bills to the full Senate.

S.F. 177, authored by Sen. Charles Berg (DFL-Chokio), eliminates the right of first refusal by an immediately preceding owner who participated in the Family Farm Security Program. In addition, the bill extends the time period for exercising the right of first refusal in instances where an individual is involved with a corporate lender and the right of first refusal has expired. Berg said he intends to ultimately abolish the right of first refusal statewide.

S.F. 354, sponsored by Sen. William Luther (DFL-Brooklyn Park), incorporates provisions of a bill sponsored by Sen. John Hottinger (DFL-Mankato), that relates to school bus safety and enforcement. The measure, as amended, provides for increased penalties, and provides for mandatory revocation and suspension of driver's licenses in school bus gross misdemeanor violations and stop arm violations respectively. In addition, the measure specifies rulemaking authority for adopting and enforcing school bus inspections and operations.

S.F. 395, sponsored by Sen. Ember Reichgott (DFL-New Hope), makes technical changes and clarifies the Minnesota Business Corporation Act. The bill contains provisions relating to stock splits and reverse stock splits, communications among shareholders, and access to corporate mergers and dissolutions.

Lastly, S.F. 482, also sponsored by Reichgott, amends the Insurance Holding Company Act to eliminate consideration of the effect an insurance company takeover has on the shareholders and creditors of the insurance company, eliminates the Minnesota nexus requirements when defining an "issuing public corporation and extends the holding period under the "greenmail" statute from six months to two years. An amendment was offered and approved by the commit-

tee, specifying when a holding period can be tacked onto shares of a deceased person.

Historical data protection bill

A bill relating to the classification of privately donated historical data was heard and approved at the Mon., Mar. 25, meeting of the Data Privacy Subcommittee.

The subcommittee, chaired by Sen. Jane Ranum (DFL-Mpls.), referred S.F. 706, authored by Sen. Allan Spear (DFL-Mpls.), to the full committee. The measure provides that privately donated historical data held in an archive, and not originally created or maintained by a government entity, is not considered governmental data. The bill also specifies the conditions privately donated data is not accessible to the public.

In other action, subcommittee members advanced S.F. 911, authored by Ranum. The bill amends the current statutes relating to public convention center data. The bill expands the section dealing with the classification of St. Paul Civic Center Authority data to include governmental data of all publicly owned and operated convention facilities, arenas, stadiums or theaters. In addition, the measure specifies the circumstances exhibitor or vendor data supplied by a person who makes an inquiry would be considered private data.

Legal assistant licensure bill

The Judiciary Civil Law Division, chaired by Sen. Richard Cohen (DFL-St. Paul), took action on four measures at an evening hearing, Tues., Mar. 26.

S.F. 520, authored by Sen. Randy Kelly (DFL-St. Paul), requests that the state Supreme Court adopt rules governing the delivery of legal services by specialized legal assistants. Three amendments were offered and adopted by the division. The first amendment specifies that the court can determine beforehand whether rules will be adopted. The determination will be based on whether the delivery of legal services by legal assistants is in the best interests of legal service consumers. The second amendment limits the conditions of practice under specialty licenses including malpractice insurance requirements. The third amendment eliminates the creation of a board of specialized legal assistants.

The second half of the meeting was spent discussing three measures relating to the judicial system. S.F. 756, authored by Cohen, is an attempt to provide for a more equitable trial court delivery system. Provisions of the bill include the state take-over of administrative trial court costs and guardian ad litem programs from the counties, makes the Eighth Judicial District Court pilot project permanent and requires that the state Supreme Court study the costs involved and prepare a

Committee update

budget.

S.F. 755, authored by Sen. William Luther (DFL-Brooklyn Park), relates to the state takeover of public defender services. The bill limits the entitlement to appellate representation by the state public defender only on the first direct appeal of a conviction. The bill also specifies the conditions under which the state public defender may assign the representation of a defendant to any district public defender, when representation is directed by the court.

Luther's bill incorporates a number of provisions included in S.F. 756 that relates to the state's takeover of administrative trial court costs. An amendment that removes a "good time" provision was adopted. The provision will be addressed in a separate measure.

Lastly, S.F. 193, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), addresses the issue of adequate access to the courts in judicial vacancy determinations. The bill specifies that the Supreme Court, in its determination process, will take into consideration whether abolishing or transferring the position would result in a county having no chambered judge. All three measures were approved and referred to the Judiciary Committee.

Bills revisited

The Judiciary Criminal Law Division met Tues., Mar. 26 to again consider three bills and hear one other for the first time.

S.F. 526, specifying conditions under which intensive supervision can be used and S.F. 156 relating to the statewide public defender system, were approved by the division and sent to the full Judiciary Committee. Both measures are sponsored by Sen. Allan Spear (DFL-Mpls.).

The division also continued to discuss S.F. 514, authored by Division Chair John Marty (DFL-Roseville), requiring training and registration of certain protective agent and security guard employees. The bill was held over for further consideration.

S.F. 588, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), provides penalties for intentional damage to timber or wood processing, manufacturing, or transportation equipment. The bill is a response to actions that damage timber, such as tree spiking, and timber harvesting equipment to prevent harvest.

The bill was approved and sent to the full Judiciary Committee.

Local Government

County fee change

The amount that county recorders may charge for certain services was raised in a measure approved Thurs., Mar. 21, by the Local Government Committee. The

committee, chaired by Sen. Betty Adkins (DFL-St. Michael), approved S.F. 717, allowing county recorders to raise fees for abstracts and abstract certificates as well as fees charged for indexing and recording deeds. The bill, sponsored by Sen. John Hottinger (DFL-Mankato), also raises fee limits for title registration. In addition, the measure specifies that \$1 from each fee be placed in the county recorder's equipment fund. The measure was approved and sent to the full Senate.

S.F. 636, a bill authored by Sen. John Bernhagen (IR-Hutchinson), was also approved. The proposal raises the limit on loans given to local governments by the Farmers Home Administration for town halls, fire halls, or fire equipment. The bill raises the limit from the current \$100,000 to \$250,000 and changes current law to allow loans for the purchase of rescue equipment and the repair of town halls or fire halls. The bill also eliminates the need for an election to authorize the loan. The bill was sent to the Senate Floor.

Two measures approved

The Local Government Committee, chaired by Sen. Betty Adkins (DFL-St. Michael), met Tues., Mar. 26. The committee approved a measure that removes the limit on the amount a county board may spend for an exhibit at a state or county fair. In current law, counties may appropriate out of the county general fund up to \$1000 to promote the economic, agricultural, or natural resources of the county or state. S.F. 499, authored by Sen. Joe Bertram (DFL-Paynesville), extends that amount to \$2000. Under an amendment, offered by Sen. John Bernhagen (IR-Hutchinson), and approved by the committee, the limit was removed entirely. The bill was also approved, as amended, and sent to the Senate floor.

S.F. 948, sponsored by Sen. John Hottinger (DFL-Mankato), was also approved. The proposal authorizes the cities of Mankato and North Mankato to impose a sales tax of up to one percent or an excise tax on motor vehicles of up to \$20 per motor vehicle to be used by the cities to construct and operate various urban projects. The measure was referred to the Committee on Taxes and Tax Laws.

Metropolitan Affairs

LRT discussion continues

The Metropolitan Affairs Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Thurs., Mar. 21, to continue the discussion on Light Rail Transit (LRT).

Ginny Yingling, chair of the North Star

Chapter of the Sierra Club, testified in support of LRT. She said LRT will remove vehicles from the highways, relieve traffic congestion, reduce the need for additional freeway construction, help save the environment and slow the rate of urban migration. Yingling also said the projected cost of LRT construction is just slightly greater than the cost of widening I-35W. Moreover, she said, there are hidden costs included in expanding highways such as repairing damage caused by petroleum. If those hidden costs were taken into consideration, she said, LRT would be far less expensive.

However, she said, for LRT to succeed, automobile-use disincentives must be implemented along with an integrated transit system. The integrated system will consist of LRT lines, buses delivering commuters to LRT stations, developing safer and more convenient walking and bicycling paths and developing "cleaner" fuels to be used in public transit vehicles, she explained.

The second half of the meeting was devoted to the continuation of the Metropolitan Airports Commission (MAC) overview on long range planning.

Taxes and Tax Laws

Property tax class rates

Members of the Taxes and Tax Laws Property Tax and Local Government Aids Division, chaired by Sen. Ember Reichgott (DFL-New Hope), met Tues., Mar. 26 and engaged in a lively debate over the number of property tax classes and the rate at which the different classes are taxed. Members used five bills dealing with the topic as springboards for the discussion. S.F. 166, sponsored by Sen. Steven Novak (DFL-New Brighton), eliminates the third tier of class rates applicable to homestead property thereby specifying that all homestead value in excess of \$68,000 is valued at two percent of market value. S.F. 361, authored by Sen. Fritz Knaak (IR-White Bear Lake), contains provisions similar to S.F. 166 as does S.F. 405, sponsored by Sen. Leonard Price (DFL-Woodbury). Currently, homesteads between \$68,000 and \$100,000 are valued at two percent and homesteads in excess of \$110,000 are valued at three percent.

S.F. 280, also sponsored by Novak, raises the maximum value of the first tier of homesteads with a one percent rate, from \$68,000 to \$70,000; applies the two percent rate to homesteads valued between \$70,000 and \$150,000; and applies a three percent rate for homesteads valued over \$150,000.

S.F. 578, authored by Sen. Judy Traub (DFL-Minnetonka), raises the class rate applicable to the first tier homesteads

from one percent to 1.15 percent and eliminates the third tier, so that all value in excess of \$68,000 has a class rate of two percent.

All five measures were discussed but no formal action was taken by the panel.

Transportation

Omnibus transportation bill

Members of the Transportation Committee met Thurs., Mar. 21, to hear an overview of some articles in S.F. 598, the Transportation Study Board bill authored by Sen. Keith Langseth (DFL-Glyndon). The bill lays out a 20-year highway system plan addressing issues such as metropolitan transit development and research activities.

Langseth said the bill's first article, transportation planning, is a compilation of goals such as multimodal transportation and reasonable travel time for commuters.

Article three, rail crossings, requires the commissioner to order a study on railroad crossing safety and improvement. Minnesota Dept. of Transportation (Mn/DOT) Commissioner John Riley testified that rail crossing accidents could be cut in half with Operation Lifesaver, a nationwide program based on educating the public on rail crossing safety.

Langseth said article four establishes port development assistance through state grants and loans for harbor and navigation improvements. A representative from the Port Authority said the provision would enable the authority to go directly to MnDot for program support, instead of through the legislative process for funding.

Article six, toll roads, states that private participation and public-private partnerships are desirable to meet some of the state's highway needs. It also authorizes private operators to build and operate toll facilities. Witnesses testified that toll roads advance the timing of road development when state funding is not available and are built only when all other funding mediums are exhausted.

Chair Gary DeCramer (DFL-Ghent) said testimony on the measure will continue at a later date.

Testimony continues

Testimony on S.F. 598, the omnibus transportation bill based on the Transportation Study Board Report, continued at the Mon., Mar. 25, meeting of the Transportation Committee. Chair Gary DeCramer (DFL-Ghent) and members heard testimony on articles two and five.

Sen. Keith Langseth (DFL-Glyndon), author of the bill, addressed article two, which establishes a five-member highway board to mediate jurisdictional transfer disputes and provide direction on the addition and removal of trunk highway routes. Langseth said the provision pro-

vides an incentive for jurisdictional changes that the Minnesota Department of Transportation (Mn/DOT) is not addressing as quickly as it could. But he added that he was not sure who would comprise the board or where board activity funds would come from this year.

A number of proposals were offered for possible incorporation into the bill's article five, relating to local highway finance. Sen. Roger Moe (DFL-Erskine) offered a proposal authorizing the adoption of rules establishing and preserving natural preservation routes. A measure authored by Sen. Gene Merriam (DFL-Coon Rapids) places restrictions on some changes to park streets and highways. A measure offered by Sen. Joe Bertram, Sr. (DFL-Paynesville) establishes a system of rustic roads. DeCramer said the measures would be considered for possible incorporation into the S.F. 598. No action on the proposals was taken.

Article five also authorizes local authorities to advance funds to Mn/DOT to expedite trunk highway construction. Sara Hackett, League of Minnesota Cities, expressed concern about the provision that she said could result in a loan program. She also expressed opposition to the provision authorizing grants and gifts to the department. The article also authorizes the city to impose a special surcharge on building permits. Langseth said the surcharge is based on a household use rate formula and proceeds would be used for city, street and highway improvements. While Langseth said the surcharge is a way for cities to raise money for road improvements that, in turn, raise the value of property, Sen. Terry Johnston (IR-Prior Lake) indicated the fee for new developments would be unfairly high.

DeCramer said discussion on the bill will continue at a later date.

Veterans and General Legislation

Special Olympics resolution

The Veterans and General Legislation Committee gave unanimous approval to a resolution supporting the 1991 International Special Olympics Wed., Mar. 20. The measure, S.F. 436, authored by Sen. William Luther (Brooklyn Park), encourages all Minnesotans to attend the special olympic events and support the participating athletes. Roy Smalley, Executive Director of the 1991 International Special Olympics Committee, explained that the special olympics will involve 6,000 athletes and be the largest sporting event ever held in the state. The committee also heard from Alex Luther, a former special olympic athlete, who urged the committee to support the resolution. The resolution was approved and placed on the

Consent Calendar.

Another resolution, S.F. 761, was also considered and approved. The measure, authored by Sen. Bob Lessard (DFL-Int'l. Falls), urges Canada to correct the new permit regulation for the Canada-Minnesota border. The resolution also urges federal, state, and provincial governments to resolve the differences. Lessard explained that the problem stems from a recently enacted Canadian law that requires permits for anyone crossing into Canadian waters. He said that to treat the Lake of the Woods area as though it were two separate bodies of waters is unrealistic and untenable. The measure was approved and sent to the Senate floor.

A bill that appropriates money from bond proceeds funds for the purpose of constructing a noncommercial television station in Southwestern Minnesota was also approved. S.F. 491 enables Pioneer Public Television to provide broadcast service to the southwest Region. The measure specifies that the funds must be matched by the federal government in order to be appropriated. The measure, sponsored by Sen. Jim Vickerman (DFL-Tracy), was rereferred to the Committee on Finance.

S.F. 532, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake) was laid over for further consideration. The measure allows for filling temporary vacancies by town officers that are members of the military reserves and are called to active duty.

Vets discrimination prohibited

Sen. William Luther (DFL-Brooklyn Park) presented a measure at the Mon., Mar., 25 meeting of the Veterans and General Legislation Committee, which prohibits insurance companies from denying coverage because of military status. H.F. 205 specifies that refusing to insure or continue to insure the life of a member of the military constitutes an unfair and deceptive practice. In addition, the bill makes the same designation for any company that refuses to reinstate coverage for a returning member of the military. The committee, chaired by Sen. Joe Bertram (DFL-Paynesville), approved the measure and rereferred it to the Commerce Committee.

Another bill, S.F. 806, repeals a sunset provision relating to the position of public safety educator. The measure, sponsored by Bertram, allows the current public fire safety educator to retain the post, which was created in 1989. The fire safety educator creates and administers public fire safety awareness programs throughout the state. Bertram said that it doesn't make sense to eliminate the position when the state has already invested in it. The measure was approved and rereferred to the Committee on Finance.

Preview

The Minnesota Senate Week at a Glance

Monday, April 1

There are no Senate meetings scheduled.

Tuesday, April 2

Environment and Natural Resources Subcommittee on Environmental Protection

Chair: Gregory Dahl

8 a.m. Room 318 Capitol

Agenda: S.F. 13-Bertram: New medical waste incinerators environmental impact statement requirement. S.F. 257-Merriam: Establishing a centralized recycling program for state operations.

Governmental Operations Committee

Chair: Gene Waldorf

8 a.m. Room 15 Capitol

Agenda: S.F. 324-Berg: Abolishing the Dept. of Gaming and the position of Commissioner of Gaming. S.F. 237-Marty: Abolishing the authority to appoint corporations or private individuals as deputy registrars. S.F. 868-Ranum: Professional regulatory boards standardization.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: S.F. 944-Novak: Energy conservation bill.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: S.F. 536-Storm: Metropolitan Mosquito Control Commission (MMCC) property lease authority. S.F. 507-Berglin: Metropolitan revenue distribution program modifications. S.F. 529-Berglin: Fiscal disparities areawide tax capacity maximum.

Senate session at 12 noon.

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: S.F. 328-Solon: Medicare supplement plans coverage of foreign medical expenses. S.F. 241-Stumpf: Motor vehicle manufacturer and dealer franchise regulation modifications. S.F. 249-Belanger: Health and accident insurance benefit mandates fiscal note requirement. S.F. 925-Finn: No-fault auto insurance; medical expense benefits for language translator services. S.F. 394-Flynn: Interior design licensure.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: S.F. 793-Dahl: Mercury content in batteries. S.F. 687-Dahl: CFC recycling standards. S.F. 754-Chmielewski: State land transferred to Moose Lake. S.F. 278-Larson: Repealing deer license accompaniment by absentee ballot application requirement.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

3 p.m. Room 125 Capitol

Agenda: Budget hearing for the Dept. of Agriculture.

Finance Division on Education

Chair: LeRoy Stumpf

3 p.m. Room 107 Capitol

Agenda: Presentation by governor's office on the Blue Ribbon Commission.

Taxes and Tax Laws Committee

Chair: Douglas Johnson

3 p.m. Room 15 Capitol

Agenda: H.F. 57-Reichgott: Property tax technical corrections. S.F. 339-Luther: Special Olympics sales tax exemption. S.F. 350-Mondale: Hopkins bond issue for landfill cleanup. S.F. 363-Pogemiller: Dept. of Revenue income tax bill. S.F. 364-Pogemiller: Dept. of Revenue sales tax bill.

Finance Committee

Chair: Gene Merriam

4:30 p.m. Room 123 Capitol

Agenda: Revised budget forecast by Dept. of Finance Commissioner John Gunyou.

Environment and Natural Resources Committee

Chair: Bob Lessard

6 p.m. Room 107 Capitol

Agenda: Continuation of the afternoon's agenda.

Education Subcommittee on Early Childhood and Special Populations

Chair: Judy Traub

6 p.m. Room 112 Capitol

Agenda: S.F. 176-Hughes: Targets ECFE aid to high AFDC areas. S.F. 977-Traub: School health and nursing services standards and study. S.F. 960-Traub: EBD/School readiness grants. S.F. 728-Hottinger: Developmental disability training. S.F. 934-Ranum: Minority service grant program.

Health and Human Services Committee

Chair: Linda Berglin

6 p.m. Room 15 Capitol

Agenda: S.F. 221-Berglin: Foster parents. S.F. 1045-Berglin: Unlicensed mental health boards. S.F. 585-Berglin: Efficiency incentives for nursing homes. S.F. 885-Berglin: Exception to nursing home beds moratorium. S.F. 473-Finn: Exception to nursing home beds moratorium. S.F. 429-Flynn: Clean Indoor Air Act. S.F. 783-Dahl: Dept. of Health

Infectious Waste Act. S.F. 91-Berglin: Wage fairness. S.F. 155-Samuelson: Counties retention of 1/2 of the non-federal share of child support recoveries.

Judiciary Subcommittee on Data Privacy

Chair: Jane Ranum

7 p.m. Room 318 Capitol

Agenda: S.F. 140-Kelly: Media access to information on juvenile traffic accidents. S.F. 802-Ranum: Omnibus Data Practices Bill. S.F. 812-Cohen: Classifying county coroner and medical examiner data. S.F. 383-Frederickson, D.J.: Allowing attending physician access to medical examiner data. S.F. 1019-Ranum: Modifying child protection system data practices study requirements. S.F. 912-Ranum: Protecting the identity of a person placing a call on the 911 system. S.F. 788-Merriam: Prohibiting disclosure of health records without patient consent. S.F. 762-Pappas: Disclosure of birth records of out-of-wedlock children. S.F. 868-Ranum: Provisions applicable to boards regulating occupations and professions.

Transportation Committee

Chair: Gary DeCramer

7 p.m. Room 123 Capitol

Agenda: Continuation of S.F. 598-Langseth: Transportation Study Board bill.

Legislative Commission on Pensions and Retirement

Chair: Rep. Leo Reding

7 p.m. Room 10 SOB

Agenda: Continuation of items from March 26 meeting and additional items to be announced.

Wednesday, April 3

Commerce Subcommittee on Consumer Protection and Regulated Industries

Chair: John Hottinger

8 a.m. Room 112 Capitol

Agenda: S.F. 204-Marty: Regulating credit information and services.

Education Committee

Chair: Gregory Dahl

8 a.m. Room 15 Capitol

Agenda: H.F. 331-Finn: Permitting education districts operating under joint powers agreements to conduct meetings via interactive television. S.F. 444-Price: Providing a two-year tuition exemption to Minnesota veterans of the Persian Gulf War. Report by the Committee for Economic Development Education. Education report by the Minnesota Business Partnership.

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 506-Berg: Requiring record keeping, reports, and audits by licensed gambling organizations.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: S.F. 596-Chmielewski: Worker's Compensation. H.F. 472-Waldorf: High pressure piping. S.F. 707-Gustafson: Inspection of boilers and pressure vessels.

Judiciary Division on Civil Law

Chair: Richard Cohen

10 a.m. Room 125 Capitol

Agenda: S.F. 1069-Cohen: Limiting human rights violations defenses. S.F. 969-Luther: Alternative Dispute Resolution Program. S.F. 438-Belanger: Tort immunity for school districts uninsurable for asbestos and hazardous waste claims. Bills laid over from previous meetings.

Judiciary Division on Criminal Law

Chair: John Marty

10 a.m. Room 15 Capitol

Agenda: S.F. 514-Marty: Private detective and security guard regulations. S.F. 525-Spear: Office of Drug Policy recommendations. S.F. 950-Berglin: Tenant drug and firearm possession actions. S.F. 605-Kelly: Crime victim notification rights, harassment restraining orders.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 123 Capitol

Agenda: S.F. 951-Pogemiller: Omnibus housing bill.

Education Subcommittee on Libraries

Chair: Sandra Pappas

12 noon Room 318 Capitol

Agenda: S.F. 573-Chmielewski: Permitting the creation of library tax districts. S.F. 1003-DeCramer: Cities and counties to operate public and school libraries by contract.

Environment and Natural Resources Committee

Chair: Bob Lessard

12 noon Room 107 Capitol

Agenda: S.F. 497-Merriam: Special hunting season for the physically disabled. S.F. 891-Morse: Worst case discharges prevention and response. S.F. 305-Dahl: Coon Creek Watershed District.

Legislative Commission on Pensions and Retirement Subcommittee on Actuarial Services

Chair: Gene Waldorf

12 noon Room 400 South SOB

Agenda: Further consideration of the provision of actuarial services issue.

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: S.F. 673-Spear: Credit unions depositories of state funds. H.F. 238-Berglin: Credit card number requirement prohibition for check cashing. S.F. 785-Cohen: Interstate

banking. S.F. 792-Kroening: Credit unions deputy commerce commissioner appointment and advisory task force appointment requirement. S.F. 833-Solon: Heavy and utility equipment dealership contracts termination regulation. S.F. 37-Luther: Insurance solvency bill.

Elections and Ethics Committee

Chair: Jerome Hughes

1 p.m. Room 15 Capitol

Agenda: S.F. 225-Luther: Election campaign and ethics reform. S.F. 508-Hughes: Secretary of State housekeeping bill. S.F. 644-Pogemiller: Limiting special elections and changing polling place requirements.

Finance Division on Health and Human Services

Chair: Don Samuelson

3 p.m. Room 125 Capitol

Agenda: Budget hearing for the Dept. of Corrections, Sentencing Guidelines Commission, and Ombudsman for Corrections.

Finance Division on State Departments

Chair: Carl Kroening

3 p.m. Room 125 Capitol

Agenda: Budget hearings.

Joint Finance Division on Claims

Chairs: Tracy Beckman and Rep. Andy

Steensma

3 p.m. Basement Hearing Room SOB

Agenda: Dept. of Corrections claims hearing.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: To be announced.

Taxes and Tax Laws Division on Income, Sales and Economic Development

Chair: Lawrence Pogemiller

3 p.m. Room 15 Capitol

Agenda: S.F. XXXX-Pogemiller: Public finance bill. S.F. 720-Metzen: Shallow rent subsidy.

Taxes and Tax Laws Division on Property Tax and Local Government Aids

Chair: Ember Reichgott

7 p.m. Eisenhower Community Center, Hopkins, Minn.

Agenda: Public hearing on the governor's property tax proposal.

Thursday, April 4

Environment and Natural Resources Subcommittee on Environmental Protection

Chair: Gregory Dahl

8 a.m. Room 112 Capitol

Agenda: S.F. 108-McGowan: Petroleum tank release compensation board proof of payment requirement. S.F. 257-Merriam: Establishing a centralized recycling program for state operations.

Governmental Operations Committee

Chair: Gene Waldorf

8 a.m. Room 15 Capitol

Agenda: S.F. 798-Morse: Dept. of Employee Relations housekeeping bill. S.F. 726-Marty: Post-retirement state health insurance eligibility. S.F. 173-Chmielewski: "Public employee" definition for PELRA. S.F. 735-Lessard: Vacation time donation to bargaining representatives. S.F. 447-Pogemiller: University of Minn. bargaining units structure changes.

Local Government Committee

Chair: Betty Adkins

8 a.m. Room 107 Capitol

Agenda: S.F. 779-Merriam: Removing restrictions on county morgues. S.F. 705-Vickerman: Local options for unfunded state mandates. S.F. 1074-Hottinger: Mankato annex. S.F. 859-Pogemiller: Minneapolis assessments for improvements review. S.F. 984-Brataas: Rochester taxes. S.F. 860-Ranum: Special service district parking facilities. S.F. 943-Kelly: Law consistency with Ramsey county home rule charter. S.F. 973-Kelly: Ramsey county underrepresented group civil service certification. S.F. 1013-Kelly: Transfers annexation authority to Office of Administrative Hearings and State Planning Agency.

Agriculture and Rural Development Committee

Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: S.F. 517-Morse: Bovine somatotropin (BST) free dairy product certification. S.F. 971-Morse: Extends BST ban for one year.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: To be announced.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: To be announced.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 107 Capitol

Agenda: S.F. 632-Morse: Establishing a small business innovation marketing program. S.F. 554-Frederickson, D.R.: Traverse de Sioux history center appropriation. S.F. 669-Luther: Brooklyn Center Housing and Redevelopment Authority. S.F. 724-Kelly: Modifying annual housing reporting requirements.

Judiciary Subcommittee on Data Privacy

Chair: Jane Ranum

12 noon Room 318 Capitol

Agenda: S.F. 434-Marty: Prohibiting release of motor vehicle and driver's license lists for commercial use.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: S.F. 694-DeCramer: Mn/DOT omnibus truck bill. S.F. 814-Neuville: Ignition interlock devices. S.F. Frank: Seat belt violation fine increase.

Senate session at 2 p.m.

Education Division on Funding

Chair: Ronald Dicklich
3 p.m. Room 107 Capitol
Agenda: To be announced.

Finance Division on State Departments

Chair: Carl Kroening
3 p.m. Room 125 Capitol
Agenda: Budget hearings.

Health and Human Services Committee

Chair: Linda Berglin
3 p.m. Room 15 Capitol
Agenda: To be announced.

Education Subcommittee on Higher Education

Chair: John Hottinger
7 p.m. Room 107 Capitol
Agenda: S.F. 563-Hottinger: Grant programs for nurse education. S.F. 19-Johnson, J.B.: Full campus status for Cambridge Community College. S.F. 710-Frank: Degrees awarded by technical colleges. S.F. 836-Benson, J.E.: St. Cloud State University campus construction funding.

Judiciary Division on Civil Law

Chair: Richard Cohen
7 p.m. Room 125 Capitol
Agenda: S.F. 1024-Spear: Missing children cause of action. S.F. 634-Spear: Tort immunity for use of breathalyzers in bars. S.F. 899-Lessard: Tort immunity for claims arising out of use of timber access highways. S.F. 1026-Finn: Uniform Foreign Money Claims Act.

Judiciary Division on Criminal Law

Chair: John Marty
7 p.m. Room 15 Capitol
Agenda: S.F. 809-Cohen: Juvenile firearms penalties and certification. S.F. 803-

Pogemiller: Permanent juvenile certification for non-felony offenses. S.F. 628-Kelly: Juvenile certification study. S.F. 615-McGowan: Regulating minor's use of firearms.

Legislative Commission on Pensions and Retirement

Chair: Rep. Leo Reding
7 p.m. Room 5 SOB
Agenda: To be announced.

Friday, April 5

Joint Senate and House Education Committees and Senate Finance Division on Education and House Appropriations Division on Education

8 a.m. Room 10 SOB
Agenda: University Regent candidate selection.

Finance Division on Health and Human Services

Chair: Don Samuelson
8 a.m. Room 125 Capitol
Agenda: Budget hearings for Council on Asian Pacific Minnesotans, Council on Black Minnesotans, State Council on Disability, Indian Affairs Council, Spanish Speaking Affairs Council and TACIP Board.

Education Subcommittee on Early Childhood and Special Populations

Chair: Judy Traub
10 a.m. Room 107 Capitol
Agenda: S.F. 763-Dahl: Adult basic education policy changes. S.F. 1005-Reichgott: Emotional and behavioral disorders coordination incentives. S.F. 116-Traub: Legislative commission on children.

Judiciary Committee

Chair: Allan Spear
10 a.m. Room 15 Capitol
Agenda: S.F. 118-Knaak: Cruelty to animals repeat violations. S.F. 268-Marty: Human Rights Act statute of limitations. S.F. 355-Pogemiller: Disposition of seized animals. S.F. 379-Chmielewski: Marriage solemnization by court commissioners. S.F. 400-Kelly: Peace

officer use of deadly force. S.F. 404-Kelly: Peace officer education. S.F. 520-Kelly: Legal services by specialized legal assistants. S.F. 1035-Finn: Revisor's bill.

Commerce Committee

Chair: Sam Solon
1 p.m. Room 112 Capitol
Agenda: S.F. 366-Marty: Minnesota Comprehensive Health Association (MCHA) modifications.

Education Subcommittee on Governance and Structures

Chair: Tracy Beckman
1 p.m. Room 15 Capitol
Agenda: S.F. 86-Ranum: Post-probationary teacher termination dispute arbitration. S.F. 630-Reichgott: Authorizing outcome-based schools. S.F. 348-Riveness: School district levies for facility replacement and restoration. S.F. 174-Dahl: Revising open enrollment deadlines. S.F. 399-Knaak: Allowing school districts to join Intermediate School Dist. 916. S.F. 445-Hottinger: Event exclusion for assaulting a sports official. S.F. 748-DeCramer: Allowing Minnesota pupils to enroll in school districts in bordering states.

Environment and Natural Resources Committee

Chair: Bob Lessard
1 p.m. Room 107 Capitol
Agenda: S.F. 93-Langseth: Town road projects fee limitation. S.F. 442-Lessard: Personal watercraft use regulation. Additional bills may be added.

Health and Human Services Committee

Chair: Linda Berglin
3 p.m. Room 15 Capitol
Agenda: To be announced.

Saturday, April 6

Health and Human Services Committee

Chair: Linda Berglin
1 p.m. Room 15 Capitol
Agenda: To be announced.

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

April 5, 1991

BST debate

Members of the Agriculture and Rural Development Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Thurs., Apr. 4, to tackle the controversial issue of biosynthetic bovine somatotropin (BST) use in dairy herds. At issue were two bills, sponsored by Sen. Steven Morse (DFL-Dakota), that extend the moratorium on BST use and set up a BST free certification program respectively. S.F. 971 extends the moratorium for one additional year. S.F. 517 establishes a certification program to identify milk and milk products free of BST similar to the certification program for organic foods.

Morse said that the main question is one of consumer education and the consumer's right-to-know. Although there is no evidence that the use of BST is harmful to humans, more research is being done, Morse said.

Supporters of the measure cited persistent questions about the effects of BST use on health, concerns about the impact on small dairy producers and the on-going controversy over the use of chemical additives and biotechnology in food production.

Opponents of the measure countered that there has been no evidence that BST is harmful to humans, that it will increase profitability for small producers and that dairy farmers should be allowed the choice.

Morse offered, and committee members adopted on an 8-2 roll call vote, an amendment to S.F. 971 that codifies language specifying that the moratorium only goes into effect if Wisconsin extends its moratorium or if states representing 40 percent of the nation's milk production prohibit the use of BST. The bill was approved on an 8-2 roll call vote.

Morse then requested that no action be taken on S.F. 517 because of a similar bill has already been approved by the panel.

Dept. of Finance revenue forecast

Dept. of Finance Commissioner John Gunyou presented the March revenue forecast to the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), Tues., Apr. 2.

Gunyou said that the March economic forecast shows a slightly improved outlook from the November forecast. It also differs in the level of certainty and risk,

mostly due to a resolution of the Persian Gulf war, he said.

Gunyou said that baseline 1992-93 revenues are now expected to total \$14.4 billion, up \$58.4 million from the November forecast, while expenditures are expected to total \$14.6 billion, \$18.3 million less than previously estimated. The 1990-91 revenue forecast and the revised 1992-93 estimates show that there is a \$77.2 million unrestricted budgetary balance for fiscal 1992-93, he said, with a \$550 million reserve.

In the light of the new forecast, the governor has made supplemental budget recommendations, said Gunyou. He said that the recommends additional funding of \$15 million for health care access, \$2.8 million for elimination of the medical assistance copayment \$5 million for restoration of chemical dependency treatment, \$10 million for technology related efforts at the U of M, \$700,00 for minority teacher programs, \$5 million for ethanol development grants, and \$2.4 million for public broadcasting grants. An additional \$20.6 million is to be used to recind the state employee pension adjustments proposal.

The other major recommendation from the governor is the use of \$150 million from the budget reserve for the purpose of homestead property tax relief, said Gunyou. The issues that lead the governor to use the reserve include an increased degree of certainty in the economic outlook, the expectation that use of the reserve will not create cashflow problems and will allow the state to avoid short-term borrowing, and that the prescribed use of the reserve does not perpetuate a spending pattern that depletes the reserve, he said.

Dorothy McGlung, commissioner, Dept. of Revenue, said that the proposed use of the budget reserve confirms the governor's commitment to property tax reform. The reform proposal seeks to change the current relationship between low-value homes and commercial, industrial property, and to sever the current relationship between state and local government, she said.

The \$150 million in relief will come in the form of an income sensitive homestead credit, a direct credit on home owner tax bills, or a modification of the Homestead Agriculture Credit Act, said McGlung.

Election bills heard

Members of the Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), met Wed., Apr. 3, to consider two measures relating to elections.

S.F. 644, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), limits special elections for municipalities and school districts; sets forth the times and procedures for publicizing new congressional, legislative and county commissioner district boundaries; requires precinct boundaries to follow physical features; and changes the requirements for polling places. A major amendment was incorporated into the bill that sets a uniform election day throughout the state in an attempt to increase voter participation in local elections. The amendment requires most local elections for county, municipal, and school district officers, and officers of all other political subdivision except towns to be held at the same time as the November general election instead of in the spring. In addition, the amendment attempts to increase voter participation by establishing uniform and coordinated election precinct and polling places for municipality and school district elections. The bill was approved and sent to the floor.

Senators also discussed S.F. 508, authored by Hughes, a Secretary of State's housekeeping bill. The measure changes the requirements of absentee ballot applications for deer hunters, requires the commissioner of health to report deaths to the secretary of state for voting purposes; requires notarized affidavits of candidacy; changes the time for issuance of certificates of election; changes disclaimer language for campaign literature; and changes procedures for hospital district elections.

A number of amendments were adopted clarifying facility requirements for election activities, specifying the allocation of costs of conducting elections between cities and other election jurisdictions; specifying that cities may determine the voting method in combined local elections; and authorizes a petition requesting a referendum on an ordinance that adopted the odd numbered year municipal election day.

Several members indicated they wanted to discuss the measure further, so no action was taken.

Committee update

Commerce

Interior design licensure

A bill providing for the licensure of interior designers sparked the most discussion at the Tues., Apr. 2, meeting of the Commerce Committee. S.F. 394, sponsored by Sen. Carol Flynn (DFL-Mpls.), defines the practice of interior design and changes the name of the Board of Architecture, Engineering, Land Surveying, and Landscape Architecture, to the Board of Design Professions. According to Flynn the bill is aimed at insuring compliance with various codes for those professionals constructing or altering public spaces. The bill does not cover private residential services or services provided by interior decorators, said Flynn. Representatives of professional architectural associations voiced the major opposition to the bill on the grounds that the measure provides an economic advantage by restricting competition and is not necessary to protect the public. However, representatives of the Minnesota Handicapped Federation testified that the bill would help insure the accessibility of public places. The bill was approved and rereferred to the Governmental Operations Committee.

In other action, the committee, chaired by Sen. Sam Solon (DFL-Duluth), advanced an additional four bills. S.F. 328, authored by Solon, requires that Medicare supplement plans cover, as part of the basic plan, 80 percent of the usual and customary hospital and medical expenses incurred during travel outside the United States. The measure was amended to include several provisions that insure compliance with federal law that relate to the suspension of Medicare supplement policies. The bill was approved and sent to the full Senate. S.F. 241, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), modifies the regulations governing motor vehicle manufacturer and dealer franchises. The measure specifies the evidence for rebuttal of allegations of good cause for dismissal by providing that the dealer may present evidence that the manufacturer failed to consider the dealer's sales of factory program vehicles. The bill also specifies a new unfair practice, that of unreasonably denying the right to acquire factory program vehicles to any dealer holding a valid franchise from the manufacturer to sell the same line of vehicles. The bill was approved and sent to the Senate floor.

A bill requiring that future legislation mandating health and accident insurance benefits be accompanied by a fiscal note was also approved and rereferred to the Committee on Finance. S.F. 249, sponsored by Sen. William Belanger (IR-Bloomington), specifies that the fiscal

note must outline the projected fiscal impact of the mandate on insurance costs.

Finally, the panel also approved S.F. 925, including language translators and sign language interpreters as medical expense benefits that must be reimbursed for health insurance. The measure, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), was approved and sent to the full Senate.

Consumer credit bill

The Commerce Subcommittee on Consumer Protection and Regulated Industries, chaired by Sen. John Hottinger (DFL-Mankato) devoted the entire Wed., Apr. 3, meeting to consideration of a bill regulating consumer credit information procedures. S.F. 204, sponsored by Sen. John Marty (DFL-Roseville), also provides for the regulation of credit service organizations. According to Marty, the first portion of the bill dealing with regulating consumer credit information procedures, is an attempt to make a good system more workable by plugging loopholes and enabling consumers to get information more easily. The second portion of the bill regulating credit service organization is aimed at businesses that falsely advertise they can repair consumer credit, Marty said.

Opponents to the bill contended that Minnesota does not have a significant problem with credit reporting and that the federal government is putting together new legislation governing consumer credit reporting. None of the opponents to the bill objected to the provisions regulating credit service organizations. However, a motion to advance the bill to the full committee without recommendation failed to gain acceptance. A second motion to reconsider the vote also failed. Thus, the measure remains in the subcommittee.

Interstate banking extension

The full Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), met Wed., Apr. 3, and advanced four bills in the legislative process. S.F. 785, authored by Sen. Richard Cohen (DFL-St. Paul), authorizes interstate banking with two additional reciprocating states. Under the measure, Michigan and Ohio are added to the list of reciprocating states. The bill was approved and sent to the Senate floor.

H.F. 697, sponsored by Sen. Allan Spear (DFL-Mpls.), provides that credit unions may be designated as depositories of state funds, specifies that a credit union may elect a supervisory committee or that the board of directors may appoint the supervisory committee. The bill also clarifies that the board of directors control of investments includes loans to members but if a credit committee has been established the credit committee has

charge of loans to members. H.F. 238, sponsored by Sen. Linda Berglin (DFL-Mpls.), prohibits the requirement that a credit card be shown as a condition for check cashing or acceptance or as a means of identification. S.F. 833, authored by Solon, regulates heavy and utility equipment dealership contract terminations. All three measures were approved and sent to the full Senate.

The panel did not approve a bill requiring the appointment of a deputy commerce commissioner for credit unions and providing for the appointment of a credit union advisory task force. S.F. 792, authored by Sen. Carl Kroening (DFL-Mpls.), was amended by the committee to only specify that the commissioner of commerce appoint an assistant commissioner with five years experience as an employee or volunteer of a credit union or credit union trade association. Nevertheless, the measure failed to gain committee approval.

Finally, the panel continued discussion of the insurance insolvency bill. S.F. 37, authored by Sen. William Luther (DFL-Brooklyn Park), has been the object of extensive negotiations and several amendments were adopted to the bill. Further action on the bill was delayed until final amendments are drafted.

Economic Development and Housing

Omnibus housing bill gains

Members of the Economic Development and Housing Committee, chaired by Sen. James Metzen (DFL-South St. Paul), met Wed., Apr. 3, to take action on an omnibus housing measure. S.F. 951, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), makes changes to landlord-tenant provisions, clarifies and changes provisions relating to unlawful detainer actions, authorizes two emergency mortgage and rental assistance projects, makes changes to provisions relating to the assignment of rents and receivership, alters housing and redevelopment authority provisions, makes changes to local housing and economic development programs and makes changes in the application of homestead treatment.

The panel considered several amendments to the measure. An amendment, offered by Sen. Dallas Sams (DFL-Staples), clarifies that eligible mortgagor also means the Dept. of Human Services for purposes of developing community-based programs. Another amendment, offered by Sen. Charles Davis (DFL-Princeton), relating to liens upon manufactured homes for back rent specifies that the plaintiff is to have no lien on property other than a manufactured home stored on the premises and that in the case of a

manufactured home, the plaintiff has a lien for rent and other related expenses incurred in the storage and care of the manufactured home for the time prior to sale. In addition, the amendment specifies that in cases where the defendant's manufactured home is to be stored off the premises the plaintiff is to have a lien upon all the defendant's property in the dwelling and the manufactured home for the reasonable costs and expenses incurred for removing, caring for, storing and transporting the manufactured home. The third amendment, offered by Sen. Randy Kelly (DFL-St. Paul), authorizes the city of St. Paul and the St. Paul Housing and Redevelopment Authority to implement a citywide economic development program. All three amendments were adopted and the bill was approved and rereferred to the Judiciary Committee.

MPI program discussed

The Economic Development and Housing Committee met Thurs., Apr. 3, and took action on four bills. S.F. 632, sponsored by Sen. Steven Morse (DFL-Dakota), authorizes Minnesota Project Innovation to establish a small business innovation research, marketing and technical assistance program. Minnesota Project Innovation is a private nonprofit corporation active in spurring high tech economic development projects in Minnesota, Morse said. The MPI was begun by the Legislature in 1984 to encourage economic development, but despite an increase in clients has not had a funding increase since 1986, Morse said. Committee members praised the work of MPI but had serious questions about the size of the appropriation contained in the bill. As a result, an amendment was adopted deleting the dollar amount specified in the bill. The measure was approved and rereferred to the Committee on Finance.

In other action, the panel, chaired by Sen. James Metzen (DFL-South St. Paul), advanced three additional bills. S.F. 554, authored by Sen. Dennis Frederickson (IR-New Ulm), authorizes an appropriation to Nicollet County to establish an history center at the site of the Traverse des Sioux treaty of 1851. The measure was approved and rereferred to the Committee on Finance. S.F. 669, authored by Sen. William Luther (DFL-Brooklyn Park), allows the Brooklyn Center Housing and Redevelopment Authority to levy a property tax of up to .03 percent for the housing and redevelopment project fund. The measure was approved and rereferred to the Committee on Taxes and Tax Laws. Finally, the committee approved a bill repealing the requirement that cities of the first class submit annual housing impact reports and the requirement that the cities provide replacement housing plans. S.F. 724 is

sponsored by Sen. Randy Kelly (DFL-St. Paul).

Education

Comprehensive wellness bill

The Education Early Childhood and Special Populations Subcommittee met Tues., Mar. 26, to hear testimony on bills relating to school-age health and wellness.

S.F. 356, authored by Chair Judy Traub (DFL-Minnetonka), provides grants for school districts that voluntarily participate in comprehensive health and wellness programs. Up to 30 sites will be authorized by the commissioner of education. The sites will develop a comprehensive health and wellness education policy and instructional program for K-12 students in the district. The programs will integrate into the curriculum a promotion of a wellness life-style and mental health, family life education, chemical use awareness and prevention, tobacco use prevention, health risk behavior reduction, and facilitation of wellness for district personnel.

The programs will receive \$3,000 for each of two years and must meet the following criteria: have a designated program chair with sufficient authority to implement the program; have a committee including parents, students, and representatives of local health agencies or a site-based management team; have a commitment from the committee to participate in training offered by the Dept. of Education; implement needs assessment; offer developmentally and socially appropriate sexual health and responsibility education; and provide long range planning.

Barbara Yates, Dept. of Education, presented facts from a survey of 90,000 students from the sixth, ninth and twelfth grades. Many students, especially in secondary school, suffer from low self esteem. Yates said that survey showed that one in eight of the students surveyed indicated they were physically abused, one in 11 had been sexually abused and one in nine had attempted suicide. The survey showed that alcohol is the most common chemical substance used, she said.

Also, the survey showed that students get most of their information about sex from friends and television, said Yates. The survey revealed that the highest level of sexual activity was for students whose primary source of information was friends, while the lowest rate of sexual activity was among those whose primary sources were both school and parents, she said.

The subcommittee also heard S.F. 411, authored by Sen. Lawrence Pogemiller (DFL-Mpls.). The bill appropriates \$100,000 for grants to school districts for the development of responsible male sexual behavior programs.

The subcommittee also heard S.F. 751,

authored by Traub, providing counseling and guidance services for elementary school students. The bill requires employment of one licensed guidance counselor for every 1,000 elementary school students. The bill requires the counselor program to include prevention curricula for all students, and provides state payment of one-half of the salary of each counselor up to \$25,000.

The panel also approved S.F. 519, authored by Sen. Ember Reichgott (DFL-New Hope), prohibiting the sale of food or beverage by anyone other than an authorized food service in schools during lunch and breakfast periods. The bill also increases funding for school meal programs.

All the bills received approval and were referred to the Education Funding Division.

Teacher fair dismissal bill

The Education Governance and Structures Subcommittee, chaired by Sen. Tracy Beckman (DFL-Bricelyn), met Wed., Mar. 27 to hear a bill related to fair dismissal for teachers.

Currently, a school board may fire a teacher even after an arbitrator decides dismissal proceedings in favor of the teacher, said the bill's author, Sen. Jane Ranum (DFL-Mpls.). S.F. 86 provides due process rights that are accorded other employees, she said. The bill allows a teacher to elect a hearing before a neutral arbitrator and makes the arbitrator's decision regarding dismissal and the appropriateness of any applied penalty binding.

The bill was held over from further consideration.

The panel also heard testimony on S.F. 340, authored by Sen. Duane Benson (IR-Lanesboro). The bill refers to a debt levy in the newly combined Peterson-Rushford School District. It was discovered after the agreement to combine that one district had substantially more debt than the other. The bill allows the levy to be applied to only the area covered by the pre-combination district that had the excessive debt.

The bill was approved and sent to the Education Funding Division.

Bills for special needs students

The Education Early Childhood and Special Populations Subcommittee met Tues., Apr. 2, to hear testimony on four bills addressing needs for medically fragile students, students with developmental disabilities, school readiness, and early childhood and family education.

S.F. 977, authored by subcommittee Chair Judy Traub (DFL-Minnetonka), provides that standards for medical service provided to medically fragile students be set by the state board of nursing. The bill allows the board to set standards for care

Committee update

and training and appropriates money for a study to assess the need for services.

The bill is a response to a conflict of policies, said Traub; the policy of accepting all students who want to attend regardless of their physical condition and the policy of standards of competence and training required for those assigned the task of care for medically fragile students.

The bill was approved and sent to the Education Funding Division.

S.F. 960, also authored by Traub, proposes a program for children up to age six with barriers to learning and development. The bill establishes a specialized grant program similar to Early Childhood and Family Education efforts for children with special needs. The programs can be administered through nonprofit, private organizations, said Traub. The bill states the guidelines a care provider must meet in order to receive a grant from the Dept. of Education, and clarifies the definition of the barriers to learning.

S.F. 176, authored by Sen. Jerome Hughes (DFL-Maplewood), directs additional ECFE revenues to programs with a high concentration of families who may need extra early childhood education services due to poverty factors. There is a high correlation between poverty and the need for educational programs, said Hughes. The bill is a response to the reality that any investment we make early will bring a great benefit to society in the long run, he said.

S.F. 728, sponsored by Sen. John Hottinger (DFL-Mankato), establishes a training institute to ensure appropriate training for those providing service to developmentally disabled persons. The bill requires the institute to develop criteria for training and continuing education for care providers and to advocate nonaversive methods for serving clients. The bill also establishes the State Board on Staff Development, a 15-member board appointed by the governor.

All four bills were approved and sent to the Education Funding Division.

MN Business Partnership

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Wed., Apr. 3, to hear a presentation by the Minnesota Business Partnership on education and to hear two bills.

James Renier, CEO, Honeywell Corporation, said that the business community has been critical of the school systems, but it has been unaware of the agenda that educators must address in the classroom. Current efforts by the Minnesota Business Partnership are directed at understanding the issues that face the education community and becoming part of solutions for better education, he said.

Renier pointed to two issues that are barriers to better education. First, the

mission for education is no longer clear, he said. There is a collection of ideas on what needs to be done in specific situations, but no comprehensive, driving vision, he said. Second, one thing that distinguishes the United States from other countries is that a social agenda to meet noneducation needs of children has become a burden of the schools, said Renier. Social dysfunction not only makes it more difficult for children to learn, but it is also something the schools attempt to correct, he said.

The committee also considered subcommittee reports on two bills. H.F. 331, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake) permits education districts and school districts operating under joint powers to conduct board meetings using interactive television. This use of interactive television is permitted as long as the boards comply with open meeting laws. The bill was approved and sent to the full Senate.

Sen. Len Price (DFL-St. Paul) authored S.F. 444, providing a two-year tuition reduction for Minnesota veterans of the Persian Gulf War. The measure provides \$750 in benefits for higher education for those veterans who do not have a baccalaureate degree and to the children of soldiers killed, missing in action or taken as prisoners of war. The bill was approved and sent to the Committee on Finance.

Libraries

The Education Subcommittee on Libraries, chaired by Sen. Sandra Pappas (DFL-St. Paul), met Wed. Apr. 3, to hear two bills.

Sen. Gary DeCramer (DFL-Ghent) authored S.F. 1003, authorizing cities and counties to operate public libraries and school libraries in one location by entering into a contract. Such agreements are subject to periodic review by the school board and city council.

The subcommittee also heard S.F. 573, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake). The bill allows the establishment of a library district and establishes levy authority for that district.

Both bills were approved and sent to the full Education Committee.

Employment

Amusement ride bill

Members of the Employment Committee heard testimony on a bill requiring insurance coverage and inspections of amusement rides at the Wed., Mar. 27, meeting. The committee is chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake).

S.F. 764, authored by Sen. Gregory Dahl (DFL-Ham Lake), provides regulation to the currently unregulated amuse-

ment ride industry by requiring ride operators to carry insurance policies of \$1 million per occurrence and by requiring insurance contractors to inspect rides. The measure also defines amusement ride.

Amusement park and ride manufacturer representatives testified in support of the measure, acknowledging that mandated insurance and inspections will require more time and money. Rollie Larson, Outdoor Amusement Business Assoc., said that, although the industry incurs few accidents, the measure will result in the documentation of insurance coverage and inspections. He added that the \$1 million insurance floor may price some operators out of business.

Jerry Seck, representing Mall of America, indicated that inspections required in the measure would result in unnecessary downtime, especially in light of the fact that some operators, like the Mall of America, employ full-time, year-round maintenance staff for preventative maintenance and inspection purposes. To this end, the committee adopted an amendment, offered by Sen. Betty Adkins (DFL-St. Michael), exempting non-moveable, year-around rides or parks that have existing ride maintenance programs.

The bill was laid over for future consideration.

Bills advance

Members of the Employment Committee okayed two bills at the Wed., Apr. 3, meeting.

H.F. 472, authored by Gene Waldorf (DFL-St. Paul), amends the statutory definition of high pressure piping to include chlorine piping. Currently, hot water, steam and ammonia high pressure piping are covered under state regulation. Dennis Chada, United Association of Pipefitters, said chlorine is potentially dangerous and the measure is long overdue. But, George Hawkins, Association of Builders and Contractors, opposed the measure on the grounds that it will result in significant additions to already burdensome regulations without good cause. The measure was approved and sent to the Senate floor.

The committee then approved S.F. 707, a bill relating to boiler units. Sen. Jim Gustafson (IR-Duluth), author of the bill, said the bill addresses state boiler unit standards that must be brought up to par with federal standards changed last year. He said it exempts small hobby boilers with valves and pressure gauges. The measure was approved and sent to the Senate floor.

Members also began hearing testimony on S.F. 596, the workers compensation bill authored by Committee Chair Florian Chmielewski (DFL-Sturgeon Lake). A representative from a small business testified in support of the bill, asserting

that rising workers compensation payments are causing Minnesota to lose small business to neighboring states. Injured workers testifying against the bill indicated that it will result in lower benefit payments that are already insufficient.

Chmielewski said discussion on the measure would continue.

Energy and Public Utilities

Energy omnibus bill

Testimony on the Energy Omnibus Bill, S.F. 944, continued at the Tues., Apr. 2, meeting of the Energy and Public Utilities Committee. Chair Steven Novak (DFL-New Brighton) is author of the bill, which, among other provisions, sets energy conservation goals for state buildings, creates a low income energy assistance and conservation fund, and extends protection of the cold weather rule policy.

Testimony focused on a provision mandating a one percent tax on electric utility revenues and a one and one half percent tax on gas revenues. Propane, fuel oil and small municipals and cooperatives are exempt from the tax. Revenue from the tax will be used to create a low income energy assistance and conservation program administered by the Dept. of Public Service.

While most witnesses supported the thrust of the bill, cooperative and municipal utility representatives opposed the tax provision, asserting that a tax without regard to each utility is unfair. Some witnesses also contended that a mandated cold weather rule policy for rural utilities is unnecessary. Bob Ambrose, Cooperative Power Assoc., said that his company is spending over \$1 million yearly on energy conservation programs, a majority of which are load management related. He said the tax would price cooperative rates, which have stabilized or declined over the past decade, out of competition with alternative fuel suppliers. John Heino, Minnesota Power, said large industrial customers, such as those in the paper and taconite industry, will end up paying the tax in a 300 percent energy conservation cost increase. Heino also said the Dept. of Jobs and Training should administer the fund.

George Crocker, Minnesotans for an Energy Efficient Economy, said that the measure should specify the criteria and evaluation process used in administering the fund. He also said the bill should provide financial incentives for energy conservation investments. David Morris, Institute for Local Self Reliance, raised the issue of distinguishing between low income assistance and energy conservation expenditures, explaining that the load management programs most companies use are not energy conservation programs, but programs to defer the addition of new

plants. Major Albert Rowland, Salvation Army, expressed concern on the effect mandated investments may have on current Conservation Improvement Programs (CIPS). He said the Salvation Army's current Heatshare program is a successful endeavor relying heavily on corporate dollars and volunteer support.

Novak said the legislative intent of the bill is to keep existing programs in place but also to create a revenue stream for programs funded by the dwindling oil overcharge account. Novak added that if utilities can guarantee results regarding the cold weather shut-off rule, they may not have to adopt the policies used in urban areas. He said testimony on the bill would continue.

Environment and Natural Resources

Bills okayed

A number of bills were okayed at the Wed., Mar. 27, Environment and Natural Resources Committee meeting, chaired by Sen. Bob Lessard (DFL-Int'l. Falls).

Sen. Dennis Fredrickson (IR-New Ulm) authored a bill creating a new penalty for persons not rendering aid in a shooting accident. Fredrickson said the penalties in S.F. 772 extend to incident passersby and range from a gross misdemeanor to a felony. Notice of the penalty will be incorporated into the Dept. of Natural Resources' game and fish laws to alert hunters of the ramifications of not rendering aid in a shooting incident. The bill was approved and rereferred to the Committee on Judiciary.

S.F. 732, authored by Lessard, allows state timber purchasers an alternative to bond or deposit requirements on timber cutting contracts. Lessard said the bill allows purchasers to prepay the purchase price of any designated cutting block prior to cutting the timber. He said the bill also specifies that a bank letter of credit used for security in a timber sale be reduced annually proportionately with the value of the timber harvested, and after such deductions may not be less than the value of timber remaining to be harvested. An amendment offered by Lessard deleted a provision adding 20 percent onto the letter of credit value after deductions. A DNR official said the letter of credit would provide adequate security for protection of the state's interest in case of a sale overrun. Lessard said timber purchasers must still pay 25 percent of the purchase price at the time of bid approval. The bill was approved and was sent to the Senate floor.

The committee also approved S.F. 515, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), which increases from four to six the number of permits allowed to a purchaser of timber on state lands.

An amendment offered by Finn changes the interest rate on a two-year extension on intermediate auction permits from six percent to a rate set by statutes annually. The bill was sent to the Senate.

Committee members also heard testimony on a measure allowing disabled persons to take deer of either sex. S.F. 742, authored by Sen. Joanne Benson (IR-St. Cloud), was laid over to address the DNR's concern on the granting of extra preference to disabled persons. A DNR official said the department has not granted extra preference status to a number of groups requesting the authority to take antlerless deer, while the bill authorizes anyone with permanent disability to do so.

Incinerator bill

The Environment and Natural Resources Subcommittee on Environmental Protection, chaired by Sen. Gregory Dahl (DFL-Ham Lake), heard testimony on a bill relating to medical waste incinerators at the Tues., Apr. 2, meeting.

S.F. 13, authored by Sen. Joe Bertram, Sr., requires operators of new medical waste incineration facilities to obtain environmental impact statements and air emission permits before beginning operation or construction. The bill is designed to close a gap resulting from Pollution Control Agency rules that allow facilities emitting under 1000 pounds per hour to operate without permits. The bill prohibits the construction or operation of new facilities until the PCA promulgates new rules, a process which may take a year or more. The bill does not apply to existing facilities.

An amendment offered by Dahl extends permitting requirements to the expansion of existing facilities.

David Iverson, City of Watkins administrator, testified that, although much of the bill is commendable, the measure is unfair in exempting some existing incinerators. He indicated that an incinerator could give the Watkins region an economic boost and should be allowed to proceed under PCA approval. A representative of Endeco, a development firm proposing a facility in Watkins, supported Iverson's remarks. He highlighted the need for a facility to handle waste currently going out of state for disposal and also to handle wastes from area facilities shut down due to more stringent permitting regulations.

Dahl said testimony will continue at a later date.

Battery bill

A bill prohibiting the sale of certain batteries was approved by members of the Environment and Natural Resources Committee Tues., Apr. 2. The committee is chaired by Sen. Bob Lessard (DFL-Int'l. Falls).

Committee update

S.F. 793, authored by Sen. Gregory Dahl (DFL-Ham Lake), addresses the disposal of nonreusable/nonrechargeable batteries used primarily by commercial entities. The measure cuts hazardous waste disposal by prohibiting the sale of certain batteries without the approval of the Pollution Control Agency. In addition, a provision prohibits the sale of batteries containing more than .025 percent mercury unless no other battery can be substituted. Dahl said that, under the provision, all nonreusable batteries will be considered nontoxic.

An amendment suggested by a representative of Rayovac, a company that makes batteries, changes a provision requiring battery manufacturers to provide consumers with a telephone number details specific procedures for returning the battery for recycling or proper disposal. The provision was changed to encourage manufacturers to make a reasonable effort to provide a telephone number for this purpose. The amendment was adopted.

The measure was approved and sent to the Senate.

The committee also approved a second bill authored by Dahl, S.F. 687. The measure requires recycled Chlorofluorocarbons (CFCs) used in refrigeration appliances to comply with standards set by the Air Conditioning and Refrigeration Institute in 1988. Dahl said that there is a market for recycled CFC's but some are not made to the standards of new CFC's. He said that a CFC recycled to the 1988 standard will not void the warranty of a new appliance. The bill was sent to the Senate.

A bill authored by Sen. Florian Chmielewski was approved and sent to the Senate floor. S.F. 754 allows the City of Moose Lake access to four and one half acres of state land to be used as an electrical substation for a nearby hospital and nursing home.

Disabled hunters bill

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), okayed a bill Wed., Apr. 3, that provides for a special hunting season for persons with a physical disability.

S.F. 497, authored by Sen. Gene Merriam (DFL-Coon Rapids), authorizes the Dept. of Natural Resources to establish the seasons. It specifies that a person hunting under the measure must be directly supervised by one or more capable persons, who are not required to have a hunting license. The bill was sent to the Senate floor.

The committee also approved a bill, authored by Sen. Gregory Dahl (DFL-Ham Lake), that provides for the establishment of a water maintenance and

repair fund in the Coon Creek Water District. Dahl said that repairs in urban areas have previously been funded through an assessment to particular pieces of property. He added that repairs benefit the whole district and should be assessed through an ad valorem levy over the entire property tax district. The bill was rereferred to the Committee on Taxes and Tax Laws.

A bill addressing a preparedness and response plan for oil and hazardous waste spills was also approved by the committee. Sen. Steven Morse (DFL-Dakota), author of S.F. 891, said the bill attempts to identify areas of weakness in the current prevention plan. He said the bill defines worst case discharge, establishes a duty to prevent discharge and designates responsible parties that must respond to a spill. While a federal law covering much of the subject is pending, Morse indicated that provisions of S.F. 891 will be more stringent than the federal law. He said the bill also applies to small ports in the state, while federal law concentrates on large ports. He also said the measure enables the state to assess response and prevention programs. A Koch Refinery representative testifying on the bill expressed concern about the number of people that would be involved in a spill response under the measure, adding that different agencies may have different agendas. He supported the Good Samaritan clause that exempts from liability voluntary assists in a spill. He also commended a provision providing for a 24-hour spill response telephone number.

Finance

Agency budget hearings

The State Departments Division of Finance, chaired by Sen. Carl Kroening (DFL-Mpls.), met Wed., Mar. 27. The division heard budget reports from the Housing Finance Agency, the State Board of Investment and the Office of Administrative Hearings.

Housing Finance Commissioner Jim Solem began by outlining the agency's policy plans over the next biennium. Solem also explained reductions in the governor's recommended budget. The proposed reductions in the Tribal Indian Housing program and the Rehabilitation Loan program allows the agency to reallocate funds in order to focus on two priorities: providing relief to low income renters and the homeless, Solem said. The agency is requesting five new positions in order to staff new programs.

Howard Bicker from the State Board of Investment explained that the Board's request of \$1.8 million is to maintain current levels of staffing and performance. The appropriation allows the board to

absorb non-salary inflationary costs without impacting programs dramatically, Bicker said. Bicker explained that the State Board of Investment develops and implements investment policies and strategies for the state's retirement funds, trust funds and cash accounts.

According to Chief Administrative Law Judge William Brown, the Office of Administrative Hearings anticipates a ten percent increase in hearings during the next biennium. Since the office is not on a direct or fixed appropriation but rather part of a revolving fund, there are no new requests for monies or position, Brown said. He said the office does intend to retain two vacant administrative law judge positions and one vacant legal secretary position. With the anticipated increase in workload, the office may fill the positions in the next biennium, Brown said. In that case, the funds would be made up in increased billable hours and a possible rate increase. Brown explained that the Office of Administrative Hearings conducts contested case and rulemaking hearings for state agencies, child support enforcement hearings, hearings for political subdivisions, and all workers' compensation trials for the state. The expected rise in caseload is expected in the areas of child support and workers' compensation, Brown said.

DNR overviews

Members of the Finance Division on Environment and Natural Resources heard overviews of the Trails and Waterways and Minerals divisions within the Dept. of Natural Resources (DNR), Wed., Mar. 27. The committee is chaired by Sen. Steven Morse (DFL-Dakota).

Dennis Asmussen gave an overview of Trails and Waterways, which manages DNR public accesses, state trail systems, boat routes and fishing piers. He said the critical issues for the coming biennium are the extension and maintenance of trails, the incorporation of natural resources into the trail systems, and the acquisition of choice access on lakes and shores to make fishing more accessible to urban people. Asmussen said the \$23 million budget includes a \$2.4 million Legislative Commission on Minnesota Resources (LCMR) recommendation for public access and trail development and acquisition. But, he added that a tight budget will result in the division's inability to maintain some trails and hire summer help. He also discussed the need for increases in snowmobile registration and watercraft license fees to fund activities and keep the accounts solvent.

Bill Brice briefed members on some Mineral Resources Management activities such as Southwest Minnesota exploration drilling and the expansion of iron ore

taconite mining. Brice said the \$10.6 million budget will fund activities such as the identification of aquifers, state-owned mineral rights and groundwater issues. He said reductions in the Mineral Diversification Program will dampen mineral resource exploration, resulting in decreases in revenue typically generated from leasing activities.

Morse said the discussion would continue at a later date.

U of M budget

The Education Division of the Committee on Finance, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), met Wed., Mar. 27, to hear reaction from U of M officials to the governor's budget proposals and to hear a report from the Natural Resource Research Institute (NRRI).

U of M President Nils Hasselmo said that there are two realities upon which planning initiatives for the university are based. They are the university mission—to provide high quality in research, teaching and public service and the fact that they must operate with limited financial resources, he said.

Hasselmo said that the university will be reallocating monies to provide greater course access, improve instruction in large classes, to monitor new preparation requirements for entering students and improve advising for undergraduate students. Also, through reallocation and appropriation, there will be increased efforts for teacher assistant training and for the renovation of study space, especially at the Minneapolis campus, he said.

Bob Erickson, Senior Vice President for Finance and Operations, said that the governor's proposal to decrease the appropriation to the U of M will result in a net decrease of \$23.7 million in available funds, after factoring in the projected tuition increase. This is all part of a \$1 billion general education budget, in which 40 percent goes for instruction, 25 percent for research, 25 percent for support operations, 6 percent for public service, and 4 percent for financial aid, he said. Seventy-six percent of the \$1 billion is from state appropriations.

In real dollars, the decrease in funding proposed by the governor is \$30 million, said Erickson. If the governor's proposals are adopted, there will be significant injury to the U of M, he said.

The division also heard from representatives from NRRI and the Community College System regarding the NRRI program and facilities it shares with Vermilion Community College, Ely, Minn. Dr. Michael Lalich said that the mission of NRRI is to conduct applied research regarding natural resources and their development for sustainable, environmentally sound economic development.

Blue Ribbon Commission

The Education Finance Division of the Committee on Finance, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), met Tues., Apr. 2, to hear presentation from the governor's staff on the Blue Ribbon Commission on Post-Secondary Education.

Peter Larson said that the governor believes that higher education is important, but that the current structure is inefficient. It is hoped that the commission, through cooperative efforts with other interested parties including the legislature, can develop some policies for efficiency, he said.

John Hustad said that the charge of the Blue Ribbon Commission is to determine the higher education needs for Minnesota; review higher education resources; identify the changes necessary to meet the state's higher education needs; develop a vision for optimum coordinated, integrated higher education; and recommend a statewide group to oversee implementation of the plan.

Ron Hackett, Dept. of Finance, said that \$55 million will be withheld from the systems of higher education and kept in escrow for the duration of the commission study. After the study, the commission will then determine how the \$55 million should be distributed between the systems, he said.

Dept. of Ag. overview

The Agriculture, Transportation and Regulation Division of Finance met Tues., Apr. 2, to hear an overview of the Dept. of Agriculture. Commissioner Elton Redalen gave a brief introduction explaining that the department is essentially regulatory in nature. The department serves the producers, processors, distributors and consumers of agricultural and agriculturally related products and maintains a network of programs and services that provide economic protection as well as public health protection, Redalen said.

Deputy Commissioner Rod Newell Searle explained the department's regulatory role. The mission of the agriculture department is to encourage and develop a viable and stable agriculture industry. He explained that the large part of the regulatory capacity of the department is in the Protection Service Program. Protection Service includes food safety and resource protection. Searle explained that 85 percent of the Protection Services funds are fee generated. He said that in light of the current budget crisis the department anticipates raising fees to approach 100 percent fee generated funding.

Because of time constraints, the remainder of the Department of Agriculture budget will be heard at a later date, Langseth said.

Budget overviews

The Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), heard budget overviews for the Dept. of Corrections, the Sentencing Guidelines Commission and the Ombudsman for Corrections, at the Wed., Apr. 3, meeting.

Claims hearing

Members of the Senate Finance Committee Claims Division met with their House counterparts Wed., Apr. 3, to consider individual claims against the state. The panel, chaired by Sen. Tracy Beckman (DFL-Bricelyn), considered claims from the Dept. of Corrections at the Wednesday hearing.

Dept. of Revenue overview

The Finance Division on State Departments met Wed., Apr. 3 to hear a budget overview of the Dept. of Revenue. The committee, chaired by Sen. Carl Kroening (DFL-Mpls.), also heard budget reports from the Capitol Area Architectural and Planning Board (CAAPB) and the Public Employment Relations Board (PERB).

Dorothy McClung, commissioner of the Dept. of Revenue, explained the department's mission for the coming biennium. Some goals include processing returns more efficiently, responding to taxpayer questions and designing new revenue systems. She added that one goal for the future is to make taxpayers aware of the services available through taxes, which she said many people are not aware of. McClung said that the department collected \$200 million in forced compliance tax payments and \$6.5 billion in voluntary compliance payments last year. The Fiscal Year '92-93 budget, totalling \$145 million, includes a 3.8 percent salary adjustment and a 20 percent increase for postage and computer systems. McClung said the department will have to reallocate \$8.5 million to finance programs central to their mission. But she added that the Dept. of Finance has recommended an appropriation of \$1.4 million to retain a tax base which will restore revenues potentially lost through base reallocation decisions.

Gary Grefenberg, executive director, Capitol Area Architectural and Planning Board, gave a brief history of the board since its inception in 1966. He said that the Capitol Area has seen the most active and extensive work since the Capitol was built at the turn of the century. Grefenberg explained that the board's request of \$236,000 for each year of the biennium is at the same level as the last biennium. He explained that most of the allocation goes towards paying three architects whose consultation is statutorily required. Grefenberg added that an additional request of \$45,000 is needed by the board to pay for the space the board is renting in

Committee update

the Administration Bldg. The board was recently directed to move from their Capitol address, Grefenberg explained.

The Public Employee Relations Board is requesting additional money this year in order to become computerized, explained Executive Director Jermaine Foslien. Foslien said that she is the PERB's only full-time employee. The duties of the board, made up of five members appointed by the governor, include promoting fair public sector labor-management relations and minimizing the social and economic costs of disputes, Foslien explained. Foslien said that aside from the approximate cost of computerization (\$8000), the board is asking for funds to make up an operating deficit from FY 1991 as well as an increase in per diem for members. Foslien added that the governor concurs with the board request of an additional \$15,000 for each fiscal year.

Gaming Regulation

Gaming proposals considered

The Wed., Mar. 27, meeting of the Gaming Regulation Committee focused on a provisions of a document in the form of a delete-everything amendment. The amendment incorporates a number of gambling proposals into S.F. 506, authored by Chair Charles Berg (DFL-Chokio). S.F. 506 requires annual financial audits by licensed accountants for organizations making over \$1 million in gross receipts. Organizations making less than that amount are required to fill out a financial statement. In addition, the bill requires extensive recordkeeping by all organizations.

Among provisions included in the proposed amendment is a measure requiring posting of the toll-free compulsive gambling hotline number at pari-mutuel betting windows, lottery outlets and lawful gambling establishments. A required compulsive gambling assessment provision, for persons convicted in crimes of theft, embezzlement and forgery, is also included. The amendment also places a surcharge on permit fees for the compulsive gambling treatment program.

The amendment allows one half of the cost of an audit as an allowable expense and the other half as a lawful purpose expenditure. Licensing is extended to once every two years and fees are doubled accordingly. Bond requirements for gambling managers are returned to the original amount of \$10,000. Hard, reusable bingo cards are allowed for organizations with gross receipts under \$200,000 or for those organizations that do not pay workers.

Finally, the board is required to prepare and distribute a manual that will help organizations to comply with law and rule,

Berg explained.

The committee also discussed a change in property tax payment for licensed organizations. Currently, up to \$600 a month or \$7200 a year is allowed as a lawful purpose expenditure. Sens. James Metzen (DFL-So. St. Paul) and Joe Bertram (DFL-Paynesville) questioned the fairness of the current rule. Some clubs can pay the entire property tax bill with the current allowance while others are facing extinction because of it, Metzen said. Lawful Gambling Director Tom Anzels said the problem stems from clubs that do not participate in bingo and are unable to do so. He said ninety percent of those clubs are veterans organizations. The organizations are having trouble meeting tax obligations, he said, while bingo clubs are able to conduct enough bingo occasions to pay the taxes.

More gaming proposals

Amendments were added to a measure being considered by the Gaming Regulation Committee, Wed., Apr. 3. The panel, chaired by Sen. Charles Berg, discussed and adopted several amendments to a delete-everything amendment intended for S.F. 506, a bill that regulates organizations and requires audits. The delete-everything amendment to S.F. 506, authored by Berg, incorporates a number of measures already discussed and agreed upon by panel members.

Berg opened the proceedings by offering two amendments relating to gambling records. One stipulates that reporting forms identify individual premises for organizations with more than one gambling premises. The other amendment requires that audit reports be filed with the commissioner of revenue instead of the Gambling Control Board. The committee adopted both amendments. Another amendment offered by Berg that would provide for a single reporting form to be used by the Gambling Control Board and the Dept. of Revenue was defeated.

Sen. Joe Bertram (DFL-Paynesville) offered an amendment to allow organizations to claim the full cost of liability insurance premiums as an allowable expense. Currently, organizations may only claim one third of the cost as an allowable expense. The amendment was adopted. An amendment that allows for an exception for the training of a gambling manager was also adopted. The amendment, offered by Bertram, allows a ninety-day training period after licensure for replacement gambling managers in the case of death, disability or termination. Bertram also offered an amendment to the pending legislation to allow organizations to make leases for periods of a year or more. Current law specified that all leases

be for one year only to coincide with gambling licenses. Under S.F. 506, organizations need to be licensed every two years.

Two other amendments, also offered by Bertram, were adopted. The limitation holding the number of bingo occasions to seven times a week was removed. The recipient acknowledgment form requirement was also removed. Another amendment allowing bingo establishments to accept checks was set aside.

One proposed amendment generated considerable discussion. Sen. Pat McGowan (IR-Maple Grove) offered an amendment to change the ideal gross tax to 4.5 percent, abolish the combined receipts tax and set pull-tab prize amounts at 75 percent of the ideal gross of the deal. The committee agreed to revisit the subject at the next meeting and laid the bill over.

Governmental Operations

Three bills approved

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), approved three bills Thurs., Apr. 4.

S.F. 726, authored by Sen. John Marty (DFL-Roseville), extends state-paid health insurance to Dept. of Education employees covered under the Teacher Retirement Association pension plan as employees covered under the Minnesota State Retirement System.

The panel also considered S.F. 173, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake). The bill, as introduced, would require that part-time employees (working less than 14 hours per week) of units of government be included in union bargaining units and be eligible for benefits. The bill also prohibits the hiring of an employee on a temporary basis, terminating that person, and then filling the same position with another employee for the purpose of avoiding having to offer benefits and preventing the employee to enter the bargaining unit. The bill was amended to delete the provision requiring part-time employees be allowed in the bargaining unit.

S.F. 735, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), authorizes the donation of eight hours of vacation time by members of a law enforcement unit to their union office for the purpose of carrying out the duties of that office.

Several panel members expressed concern that time donated could be used for appropriate purposes, given the intended nature of vacation time.

All three bills were sent to the full Senate.

Dept. of Gaming bill

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), met Tues., Apr. 2, to hear testimony on S.F. 324, authored by Sen. Charles Berg (DFL-Chokio), establishing provisions related to public gaming. The bill abolishes the Dept. of Gaming and the position of commissioner of gaming, delegates authority over gaming activities, and clarifies the definition of games of chance.

Berg said that abolishing the Dept. of Gaming and its commissioner is a suggestion of the last commissioner and is supported by the department. The commissioner has no defined duties and the department has no clear mission, he said.

Mark Johnson, assistant to the commissioner, Dept. of Gaming, said that the mandate to the department was to study gambling in the state. It was found that Minnesotans are wagering at a rate of \$2.5 billion per year, and that the past decade was marked by rapid growth in dollars bet, he said.

The conclusions arrived at by the department, said Johnson, are that there should be a moratorium on new opportunities for public gaming and that there is no need for the position of commissioner. There are two options that are being proposed to address the latter conclusion, he said. They are to either eliminate the department or to strengthen the position of the commissioner, said Johnson.

James M. Schaefer, associate director, Center for Addiction Studies, U of M, disagrees with a policy that would abolish the commissioner's position. The social cost of gambling is great and it needs stronger controls, he said. Schaefer suggests that a stronger department be created with a commissioner that has authority to pursue a stated mission. The executive branch needs a stronger hand in affecting gambling in Minnesota, he said.

The bill also makes clear that certain video games of chance are considered illegal for gaming purposes and makes paddlewheel games illegal.

The bill was laid over.

Health and Human Services

Infectious waste changes

A bill altering the Infectious Waste Control Act was approved at an evening hearing of the Health and Human Services Committee, Tues., Apr. 2. S.F. 783, authored by Sen. Gregory Dahl (DFL-Ham Lake), transfers responsibility for administration of the act from the Pollution Control Agency to the Dept. of Health, clarifies that the act covers infectious waste generated by veterinarians, allows a person who owns and operates more than one facility that generates infectious waste to prepare a

common management plan for all the facilities and alters the structure for the fees that are submitted with the management plans. The measure was approved and rereferred to the Committee on Finance.

In other action, the panel acted on the bill tightening the restrictions of the Clean Indoor Air Act. The amended version of S.F. 429, authored by Sen. Carol Flynn (DFL-Mpls.), ran into considerable opposition and was referred to the Commerce Committee without recommendation.

Committee members, chaired by Sen. Linda Berglin (DFL-Mpls.), advanced five additional bills. S.F. 91, the "wage fairness" bill sponsored by Berglin, was approved and sent to the Committee on Finance. The measure provides a mechanism for increasing the salaries of employees of intermediate care facilities for persons with mental retardation, home and community-based waiver services, development achievement centers, Rule 14 facilities and semi-independent living services programs. The measure requires counties to increase payments to residential mental health treatment programs to allow a pay increase for employees other than top management. The state is required to reimburse counties for the costs of the increase under the bill.

S.F. 155, authored by Sen. Don Samuelson (DFL-Brainerd), authorizes counties to retain one-half of the nonfederal share of child support recoveries that are directly attributable to county efforts. The measure, which was approved and rereferred to the Committee on Finance, is designed to provide an incentive for counties to continue efforts to collect support payments.

S.F. 885, authored by Berglin, creates a limited exception to the moratorium on licensure of new nursing home beds by allowing a licensed facility, that is not medical assistance certified, to upgrade beds from boarding care beds to nursing home beds. S.F. 473, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), allows nursing homes to transfer medical assistance certification among beds. Both measures were approved and sent to the full Senate.

Finally, S.F. 1045, sponsored by Berglin, making changes to the laws governing the regulation of mental health service boards, was also approved and rereferred to the Committee on Governmental Operations. The bill provides that the Board of Social Work and the Board of Marriage and Family Therapy are to be independent boards. Further, the Board of Unlicensed Mental Health Service Providers and the Office of Social Work and Mental Health Boards are discontinued. Finally, the bill provides for a new system of regulating unlicensed mental health providers by the Dept. of Health.

Child care bill advances

The Health and Human Services Social Services Subcommittee, chaired by Sen. Carol Flynn (DFL-Mpls.), met Wed., Apr. 3, and advanced a comprehensive child care coordination measure. S.F. 475, authored by Sen. Pat Piper (DFL-Austin), is the product of work done by a special task force to recommend improvements in coordinating child care and early childhood education. The measure establishes the Minnesota Early Childhood Care and Education Council to coordinate state agency policies, advocate for effective early childhood care, study the need for child care funding for special populations, administer service development grants and administer resource and referral grants. The measure also provides for appropriations totalling about \$7 million for various programs. The largest appropriation, \$5 million, is directed to the Basic Sliding Fee Program and \$1 million is appropriated to the resource and referral programs. The measure also specifies that the Minnesota Early Childhood Care and Education Council is to award grants to child care centers and family child care providers to encourage facilities to obtain accreditation and certification and to achieve improved pay for child care workers. The measure was approved and referred to the full committee.

The panel also approved S.F. 873, sponsored by Sen. Don Storm (IR-Edina), establishing welfare fraud prevention programs. The bill also sets forth penalties for persons convicted of welfare fraud in order to be in compliance with federal regulations. According to Storm, the bill expands a current pilot program that emphasizes fraud prevention by initiating investigations before applications are granted. The program emphasizes professional, low profile, non-threatening investigative procedures on new applications, recertifications and redeterminations. The measure was approved and forwarded to the full committee.

Nursing home bills heard

The Health Care Access Division, chaired by Sen. Pat Piper (DFL-Austin) held an evening meeting, Wed., Apr. 3, to begin discussion on two bills pertaining to nursing home reimbursement payments.

S.F. 937, authored by Sen. Linda Berglin (DFL-Mpls.), includes modifications on nursing home property cost reimbursement payments. The measure increases the investment-per-bed limit for nursing homes, increases the equipment allowance by 12 percent, establishes a capital asset replacement per diem for each nursing home, establishes restrictions on the capital replacement fund and recognizes new debt from refinancing and sales that occur after May 22, 1983.

Berglin informed division members that additional funding will be needed.

Committee update

However, she said, the governor's budget includes cutting property reimbursements, so the legislature will need to decide on filling the financial gap. The panel devoted most of the meeting to hearing testimony in support of S.F. 937 and S.F. 585.

S.F. 585, also authored by Berglin, relates to nursing facility reimbursement payments and regulation. The measure requires that nursing facilities use efficiency incentive payments to correct licensing violations; provides that efficiency incentives for uncorrected license violations can be withheld; allows the Interagency Board for Quality Assurance to authorize grants to nursing facilities to develop incentive programs; authorizes short-term loans to correct deficiencies; and establishes an inflation factor for efficiency incentive payments. Berglin also mentioned that additional funding would be required for the bill. No action was taken on either bill.

Judiciary

DWI supervision, domestic abuse

The Judiciary Criminal Law Division, chaired by Sen. John Marty (DFL-Roseville), met Wed., Mar. 27, to hear several bills, including one that provides intensive supervision probation for repeat DWI offenders and another that provides penalties for violations of orders for protection.

S.F. 494, sponsored by Sen. Allan Spear (DFL-Mpls.), creates a program at the Dept. of Public Safety to provide grants to counties to establish appropriate sentencing alternatives for persons convicted of DWI and considered to be of high risk to the community. The bill calls for counties to assess the offender's chemical dependency and provide several stages of supervision including 30 days in jail and other non-incarceration supervision. The bill also requires an offender abstain from alcohol and other drugs and increases the chemical dependency assessment charge for repeat DWI offenders from \$75 to \$80.

S.F. 716 is a response to an increasing awareness of domestic abuse and, specifically, violations of orders of protection, said bill author Sen. Ember Reichgott (DFL-New Hope). The bill provides that a person violating an order for protection a second time is guilty of a gross misdemeanor and clarifies that an order excluding a person from a petitioner's place of employment may be enforced by a peace officer through arrest, even if the officer is not present at the time of the violation.

The bill also increases the period of probations for person convicted of a misdemeanor assault involving a domestic

victim to two years and appropriates money to the Dept. of Corrections for advocacy services for battered women.

Sen. Thomas Neuville (IR-Northfield) offered amendments limiting the gross misdemeanor penalty to offenders whose second violation occurs within a two year period of a previous conviction and requiring judges to give reasons why incarceration was not used for offenders who receive alternative penalties. Both amendments were adopted.

The panel also heard S.F. 1007, authored by Marty, clarifying advisories given by law enforcement officials to drivers being asked to take chemical tests for alcohol concentration. It makes clear that the driver's right to drive "will" be revoked instead of "may." It also makes clear that the driver's refusal will be offered as evidence at the person's trial.

Finally, S.F. 276, authored by Sen. Randy Kelly (DFL-St. Paul), clarifies circumstances under which a person can be charged with a felony after taking away or attempting to take away a weapon from a peace officer. The felony penalty applies when the act of disarming the officer is committed with knowledge that it creates a risk of death, substantial harm or property damage.

All four bills were approved and sent to the full Judiciary Committee.

DWI convictions admissible

A bill allowing DWI convictions to be admissible as evidence in a civil action was given approval at the Wed., Mar. 27, meeting of the Judiciary Civil Law Division.

S.F. 753, authored by Sen. Jane Ranum (DFL-Mpls.), allows a DWI conviction to be admissible as evidence for civil actions involving a motor vehicle accident in which the consumption of alcohol is at issue. The admission of DWI convictions is subject to the limitations contained in the rules of evidence.

The division, chaired by Sen. Richard Cohen (DFL-St. Paul), considered and adopted a number of amendments. One of the amendments specifies the conditions for punitive damages in a civil action. A second amendment also allows preliminary screening tests for blood alcohol levels to be admissible as evidence.

The bill was approved and advanced to the full committee.

Division members also discussed S.F. 737, authored by Sen. Gene Merriam (DFL-Coon Rapids), enacting the Uniform Statutory Will Act. Under the measure, an individual with the capacity to make a will may do so without an attorney using the forms prescribed in the bill.

The measure also provides for spousal

shares depending on whether there is a surviving issue; includes special provisions for the establishment and distribution of a basic trust; provides for distribution of the estate when there is no surviving spouse; and provides for the establishment and distribution of a trust when property is distributable to children under a specified age or to individuals who have a disability. No action was taken on the bill.

Bills advance

The Judiciary Criminal Law Division, chaired by Sen. John Marty (DFL-Roseville), met Wed., Apr. 3, to consider three bills.

Bill author Sen. Linda Berglin (DFL-Mpls.) said that S.F. 950 assists in efforts to help those who live in areas where drug houses exist. The bill requires tenants signing a lease to agree not to allow any controlled substances on the premises, allows the courts to close a disorderly house following the arrest of the owner or tenant, and expands the nuisance law to allow a nuisance charge if there is a conviction for unlawful use or possession of a firearm in the building.

Mitchell Rothman, City Attorney's Office, Mpls., said that the bill improves attempts to address street level drug dealing. He said that the provision requiring tenants to agree not to allow controlled substances on the premises may be an undue burden and that the tenant should be required to know and have the ability to effectively report or remove the controlled substances.

The bill was amended to reflect Rothman's concern. Also the bill amends statutes that require county attorneys to notify landlords of drug-related arrests and seizures and requires landlords to evict tenants. The bill lowers the threshold of substance value to which the bill applies from \$1,000 to \$100. The bill was amended to make clear that the provision applies to rental property only.

The division revisited S.F. 514, authored by Marty. The author offered an amendment making it clear that people who, as a part of their job, carry or have access to fire arms must receive training and be registered.

S.F. 525 incorporates recommendations from the Office of Drug Policy, said bill author Sen. Allan Spear (DFL-Mpls.). The bill expands the concept of drug-free zones, such as school and park zones, and establishes public housing zones as drug-free.

The bill phases out the Office of Drug Policy, as is the recommendation of that office, and transfers certain functions and authority to other agencies. The bill requires that an assessment be made of all felons as to whether controlled substances were a factor in the commission of their

crime, and that the feasibility of expanding DWI implied consent laws to other controlled substances be studied.

The division adopted an amendment offered by Sen. Randy Kelly (DFL-St. Paul) deleting provisions calling for the elimination of the Office of Drug Policy.

All three bills were approved and sent to the full Judiciary Committee.

Five bills advanced

The Judiciary Data Privacy Subcommittee, chaired by Sen. Jane Ranum (DFL-Mpls.), took action on five measures at an evening hearing, Tues., Apr. 2.

S.F. 912, authored by Ranum, specifies the circumstances under which the identity of a person placing a call on the 911 system is protected. The measure provides that the agency has the authority to withhold data if revealing the data results in threatening the personal safety or property of the caller, or the person or subscriber who placed the call does not consent to having their identity made public.

S.F. 762, authored by Sen. Sandra Pappas (DFL-St. Paul), eliminates restrictions on disclosing the birth certificate of a child born to an unmarried woman. An amendment was offered, but was not adopted, that would have allowed one parent the authority to designate on the birth registration form whether to keep the birth data confidential.

S.F. 383, authored by Sen. David Frederickson (DFL-Murdock), allows the attending physician of a deceased individual access to investigative data and records held by the medical examiner, county coroner or county sheriff.

S.F. 140, authored by Sen. Randy Kelly (DFL-St. Paul), provides that information on juveniles involved in traffic accidents may be disclosed to the public.

S.F. 812, authored by Sen. Richard Cohen (DFL-St. Paul), classifies county coroner and medical examiner data. The measure specifies that data will remain confidential if the death resulted from a homicide, is undetermined or is under investigation, even if the coroner's investigation is complete. All five measures were approved and advanced to the Judiciary Committee.

In other action, members discussed S.F. 802, an omnibus data practices bill, authored by Ranum. The bill authorizes that child protective service agencies and family court service agencies can share information about cases relating to child abuse when involving the same clients. Further, the measure provides that private or confidential data released to a family court services agency must be destroyed when ordered. The bill was laid over for further discussion.

Disability Discrimination claims

A bill limiting defenses relating to

human rights violations was discussed at length at the Wed., Apr. 3, meeting of the Judiciary Civil Law Division, chaired by Sen. Richard Cohen (DFL-St. Paul).

S.F. 1069, sponsored by Cohen, prohibits an employer from discriminating against an employee who was injured on the job and received worker's compensation benefits. The measure arose from a case involving a disability discrimination claim. The Minnesota Supreme Court ruled that a worker who was refused the opportunity to return to work because of a disability could not challenge that refusal under the Human Rights Act if the worker had previously received workers' compensation. In other words, an employee cannot sue an employer for disability discrimination as a result of the court's decision.

Proponents of the measure said under current law, an employer is allowed to fire a worker who is fully qualified to do a job if the worker received compensation while out of work. The bill, they said, will provide a remedy for employees by allowing them the opportunity to recover damages by filing a disability discrimination claim.

Acting Human Rights Commissioner Frank Gallegos voiced both support and opposition to the bill. He told members that he is in support of the bill. However, the department is not receiving any additional resources in the form of money or staffing to meet the increased caseload the bill will create. The bill was laid over for further discussion.

In other action, panel members approved a measure that directs the Supreme Court to establish a statewide alternative dispute resolution program. S.F. 969, sponsored by Sen. William Luther (DFL-Brooklyn Park), also directs the Supreme Court to adopt rules governing practice, procedure and jurisdiction for the program; and specifies that alternative dispute resolution methods must include private trials, neutral expert fact-finding, mediation, mini-trials, consensual special magistrates, including retired judges and qualified attorneys to serve as special magistrates for binding proceedings with a right of appeal.

The bill was referred to the Judiciary Committee.

Lastly, S.F. 624, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), failed to gain panel approval. The measure limits volunteer liability for motor vehicle accidents.

Local Government

Local bills approved

The Local Government Committee met Thurs., Apr. 4, and approved several measures. The panel, chaired by Sen. Betty Adkins (DFL-St. Michael), heard two bills authored by Sen. Randy Kelly

(DFL-St. Paul). S.F. 943 makes several changes in Ramsey County special laws in order to keep statute consistent with the new Ramsey County Home Rule Charter. The bill was approved and sent to the full Senate. S.F. 973, also authored by Kelly, requires that the Ramsey County personnel director change from one to two the number of members of a protected group that may be included in the certification process beyond the first five eligibles when a job vacancy occurs. When more than one vacancy is to be filled by the same certification the personnel director is required to certify an additional member from each of at least three underrepresented protected groups. Protected groups include women; handicapped persons; and members of the following minorities: Black, Hispanic, Asian or Pacific Islander, American Indian or Alaskan Native, Kelly said.

The committee also heard a bill that adds regular maintenance, such as snow removal, to the list of the allowed annual improvements for Nicollet Mall. S.F. 859, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), was approved and sent to the full Senate. S.F. 860, carried by Sen. Jane Ranum (DFL-Mpls.), is a bill to include parking facilities as a special service within the city of Minneapolis' special service districts. The bill was approved and rereferred to the Taxes and Tax Laws Committee.

A bill authorizing the city of Rochester to impose a one percent sales tax was approved. The measure also allows Rochester to impose as motor vehicle excise tax of up to \$20 per motor vehicle. S.F. 984, sponsored by Sen. Nancy Brataas, (R-Rochester), reinstates a statute that is sunseting this year. Brataas explained that a referendum was held and passed overwhelmingly. The measure was rereferred to the Committee on Taxes and Tax Laws.

S.F. 1074, a bill that authorizes the city of Mankato to annex the property of Mankato Municipal Airport, was also approved. Bill author, Sen. John Hottinger (DFL-Mankato), explained that a city ordinance prohibits the annexation of noncontiguous property. The bill allows an exception to that ordinance in the particular instance of the municipal airport. The bill was sent to the Senate floor.

Sen. Gene Merriam (DFL-Coon Rapids) is sponsor of S.F. 779, a bill that eliminates the requirement that county morgues be required to operate at the county seat. The bill also rescinds the requirement that county morgues be maintained in a building separate from other buildings. The original purpose of such a measure, Merriam explained, was to keep county coroner's business away from morticians. The bill was approved and placed on the Consent Calendar.

Committee update

The committee also heard and approved a measure that allows local governments the option of not complying with a state mandate if the state does not provide sufficient funding. The bill, authored by Sen. Jim Vickerman (DFL-Tracy), places a sunset of five years on all mandates imposing an accumulative, nonfunded fiscal impact of more than \$50,000 per year to all local units of government, unless explicitly reenacted by law. The bill was rereferred to the Governmental Operations Committee.

Metropolitan Affairs

Fiscal Disparities Program

Two bills relating to the Fiscal Disparities Program were discussed at the Tues., Apr. 1, Metropolitan Affairs Committee meeting, chaired by Sen. Don Frank (DFL-Spring Lake Park).

S.F. 507, authored by Sen. Linda Berglin (DFL-Mpls.), creates a Crime and Social Services Disparities Fund within the Fiscal Disparities Program. The measure specifies the formula to be used in determining the amount of the fund; specifies the conditions under which funds will be redistributed between the counties; and specifies that the monies must be used exclusively for funding social service and correction programs.

S.F. 529, also authored by Berglin, places a \$291 million cap on the Fiscal Disparities Pool. The intent of the pool is to provide a way for local governments to share in the resources generated by the growth of the area, without removing any resources that local governments already have. In other words, the commercial/industrial tax capacity is shared among all communities within the Metro Area under the Fiscal Disparities Law.

S.F. 529, if passed, provides that any growth in the value of commercial/industrial property within the Metro Area will no longer be shared among all communities.

Proponents of the measure testified at the hearing. Witnesses said that S.F. 529 will slow the rate of growth, will leave tax resources within the local community and will limit the pool size to the 1991 level. Discussion on both measures continued at the Thurs., Apr. 4, morning meeting.

In other action, members failed to approve S.F. 536, prohibiting the Metropolitan Mosquito Control Commission from purchasing real estate. The bill, authored by Sen. Donald Storm (IR-Edina), specifies that the commission is allowed to lease property for a period of up to eight years, with a renewal option for eight years.

Redistricting

Testimony on standards

Members of the Redistricting Committee, chaired by Sen. Roger Moe (DFL-Erskine), continued the discussion of redistricting standards at the Wed., Mar. 27, meeting. The panel is considering two resolutions; one for legislative redistricting and one for congressional redistricting, that set forth standards to be followed in drawing the new boundaries.

During the course of discussion, Senators determined that the only point of controversy in the standards resolutions concern the use of the word "convenient" rather than the word "compact" in one of the standards. The resolution requires that districts be composed of convenient contiguous territory.

In addition, the panel heard testimony from Lester Collins, Council on Black Minnesotans, Roger Head, Indian Affairs Council and Dr. Albert deLeon, Council on Asian Pacific Affairs on the importance of a standard that specifies that the districts must not dilute the voting strength of racial or language minority populations.

Taxes and Tax Laws

Revenue forecast update

Members of the Taxes and Tax Laws Committee met Tues., Apr. 2, to hear an update on the state's newest revenue forecast. Commissioners John Gunyou and Dorothy McClung presented the revised budget figures. According to Gunyou, Minnesota's economic outlook has improved slightly since the November forecast. As a result, the governor has proposed additional funding for a limited number of programs. In addition, the governor has proposed using \$150 million of the budget reserve to provide additional funding to homestead property tax relief. Gunyou said that the supplemental proposal provides \$15 million for a health care access initiative, \$2.8 million for medical assistance copayment elimination, \$5 million for the chemical dependency treatment fund, \$.4 million for childrens initiatives, \$10 million for technology related programs at the U of M, \$.7 million for a minority teachers program, \$5 million for ethanol development grants, \$2.4 million for public broadcasting grants and \$20.6 million to rescind the state employee pension adjustment.

Committee discussion revolved around the lack of a concrete tax proposal to debate. Committee Chair Douglas Johnson (DFL-Cook) and Sen. Lawrence Pogemiller (DFL-Mpls.), called for a bill to be introduced to provide a working

document for discussion.

In other action, the panel advanced three bills. H.F. 57, sponsored by Sen. Ember Reichgott (DFL-New Hope), is a technical property tax corrections measure that clarifies and alters numerous provisions with no substantive effect. S.F. 339, authored by Sen. William Luther (DFL-Brooklyn Park), provides for a sales tax exemption for the International Special Olympics this summer. S.F. 350, authored by Sen. Ted Mondale (DFL-St. Louis Park), authorizes the city of Hopkins to issue bonds to pay for environmental response costs at a landfill and adds reimbursement to a local government for costs incurred over \$400,000 to remediate methane at a closed disposal facility as a purpose for expenditures from the Metropolitan Landfill Contingency Action Trust Fund. All three bills were advanced to the full Senate.

Public finance bill discussed

Members of the Taxes and Tax Laws Income, Sales and Economic Development Division devoted the entire Wed., Apr. 3, hearing to discussion of S.F. 1179. The measure, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides conditions and requirements for the issuance of debt and for the financial obligations of local governments and authorities issuing bonds. Pogemiller led members through a section by section discussion of the bill with comments from representatives of appropriate members of the industry. No action was taken on the measure in order to give interested parties time to explore the ramifications of the measure. The division is chaired by Pogemiller.

Transportation

Omnibus bill okayed

S.F. 598, the Transportation Study Board bill, was okayed by the Transportation Committee Tues., Apr. 2. The bill establishes a state transportation plan for the next 20 years with an emphasis on multimodal, efficient and safe transportation. Among the bill's provisions are authorizations for road authorities to acquire and construct toll and light rail transit facilities. In addition, the bill establishes a transportation utility based on the amount of traffic generated by a certain property.

Committee members and witnesses expressed concern on the provisions establishing some roads as natural preservation routes. A Minnesota Department of Transportation (Mn/DOT) representative said the provision will result in compromised construction safety standards because growth normally removed along the roadway would not be removed

according to the bill. In addition, some speed limits among local governments may vary, breaking the tradition of consistent speed limits by Mn/DOT.

A representative of the Minnesota Retail Association testified against the transportation utility provision, contending the utility will result in larger businesses essentially funding road improvements where there is little development. A representative from the Minnesota Trucking Association also opposed the provision on the grounds that it would impact trucking companies negatively. However, a representative from the City Engineers of Minnesota said a utility would provide needed financing for road infrastructure improvements.

Discussion also centered on a provision allowing the construction of light rail transit facilities, specifically on where the construction would take place and how funding would be achieved. The bill was rereferred to the Metropolitan Affairs Committee.

Veterans and General Legislation

Vets emergency assistance fund

A bill authorizing the commissioner of Veterans Affairs to assist activated military personnel from the state soldiers' assistance fund was approved Wed., Apr. 3. The Veterans and General Legislation Committee, chaired by Sen. Joe Bertram (DFL-Paynesville), approved the measure, S.F. 373, after a brief description of the bill from Jeff Olson, deputy commissioner, Dept. of Veterans Affairs. Olson explained that by allowing activated military personnel to be classified in the same category as veterans, the state does not need to allocate new money because there is an existing fund to assist veterans and their families. Bill author Bertram said that the proposal will help eliminate future problems similar to those encountered by activated military personnel and their families during the Persian Gulf war. The bill was approved and sent to the full Senate.

A measure that establishes a low-cost spaying and neutering program was presented by Sen. Florian Chmielewski (DFL-Sturgeon Lake). Chmielewski explained that the program is supported by a tax imposed on wholesale sales of dog and cat food. The measure was approved and rereferred to the committee on Taxes and Tax Laws.

S.F. 1038, authored by Sen. Terry Johnston (IR-Prior Lake), prohibiting the use of live lures or bait in greyhound races and training was also approved and sent to the Senate floor.

Floor Action

Vertical price fixing bill

Senators returned Tues., Apr. 2, from a five day recess to begin the countdown to the first committee deadline. The floor session began with the granting of final passage to the ten measures given preliminary approval Wed., Mar. 27. All ten bills were passed without dissenting votes.

In addition, Senators considered two measures on the General Orders Calendar. S.F. 539 is designed to get at the problem of vertical price fixing; a situation that arises when there is collusion between a manufacturer or distributor and a reseller, said Sen. Allan Spear (DFL-Mpls.). The bill specifies that evidence that a supplier received from a competitor of a reseller, communication regarding price competition by the reseller in the resale of a commodity or services, and in response terminates the reseller as a buyer, may be used in a civil action based on a violation of the unreasonable restraint of trade law.

Senators also granted preliminary passage to S.F. 646, sponsored by Sen. Sam Solon (DFL-Duluth). The measure amends the definition of "manufactured in the United States" for state purchases in order to allow a Minnesota company to enter into contracts with the state. The company distributes salt that is mined in Canada and thus, needs the change in definition because no salt is mined in Minnesota.

Border resolution approved

Members spent the first portion of the Thurs., Apr. 3, floor session attending to procedural matters. Activity has appreciably intensified because of the approaching Apr. 12 deadline and Senators devoted much of the floor session to shepherding bills through the process. However, Senators did grant final passage to the two measures given preliminary approval earlier in the week and gave preliminary approval to an additional eight bills.

H.F. 661, authored by Sen. Bob Lessard (DFL-Int'l. Falls), is a resolution memorializing Canada to correct the new permit regulations for the Canada-Minnesota border, and to encourage federal, state, and provincial governments to resolve differences to the mutual benefit and satisfaction of the citizens of both countries.

S.F. 734, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), authorizes a highway patrol refund of a specific employee's contributions to the retirement fund upon the employee's death. S.F. 391, authored by Sen. Joe Bertram (DFL-Paynesville), provides for alternative methods for the disposal of animal carcasses. S.F. 774, authored by Sen. Linda Berglin (DFL-Mpls.), clarifies

licensing requirements for residential programs for persons with chemical dependency, establishes procedures for contesting a transfer or discharge from a nursing home, sets a time limit for the appeal of civil penalties under the nursing home licensing laws and provides procedures for contesting findings under the Vulnerable Adults Act.

S.F. 254, authored by Sen. Janet Johnson (DFL-North Branch), clarifies newborn drug screening requirements, clarifies eligibility for maternal and child health services and requires birth or death certificate medical supplements to report prenatal exposure to controlled substances. S.F. 713, sponsored by Sen. Judy Traub (DFL-Minnetonka), repeals rule criteria for disqualification of applicants for human services licensing and for the applicants' employees. H.F. 131, carried by Sen. John Bernhagen (IR-Hutchinson), authorizes the Meeker County Board to provide for an addition to the county hospital. S.F. 729, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), alters the qualifications for obtaining a license to take wild animals by firearms.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6 the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6 the Metro Cable Network.

Also, watch for Senate Report, a weekly public affairs program, featuring lawmakers from specific regions around the state reviewing legislative issues from a regional perspective. Senate Report is broadcast on PBS stations as well as Channel 6 the Metro Cable Network.

The following is the schedule for broadcast of Senate Report.

Austin KSMQ - 11:30 a.m. Sundays;
Duluth WDSE - 11:30 a.m. Sundays;
Appleton KWCM - 11:30 a.m. Sundays;
Bemidji KAWK/KAWB - 11:30 a.m. Sundays (Beginning Feb. 3); Fargo KFME 11 a.m. - Saturdays (Beginning Feb. 2); and Channel 6, the Metro Cable Newtwork - 6:30 p.m. Mondays and 7:30 p.m. Wednesdays.

Senate phone numbers

For copies of bills (voice mail)	296-2343
For index and information	296-0504
For committee schedules	296-8088
For TDD	296-0250
For TV comment	296-0264

Preview

The Minnesota Senate Week at a Glance

Monday, April 8

Editor's note: Because Fri., Apr. 12, is the first committee deadline, committee schedules are all subject to change. For updated information call the Senate Hotline at 296-8088 or the Information Office at 296-0504.

Education Committee

Chair: Gregory Dahl
8 a.m. Room 15 Capitol
Agenda: S.F. 1071-Moe, R.D.: Creating the Minnesota Board for Higher Education. S.F. 86-Ranum: Post-probationary teacher termination dispute arbitration.

Employment Committee

Chair: Florian Chmielewski
10 a.m. Room 107 Capitol
Agenda: S.F. 1153-Chmielewski: Leave of absence for public service. S.F. 1248-Chmielewski: Workers' Comp. S.F. 1073-Halberg: Workers' Comp. S.F. 596-Chmielewski: Workers' Comp.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth
10 a.m. Room 123 Capitol
Agenda: MN. Humanities Int'l. Center.

Judiciary Committee

Chair: Allan Spear
10 a.m. Room 15 Capitol
Agenda: S.F. 156-Spear: Public defender management bill. S.F. 355-Pogemiller: Disposition of seized animals. S.F. 464-Merriam: Forfeiture procedures. S.F. 716-Reichgott: Domestic abuse. S.F. 780-Frederickson, D.R.: U.C.C. computer information. S.F. 788-Merriam: Patient consent for disclosure of health records. S.F. 880-Spear: Worthless checks. S.F. 950-Berglin: Neighborhood drug control bill. S.F. 969-Luther: Alternative dispute resolution. S.F. 979-Pappas: Sale of butane to minors. S.F. 1120-Finn: Secretary of State corporation fees, deadlines, and procedures. S.F. 1235-Flynn: Application of felony penalties for depriving a person of parental rights. S.F. 1032-Price: Assault of a corrections employee.

Veterans and General Legislation Committee

Chair: Joe Bertram
10 a.m. Room 112 Capitol
Agenda: S.F. 532-Finn: Town officer appointment. S.F. 976-Frederickson, D.R.: Ferret reclassification. S.F. 952-Sams: Military and Reserve pay and benefits time frame. S.F. 1068-Riveness: Resolution to condemn Soviet use of force on Baltic Republics. S.F. 1167-Cohen: Metro Council tax levy to support non-profit arts organizations.

Economic Development and Housing Committee

Chair: James Metzen
12 noon Room 107 Capitol

Agenda: Confirmation hearing for IRRRB Commissioner Wayne H. Dahlke. S.F. 402-Dahl: Establishing regional international trade service centers. S.F. 887-Beckman: Commission on economic development policy. S.F. 982-Bernhagen: GMC name and structure change. S.F. 1087-Frederickson, D.R.: Public Facilities Authority. S.F. 229-Dahl: Pets of mobile home park residents.

Judiciary Subcommittee on Data Privacy

Chair: Jane Ranum
12 noon Room 318 Capitol
Agenda: S.F. XXXX-Ranum: Creating a domestic abuse data system. Other bills to be announced.

Transportation Committee

Chair: Gary DeCramer
12 noon Room 112 Capitol
Agenda: S.F. 1175-DeCramer: Adopting federal out-of-service criteria for motor carriers. S.F. 331-Chmielewski: Requiring local governments to report airport development. S.F. 100-Chmielewski: Authorizing Mn/DOT to assist towns in financing bridge work. S.F. 607-Frederickson, D.J.: Inclusion of cities into municipal state-aid street system. S.F. 765-Marty: Physically disabled persons parking provisions. S.F. 593-Olson: Access over railroad right-of-way to adjoining property. S.F. 1237-Riveness: State payment to construct remote frontage road. S.F. 1238-Riveness: Richfield advance payment for frontage road construction.

Senate session at 2 p.m.

Education Division on Education Funding

Chair: Ronald Dicklich
3 p.m. Room 107 Capitol
Agenda: Governor's education budget plan.

Health and Human Services Committee

Chair: Linda Berglin
3 p.m. Room 15 Capitol
Agenda: To be announced.

Tuesday, April 9

Governmental Operations Committee

Chair: Gene Waldorf
8 a.m. Room 15 Capitol
Agenda: S.F. 324-Berg: Abolishing the Dept. of Gaming. S.F. 237-Marty: Deputy registrars appointment authority changes. S.F. 447-Pogemiller: University of Minn. bargaining units structure changes. S.F. 798-Morse: DOER housekeeping bill. S.F. 768-Pappas: Gender balance in multi-member agencies. S.F. 743-Kroening: Supreme Court fiscal notes. S.F. 629-Kelly: State paid health insurance.

Judiciary Subcommittee on Criminal Justice System Oversight

Chair: Randy Kelly
8 a.m. Room 112 Capitol
Agenda: S.F. 271-Kelly: Omnibus local sentencing and corrections bill.

Local Government Committee

Chair: Betty Adkins
8 a.m. Room 107 Capitol
Agenda: S.F. 460-Beckman: County veterans service officers appointment. S.F. 599-Langseth: Municipalities' joint ventures with telecommunications organizations. S.F. 1129-Lessard: Municipalities contracting for new wastewater treatment facilities. S.F. 1126-Johnson, J.B.: Storm sewer improvement. S.F. 1213-Metzen: Dakota County offices reorganization. S.F. 1049-Beckman: Martin County treasurer and auditor combination.

Finance Division on Health and Human Services

Chair: Don Samuelson
8:30 a.m. Room 125 Capitol
Agenda: Ombudsman for Mental Health and Mental Retardation and Dept. of Health.

Agriculture and Rural Development Committee

Chair: Charles Davis
10 a.m. Room 112 Capitol
Agenda: S.F. 510-Berg: Changing the egg law. S.F. 928-Neuville: Agriculture law enforcement and penalties. S.F. 945-Berg: Aquaculture development. S.F. 1050-Mehrkens: Farmstead cheese processing requirements changes.

Metropolitan Affairs Committee

Chair: Don Frank
10 a.m. Room 15 Capitol
Agenda: S.F. 1132-Riveness: Bloomington metropolitan sports facility site property disposition. S.F. 1125-Novak: Fiscal disparities program definitions modifications.

Redistricting Committee

Chair: Roger Moe
12 Noon Room 123 Capitol
Agenda: S.F. 28-Cohen: Reducing the size of the Legislature. S.F. 657-Pariseau: Changing the size of the Legislature. Resolutions on standards. S.F. 1169-Luther: Establishing standards for county and city redistricting.

Commerce Committee

Chair: Sam Solon
1 p.m. Room 112 Capitol
Agenda: S.F. 688-Waldorf: Electricity board provisions. S.F. 535-Chmielewski: Accident and health insurance benefits assignment regulation. S.F. 689-Kroening: Real estate brokers continuing education assignment. S.F. 37-Luther: Insurance solvency bill. S.F. 895-Luther: Sales representatives agreements termination provisions. S.F. 1171-Luther: Nonprofit corporation study. S.F. 147-Solon: Registered combined charitable organization

definition. S.F. 651-Spear: Health insurance utilization review agents registration .

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: To be announced.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

3 p.m. Room 125 Capitol

Agenda: Budget hearing for the Dept. of Agriculture.

Finance Division on Education

Chair: LeRoy Stumpf

3 p.m. Room 107 Capitol

Agenda: To be announced.

Finance Division on State

Departments

Chair: Carl Kroening

3 p.m. Room 123 Capitol

Agenda: Offices of Governor and Lt. Governor, Dept. of Veterans Affairs and DTED.

Taxes and Tax Laws Division on Income, Sales and Economic Development

Chair: Lawrence Pogemiller

3 p.m. Room 15 Capitol

Agenda: S.F. 1179-Pogemiller: Public finance .

Environment and Natural Resources Committee

Chair: Bob Lessard

6 p.m. Room 107 Capitol

Agenda: To be announced.

Education Subcommittee on Higher Education

Chair: John Hottinger

6:30 p.m. Room 123 Capitol

Agenda: S.F. 1071-Moe, R.D.: Creating the Minnesota Board for Higher Education.

Education Division on Education Funding

Chair: Ronald Dicklich

7 p.m. Room 107 Capitol

Agenda: Omnibus Education Funding bill.

Legislative Commission on Pensions and Retirement

Chair: Rep. Leo Reding

7 p.m. Basement Hearing Room SOB

Agenda: S.F. XXXX: Administrative pension bill. S.F. 656-Pogemiller: MERF administrative changes. S.F. 862-Pogemiller: MERF benefit changes. S.F. 900-Morse: TRA employer contribution elimination for IRAP participants. S.F. 903-Finn: Transfer of coverage from IRAP to TRA. S.F. 430-Morse: Police state aid auto insurance premium tax.

Wednesday, April 10

Education Committee

Chair: Gregory Dahl

8 a.m. Room 15 Capitol

Agenda: Continuation of S.F. 86-Ranum: Post-probationary teacher termination dispute

arbitration. S.F. 174-Dahl: Revising open enrollment deadlines. S.F. 1003-DeCramer: Cities and counties to operate public and school libraries by contract. S.F. 748-DeCramer: Allowing Minnesota pupils to enroll in school districts in bordering states. S.F. 152-Mehrken: School district combination referendum before formal cooperation.

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 496-Kroening: Allowing telercing facilities.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: S.F. 1249-Chmielewski: OSHA. S.F. 1248-Chmielewski: Workers' Comp. S.F. 1073-Halberg: Workers' Comp. S.F. 596-Chmielewski: Workers' Comp.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 753-Ranum: DWI criminal conviction evidence in tort actions. S.F. 762-Pappas: Access to birth records. S.F. 766-Kelly: Seat belt gag rule repeal.

Veterans and General Legislation Committee

Chair: Joe Bertram

10 a.m. Room 112 Capitol

Agenda: To be announced.

Senate session at 12 noon

Economic Development and Housing Committee

Chair: James Metzen

Immediately following session Room 318 Capitol

Agenda: S.F. 668-Morse: Establishing a small business development center program. S.F. 579-Pogemiller: Regulating use of tax-exempt revenue bonds. S.F. 1080-Gustafson: Advantage Minnesota. S.F. 553-Hottinger: Minnesota volunteer corps in the USSR and East Central Europe. S.F. 940-Frederickson, D.R.: Changing organization of the DTED.

Elections and Ethics Committee

Chair: Jerome Hughes

1 p.m. Room 107 Capitol

Agenda: S.F. 508-Hughes: Election provisions. S.F. 225-Luther: Campaign and ethics reform. S.F. 946-Hottinger: School events on Election Day. S.F. 1178-Merriam: School events on Election Day. S.F. 365-Marty: Election campaign and ethics reform. S.F. 367-Marty: Ethical code of conduct. S.F. 327-Belanger: School district elections. S.F. 185-Bertram: Absentee ballots. S.F. 263-Luther: Election by mail. S.F. 649-Pogemiller: Campaign financing. S.F. 277-Benson, D.D.: Term limit. S.F. 916-Gustafson: Term limit. S.F. 767-Merriam: Unicameral legislature. S.F. 808-Pappas: Voting age change.

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: S.F. 998-Benson, J.E.: Weights and measures standards. S.F. 601-Johnson, D.E.:

Credit agreement signature requirement exemption. S.F. 904-Ranum: No-fault automobile insurance medical claim denials. S.F. 875-Luther: Real estate title abstract holders notice. S.F. 1118 Luther: Franchise assignment, transfer or sale consent withholding prohibition. S.F. 918-Luther: Insurance agreement prohibition. S.F. 1128-Luther: Fire insurance replacement cost for personal property; residential renters insurance policy prohibition.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: To be announced.

Finance Division on Education

Chair: LeRoy Stumpf

3 p.m. Room 107 Capitol

Agenda: To be announced.

Finance Division on Health and Human Services

Chair: Don Samuelson

3 p.m. Room 125 Capitol

Agenda: Budget hearing for the Dept. of Health and Dept. of Jobs and Training.

Finance Division on State

Departments

Chair: Carl Kroening

3 p.m. Room 123 Capitol

Agenda: Legislative Coordinating Commission and the Bureau of Mediation Services.

Education Committee

Chair: Gregory Dahl

6 p.m. Room 15 Capitol

Agenda: Bills not completed at the morning meeting. S.F. 417-Dicklich: Education technical corrections bill. S.F. 836-Benson, J.E.: St. Cloud State University campus construction funding. S.F. 824-Knaak: Foreign exchange student open enrollment limitations. S.F. 563-Hottinger: Grant programs for nurse education.

Governmental Operations Committee

Chair: Gene Waldorf

7 p.m. Room 107 Capitol

Agenda: To be announced.

Metropolitan Affairs Committee

Chair: Don Frank

7 p.m. Room 118 Capitol

Agenda: To be announced.

Thursday, April 11

Governmental Operations Committee

Chair: Gene Waldorf

8 a.m. Room 15 Capitol

Agenda: S.F. 2-Berglin: Health care access. Other agenda items to be announced.

Local Government Committee

Chair: Betty Adkins

8 a.m. Room 107 Capitol

Agenda: S.F. 1040-Chmielewski: Pine County welfare fund transfer for hospital. Additional bills to be announced.

Agriculture and Rural Development Committee

Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: S.F. 1110-Moe, R.D.: Paddy wild rice producers checkoff fee refund abolition. S.F. 1065-Davis: Wildflower protection.

Metropolitan Affairs Committee

Chair: Don Frank

10 a.m. Room 15 Capitol

Agenda: To be announced.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 107 Capitol

Agenda: S.F. 1164-Johnson, D.J.: Biwabik and White economic development authority. S.F. 1020-Kelly: St. Paul Port Authority. S.F. 1021-Kelly: Port authority extra-territorial powers. S.F. 294-Kelly: Community land trust.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: U.S. Hwy. 61 and Lake City rest area designation as American Veterans Highway. S.F. 944-Novak: Energy conservation bill. S.F. 697-Belanger: Hennepin County Hwy. 18 upgrade appropriation. S.F. 878-Knaak: Probable cause for seizure-related condition driver's license cancellation. S.F. 138-Johnston: Motor vehicle excise tax.

Senate session at 2 p.m.

Education Division on Education Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: Omnibus Education Funding bill.

Finance Division on State Departments

Chair: Carl Kroening

3 p.m. Room 123 Capitol

Agenda: Office of State Auditor, Dept. of Human Rights and Amateur Sports Commission.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: To be announced.

Legislative Commission on Pensions and Retirement Subcommittee on Actuarial Services

Chair: Gene Waldorf

6:45 p.m. Room 10 SOB

Agenda: Consideration of actuarial services.

Agriculture and Rural Development Committee

Chair: Charles Davis

7 p.m. Room 123 Capitol

Agenda: Bills from morning meeting.

Education Division on Education Funding

Chair: Ronald Dicklich

7 p.m. Room 107 Capitol

Agenda: Omnibus Education Funding bill.

Judiciary Committee

Chair: Allan Spear

7 p.m. Room 15 Capitol

Agenda: S.F. 1034-Spear: Child Abuse, Vulnerable Adult Act retaliatory firing. Bills from divisions, subcommittees and other committees.

Metropolitan Affairs Committee

Chair: Don Frank

7 p.m. Room 112 Capitol

Agenda: To be announced.

Legislative Commission on Pensions and Retirement

Chair: Rep. Leo Reding

7 p.m. Room 10 SOB

Agenda: Report of the Actuarial Services Subcommittee. S.F. 992-Finn: TRA annuity recalculation. S.F. 449-Solon: Duluth and St. Paul TRFA thirteenth check.

Friday, April 12

Education Committee

Chair: Gregory Dahl

8 a.m. Room 15 Capitol

Agenda: To be announced.

Finance Division on Health and Human Services

Chair: Don Samuelson

8:30 a.m. Room 125 Capitol

Agenda: Dept. of Jobs and Training.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

10 a.m. Room 123

Agenda: To be announced.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 514-Marty: Security guards. Bills reported from divisions, subcommittees. Rereferrals from other committees. Bills leftover from previous meetings

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: S.F. 1198-Metzen: Health insurance; coverage for mental disorders treatment by licensed mental health professionals. Additional bills to be announced.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: To be announced.

Health and Human Services Committee

Chair: Linda Berglin

6 p.m. Room 15 Capitol

Agenda: To be announced.

Governmental Operations Committee

Chair: Gene Waldorf

7 p.m. Room 112 Capitol

Agenda: To be announced.

Senate Publications

Room G95, State Office Building

St. Paul, MN 55155

(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

April 12, 1991

Workers Comp bill okayed

S.F. 1248, the workers' compensation bill supported by the Minnesota Chamber of Commerce and the AFL-CIO, was okayed Wed., Apr. 10, by members of the Employment Committee. Sen. Florian Chmielewski, committee chair, is author of the bill. S.F. 1248 mandates an immediate 12 percent insurance premium rate cost reduction that is estimated to save Minnesota employers \$120 million. It freezes insurance rates for two years and establishes a commission, comprised of members appointed by both the Chamber and the AFL-CIO, that will examine the workers' compensation system and report recommendations to the Legislature yearly. The bill, which will go to the Finance Committee, was approved on a divided roll call vote.

Among adopted amendments to S.F. 1248 was a provision directing the commerce commissioner to evaluate the fairness of truck driver classification rates and report findings to the Legislature. Another provision specifies that holiday and vacation pay can be included in daily or weekly wage benefit calculations. Among failed amendments was a motion by Sen. Jim Gustafson (IR-Duluth) to strike the provision establishing the workers' compensation commission. Sen. Nancy Brataas (IR-Rochester) said the composition of the commission ensures a stalemate.

S.F. 596, the "governor's" workers' compensation bill, also authored by Chmielewski, failed. Critics charged the bill cut too deeply into benefits. The committee took no action on S.F. 1073, Sen. Charles Halberg's (IR-Burnsville) workers' compensation bill that is similar to both S.F. 596 and S.F. 1248.

In other action, members okayed and sent two bills to the floor. S.F. 985, authored by Brataas, regulates workers' compensation benefits that are combined and collected with supplementary benefits. S.F. 1214, authored by Sen. Tracy Beckman (DFL-Bricelyn), regulates workers compensation coverage for family farm employees.

Teleracing advanced

A bill legalizing teleracing from regulated sites throughout the state was approved Wed., Apr. 10, by the Gaming Regulation Committee. S.F. 496, au-

thored by Sen. Carl Kroening (DFL-Mpls.), allows teleracing from specific facilities established with private dollars and specifies that pari-mutuel betting may take place on races simulcasted from Canterbury Downs as well as other tracks from around the country. Proponents of the bill said that the measure enhances the state's racing industry and provides needed competition for the Hudson (WI) dog track. Opponents of the measure said that the measure represents a new gambling initiative and is unconstitutional. An amendment was added that limits to six the number of teleracing licenses that the Racing Commission may extend and further specifies that only two of the licenses may be issued before Jan. 1, 1992. The bill was approved on a voice vote and sent to the Finance Committee.

Standards resolutions okayed

The Redistricting Committee, chaired by Sen. Roger Moe (DFL-Erskine), approved three items relating to the standards for redistricting plans at a Tues., Apr. 9, hearing. H.R. 1 sets forth the standards to be used in drawing up new congressional districts, H.R. 2 lists the standards for new legislative districts, and S.F. 1169 establishes additional standards for county and city redistricting.

The resolution for the congressional district standards specifies that there must be eight districts, that the districts must be as nearly equal in population as practicable, that the districts must be composed of convenient contiguous territory, that the districts must be numbered in a regular series, that districts must not dilute the voting strength of racial or language minorities, that a county, city, or town must not be divided into more than one districts except as necessary to meet equal population requirements or to form districts that are composed of convenient contiguous territory, that the districts should attempt to preserve communities of interest and that the geographic areas and population counts used must be those used by the Legislative Coordinating Commission's Subcommittee on Redistricting.

The resolution for the legislative district standards specifies that the Senate must be composed of 67 members and the House of Representative of 134 members, that each district is entitled to elect a

single member, that a representative district may not be divided in the formation of a senate district, that districts must be substantially equal in population and must not deviate from the ideal by more than two percent, that the districts be composed of convenient contiguous territory, that the districts be numbered in a regular series, that the districts must not dilute the voting strength of racial or language minorities, that a county, city, or town should not be divided into more than one district except to meet equal population requirements or to form districts of convenient contiguous territory, that districts should attempt to preserve communities of interest and that the data must be that used by the Legislative Coordinating Commission.

S.F. 1169, authored by Sen. William Luther (DFL-Brooklyn Park), specifies the standards for county and city redistricting plans regarding population equality, protection of minority populations and preservation of communities of interest. The bill was amended to include school districts in the standards for county and city redistricting. The measure was approved and sent to the full Senate.

In other action, the panel discussed two measures reducing the size of the Legislature. S.F. 657, sponsored by Sen. Pat Pariseau (IR-Farmington), reduces from 67 to 64 the number of Senate districts and from 134 to 128 the number of House districts. S.F. 28, sponsored by Sen. Richard Cohen (DFL-St. Paul), reduces the number of Senate districts from 67 to 45 and the number of House districts from 134 to 90. The committee took no action on either bill.

Panel selects Regents

The House and Senate Education Committees, the Education Division of the Senate Finance and House Appropriations Committees, chaired by Rep. Bob McEachern (DFL-Maple Lake), met jointly Fri., Apr. 5, to select U of M Regents to represent the first, fourth, sixth, and seventh congressional districts.

The panel elected; James H. Manahan, Mankato, from the first district; Ann Wynia, St. Paul, from the fourth district; Wendell R. Anderson, Wayzata, from the sixth district; and Stanley D. Sahlstrom, St. Cloud, from the seventh district.

Committee update

Agriculture and Rural Development

Ag law enforcement

A bill authorizing the commissioner of agriculture to impose administrative fines for violations of food inspection laws was approved by members of the Agriculture and Rural Development Committee Tues., Apr. 9. The bill, S.F. 928, authored by Sen. Thomas Neuville (IR-Northfield), allows the commissioner to impose fines rather than seeking criminal penalties for food inspection violations. Currently, the law only sets forth criminal penalties. The measure also specifies the procedure for appealing a citation or penalty assessment and sets limits on the amount of the fines. The measure was approved and sent to the full Senate.

In other action, the committee, chaired by Sen. Charles Davis (DFL-Princeton), advanced two additional bills. S.F. 1050, authored by Sen. Lyle Mehrkens (IR-Red Wing), alters the processing requirements for a producer of Minnesota farmstead cheese and authorizes the commissioner to require pasteurization in cases where samples demonstrate that cheese is not free of pathogens. The bill was approved and sent to the Senate floor.

S.F. 945, sponsored by Sen. Charles Berg (DFL-Chokio), provides for the development of aquaculture. The bill requires the establishment and promotion of aquaculture, authorizes the establishment of a Minnesota Aquaculture Development and Aid Program, provides for aquaculture permits, sets forth appeal procedures, requires rules for the construction of quarantine facilities, requires rules for exotic species importation and requires the Pollution Control Agency to initiate rulemaking to develop water quality permit requirements for aquaculture facilities. The bill was amended to include a provision that treats aquaculture equipment in the same manner as farm equipment for tax purposes. The measure was approved and rereferred to the Committee on Taxes and Tax Laws.

Commerce

MCHA bills advance

Three bills dealing with the Minnesota Comprehensive Health Association (MCHA) were advanced to the full Senate by members of the Commerce Committee Fri., Apr. 5. The panel, chaired by Sen. Sam Solon (DFL-Duluth), approved all three measures altering provisions governing the program that provides health care insurance to those who are unable to purchase insurance.

S.F. 366, authored by Sen. John Marty (DFL-Roseville), changes the makeup of

the MCHA board to include three insurer directors, three policy holders and three public directors of which two must be medical providers. In addition, the bill specifies the procedure for the plan enrollee directors and requires notice and a public hearing for rate increases or benefit changes. Finally, the measure provides for the waiver of the preexisting condition rule if the person applies for coverage within 90 days of termination of prior coverage and the termination is for reason other than fraud or nonpayment of premiums.

S.F. 1119, authored by Sen. Jane Ranum (DFL-Mpls.), specifies that MCHA premium rates must be determined annually, authorizes the continuation of the experimental use of alternative means of health care delivery, authorizes the formation of a preferred provider network or contract with an existing provider network to deliver services and benefits, specifies that MCHA must offer a basic and extended basic medicare supplement plan, clarifies that qualified plans are satisfied in accordance with the use of preferred provider networks, provides for the waiver of the preexisting conditions rule for persons whose coverage is terminated or who exceed the maximum lifetime benefit of existing coverage, and classifies preferred provider agreement data.

S.F. 1211, sponsored by Sen. Don Samuelson (DFL-Brainerd), clarifies the calculation of contributing members' share of expenses by excluding medical assistance and general assistance medical care payments from the calculation.

Electricity board bill

Much of the Tues., Apr. 9, meeting of the Commerce Committee was devoted to discussion on a bill making changes in the laws governing the board of electricity. Debate focussed on the powers of the board, particularly the complaint committee, to deny, suspend, or revoke licenses. Opponents of the measure claimed that under the bill, a licensee was guilty until proven innocent. Proponents, on the other hand, said that the bill provided needed enforcement powers. The measure, S.F. 688, sponsored by Sen. Gene Waldorf (DFL-St. Paul), also authorizes the board to impose civil penalties, clarifies definitions and spells out the types of work that may be performed by various classes of electricians. The measure was approved and sent to the full Senate.

A second controversial bill, requiring the registration of utilization review organizations, also sparked considerable debate. Utilization review is a system for reviewing the appropriate and efficient allocation of health services given or

proposed to be given to a patient. Insurance companies use private review agents to determine if the care prescribed by a doctor is medically necessary. Under the bill, utilization review organizations that oversee the use of medical services by patients must have a certificate from the commissioner of commerce. In addition, the bill spells out the procedures for obtaining the certificate and allows the commissioner to deny a certificate if all the requirements are not met. The bill also provides a procedure for either a patient or a provider to file a complaint that a private review agent is not in compliance with the requirements. An amendment, offered by Sen. Linda Berglin (DFL-Mpls.), exempts HMOs from the bill. The measure was approved and rereferred to the Committee on Finance.

In other action, the committee, chaired by Sen. Sam Solon (DFL-Duluth), advanced three additional bills. S.F. 689, authored by Sen. Carl Kroening (DFL-Mpls.), requires that real estate brokers and salespersons to receive instruction in fair housing laws. S.F. 147, authored by Solon, modifies the definition of registered combined charitable organizations by reducing the qualifying number from ten to seven. Both measures were sent to the Senate floor. S.F. 1171, sponsored by Sen. William Luther (DFL-Brooklyn Park), requires the commissioner of commerce to survey nonprofit corporations and report to the Legislature by Mar. 15, 1993. The bill was approved and rereferred to the Committee on Finance.

Insurance solvency bill okayed

A major bill increasing the regulatory powers of the Dept. of Commerce over insurance companies doing business in Minnesota was approved at the Wed. Apr., 10, meeting. S.F. 37, authored by Sen. William Luther (DFL-Brooklyn Park), also includes limitations on insurance company investments of various types; enhances the departments regulation, overview and enforcement powers; and adopts several model acts of the National Association of Insurance Commissioners. An amendment, offered by Luther, addresses the roll back issue and clarifies benefit limitation provisions. The amendment was adopted and the bill was approved and rereferred to the Committee on Finance.

In other action, the panel, chaired by Sen. Sam Solon (DFL-Duluth), acted favorably on five additional bills. S.F. 535, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), regulating assignment of benefits was amended to include four definitions and a section that requires prompt payment of claims. S.F. 998, authored by Sen. Joanne Benson (IR-St. Cloud), adopts weights and measures

standards recommended by the National Institute of Standards and Technology and specifies Department of Public Service Weights and Measures Division jurisdiction, powers, and duties. The bill also sets forth requirements for bulk sales of commodities and for packaged commodities. S.F. 1128, authored by Sen. Dean Johnson (IR-Willmar), defines the term "signature" for purposes of specifying that a credit agreement need not be signed by the creditor if the agreement was prepared on the creditor's letterhead stationery and the agreement does not contain a signature line.

S.F. 918, authored by Luther, prohibits agreements to rescind insurance policy if the insurer has knowledge of any claims against the insured that would remain unsatisfied due to the financial condition of the insured. In addition, the bill requires that before entering into an agreement to rescind a policy, an insurer must make a good faith effort to ascertain the existence of all claims against the policy and the financial condition of the insured. S.F. 1128, also sponsored by Luther, provides for replacement cost insurance coverage for personal property and prohibits insurers from refusing to issue a single residential renter's insurance policy for the purpose of providing coverage to three individuals residing in the same household if all of the individuals are named insureds in the policy.

Economic Development and Housing

GMC bill

A bill changing the name of the Greater Minnesota Corporation (GMC) and altering the organization's structure was advanced by members of the Economic Development and Housing Committee at the Mon., Apr. 8, hearing.

S.F. 982, authored by Sen. John Bernhagen (IR-Hutchinson), changes the name of the GMC to the Minnesota Technology, Inc. In addition, the measure increases the number of directors from 11 to 14, specifies the composition of the board and specifies that the primary duties of the corporation are to be applied research and technology transfer and early stage funding to small manufacturers. In addition, the bill directs the corporation to coordinate all technology initiatives currently administered by the Dept. of Trade and Economic Development. Finally, the measure provides that the Agricultural Utilization Research Institute become a separate entity entirely and specifies the allocation of lottery proceeds.

The measure was approved and rereferred to the Governmental Operations Committee.

In other action, the committee, chaired by Sen. James Metzen (DFL-South St.

Paul), endorsed the appointment of Wayne H. Dahlke as commissioner of the Iron Range Resources and Rehabilitation Board and approved an additional three bills.

S.F. 402, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), establishes a regional international trade service center in each of the six regional development districts to provide assistance to businesses exporting or planning to export goods or services. S.F. 1087, sponsored by Sen. Dennis Frederickson (IR-New Ulm), raises the bonding authority of the Minnesota Public Facility Authority from \$150 million to \$300 million. Both measures were approved and rereferred to the Committee on Finance.

S.F. 887, authored by Sen. Tracy Beckman (DFL-Bricelyn), establishes a commission on economic development policy to review and make recommendations on the responsibilities and the relationships of the various state and local agencies involved in the delivery of services that promote economic development and redevelopment. The measure was approved and rereferred to the Governmental Operations Committee.

Advantage Minnesota

A bill designed to market Minnesota's economic development potential was approved by members of the Economic Development and Housing Committee Wed., Apr. 10. The measure, S.F. 1080, sponsored by Sen. Jim Gustafson (IR-Duluth), establishes a nonprofit public corporation, called Advantage Minnesota, to encourage businesses to remain in the state, to promote expansion of current businesses and to attract new businesses. The bill provides for the composition of the board of directors, the powers and duties of the board and requires matching funds before state grants for the corporation can be released. According to Gustafson, the Advantage Minnesota program is modeled closely after a successful program called Forward Wisconsin. The measure was approved and rereferred to the Committee on Finance.

In other action, the panel, chaired by Sen. James Metzen (DFL-South St. Paul), also advanced two additional bills. S.F. 668, sponsored by Sen. Steven Morse (DFL-Dakota), establishes a small business development center program. The program is designed to assist small businesses in government procurement, international trade, financial assistance, marketing analysis, quality control and production analysis. The measure was approved and rereferred to the Finance Committee. S.F. 1012, authored by Sen. David Frederickson (DFL-Murdock), modifies numerous provisions of the tax increment financing law. The bill, which makes both policy and technical changes,

was approved and rereferred to the Committee on Taxes and Tax Laws.

Education

Higher ed consolidation

The Education Subcommittee on Higher Education met Thurs., Apr. 4, to consider four bills, including a bill merging Minnesota's systems of higher education.

S.F. 1071, sponsored by Sen. Roger Moe (DFL-Erskine) and Sen. LeRoy Stumpf (DFL-Thief River Falls), calls for the merger of the state university, community college, and technical college systems and creates the Minnesota Board for Higher Education. Moe said that it is to the benefit higher education and the state if students needs are met through a coordinated system. The bill sets up a process that brings the three systems together, he said, and establishes a basis for providing better service for students.

Subcommittee Chair John Hottinger (DFL-Mankato) offered an amendment that gave special recognition to the U of M Waseca campus in the consolidation process. At the request of the authors, the amendment was withdrawn for later consideration.

The bill was approved by the committee and sent to the full Education Committee.

The subcommittee also considered S.F. 536, authored by Hottinger, establishing education grant programs for midlevel practitioners in the medical field, including nurses with advanced training and physician assistants. The program forgives up to two years of school loans for those who practice in a rural area for at least two years. The bill also directs the Higher Education Coordinating Board to conduct a feasibility study to assess needs for outreach nurse education programs and four-year nursing programs in the state.

S.F. 19, sponsored by Sen. Janet Johnson (DFL-North Branch), gives full campus status to the Cambridge Center of Anoka Ramsey Community College. S.F. 836, authored by Sen. Joanne Benson (IR-St. Cloud), allows the St. Cloud State University Foundation to provide initial funds to the State University Board for the purpose of contracting for the design and construction of a building addition on the university campus. The bill allows the addition to be donated or leased to St. Cloud State University.

All three bills were approved and sent to the full Education Committee.

Minority service education

The Education Early Childhood and Special Populations Subcommittee, chaired by Sen. Judy Traub (DFL-Minnetonka) head two bills at the Fri., Apr. 5, meeting.

Sen. Jane Ranum (DFL-Mpls.) said that findings in areas of public service and

Committee update

education show a need for people of color to be involved in providing these services. S.F. 934, authored by Ranum, provides education grants to minority students pursuing a baccalaureate degree and who agree to seek a career in community or public service. The bill was approved and sent to the Education Funding Division.

The subcommittee also heard S.F. 763, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), making changes in Adult Basic Education (ABE) policy, exempting the education commissioner from Dept. of Administration printing authority when a public or nonprofit agency can provide services at less cost and changing the deadline for the adoption of an extended day program by a school district.

Changes to ABE policy include allowing the charging of fees in some circumstances, providing for multi-year authorization of a ABE program, and removing the requirement that a person must have completed the 10th grade in order to participate in an ABE program.

The bill was approved and sent to the full Education Committee.

Discussion continued

The Education Governance and Structures Subcommittee, chaired by Sen. Tracy Beckman (DFL-Bricelyn), continued its discussion of bills related to teacher dismissal and a new school levy option and heard several others for the first time at its Fri., Apr. 5, meeting.

The subcommittee continued to discuss S.F. 86, authored by Sen. Jane Ranum (DFL-Mpls.), that requires proceedings of discharge or termination of a teacher to be conducted through an arbitrator to determine whether just cause exists for termination or whether a lesser penalty should be imposed. An amendment offered by Sen. Fritz Knaak (IR-White Bear Lake), and adopted by the panel, limits the arbitrator imposing penalties lesser than that of dismissal to those penalties proposed in dismissal proceedings. The bill was approved and referred to the full Education Committee.

A bill allowing school districts to levy up to two percent of the district's property value per year for the purpose of building restoration or replacement was also approved by the subcommittee. S.F. 348, sponsored by Sen. Phil Riveness (DFL-Bloomington), is in response to building repair needs in districts where the \$130 per pupil levy allowed is not sufficient. The bill was referred to the Education Funding Division.

S.F. 748, authored by Sen. Gary DeCramer (DFL-Ghent) provides the open enrollment option for students living in Minnesota and school district in counties and students living in counties that border Minnesota. The exercise of the option is contingent upon approval

from bordering states. The measure was approved and sent to the full Education Committee.

S.F. 712, sponsored by Sen. Judy Traub (DFL-Minnetonka) allows the Wayzata school district to conduct a levy referendum before Nov. of 1991. The bill is needed so that the district can begin planning for before the next school year, said Traub. The bill was approved and sent to the Education Funding Division.

S.F. 399, authored by Knaak, allows certain school districts to join Intermediate School District 916, and allows other school districts encompassed in the new extended bounds of the intermediate district created by the addition of the new school districts to become part of Intermediate School District 916. The bill was approved and sent to the full Education Committee.

Sen. Gregory Dahl (DFL-Ham Lake) authored S.F. 174, changing the date from Jan. 1 to Jan. 15 by which a student must notify the school board of intentions to participate in open enrollment. The bill was approved and referred to the full Education Committee.

S.F. 445, authored by Sen. John Hottinger (DFL-Mankato) provides that a person may be excluded from interscholastic athletic events if the person assaults a sports official in connection with such an event. The bill was approved and sent to the full Education Committee.

Higher ed merger

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake) met Mon., Apr. 8, to continue deliberation of S.F. 1071, sponsored by Sen. Roger Moe (DFL-Erskine) and Sen. LeRoy Stumpf (DFL-Thief River Falls). The bill merges the state university, community college, and technical college systems and establishes the Minnesota Board of Higher Education.

The committee adopted an amendment that adds a student representative to the board, allows the establishment of local advisory committees for each campus, makes the board the state labor negotiator for all collective bargaining between state and teacher and service units, and establishes the makeup of the board and the appointment process. The bill also states the mission of the board.

The committee adopted an amendment, offered by Sen. Jerome Hughes (DFL-Maplewood), that requires representation on the board from each congressional district. The bill specifies that four members of each board of the three systems shall be appointed to the initial higher education board. Sen. Gen Olson (IR-Mound) offered an amendment that would reduce the number to two. The Olson motion was defeated.

The bill was approved on a divided

voice vote and sent to the Committee on Governmental Operations.

Teacher fair dismissal, open enrollment

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), heard bills related to open enrollment and to teacher fair dismissal, Wed., Apr. 10.

S.F. 86, authored by Sen. Jane Ranum (DFL-Mpls.), requires that teacher dismissal must be decided by a neutral arbitrator whose decision is binding.

Ranum offered an amendment that establishes a process by which the school board and teacher choose the arbitrator. The motion was adopted.

The bill was approved and referred to the Committee on Governmental Operations.

The committee also heard S.F. 174, sponsored by Dahl. The bill changes the date by which a student must apply for open enrollment from Jan. 1 to Jan. 15. The bill was approved and sent to the full Senate.

Lastly, the committee heard S.F. 748, sponsored by Sen. Gary DeCramer (DFL-Ghent). The bill extends a reciprocal open enrollment option to counties bordering Minnesota. The bill was approved and sent to the Committee on Finance.

S.F. 836, authored by Sen. Joanne Benson (IR-St. Cloud) allows the St. Cloud State Foundation to lease, for five years, and then donate renovated office space to St. Cloud State University. S.F. 563, authored by Sen. John Hottinger (DFL-Mankato) provides grants for loan forgiveness to those pursuing education as midlevel nurse practitioners or physician assistants and choosing to work in a rural area. Both bills were approved and sent to the Committee on Finance.

S.F. 417, sponsored by Sen. Ronald Dicklich (DFL-Hibbing) makes technical corrections to current law to provide consistency between sections of statute and eliminates obsolete provisions. The bill was approved and sent to the full Senate.

Education Funding

Combination bill

The Education Funding Division met Thurs., Apr. 4, to hear a bill allowing a referendum to be held by two school districts before their combination and a bill related to technical adjustments to laws governing administrative functions of the Dept. of Education.

S.F. 152, carried by Sen. Lyle Mehrkens (IR-Red Wing), permits the school districts of Elgin-Millville and Plainview to offer a referendum on selling bonds for

the construction of a school at the same time as a referendum on the combination of the two districts. The bill was approved and sent to the full Education Committee.

The division also considered S.F. 417, carried by Chair Ronald Dicklich (DFL-Hibbing). The bill makes technical changes to provide consistency between sections, eliminates obsolete sections, and clarifies provisions.

The bill was held over for later consideration.

Budget proposal update

The Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Mon., Apr. 8, to hear public testimony on education proposals and to hear changes to the governor's education budget.

Sliv Carlson, Dept. of Education, said that there is no change in the general education formula for per pupil aid. Changes in the biennial appropriation for general education include a \$5.4 million increase for AFDC pupils, a \$2.3 million decrease due to a Minneapolis Tax Increment Financing reduction, and a \$14.5 million increase due to a change in 1989 adjusted net tax capacity in the state, she said.

Carlson said that proposed changes in the area of transportation include the reinstatement of funding for nonhandicapped during-day transportation, and the creation of a new category of nonregular transportation revenue beginning in FY 1992 to provide for districts with unusually rapid growth in nonregular transportation costs.

There are minor increases in special education programs, said Carlson. They include an increase in total aid plus levy revenue for special education and vocational-handicapped teacher salaries and for limited English proficiency teacher salaries. In addition, there is an increase in the equalization factor for special education levy from \$3,400 to \$3,435, she said.

Appropriation requests and levies are adjusted to reflect data changes in the areas of community education and capital expenditure and debt service, said Carlson. Also, the governor proposes increasing equalized cooperation and combination levy revenue from \$80 to \$100 per pupil unit in the first year of combination for districts combining on July 1, 1991 and a reduction of \$72 per pupil unit for all other districts, she said.

The panel also heard testimony from the public concerning education and funding issues.

Omnibus ed funding bill

The Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Tues., Apr. 9, to begin consideration of the 1991 omnibus

education funding bill. The division discussed provisions related to public libraries and state education agencies.

The bill allows a school district and a public library to jointly finance and operate a library facility. The bill provides for governance structure and grant distribution.

The bill also allows the Faribault Academies for deaf and blind students to retain excess tuition paid by school districts when enrollment exceeds 175, allows the Minnesota Center for Arts Education to provide additional instruction to pupils during a 13th grade if a pupil needs extra instruction to meet learner outcomes, and requires the center to adopt internal procedures to administer aids and grants. The bill allows the center to offer resources and outreach programs throughout the state.

The bill appropriates \$14.7 million in each year of the biennium for the Dept. of Education, a 20 percent decrease from the previous biennium. Other appropriations include \$7.8 million per fiscal year for the Faribault Academies; \$900,000 per fiscal year for the Minnesota Educational Effectiveness Program; \$260,000 per fiscal year for the Academic Excellence Foundation, an increase of \$100,000 each year over the governor's recommendations; \$5.9 million per fiscal year for the Minnesota Arts Center, \$1 million per fiscal year more than the governor's recommendations.

The bill also eliminates superfluous reports the Legislature requires of the Dept. of Education and other agencies related to education.

Elections and Ethics

Election reform bill debated

The majority of the Wed., Apr. 10, meeting of the Elections and Ethics Committee was devoted to continuing discussion on S.F. 225, a bill relating to election and government ethics reform.

The measure, authored by Sen. William Luther (DFL-Brooklyn Park), requires that last minute loans be reported immediately to the Ethical Practices Board; clarifies the eligibility conditions for receiving public financing; reduces the contribution limits for constitutional officer candidates; requires that public subsidy checks are payable only to the campaign fund of a candidate; sets forth the distribution process of public subsidy amounts to candidates that are unopposed; and stipulates that expenditures for a congressional campaign in the year prior to the election are limited to 20 percent of the spending limit.

The bill, along with a number of amendments generated considerable discussion among panel members. The three amendments that were offered and adopted by the committee require candi-

dates for county sheriff to submit a certificate of completion for a basic course of training; clarify the treatment of incomplete or inaccurate documents by the Ethical Practices Board; clarify that a candidate for the legislature or for constitutional office cannot solicit or accept a contribution on behalf of the candidate's principal campaign committee; and prohibits a transfer of expenditures from the congressional candidate's principal campaign committee to another committee of that candidate, or to a state political party. No action was taken on the bill to provide panel members time to consider and review all the amendments presented.

In other action, members advanced four measures to the Senate. Chair Jerome Hughes (DFL-Maplewood), author of S.F. 508, is a secretary of state's housekeeping bill. The measure changes requirements of absentee ballot applications for deer hunters, clarifies disclaimer language for campaign literature and authorizes a petition requesting a referendum on an ordinance that adopted the odd numbered year municipal election day.

S.F. 1178, authored by Sen. Gene Merriam (DFL-Coon Rapids), stipulates that a public elementary or secondary school may not schedule a school sponsored event between 6 to 8 p.m. on the day that an election is held in any political subdivision in which the school is located. A similar bill, sponsored by Sen. John Hottinger (DFL-Mankato), stipulates that no public elementary or secondary school shall schedule a school sponsored event between 6 to 8 p.m. on the day that a regularly scheduled election is held in any political subdivision located in that school district. Both measures were approved and sent to the Senate.

Finally, S.F. 327, authored by Sen. William Belanger (IR-Bloomington), allows school districts to change their general election from May to November during odd numbered years. In addition, the measure shortens the terms of incumbent board members to reflect the change in election dates. The bill was also approved and sent to the Senate.

Employment

Workers Comp bills

Members of the Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), considered two bills relating to workers' compensation laws at the Mon., Apr. 8, meeting. S.F. 596 and S.F. 1248, both authored by Chmielewski, differ in the means used to cut workers' compensation costs.

Discussion and testimony centered on the main differences between the two bills. S.F. 596, supported by the governor, includes changing the level of compensation received by an injured worker from

Committee update

two-thirds of the person's gross wage to 80 percent of the person's take-home pay. S.F. 596 eliminates local labor market conditions as a criteria for declaring injured workers permanently and totally disabled, and coordinates supplementary benefits with social security benefits. The measure abolishes the Workers' Compensation Court of Appeals and transfers the court's duties under that purview to the Minnesota Court of Appeals. S.F. 596 also mandates a 17 percent insurance rate reduction.

Both bills provide for a minimum benefit of 20 percent of the average wage in the state. They are also similar in limiting the annual adjustment of benefits to four percent, although the bills differ on when the first adjustment is made. Both exempt family farms with liability coverage from workers' compensation coverage if they fall under a certain income.

S.F. 1248, supported by the Minnesota Chamber of Commerce and the AFL-CIO, mandates an 12 percent insurance rate reduction and creates a workers' compensation commission, the members of whom are appointed by the Minnesota Chamber of Commerce and the president of the AFL-CIO. S.F. 1248 provides for General Fund allocations for administration of the workers' compensation system by the Dept. of Labor and Industry. General Fund allocations are also provided to cover the cost of uninsured employers' injured workers and for a loan to the State Workers' Compensation Insurance Fund.

Witnesses testifying in support of S.F. 596 said the bill will result in long-term structural reform. They said savings in workers' compensation premiums under S.F. 1248 will only amount to four or five percent. But proponents of S.F. 1248 contended that, although S.F. 596 guarantees more immediate savings, the creation of a workers' compensation commission as provided in S.F. 1248 ensures continued evaluation of the system for future benefits. S.F. 1248 proponents also said S.F. 1248 is the only workers' compensation bill that has a chance of passage this session.

Chmielewski said discussion on the measures will continue.

Energy and Public Utilities

Energy omnibus bill

Discussion at the Thurs., Apr. 4, Energy and Public Utilities meeting centered on amendments to S.F. 944, the energy omnibus bill. Sen. Steven Novak (DFL-New Brighton), author of the bill, chairs the committee.

Members started off the meeting by adopting a delete everything amendment.

The amendment offers a compromise on a few of the bill's more controversial provisions. One provision of the amendment applies to the flat percentage-of-gross-revenue fee that constitutes a utility's "significant investment" in a low income energy and conservation account, the creation of which is authorized by the bill. Another provision specifies that the investment percentage be based on retail instead of gross revenues. The provision also lowers to one half of one percent the investment amount required of gas utilities. Electric utilities still must invest one and one half percent of retail revenues in the low income energy and conservation account. One provision of the amendment also sets a limit on the invested percentage by specifying that the percentage total cannot exceed 140 percent of the amount the utility spent the previous year on conservation improvement programs.

One provision of the amendment specifies that money invested in the low income energy and conservation account must be used for both low income energy programs and Conservation Improvement Programs. It also states that the programs will be administered by the Dept. of Public Service.

Another provision states that utilities are not required to adopt proposed cold weather rule shut-off procedures if they adopt a program that is similar to that required by urban utilities.

A good deal of discussion centered on the provision creating programs to lower state building energy costs. One section provides for an energy conservation loan fund that allows state agencies to borrow funds and pay back them back—ideally with funds saved from improvement measures. The measure allows the agencies to use the savings according to their discretion. But, Sen. Harold "Skip" Finn (DFL-Cass) said the savings should be returned to the fund for continued program assistance. Sen. Douglas Johnson (DLF-Cook) questioned the provision allocating money for administration of the program, asserting that funds should come from the agencies themselves. Johnson moved to strike the section that allocates funds for implementation, but the motion was laid over.

Novak said discussion on the bill would continue at a later date.

Energy bill okayed

S.F. 944, the energy omnibus bill authored by Sen. Steven Novak (DFL-New Brighton), was recommended to pass at the Tues., Apr. 9, Energy and Public Utilities Committee meeting. Novak chairs the committee.

A number of amendments to the bill were adopted. An amendment offered by

Sen. Donald Storm (IR-Edina) prohibits state appropriations for the state building energy conservation loan fund. Another amendment, offered by Sen. John Marty (DFL-Roseville), requires the Public Utilities Commission (PUC) to consider environmental costs resulting from power plants generating energy from nonrenewable energy sources. The measure states that the costs must be considered before the PUC issues a "certificate of need." An amendment, offered by Sen. Harold "Skip" Finn (DFL-Cass Lake), specifies that utilities' percentage of revenue funds be allocated to programs threatened by the loss of federal funding. The measure provides for some of the funds, which will be administered by the PUC, to be allocated to the Dept. of Jobs and Training for existing low-income energy assistance and weatherization programs. Another Finn amendment authorizes the Dept. of Public Service to conduct a study of photovoltaic lighting feasibility and report to the Legislature by January 1992. An amendment, offered by Sen. Gene Waldorf (DFL-St. Paul), requires commercial buildings to be in accordance with energy code requirements and federal lighting standards by 1993.

Marty also offered an amendment raising the significant investment amounts required of utilities, and another amendment deleting a provision allowing the pass-through of utility taxes and fees that enable utilities to recover investments made in energy conservation improvement programs. Both motions failed on divided voice votes.

S.F. 944 was rereferred to the Finance Committee.

Environment and Natural Resources

Well bill

Among bills okayed at the Fri., Apr. 5, Environment and Natural Resources Committee meeting was a bill amending well statutes. The committee is chaired by Sen. Bob Lessard (DFL-Int'l. Falls).

S.F. 842, authored by Sen. Steven Morse (DFL-Dakota), pertains to well construction and boring statutes. The bill requires a person to notify the county before a well is sealed and requires the contractor who seals the well to notify officials as to how the well was sealed. Sen. John Bernhagen (IR-Hutchinson) indicated the provision will provide a record of the closings and dissuade people from closing wells on their own. Another provision specifies that a well certificate is not required under a contract for deed if there are no known wells on the property, but the deed or other conveyance in-

strument much state that the buyer does not know of any wells. A provision establishing an \$8 fee for expenses associated with well certification allows the county to keep \$4 and pass the remainder to the state. The bill was sent to the floor.

A number of other bills were approved and sent to the floor. S.F. 1027, authored by Sen. Len Price (DFL-Woodbury), authorizes a Dept. of Natural Resources (DNR) study on the feasibility of an adopt-a-park/trail program similar to the adopt-a-highway program. S.F. 962, authored by Sen. Ronald Dicklich (DFL-Hibbing), pertains to the leasing procedures under which the DNR operates when it offers public lands for lease. Dicklich said the bill allows more flexibility in iron ore and taconite leases sales and requires that only one council person be present at the opening bid. S.F. 442, authored by Lessard, pertains to the operation of personal watercraft, defined in the bill as a motorboat powered by a jet pump and operated by a person standing, sitting or kneeling. The bill, which is supported by the DNR and watercraft manufacturers, sets restrictions on operating procedures. An adopted amendment offered by Sen. Harold "Skip" Finn (DFL-Cass Lake) authorizes use of the watercraft by persons over the age of 12 if they get an operating permit.

Two bills were rereferred to the Finance Committee. S.F. 93, authored by Sen. Keith Langseth (DFL-Glyndon), limits permit and application or field inspection fees charged to townships for construction or alteration of a town road, bridge or culvert to \$100. S.F. 102, authored by Sen. Charles Davis (DFL-Princeton), reinstates an appropriation to the DNR next biennium for reimbursement contracting with local governments for beaver damage abatement and control.

S.F. 822, authored by Sen. Gene Merriam (DFL-Coon Rapids), pertains to liability provisions in the Superfund laws. The measure specifies that the state, an agency of the state or a political subdivision that acquires property through eminent domain is not responsible for hazardous substance site liability. A provision states that a mortgagee does not become a responsible person as an operator of a facility solely due to capacity to influence. Currently, a mortgagee could become liable for contaminated land if the mortgagee is knowledgeable of the polluted land at the time of the transfer. Merriam indicated that current law is having a chilling effect on local governments and lenders that would otherwise initiate or fund cleanup efforts on hazardous waste or polluted property. A Minnesota Bankers Association representative testifying in support of the bill said the bill is critical for generating funds for cleanup and redevelopment on polluted property, especially in inner cities

where funds for development are already tight. The bill was rereferred to the Judiciary Committee.

S.F. 919, also authored by Merriam, specifies that the process by which the DNR promulgates game and fish rules must follow commissioner orders after July 1, 1992. The bill was rereferred to the Committee on Governmental Operations.

Fox bill okayed

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard, okayed a bill that takes red fox off the protected list Tues., Apr. 9.

S.F. 139, authored by Sen. Charles Berg (DFL-Chokio), designates the red fox as an unprotected wild animal that can be hunted. The bill will go to the Senate floor.

A number of other bills were sent to the floor. S.F. 796, authored by Sen. Sam Solon (DFL-Duluth), changes by two months the annual due date for Western Lake Superior Sanitary District budget reports. It also amends the definition of solid waste. S.F. 1251, authored by Sen. Gregory Dahl (DFL-Ham Lake), specifies that a vehicle having an exchanged or rebuilt engine before August 1991 must comply with the emissions standard for the engine's model year. Dahl said the bill addresses a Pollution Control Agency rule that defines engine rebuilding or replacement as tampering with emissions equipment; therefore, Dahl said, a vehicle owner could be fined when submitting a vehicle with a rebuilt or exchanged engine to the PCA's upcoming vehicle emissions testing program. S.F. 800, authored by Sen. Len Price (DFL-Woodbury), allows a resident of a nursing or boarding care facility to fish without a license. A provision extends the same privilege to persons under 20 years of age who are residents of a drug or alcohol residential treatment facility. The measure also requires that the tag hunters attach to a taken animal be attached before the animal is removed from the site and kept on until the animal is processed.

Another bill authored by Price, S.F. 1042, specifies that funds in the State Parks Working Capital Account may be used to operate resource management and interpretive programs. The funds are currently used only for revenue producing facilities. The bill allows funds to be used for management and interpretive programs only after expenses attributable to revenue producing programs have been covered. The bill was sent to the Finance Committee. S.F. 966, authored by Sen. Janet Johnson (DFL-North Branch), was also sent to the Finance Committee. The bill allows the addition and deletion of lands in some state parks. It also allows the Dept. of Natural Resources to lease lands in the Interstate Park for the St. Croix Valley Heritage Center.

Johnson also authored S.F. 837, a bill providing for improvements in the state's ability to manage mineral exploration by extending timelines for drill core periods and privacy data. The bill was sent to the Judiciary Committee.

Land sale bills

A number of bills authorizing the sale or transfer of tax-forfeited lands were okayed at the Wed., Apr. 10, meeting of the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls).

Bills authorizing the sale of tax-forfeited lands consisted of S.F. 958, authored by Sen. Ronald Dicklich (DFL-Hibbing), which pertains to lands in St. Louis Co.; S.F. 83 and S.F. 84, authored by Sen. Keith Langseth (DFL-Glyndon), pertain to lands in Clay County; S.F. 505, authored by Sen. Gary Laidig (IR-Stillwater), pertains to land in Washington County; S.F. 489, authored by Sen. Douglas Johnson, pertains to lands in Cook County; S.F. 219, authored by Sen. Gregory Dahl (DFL-Ham Lake), pertains to land in Anoka County. S.F. 844, authored by Sen. Janet Johnson (DFL-North Branch), authorizes Otter Tail County to return donated land and S.F. 1216, authored by Sen. LeRoy Stump (DFL-Thief River Falls), authorizes the transfer of state land to the town of Lake in Roseau County. All bills were sent to the Senate floor.

Finance

Attorney General overview

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), heard an overview of the Attorney General's Office at the Thurs., Apr. 4, meeting.

Attorney General Hubert H. Humphrey III said the office's mission is to enforce laws enacted by the Legislature and defend the state in all legal proceedings. The department also advises state offices, boards and departments to assure legality of state action. He said some successes achieved by the department include defending state statutes such as the parental notification statute and the statutory cap on state tort liability. John Tunheim, Chief Deputy Attorney General, said the complement in the department has grown over 17 percent in the last 10 years.

Linda Close, Government Services, said next biennium's budget request includes a complement increase of one person for Dept. of Public Safety work for the Office of Pipeline Safety. She said the Transportation division is busy with eminent domain work associated with I-394.

Beverly Heydinger, Public and Human Resources, said the Public Resources

Committee update

Division needs three more positions for Pollution Control Agency work associated with landfill cleanup cost recovery, and an additional two for Federal Clean Air Act work in the Air Quality Division. They are also requesting \$130,000 for FY '92 for research in Indian treaty rights. The research will be conducted for the Dept. of Natural Resources. She said the Human Resources Division is also working on the nursing home reimbursement costs lag.

Kroening said the overview will continue at a later date.

Landfill remediation bill

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Fri., Apr. 5, to hear a bill providing financial resources for landfill cleanup.

S.F. 350, authored by Sen. Ted Mondale (DFL-St. Louis Park), authorizes the use of the Metropolitan Landfill Contingency Action Trust Fund (MLCAT) to reimburse local governments for costs incurred to remediate methane at a closed disposal facility owned by that unit of government. The bill also authorizes the city of Hopkins to sell bonds, impose a surcharge for solid waste disposal, and impose a landfill cleanup assessment against property.

The city of Hopkins needs assistance to respond to an immediate methane problem at a landfill bordered by a multiunit housing complex, said Mondale.

The bill appropriates \$1.3 million from the MLCAT trust fund for the Hopkins project.

The bill was approved and sent to the full Senate.

Budget overviews

Members of the Finance Division on Health and Human Services met Fri., Apr. 5, to hear budget overviews from the Council on Asian Pacific Minnesotans, the Council on Black Minnesotans, the State Council on Disability, the Indian Affairs Council, the Spanish Speaking Affairs Council and the Telecommunications Access for Communication Impaired Persons Board. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

DNR overview

The Finance Division on Environment and Natural Resources, chaired by Sen. Steven Morse (DFL-Dakota), heard the continuing Dept. of Natural Resources (DNR) budget overview at the Fri., Apr. 5, meeting. The divisions highlighted were Enforcement and Field Operations Support.

Humanities programs discussed

Members of the Finance Division on Agriculture, Transportation and Regula-

tion met Mon., Apr. 8, to hear overviews of the Minnesota Humanities Commission and the Minnesota International Center. The panel, chaired by Sen. Keith Langseth (DFL-Glyndon), also discussed the recommendations of the Governor's Task Force on the Humanities.

Paul Gruchow, chair of the commission, outlined the importance of the humanities to Minnesota's quality of life and detailed the major recommendations. Specifically, the commission is requesting to be made an independent agency, rather than retaining its current status as a fiscal agent of the Historical Society. In addition, the task force recommends two major directions for the commission to take. The first is to coordinate lifelong learning programs and the second is to coordinate teacher renewal programs.

The International Center program is divided into three major areas: international visitor programs; world affairs programs; and student programs. According to Bill Dean, representing the center, the International Center is requesting an additional \$15,000 for each year of the biennium to be used in attracting more international visitors. In addition, a request for funding for the Russian Student Exchange Program was omitted from the budget request because of the international situation earlier in the year. The request will be reinstated in the budget proposal, said Dean.

Budget hearings

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), heard budget overviews of the Office of the Governor, Lt. Governor, Dept. of Veterans Affairs and Dept. of Trade and Economic Development at the Tues., Apr. 9, meeting.

Budget presentations continue

Members of the Finance Division on Health and Human Services met Tues., Apr. 9, to hear a series of budget presentations from the Dept. of Health.

Tom Malloy, assistant commissioner, provided members with a quick overview of the governor's FY 92-93 \$1.107 billion budget request for the Dept. of Health.

The departments mission is to protect, maintain and improve the health of Minnesota citizens. To achieve its mission, the governor's budget reflects funding for the following activities: Disease Prevention and Control, Public Health Labs, Environmental Health, Health Promotion and Education, Maternal and Child Health, Health Systems Development, Health Resources, Community Health Services, Health Information and General Services and Management Support.

Under the proposal, the governor is

requesting a five percent budget reduction for all grantees, with the exception of Family Planning Grants and the Women Infants and Children Food Supplement (WIC) Program. However, Malloy informed members that 55 percent of the FY 93 General Fund expenditures will go towards grants. He added that a projected \$22.33 million will be collected in fees and be deposited into the General Fund.

Division members, chaired by Sen. Don Samuelson (DFL-Brainerd), also heard a brief budget presentation from the Office of the Ombudsman for Mental Health and Mental Retardation.

The governor's budget includes a request for \$2.013 million from the General Fund to allow the office to receive and resolve complaints from any source regarding the care and treatment of clients who are mentally ill, mentally retarded, chemically dependent or emotionally disturbed.

The Dept. of Health wrapped up their budget presentations at the Wed., Apr. 10, meeting.

Ag budget concluded

The Dept. of Agriculture concluded a budget overview at the Tues., Apr. 9, meeting of the Finance Division on Agriculture, Transportation and Regulation. The division, chaired by Sen. Keith Langseth, heard financial summaries from directors of the Promotion Services, Family Farm Security and Administrative Support and Grants Programs.

Discussion centered around the proposed elimination of the Family Farm Advocacy Program, with members expressing strong opposition to the governor's and department's recommended phaseout. The committee heard testimony from farm advocate Ann Canton who told members that the family farm is not out of trouble and the advocacy program offers very real help to farmers in trouble.

The committee also heard from Dr. Brendan Donnelly, Northern Crops Institute and Davis Helberg, Executive Director, Seaway Port Authority. Both organizations operate within the Administrative Support and Grants Division and, under the department's proposed budget, are losing over half the state funding needed to maintain current programs.

Attorney General conclusion

The Office of the Attorney General concluded a budget overview at the Wed., Apr. 10, meeting of the State Departments Division of Finance. Deputy Attorney General Jack Tunheim gave division members a brief summary of three programs not yet heard by the division. The Business Regulation Program represents state agencies in the enforce-

ment of laws that prohibit fraudulent, unfair, unsafe and discriminatory business practices, Tunheim explained. The Health Licensing Division of the program is requesting five additional positions, Tunheim said, but added that the program is paid for with fees and not General Fund dollars. In addition, the Labor Law Division of Business Regulations is asking for two more lawyers to assist with the Dept. of Labor and Industry's Occupational Safety and Health Division (OSHA) caseload.

Janet Lund, Director of the Legislative Coordinating Commission explained the commission's activities and budget. The LCC oversees thirteen legislative commissions as well as the Legislative Reference Library and the Revisor of Statutes, Lund explained. None of the commissions, or the library and revisor's office are requesting new allocations except where uncontrollable circumstances, such as relocating, have required new monies, Lund said.

Bureau of Mediation Services Commissioner Peter Obermeyer gave a brief overview the bureau's duties and budgetary concerns. The bureau provides contract and grievance mediation assistance to union/management teams in both the public and private sectors. The bureau will be making shifts in service programs to meet current budgetary constraints.

Gaming Regulation

Substantive changes advanced

The Gaming Regulations Committee met Mon., Apr. 8, and approved S.F. 506, the omnibus gaming regulation bill. The committee, chaired by Sen. Charles Berg (DFL-Chokio), adopted a delete-everything amendment to S.F. 506, incorporating several gambling measures already discussed and agreed upon by the panel. The bill makes numerous changes to lawful gambling statutes dealing with compulsive gambling, record-keeping, licensing and lawful purpose.

Berg offered an amendment to S.F. 506 making video games of chance illegal in any form. Berg also offered an amendment drafted by the attorney general's office that requires manufacturers and distributors to be licensed. Both amendments were adopted.

An amendment to limit the amount of compulsive gambling dollars spent on administrative costs was approved. The panel adopted an amendment that specifies that all gambling equipment in the state be purchased from suppliers that contract with the state. An amendment that includes projects for seniors as a lawful purpose was adopted, as was an amendment that allows advertising of other states' lotteries and permits lotteries and lawful games of chance to be used in special promotions.

In addition, two substantive and controversial measures offered by Sen. Pat McGowan (IR-Maple Grove) were incorporated into the bill. One amendment eliminates the gross receipts tax, changes the ideal gross tax from the present two percent to four and a half percent and holds prize payouts at 75 percent of the deal. The other amendment replaces specific references to allowable expenses with a general reference to "expenses directly related to the conduct of lawful gambling." Tom Anzelc, director of the Lawful Gambling Division, Dept. of Gaming, told the panel that the department supports the changes. He said by allowing organizations some discretion with allowable expenses the organizations will gain some flexibility without sacrificing regulatory compliance.

The bill was rereferred to the Committee on Taxes and Tax Laws.

Governmental Operations

Gambling bill advances

The Government Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), continued its debate Tues., Apr. 9, on S.F. 324, abolishing the Dept. of Gaming and the position of commissioner.

The bill, authored by Sen. Charles Berg (DFL-Chokio) was amended, in a motion put forth by Sen. Lawrence Pogemiller (DFL-Mpls.), to prevent the appointment of a commissioner of gaming until the governor has made recommendations on the restructuring of the department. The committee discussed issues related to department abolition and the documentation of gambling machines manufactured and shipped to and from Minnesota. A bill provision making paddlewheels illegal also generated discussion before the bill was approved on a divided voice vote to the full Senate.

The committee heard six other bills at the meeting. S.F. 237, authored by Sen. John Marty (DFL-Roseville), phases out private deputy registrars, except in the case where neither the city or county wants to act as deputy registrar, and abolishes the appointment of corporations as deputy registrars. Sen. Dennis Frederickson (IR-New Ulm) offered an amendment that removes language restricting the establishment of private deputy registrars, but maintains the restriction on corporations becoming registrars. The amendment was adopted, and the bill was approved and sent to the full Senate.

S.F. 477, authored by Pogemiller, establishes additional bargaining units for U of M, noninstructional employees. The bill distinguishes between civil service employees and administrative staff and establishes each group as a separate administrative bargaining unit.

S.F. 798, sponsored by Sen. Steven

Morse (DFL-Dakota), is the Dept. of Employee Relations housekeeping bill. The primary provisions of the bill give the commissioner the authority to adopt rules on pay equity and allows former state employees who receive disability benefits to remain eligible for employment and for medicare benefits if they are between the ages of 55 and 65.

S.F. 743, authored by Sen. Carl Kroening (DFL-Mpls.), includes the Supreme Court in the requirement to prepare fiscal notes at the request of a policy or appropriations committee chair.

All four of these bills were approved and sent to the full Senate.

S.F. 1182, carried by Sen. Gene Merriam (DFL-Coon Rapids), requires the commissioner of finance to submit to the Legislature in each odd-numbered year a debt capacity forecast covering the next six fiscal years. The bill also requires the commissioner of administration to prepare a facilities note on each capital project, estimating program cost and ramifications of each approved project. The bill was approved and sent to the Committee on Finance.

S.F. 629, sponsored by Sen. Randy Kelly (DFL-St. Paul), allows Dept. of Transportation pilots who are required to retire at age 62 to continue to have the state portion of their health benefits paid until age 65. Linda Barton, commissioner, Dept. of Employee Relations, said that the issue of these benefits is an issue more appropriately dealt with through collective bargaining. On that advice, the committee took no action on the bill.

Health and Human Services

Marijuana bill advanced

A bill allowing physicians to prescribe marijuana and tetrahydrocannabinols (THC) for the treatment of some medical conditions was advanced to the Senate floor at the Thurs., Apr. 4, Health and Human Services Committee meeting.

Chair Linda Berglin (DFL-Mpls.), and chief author of S.F. 609, offered an amendment that was incorporated into the bill. The amendment specifies that marijuana can be prescribed if it is documented in the medical record, that it is being used to reduce pain, prevent the recurrence of symptoms, prevent adverse affects of a serious illness, injury or medical condition, and that other available drugs were not as effective.

Committee members also advanced to the Senate floor S.F. 874, authored by Berglin. The measure requires that local mental health coordinating councils develop protocols and procedures to ensure delivery of services for children with severe emotional disturbances.

In other action, a bill allowing medical residents the opportunity to apply after

Committee update

their first year of residency in the Physician Loan Forgiveness Program was approved and rereferred to the Committee on Finance. S.F. 258, sponsored by Sen. Jim Vickerman (DFL-Tracy), also allows the Higher Education Coordinating Board to accept up to eight applicants per year who are fourth year medical students from July 1, 1991 to June 30, 1995. Berglin offered an amendment that deletes a section of the bill that increases medical assistant reimbursement rates to physicians. She stressed that this issue will be taken up at another time.

Three measures gain

S.F. 873, a welfare fraud prevention bill, cleared the Health and Human Services Committee Fri., Apr. 5. The bill, authored by Sen. Don Storm (IR-Edina), establishes welfare fraud prevention programs. The bill also sets forth penalties for persons convicted of welfare fraud in order to be in compliance with federal regulations.

Discussion among panel members centered around a provision that provides protective AFDC payments in the event an individual is convicted of welfare fraud. An amendment was incorporated into the bill that strengthens notice requirements, and requires the courts, in the sentencing process of an individual convicted of welfare fraud, to take into consideration that the individual will be disqualified from receiving public assistance. The bill was approved and rereferred to the Judiciary Committee.

The panel, chaired by Sen. Linda Berglin (DFL-Mpls.), also approved and sent to the Senate floor, S.F. 475 establishing the Minnesota Early Childhood Care and Education Council. The bill, authored by Sen. Pat Piper (DFL-Austin), provides that the council will coordinate state agency policies, advocate for effective early childhood care, study the need for child care funding for special populations, administer service development grants and administer resource and referral grants.

Sen. Duane Benson (IR-Lanesboro), raised concern over a provision dealing with federal child care funds. Benson said that federal dollars may be jeopardized by allowing a non-state agency the authority to administer federal grants. The provision was changed to provide that the council will only make recommendations to the commissioner of human services regarding the use of federal money for the purposes of administering service development grants and resource and referral grants.

Finally, the panel dispatched S.F. 849, which was heard at the previous day's hearing. The bill, authored by Sen.

Leonard Price (DFL-Woodbury), requires statewide licensure for all plumbers and water conditioning contractors that have municipal sewer and water service. The bill was rereferred to the Governmental Operations Committee.

Possible reduction in state mandates

Discussion at the Mon., Apr. 8, hearing of the Health and Human Services Committee revolved around two bills relating to mandates and assistance payment programs within the Dept. of Human Services (DHS).

According to Sen. Don Samuelson (DFL-Brainerd), chief author of S.F. 226, the bill attempts to protect human service programs, and, at the same time, reduce the burdens of state mandates on county governments.

The measure requires counties to make reasonable efforts to comply with state social service mandates, but if the counties are unable to comply, they must provide services according to a plan developed by the county and approved by the DHS. The measure also consolidates and simplifies county mental health and community social services planning, and establishes conditions that must be satisfied before a county may deny, reduce or terminate services due to fiscal limitations beyond the service required by federal or state law.

Panel members, chaired by Sen. Linda Berglin (DFL-Mpls.), adopted a number of amendments that specified involvement of the local adult mental health advisory council or subcommittee in developing the biennial adult mental health component of the community social services plan. Another amendment clarifies the calculation adjustment for changes in state or federal funding which can be used by the county for purposes other than social services. The bill was approved and sent to the Senate.

The second half of the meeting was spent discussing S.F. 1242, authored by Sen. Duane Benson (IR-Lanesboro). The bill creates new eligibility categories for General Assistance (GA), and restores the county share of any future growth in the Emergency GA Program, in GA Negotiated Rate Facility (NRF) payments, the Minnesota Supplemental Aid NRF payments and the Emergency Assistance Program. The bill was laid over to provide for further discussion.

DHS bills heard

The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met for an evening hearing Tues., Apr. 8, to consider four measures relating to human services.

Berglin, chief author of S.F. 376, offered

an amendment that was adopted by the committee. The amendment establishes requirements for placement screenings and diagnostic assessments for medical assistance certified boarding care facilities and nursing homes that have been declared Institutions for Mental Disease (IMD). In addition, the bill requires the commissioner to establish IMD review requirements and training criteria in assessing residents for IMDs.

S.F. 1241, authored by Sen. Duane Benson (IR-Lanesboro), establishes funded depreciation accounts for State Operated Community Services (SOCS), allows one-time living allowances under Semi-Independent Living Services (SILS) to secure and furnish a home for clients, establishes requirements for SILS services and programs and authorizes for-profit organizations to provide day training and habilitation services.

Two author's amendments were offered and adopted by the committee. The amendments establish state policy for the Family Support Program, place requirements and restrictions on issuing and using support grant money, and establish eligibility requirements. The bill also sets forth requirements for case management services for individuals with mental retardation, and establishes requirements for admission review teams when admitting an individual to an Intermediate Care Facility for people with Mental Retardation. Both S.F. 376 and S.F. 1241 were approved and rereferred to the Committee on Finance.

Further, members continued debate on S.F. 1242, also authored by Benson, relating to Assistance Payment Programs within the Dept. of Human Services (DHS). The bill allows the DHS to issue assistance checks on behalf of counties for all assistance programs and the Food Stamp Program, sets forth new General Assistance eligibility categories and makes various changes to the Work Readiness Program. Berglin, offered an amendment, that was adopted by the committee, that clarifies GA eligibility requirements for a person who has an application pending for the Social Security Disability Program or the Supplemental Security Income Program. In addition, the amendment clarifies reimbursable costs for recipient support services for individuals who participate in WR services. The bill was laid over for further discussion.

Finally, members reviewed S.F. 1250, authored by Sen. Donald Storm (IR-Edina), modifying the General Assistance Medical Care Program, the Medical Assistance Program and the Children's Health Plan. The bill establishes payment rates for hospitals and clarifies coverage and eligibility requirements. The bill was laid over for further discussion.

Judiciary

Legal assistant bill setback

A bill requesting that the state Supreme Court adopt rules governing the delivery of legal services by specialized legal assistants suffered a setback at the Fri., Apr. 5, Judiciary Committee meeting.

S.F. 520, sparked considerable debate between committee members and author, Sen. Randy Kelly (DFL-St. Paul). The bill, said Kelly, is an attempt to address the escalating costs of legal services and the problems people encounter when trying to obtain access to legal services.

The bill was amended to reflect some concerns over requesting the Supreme Court to adopt rules. The bill as amended specifies that the Supreme Court shall review the feasibility of the delivery of legal services by specialized legal assistants. In addition, if the court determines that the delivery of legal services is in the best interests of legal service consumers, the court may adopt rules governing their practice.

After further debate, the bill was laid on the table on an 8-6 vote.

In other action, members advanced three measures to the Senate floor. S.F. 118, authored by Sen. Fritz Knaak (IR-White Bear Lake), tightens laws prohibiting the cruel treatment of animals by chronic animal abusers. The bill provides that a person convicted of a second or subsequent violation within five years of a previous violation is guilty of a gross misdemeanor.

S.F. 379, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), allows a former court commissioner to solemnize marriages by order of the chief judge of the commissioner's judicial district.

S.F. 1019, authored by Sen. Jane Ranum (DFL), amends provisions dealing with the attorney general's data practices study. The panel considered several amendments to the measure. The bill, as amended, stipulates that the attorney general shall conduct a study that includes recommendations for training on data practices laws for individuals involved in the child protection system. In addition, the bill specifies that the attorney general shall consult with the commissioners' from the Dept. of Administration and the Dept. of Human Services, along with a multidisciplinary task force in its preparation and recommendations.

Further, the committee advanced S.F. 310, authored by Linda Berglin (DFL-Mpls.), that establishes a central registry of traumatic brain injury and spinal cord injury victims. The bill also specifies that data collected for the registry is private data, and establishes reporting requirements. The bill was approved and rereferred to the Committee on Finance.

Finally, panel members rereferred S.F. 1053, a Revisor's bill, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), to the Judiciary Civil Law Division. The bill corrects language, text and obsolete references, and makes technical changes to statutes and other laws.

Public defender bill gains

Members of the Judiciary Committee met Mon., Apr. 8 to process nine bills, eight of which were sent to the full Senate.

S.F. 156, authored by Chair Allan Spear (DFL-Mpls.), changes the organization and administrative authorities in the state public defense system. Two major amendments were incorporated into the bill. The first amendment reinstates the four Supreme Court appointed attorneys to the state board of public defense. The second amendment changes a provision pertaining to the appointment of members to the ad hoc board from two district judges to two residents of the district. In addition, the measure provides that the chief district public defender is appointed by an ad hoc board, not by the state public defender.

S.F. 880, also authored by Spear, is a multi-faceted approach in dealing with bad check offenders. A number of amendments were offered and adopted by the committee. The bill eliminates a provision authorizing fees for obtaining information from financial institutions to assist in prosecution of bad check cases. In addition, the bill authorizes service charges for use of law enforcement agencies to obtain payment of a dishonored check if the service charge is used to reimburse the law enforcement agency. Also the bill modifies procedures and liability for civil restitution for holders of worthless checks.

S.F. 1032, authored by Sen. Leonard Price (DFL-Woodbury), reclassifies an assault on a correctional officer from a gross misdemeanor to a felony, increases the penalty from one year to two years and increases the fine from \$3,000 to \$4,000.

S.F. 979, sponsored by Sen. Sandra Pappas (DFL-St. Paul), provides that selling a toxic substance containing butane to individuals under the age of 18 is a misdemeanor.

S.F. 1235, authored by Sen. Carol Flynn (DFL-Mpls.), eliminates a provision that requires dismissal of felony charges when depriving a person of parental rights if the child is voluntarily returned within 14 days. Proponents indicated that under current law, a person can bring the child back on the 13th day, and all charges will be dismissed. An amendment was adopted that changes the 14 day restriction to 48 hours.

S.F. 588, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), provides penalties for intentional damage to timber

or wood processing, manufacturing or transportation equipment.

S.F. 950, authored by Sen. Linda Berglin (DFL-Mpls.), relates to assisting individuals who live in areas where drug houses exist. The measure requires tenants signing a lease not to allow any unlawfully controlled substances on the premises, allows the courts to close a disorderly house following the arrest of the owner or tenant, and expands the nuisance law to allow a nuisance charge if there is a conviction for unlawful use or possession of a firearm in the building. The bill also provides that property may be forfeited if the retail value of the controlled substance is \$1,000 or more, or there have been two previous controlled substance seizures involving the same tenant.

S.F. 404, authored by Sen. Randy Kelly (DFL-St. Paul), requires the Community College System, the Technical College System the State University System, and private colleges offering professional peace officer education to integrate components of professional peace officer education into a degree program by Jan. 1, 1992. In addition, the measure sets forth a provision that allows earned credits from community colleges and technical colleges to go toward a bachelor's degree. Lastly, the measure requires the State University System to develop a school of law enforcement.

Finally, members approved and rereferred to the Committee on Finance, S.F. 780, sponsored by Sen. Dennis Frederickson (IR-New Ulm). The bill allows private parties visual access to electronic display terminals at the public counters of the Secretary of State's Office without charge during public counter hours.

Omnibus corrections bill

The Judiciary Criminal Justice System Oversight Subcommittee met Tues., Apr. 9, to consider the omnibus community corrections bill, carried by subcommittee Chair Randy Kelly (DFL-St. Paul).

The panel discussed provisions related to making good conduct allowances for offenders identical at the state and county level, a study on facility crowding and a review of the Community Corrections Act. The bill was approved and sent to the full Judiciary Committee.

Birth records bill gains

A bill eliminating restrictions on disclosing the birth certificate of a child born to an unmarried woman cleared the Judiciary Committee after considerable debate Wed., Apr. 10.

Sen. Sandra Pappas (DFL-St. Paul), chief author of S.F. 762, said the bill provides for equal treatment of all records regardless of marital status. Sen. William Belanger (IR-Bloomington), offered an

Committee update

amendment that allows the mother to designate whether the birth data is confidential information. Under current law, the natural father's name is not included in the birth certificate unless there has been a declaration of parentage. The bill was approved as amended and sent to the Senate.

Further, members approved and sent to the Senate three additional measures. S.F. 753, authored by Sen. Jane Ranum (DFL-Mpls.), allows a DWI conviction to be admissible as evidence for civil actions involving a motor vehicle accident in which there is evidence that the accident was caused by a driver whose driving capacity was impaired by either drugs or alcohol, or arose out of the same behavioral incident. The measure also specifies the conditions for punitive damages in a civil action.

S.F. 355, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), sets forth a provision that allows public authorities, who have seized an animal that involved a cruelty complaint, to humanely dispose of it after seven days. The measure also stipulates that the owner may prevent disposition of the animal by posting a bond or security in an amount sufficient to provide for 30 days of care while the animal is in custody.

S.F. 953, also authored by Ranum, allows Hennepin and Ramsey counties the authority to provide a law library assessment fee for criminal convictions.

Local Government

Local measures advanced

Several bills relating to various local municipalities were approved during the Tues., Apr. 9, meeting of the Local Government Committee. Two of the measures, S.F. 460 and S.F. 623, deal with merging local county auditors' and treasurers' offices into a single office. H.F. 623, authored by Sen. Tracy Beckman (DFL-Bricelyn), allows the Martin County Board to merge the two offices. S.F. 1213, sponsored by Sen. James Metzen (DFL-So. St. Paul), merges the same two offices in Dakota county and makes the combined office non-elective. Both bills were approved and sent to the Senate floor.

Beckman is also author of a bill, S.F. 460, clarifying that the probationary period for a County Veterans Service Officer is the first 12 months of the officer's initial appointment of four years and requires written notice to the officer of at least 90 days if the board does not intend to reappoint the officer. The bill was advanced to the full Senate.

Sen. Janet Johnson (DFL-North Branch) is author of S.F. 1126, a bill that changes the special assessment process for

storm sewer improvement. The bill requires municipalities to hold public hearings before awarding contracts for improvements and publish notification of the hearing. In addition, notice of the hearing must be mailed to the owner of each parcel that is to be taxed as a result of the proposed improvement. The measure was approved and sent to the Senate floor.

A bill authorizing municipalities to enter into joint ventures with telecommunications organizations was also approved. S.F. 599, carried by Sen. Keith Langseth (DFL-Glyndon), allows municipalities to become partners or shareholders with telecommunications organizations in order to provide telecommunications services to a municipality service area. The bill was sent to the Senate floor.

S.F. 1129, a measure that clarifies security and insurance requirements when municipalities enter into contracts for the design or construction of water or wastewater treatment facilities, was also approved. The bill, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), was sent to the full Senate.

Metropolitan Affairs

Two bills advanced

Members of the Metropolitan Affairs Committee met for an evening hearing, Thurs., Apr. 4, to process two noncontroversial bills.

The first bill makes modifications to the Metropolitan Council's Development Guide. S.F. 1124, authored by Sen. Ted Mondale (DFL-St. Louis Park), directs the council to study the development patterns and needs of the fully developed areas in the Metro Area. The fully-developed areas consist of Minneapolis, Saint Paul, the first ring suburbs, and in some instances the second ring suburbs.

Chair Don Frank (DFL-Spring Lake Park), is author of the second bill, S.F. 385, which provides for Senate confirmation of the Metropolitan Airports Commission chair. A major amendment, offered by Frank, and adopted by the committee, reinstates the four outstate members of the commission that had previously been removed from the bill. Both measures were approved and sent to the Senate floor.

The second half of the meeting was devoted to an overview of the omnibus transportation bill, S.F. 598, authored by Sen. Keith Langseth (DFL-Glyndon). The bill establishes a state transportation plan with an emphasis on multimodal, efficient and safe transportation.

Party affiliation restricted

A bill setting conditions for Metropolitan Council party affiliation was consid-

ered at the Tues., Apr. 9, meeting of the Metropolitan Affairs Committee.

S.F. 584, sponsored by Sen. Carol Flynn (DFL-Mpls.), provides that no more than nine members of the Metropolitan Council may support the same political party. Flynn informed members that current appointments would not be affected by the legislation. In addition, the measure provides that no more than a majority of the individuals appointed to a metropolitan agency may support the same political party.

Flynn said the bill is an attempt to provide better representation on the council and commissions. Chair Don Frank (DFL-Spring Lake Park), suggested that S.F. 584 be incorporated into a bill dealing with metropolitan governance. The bill was laid over for further discussion.

In other action, members continued discussion on the omnibus transportation bill, S.F. 598, authored by Sen. Keith Langseth (DFL-Glyndon). Langseth led members through each article of the bill. The first three articles include policy provisions, requiring the commissioner to order a study on railroad crossing safety and improvement, establishing safety violations and penalties and establishing port development assistance to port projects that benefit Minnesota shippers by improving or developing a commercial navigation facility.

Article IV establishes a system of rustic roads, establishes a natural preservation routes category within the county state-aid highway system, and places restrictions on some changes to park streets and highways. Article V states that private participation and public-private partnerships are desirable to meet some of the state's highway needs. It also authorizes private operators to build and operate toll facilities.

Articles VI and VII establish a transportation services fund, and authorize the commissioner to plan, acquire, construct and equip light rail transit facilities in the Metro Area. Sen. Sandra Pappas (DFL-St. Paul) offered an amendment that would provide an additional sales tax in the Metro Area for light rail transit right-of-way property acquisition and funding. No action was taken on the amendment. Frank said discussion on the bill will continue.

Taxes and Tax Laws

Public finance bill gains

Members of the Taxes and Tax Laws Income, Sales, and Economic Development Division met Tues., Apr. 9, to consider three measures. S.F. 1179, authored by Chair Lawrence Pogemiller (DFL-Mpls.), was discussed at length and

then advanced to the full committee. The measure alters numerous provisions relating to the issuance of bonds by local units of government and other authorities. Several amendments were adopted that removed the more controversial provisions.

In addition, the panel advanced a bill that establishes an alternative method for determining the annual permit fee for vehicles propelled in part by compressed natural gas or propane. S.F. 282, authored by Sen. Phil Riveness (DFL-Bloomington), specifies that the alternative is available only if the owner has no more than three vehicles and the vehicles are primarily for personal use.

Finally, the division discussed, but took no action on, a bill establishing a shallow rent subsidy program. S.F. 720, authored by Sen. James Metzen (DFL-South St. Paul), was being considered by the division because of a provision specifying that buildings leased under a lease-purchase housing agreement will be given homestead treatment. Panel members discussion revolved around whether the bill should properly be in the Property Tax and Local Government Aids Division. The measure was laid over pending disposition of the question of jurisdiction.

Transportation

Seat belt bill

S.F. 542, a bill increasing the fine for seat belt violations, was approved at the Thurs., Apr. 4, Transportation Committee meeting, chaired by Sen. Gary DeCramer (DFL-Ghent).

Sen. Don Frank (DFL-Spring Lake Park), author of S.F. 542, said the bill increases the fine for not wearing a seat belt from \$10 to \$25 and raises the offense status from a secondary to a primary violation. Motorists committing a primary violation can be stopped by an officer of the law. Frank added that a provision in the bill authorizes the allocation of fine proceeds to emergency medical techniques education. Tony Kozed, Minnesota State Patrol, said the bill will aid in law enforcement. But, Sen. Jim Vickerman (DFL-Tracy) indicated a higher fine will not necessarily motivate motorists to wear seatbelts. In addition, he said making the seatbelt violation a primary violation will result in a shift of officers' time and attention from road hazards such as reckless or drunk drivers to motorists not wearing a seatbelt. A motion by Sen. Phil Riveness (DFL-Bloomington) to strike the provision authorizing primary violation status failed. Sen. Keith Langseth (DFL-Glyndon) said traffic fatalities were cut in half by the previous seat belt law and could be cut in half again under this bill. The bill was rereferred to the Finance Committee.

The committee also okayed S.F. 814, a

bill creating a pilot program for the ignition interlock system. The system is installed in cars for the purpose of alcohol detection. Sen. Thomas Neuville (IR-Northfield), author of the bill, said the pilot program would be available to drivers who have three or more alcohol-related offenses. A representative from Ignition Interlock Systems said that in Iowa, where the device has been available for two and a half years, the recidivism rate of alcohol-related driving offenses has dropped phenomenally. Neuville said the program would begin Aug. 1, 1991, and end in August 1992. He said the program would then be evaluated on the basis of behaviour modification and reliability. The bill was rereferred to Judiciary.

Members also approved an omnibus truck bill. DeCramer, author of S.F. 694, said the intent of the bill is to bring Minnesota truck laws in compliance with federal legislation. One provision requires lowering the maximum bumper height of trucks to prevent small cars from passing beneath them. The bill also exempts certain beverage trailers from length requirements, changes maximum tire widths and authorizes a penalty fee for vehicles exceeding the maximum permitted weight. The penalty fee is based on a cost per mile figure. A provision also requires motor carrier operators to attend motor-carrier programs on statutes, rules and regulations that apply to motor carriers. The bill was approved and rereferred to the Finance Committee.

Measures okayed

Members of the Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent) approved a number of bills at the Mon., Apr. 8, meeting.

Two of the approved bills were rereferred to the Finance Committee. S.F. 100, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes the Minnesota Department of Transportation (Mn/DOT) to allocate bridge bonding funds to townships for financing bridge approach work that exceeds the cost of bridge work itself. The bill applies to townships unable to afford repair work due to low property valuation or other hardship. S.F. 607, authored by Sen. David Frederickson (DFL-Murdock) updates a statutory provision pertaining to the county state-aid system. It states that former municipal state-aid city streets may be included in the county state-aid system if the city population fell below 5,000 under the 1990 federal census.

S.F. 331, also authored by Chmielewski, requires any local government involved in establishing or enlarging an airport to inform Mn/DOT 30 days before construction begins. After approval, the bill was sent to the floor.

Committee members also okayed S.F.

765. Sen. John Marty (DFL-Roseville) said the bill authorizes the issuance of license plates for motorcycles used principally for transporting disabled individuals. It also clarifies that parking signs designating parking for disabled persons may be enforced even if they do not conform to design standards for such signs. Marty said the measure also specifies that a vehicle with license plates designating a disabled motorist may be parked at a timed meter for an unlimited amount of time unless time restrictions are posted on separate signs. The bill was sent to the floor.

A bill allowing railroad companies to collect repair funds from property owners was also okayed. S.F. 593, authored by Sen. Gen Oldon (IR-Mound) states that railroad crossings and drains must be maintained and repaired by a railroad company that may request reimbursement from an abutting property owner if the improvements are initiated by the landowner and agreed upon by both parties. The bill was sent to the floor.

Discussion was also initiated on S.F. 1238, authored by Sen. Phil Riveness (DFL-Bloomington). S.F. 1238 authorizes advance funding by Richfield for construction of a frontage road in response to I-494 construction that will close access to some businesses. DeCramer said discussion on the measure will continue.

Veterans and General Legislation

Domestic ferrets

A bill granting the European domestic ferret status as a domestic or companion animal was approved, Mon., Apr. 8. S.F. 976, authored by Sen. Dennis Frederickson (IR-New Ulm), protects the ferret from mistreatment and specifies that anyone selling a ferret must provide the buyer with information concerning the care and feeding of the animals. An amendment, offered by Sen. Bob Lessard (DFL-Int'l. Falls), requiring that sellers provide written factual information about ferrets and warning of the possibility of injury to small children, was added. The bill was approved and sent to the Senate floor.

S.F. 1068, a measure memorializing the President and Congress to condemn the use of Soviet military force in the Baltic Republics and support the Baltic Republics self-determination effort was unanimously approved. Bill author, Sen. Phil Riveness (DFL-Bloomington), explained that before World War II, the Baltic Republics of Latvia, Estonia and Lithuania were sovereign countries. The countries were annexed against their will by the Soviet Union, Riveness explained. The measure was approved and sent to the Senate floor.

Committee update

Sen. Richard Cohen (DFL-St. Paul) is sponsoring a bill, S.F. 1167, requiring the Metro Council to levy a tax for support of nonprofit arts organizations. The distribution of the proceeds would be the responsibility of the State Arts Board, Cohen explained. By using a Metro tax for Metro arts organizations, the state may appropriate more of the allocated General Fund dollars to the 11 regional arts councils throughout the state, Cohen said. The bill was approved and rereferred to the Metropolitan Affairs Committee.

A measure, S.F. 532, that clarifies temporary vacancy status in the event a town officer is called to active duty as a member of the armed forces, was approved. The bill, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), specifies that a temporary vacancy be filled within two weeks by appointment and that the person appointed serve the term only while the military person is unable to fulfil the duties of the post. The measure was advanced to the Senate floor.

Floor Action

Special Olympics tax break okayed

Senators began the week of the first committee deadline by holding a brief floor session Mon., Apr. 8. The deadline, Fri., Apr. 12, means that bills originating in the Senate must be through policy committees by that date. To that end, much of the floor session was used to process committee reports moving bills from one panel to another. However, Senators also took time to grant final passage to eight bills and preliminary passage to an additional seven measures.

Among the bills given preliminary approval on the General Orders Calendar was a measure that grants the International Special Olympics a sales tax exemption for purchases made between May 5, 1989 and Aug. 15, 1991. The measure, S.F. 339, is sponsored by Sen. William Luther (DFL-Brooklyn Park).

S.F. 531, authored by Sen. Gary DeCramer (DFL-Ghent), authorizes a water or sewer commission to issue bonds. H.F. 598, sponsored by Sen. Sandra Pappas (DFL-St. Paul, regulates insurance agent rehabilitations and the cancellations of agency contracts by fire and casualty companies. S.F. 732, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls) offers an alternative to bond or deposit requirements on contracts for cutting timber and allows a reduction in value of letters of credit given as security for timber permits.

S.F. 328, authored by Sen. Sam Solon (DFL-Duluth), requires foreign travel coverage be added to the basic plan for Medicare supplement insurance plans and

conforms state Medicare supplement policy requirements to federal law. S.F. 925, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), includes language translation services as medical expense benefits for medical insurance plans. S.F. 473, also carried by Finn, allows nursing homes to transfer medical assistance certification among beds.

Bills gaining final passage were all given preliminary passage at the Thurs., Apr. 4, floor session. H.F. 661, sponsored by Lessard, is a resolution memorializing Canada to correct the new permit regulations for the Canada-Minnesota border and to encourage federal, state, and provincial governments to resolve differences to the mutual benefit and satisfaction of the citizens of both countries. S.F. 734, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for a highway patrol retirement fund refund of an employee's contributions upon death. S.F. 391, sponsored by Sen. Joe Bertram (DFL-Paynesville), provides for alternative methods, such as composting, to be used in disposal of animal carcasses.

S.F. 774, sponsored by Sen. Linda Berglin (DFL-Mpls.), clarifies licensing requirements for residential programs for persons with chemical dependency, establishes procedures for contesting a transfer or discharge from a nursing home, sets a time limit for appeals of civil penalties under the nursing home licensing laws and provides procedures for contesting findings under the Vulnerable Adults Act. S.F. 254, sponsored by Sen. Janet Johnson (DFL-North Branch), clarifies newborn screening requirements, clarifies maternal and child health services and requires birth or death certificate medical supplements to report prenatal exposure to controlled substances.

S.F. 713, sponsored by Sen. Judy Traub (DFL-Minnetonka), repeals rule criteria for disqualification of applicants for human services licensing. H.F. 131, sponsored by Sen. John Bernhagen (IR-Hutchinson), authorizes the Meeker County Board to provide for an addition to the county hospital. S.F. 729, authored by Sen. Gene Merriam (DFL-Coon Rapids), sets forth qualifications for obtaining a license to take wild animals by firearms.

Brief floor sessions held

Senators met in floor session Wed., Apr. 10 and Thurs., Apr. 11, primarily to process committee reports to facilitate the movement of bills between committees. In addition, Senators granted concurrence and repassage to S.F. 583. The measure, sponsored by Sen. Carol Flynn (DFL-

Mpls.), clarifies the requirements for immunizations and adds haemophilus influenza type b to the list of diseases for which immunizations must be given.

The Senate also approved the conference committee report and repassed H.F. 196. The measure, carried by Sen. Joe Bertram (DFL-Paynesville), is a resolution memorializing Congress to take action on the POW/MIA truth bill. In addition, Senators gave final passage to a resolution, H.F. 1209, memorializing the President and the Congress to condemn the use of Soviet military force in the Baltic Republics and support the Baltic Republics for their self-determination. The resolution is authored by Sen. Phil Riveness (DFL-Bloomington).

In addition, the Senate approved one bill on the Consent Calendar. H.F. 795, authored by Sen. Gene Merriam (DFL-Coon Rapids), removes restrictions on the location of county morgues. Finally, the Senate granted final passage to the seven measures given preliminary approval at the Mon., Apr. 8, floor session.

Television coverage of hearings, sessions offered

Senate Media Services plans to provide live gavel-to-gavel television coverage of committee hearings from 8 a.m. until 5 p.m. weekdays. The hearings will run on Channel 6 the Metro Cable Network. In addition, Media Services will continue to broadcast gavel-to-gavel coverage of Senate floor sessions on Channel 6 the Metro Cable Network.

Also, watch for Senate Report, a weekly public affairs program, featuring lawmakers from specific regions around the state reviewing legislative issues from a regional perspective. Senate Report is broadcast on PBS stations as well as Channel 6 the Metro Cable Network.

The following is the schedule for broadcast of Senate Report.

Austin KSMQ - 11:30 a.m. Sundays;
Duluth WDSE - 11:30 a.m. Sundays;
Appleton KWCM - 11:30 a.m. Sundays;
Bemidji KAWK/KAWB - 11:30 a.m. Sundays (Beginning Feb. 3); Fargo KFME 11 a.m. - Saturdays (Beginning Feb. 2); and Channel 6, the Metro Cable Newtwork - 6:30 p.m. Mondays and 7:30 p.m. Wednesdays.

Senate phone numbers

For copies of bills (voice mail)	296-2343
For index and information	296-0504
For committee schedules	296-8088
For TDD	296-0250
For TV comment	296-0264

Preview

The Minnesota Senate Week at a Glance

Monday, April 15

Editor's note: Because of the committee deadlines, committee schedules are subject to change. For updated information call the Senate Hotline at 296-8088 or the Information Office at 296-0504.

Judiciary Division on Civil Law

Chair: Richard Cohen

10 a.m. Room 15 Capitol

Agenda: S.F. 1155-Laidig: Interest in real property conveyed by a spouse. S.F. 1026-Finn: Uniform Foreign Money Claims Act. S.F. 917-Berglin: Child support. S.F. 594-Pariseau: Marriage license information. S.F. 1267-Luther: Garnishment and execution.

Judiciary Division on Criminal Law

Chair: John Marty

10 a.m. Room 125 Capitol

Agenda: S.F. 605-Kelly: Crime victim notification, harassment restraining orders. S.F. 628-Kelly: Juvenile certification study. S.F. 772-Frederickson, D.J.: Shooting accident good samaritan law. S.F. 858-McGowan: Financial disclosure by offenders. S.F. 893-Davis: Mille Lacs Chippewa law enforcement.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 107 Capitol

Agenda: Confirmation hearings for Robert Worthington and Demetrius G. Jelatis to the HFA. S.F. 553-Hottinger: Minn. volunteer corps. H.F. 1042-Frederickson, D.R.: DTED reorganization. S.F. 1264-Johnson, J.B.: Business development, preservation program.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: H.F. 87-Lessard: Itasca county roads. H.F. 106-Langseth: Town road payment by March 1st. H.F. 126-Samuelson: Paul Bunyan Expressway. H.F. 155-Brataas: Town restrictions. H.F. 192-Solon: Duluth Transit Authority. H.F. 357-Novak: Notice before construction in utilities. H.F. 466-Davis: Definition of a wrecker.

Senate session at 2 p.m.

Education Division on Education Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: S.F. 467-Dicklich: Omnibus education funding bill.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: H.F. 438: Frederickson, D.R.: Appeal procedures for maltreatment of minors

and vulnerable adults. H.F. 313-Psychologists licensure. H.F. 719-Berglin: MFIP. S.F. 711-Benson: Dept. of Human Services MFIP. S.F. 412-Berglin: Alternative care grants. H.F. 1240-Benson: SAIL.

Tuesday, April 16

Governmental Operations Committee

Chair: Gene Waldorf

8 a.m. Room 15 Capitol

Agenda: To be announced.

Local Government Committee

Chair: Betty Adkins

8 a.m. Room 107 Capitol

Agenda: H.F. 291-Kroening: Minneapolis residency bill.

Finance Division on Health and Human Services

Chair: Don Samuelson

8:30 a.m. Room 125 Capitol

Agenda: Revised budget for the Dept. of Human Services.

Agriculture and Rural Development Committee

Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: S.F. 776-Sams: Providing for an agriculture development bond program.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: S.F. 559-Frederickson, D.J.: Ethanol in oxygenated fuel. Others to be announced.

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: S.F. 269-Price: Liquor establishments DWI penalties sign posting. S.F. 270: Price: Liquor establishments alcoholic beverages service prohibition sign posting. S.F. 426-Johnston: Abstractors bond or insurance requirement increase and seal impression. S.F. 865-Mondale: No-fault insurance coverage for rental vehicles. S.F. 1099-Beckman: Insurance chemical dependency claims evaluation standards and denial restriction. S.F. 239-Adkins: Health insurance non-diagnostic X-rays requirement prohibition. S.F. 1118-Luther: Franchise assignment, transfer or sale consent withholding prohibition. S.F. 723-Solon: Public buildings accessibility requirements.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: S.F. 3-Davis: Wetlands bill. S.F. 546-Cohen: Environmental crimes. S.F. 462-

Riveness: Environmental enforcement account. S.F. 480-Mondale: Investigation of environmental permit applicants.

Education Division on Education Funding

Chair: Ronald Dicklich

3 p.m. Room 112 Capitol

Agenda: S.F. 467-Dicklich: Omnibus education funding bill.

Finance Division on State Departments

Chair: Carl Kroening

3 p.m. Room 123 Capitol

Agenda: To be announced.

Taxes and Tax Laws Division on Income, Sales and Economic Development

Chair: Lawrence Pogemiller

3 p.m. Room 15 Capitol

Agenda: S.F. 180-Morse: Planting services exemption from sales tax. S.F. 255-Price: Racing commission per diem. S.F. 295-Lessard: Unfair Cigarette Sales Act. S.F. 506-Berg: Omnibus gaming bill. S.F. 945-Berg: Aquaculture development.

Health and Human Services Committee

Chair: Linda Berglin

6 p.m. Room 15 Capitol

Agenda: To be announced.

Wednesday, April 17

Education Committee

Chair: Gregory Dahl

8 a.m. Room 15 Capitol

Agenda: H.F. 499-Waldorf: Flagging of school records of missing children. S.F. 19-Johnson, J.B.: Cambridge Community College full campus status. S.F. 445-Hottinger: Sports fan exclusion.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: To be announced.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: To be announced.

Elections and Ethics Committee

Chair: Jerome Hughes

12 noon Room 107 Capitol

Agenda: To be announced.

Senate-House Joint Convention

1 p.m.

Environment and Natural Resources Committee

Chair: Bob Lessard

Following joint convention Room 107 Capitol

Agenda: S.F. 930-Knaak: Sanction for hunting while intoxicated. S.F. 1025-Hottinger: BWSR acceptance of funds or property. S.F. 1064-Davis: BWSR exemption from APA. S.F. 1091-Dahl: Incinerator ash as special waste extension. S.F. 621-Dahl: LCMR and Environmental and Natural Resources Trust Fund clarifications. S.F. 667-Morse: Water detention devices on parking lots.

Finance Division on Health and Human Services

Chair: Don Samuelson
3 p.m. Room 125 Capitol
Agenda: Public testimony

Finance Division on State Departments

Chair: Carl Kroening
3 p.m. Room 123 Capitol
Agenda: To be announced.

Taxes and Tax Laws Division on Property Tax and Local Government Aids

Chair: Ember Reichgott
3 p.m. Room 15 Capitol
Agenda: SF 362-Reichgott: Dept. of Revenue property tax bill. S.F. 183-Frederickson, D.J.: Swift County special levy. S.F. 616-Larson: Becker County levy limit base adjustment. S.F. 923-Davis: Mille Lacs County levy limit. S.F. 1167-Cohen: Statewide arts property tax. S.F. 1422-Bernhagen: Personal property tax. S.F. 642-Pogemiller: Redistricting special levy. S.F. 760-Bertram: Fire state aid.

Environment and Natural Resources Committee

Chair: Bob Lessard
6 p.m. Room 107 Capitol
Agenda: Continuation of earlier agenda.

Health and Human Services Committee

Chair: Linda Berglin
6 p.m. Room 15 Capitol
Agenda: To be announced.

Thursday, April 18

Governmental Operations Committee

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

Local Government Committee

Chair: Betty Adkins
8 a.m. Room 107 Capitol
Agenda: H.F. 578-Metzen: Transfer of assessment review duties. H.F. 894-Johnson, D.E.: Officers to contract for services.

Agriculture and Rural Development Committee

Chair: Charles Davis
10 a.m. Room 112 Capitol
Agenda: To be announced.

Energy and Public Utilities Committee

Chair: Steven Novak
10 a.m. Room 107 Capitol
Agenda: To be announced.

Economic Development and Housing Committee

Chair: James Metzen
12 noon Room 107 Capitol
Agenda: To be announced.

Transportation Committee

Chair: Gary DeCramer
12 noon Room 112 Capitol
Agenda: To be announced.

Senate session at 2 p.m.

Education Division on Education Funding

Chair: Ronald Dicklich
3 p.m. Room 112 Capitol
Agenda: S.F. 467-Dicklich: Omnibus education funding bill.

Finance Division on State Departments

Chair: Carl Kroening

3 p.m. Room 123 Capitol
Agenda: To be announced.

Health and Human Services Committee

Chair: Linda Berglin
3 p.m. Room 15 Capitol
Agenda: To be announced.

Agriculture and Rural Development Committee

Chair: Charles Davis
7 p.m. Room 107 Capitol
Agenda: To be announced.

Governmental Operations Committee

Chair: Gene Waldorf
7 p.m. Room 112 Capitol
Agenda: To be announced.

Friday, April 19

Education Committee

Chair: Gregory Dahl
8 a.m. Room 15 Capitol
Agenda: S.F. 826-Frederickson, D.J.: Joint vocational board. H.F. 752-Stumpf: School consolidation. S.F. 404-Kelly: Peace officer training.

Finance Division on Health and Human Services

Chair: Don Samuelson
8:30 a.m. Room 125 Capitol
Agenda: Public testimony

Judiciary Committee

Chair: Allan Spear
10 a.m. Room 15 Capitol
Agenda: To be announced.

Environment and Natural Resources Committee

Chair: Bob Lessard
1 p.m. Room 107 Capitol
Agenda: S.F. 256-Merriam: Waste Management Act amendments. S.F. 257-Merriam: Solid waste management certification and training. S.F. 825-Merriam: Metro area solid waste disposal facility inventory process abolishment.

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

April 19, 1991

Permanent rules adopted

Included in business at the Mon., Apr. 15, Senate floor session was the consideration of House Concurrent Resolution 5 and Senate Concurrent Resolution 40, otherwise known as the joint and permanent rules. The Senate adopts permanent rules each biennium for governing Senate matters and joint rules for governing matters with the House. Members rereferred House Concurrent Resolution 5 to the Senate Rules Committee to refine language of an amendment. Members then turned attention to Senate Concurrent Resolution 40 and changes therein. One change relates to the procedure for filing complaints against members who have violated open meeting requirements. Another change raises the majority vote required to effect a Rule 40; that is, the rule allowing a Senator to take up on the floor a bill not heard in committee. The change stipulates that a 60 percent vote is needed to effect a Rule 40. An amendment, offered by Sen. Gene Waldorf (DFL-St. Paul), to reinstate the original requirement of a majority vote failed on a 32-30 roll call vote. A motion to reconsider also failed. Sen. William Luther (DFL-Brooklyn Park) said the provision will result in the consideration of bills in committee, where public testimony is heard, as opposed to considering bills on the Senate floor. Senate Concurrent Resolution 40 was adopted.

Regents elected

Members of the Senate met in joint convention with members of the House of Representatives Wed., Apr. 17, in order to elect four University of Minnesota regents. Those elected included Stanley Sahlstrom of the Seventh District, Wendell Anderson of the Sixth District, Ann Wynia of the Fourth District and Dr. H. Bryan Neel of the First District. All four regents were elected for six year terms.

Hopkins landfill bill gains

Members held a brief floor session

Thurs., Apr. 18, to process committee reports and to discuss several bills on the General Orders Calendar. S.F. 350, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), one was of the measures gaining preliminary approval. The bill authorizes an expenditure from the Metropolitan Landfill Contingency Action Trust Fund to pay for environmental response costs at a landfill located in Hopkins. In addition, the measure authorizes the city of Hopkins to issue bonds, authorizes the city to impose a solid waste collection surcharge and authorizes a landfill cleanup assessment.

An additional five bills gained preliminary approval. H.F. 697, sponsored by Sen. Allan Spear (DFL-Mpls.), provides that credit unions may be designated as depositories of state funds and clarifies the investment authority of credit union boards of directors. H.F. 472, sponsored by Sen. Gene Waldorf (DFL-St. Paul), amends the definition of high pressure piping. H.F. 331, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), permits education districts and districts operating under joint powers agreements to conduct meetings via interactive television. H.F. 73, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), eliminates the deduction for one year's interest payments from the proceeds

Election reform bill gains

The election and government reform bill, S.F. 225, passed its first hurdle at the Thurs., Apr. 11, meeting of the Elections and Ethics Committee.

The bill, authored by Sen. William Luther (DFL-Brooklyn Park), was approved, but not before panel members, chaired by Sen. Jerome Hughes (DFL-Maplewood), argued and debated a number of amendments that were ultimately adopted.

An amendment, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), incorporates S.F. 649, authored by Pogemiller, that limits each candidate to one principal campaign committee and eliminates the "friends of committee"; prohibits transfers between principal campaign committees; and limits the amount of money a candidate can receive

from nonpublic political contributions.

Other amendments were also adopted requiring lobbyists and political committees to pay an annual registration fee; lowering the range of lobbyist disclosure reports; clarifying economic interest reporting requirements for elected local and elected public officials; limiting local government contributions to \$750 per year; lowering contribution limits even further for constitutional officers; and changing the caucus dates to the first Tuesday in March. After further discussion, the bill was approved and rereferred to the Committee on Finance.

Fan ban approved

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), heard bills related to missing children school records, granting full campus status to Cambridge Community College Center, and protecting high school sports officials from assault Wed., Apr. 17.

H.F. 424, carried by Sen. John Hottinger (DFL-Mankato), bars anyone who assaults a high school sports official in connection with an interscholastic athletic event from attending such an activity for 12 months. The bill was approved and sent to the Judiciary Committee.

S.F. 158, authored by Sen. Gene Waldorf (DFL-St. Paul), requires the superintendent of a school district to flag the record of a child when a law enforcement agency notifies the district of the child's disappearance. The bill also requires a copy of a child's record be sent to a new school of enrollment from the previous school. The bill was approved by the committee and sent to the full Senate.

S.F. 19, sponsored by Sen. Janet Johnson (DFL-North Branch), provides full campus status for the Cambridge Center of Anoka-Ramsey Community College. Providing full campus status will allow the institution to provide better service and educational opportunity to a growing student population that is not served by any other institution in the region, said Johnson. The bill was approved and sent to the Committee on Finance.

Committee update

Agriculture and Rural Development

Aquaculture bill okayed

Members of the Agriculture and Rural Development Committee met Thurs., Apr. 11, and approved a second bill designed to promote the new industry of aquaculture. S.F. 972, authored by Sen. Steven Morse (DFL-Dakota), regulates aquatic farm operations, provides a procedure to prevent and minimize impacts on water resources from aquatic farms, prescribes best management practices and defines aquaculture therapeutics. According to Morse, the bill is a different approach to developing aquaculture while at the same time protecting waters in the state. The only opposition to the measure came from representatives of the Pollution Control Agency who said that the bill would contravene current federal water laws. Morse countered that the bill would not jeopardize water quality provisions. The measure was approved by the committee.

In other action, the committee, chaired by Sen. Charles Davis (DFL-Princeton), approved an additional three bills.

S.F. 510, authored by Sen. Charles Berg (DFL-Chokio), makes changes in the laws governing the handling, storage, transport, and sale of eggs. Originally, the bill had been the subject of some controversy, Berg said. However, in order to minimize opposition, Berg offered an amendment, which was adopted, to increase the minimum temperatures required under the bill. Under the amendment, eggs must be held at a temperature of no more than 50 degrees when first received and must be placed under refrigeration maintained at 45 degrees or below. Eggs offered for retail sale must be held at a temperature not to exceed 45 degrees. In addition, the amendment authorizes equipment currently in use to be allowed continued use. Finally, the measure specifies that pasteurized eggs must be used in uncooked or undercooked food or food containing unpasteurized eggs must be processed under a method to destroy the pathogen salmonella. The amendment also deletes record keeping provisions that were in the original bill. The measure was approved and rereferred to the Committee on Finance.

S.F. 1174, authored by Sen. Dallas Sams (DFL-Staples), sets minimum water use processing fees for water use permits issued for irrigation. S.F. 1110, authored by Sen. Roger Moe (DFL-Erskine), abolishes the refund of the checkoff fee paid by paddy wild rice producers. Both bills were sent to the Senate floor.

Ag development bond program

The Agriculture and Rural Develop-

ment Committee approved a bill creating an agricultural development bond program to assist first time farmers, Tues., Apr. 16. The committee, chaired by Sen. Charles Davis (DFL-Princeton), heard testimony from William Greiner, Executive Director, Iowa Agricultural Development Authority. Greiner explained that Iowa has a program very similar to the one proposed, which helps first time farmers purchase land and chattel, by providing low-interest, tax-exempt loans.

S.F. 776, authored by Sen. Dallas Sams (DFL-Staples), creates an agricultural development bond program within the Rural Finance Authority (RFA). Under the measure, the RFA becomes the buyer on a temporary basis and secures the loan for the farmer. Sams explained that the measure was in response to a statutory sunset of the RFA program. "We need to enhance rural development and ensure economic soundness of the industry," Sams said, "we need to keep available an aggregate network for young farmers with cash flow problems." In addition, Sams said, a certain amount of money is made available for agribusiness development.

The measure transfers the RFA from the Dept. of Finance to the Dept. of Agriculture and enlarges the board of the RFA from seven to ten members. In addition, the position of chair of the board is changed from the commissioner of finance to the commissioner of agriculture.

Discussion of the measure centered on a provision that defines a first time farmer as an individual with low or moderate net worth of under \$200,000. Panel members discussed whether the amount should be lowered. Sen. Tracy Beckman (DFL-Bricelyn) proposed an amendment to lower the amount to \$150,000 but the amendment was defeated.

The bill was approved and sent to the Committee on Economic Development and Housing.

Commerce

Mental health coverage

A bill authorizing insurance coverage for mental health treatment by psychiatric nurses, clinical social workers and other licensed mental health professionals was approved at the Fri., Apr. 12, meeting of the Commerce Committee. S.F. 1198, authored by Sen. James Metzen (DFL-South St. Paul), broadens the categories of mental health professions that must be reimbursed for care provided by accident and health insurance. Currently, licensed psychologists, licensed consulting psychologists and psychiatrists are the only mental health professionals who may provided outpatient mental and nervous disorder treatment under the accident and health insurance laws. Proponents of the

measure argued that allowing the other professionals to provide care would result in lower costs. However, opponents, primarily insurance companies argued that broadening the categories would increase costs because the providers would be used in addition to, rather than instead of, the currently authorized providers. The measure was approved and sent to the full Senate.

Committee members, chaired by Sen. Sam Solon (DFL-Duluth), approved, and sent to the full Senate, four additional bills. S.F. 204, authored by Sen. John Marty (DFL-Roseville), regulates credit service organizations. Originally, the measure also regulated credit information procedures, but those provisions were deleted from the bill. S.F. 1315, sponsored by Sen. John Hottinger (DFL-Mankato), makes several changes to the laws governing real estate appraisers. Included in the provisions of the bill are sections changing the number of license classes from two to five, and providing definitions for each of the five classes. Under the bill, appraisers are divided into state real property appraiser, federal residential real property appraiser, certified federal residential real property appraiser, certified federal general real property appraiser and temporary practice. The bill also spells out licensing requirements and provides for a transition period.

S.F. 1244, authored by Sen. Richard Cohen (DFL-St. Paul), clarifies exceptions to the licensing requirements for real estate brokers. S.F. 875, sponsored by Sen. William Luther (DFL-Brooklyn Park), requires an abstract holder to offer to transfer an abstract of title to the mortgagor or fee owner by Aug. 1, 1991.

Accessibility bill okayed

A bill designed to enhance the enforcement of the handicapped accessibility portions of the state building code was approved at the Tues., Apr. 16, meeting of the Commerce Committee. The bill, sponsored by Chair Sam Solon (DFL-Duluth), requires the state building inspector to assign three department employees to assist municipalities in complying with accessibility requirements and requires certification that requirements have been met for each building issued a building permit. The measure was approved and rereferred to the Governmental Operations Committee.

Four additional bills were approved and sent to the Senate floor. S.F. 269, sponsored by Sen. Leonard Price (DFL-Woodbury), was amended to incorporate the language of S.F. 270. The bill thus requires the posting of two signs in liquor establishments. One notice is to warn customers of the penalty for DWI and the other is to inform customers that liquor establishments are prohibited from serving

alcoholic beverages to a person who is obviously intoxicated. H.F. 178, sponsored by Sen. Terry Johnston (IR-Prior Lake), increases the minimum insurance coverage required by abstracters and abolishes a requirement of seals by impression. S.F. 1099, authored by Sen. Tracy Beckman (DFL-Bricelyn), requires chemical dependency claim reviewers to have specific training and educational qualifications, specifies those qualifications, and requires insurers to file an annual report on chemical dependency evaluations with the commissioner of commerce. H.F. 276, authored by Sen. Betty Adkins (DFL-St. Michael), prohibits insurers from requiring non-diagnostic x-rays.

Economic Development and Housing

Community land trust

A bill authorizing neighborhood land trusts provided the focal point of discussion at the Thurs., Apr. 11, meeting of the Economic Development and Housing Committee. S.F. 294, authored by Sen. Randy Kelly (DFL-St. Paul), defines the purposes of neighborhood land trusts and specifies that one of the purposes must be holding and leasing land in order to preserve affordability of housing. In addition the bill provides that the neighborhood land trust are nonprofit corporations and sets forth provisions that must be included in the bylaws. The measure requires neighborhood land trusts to lease land to low and moderate income households and requires that a ground lease—a lease that does not include buildings or other improvements but does include real property—in which the neighborhood land trust is the lessor to reserve the first option to purchase improvements at limited equity price. Under the bill, the organization and funding of neighborhood land trusts are included as eligible projects for community and neighborhood development grants. In addition, each neighborhood land trust dwelling unit qualifies for homestead tax treatment. The bill also provides that property owned by a neighborhood land trust is eligible for loans and grants from the Minnesota Housing Finance Agency Housing Trust Fund. Finally, the measure creates a separate neighborhood land trust account in the MHFA housing development fund. The bill was approved and rereferred to the Committee on Judiciary.

In other action, the panel, chaired by Sen. James Metzen (DFL-South St. Paul), advanced five additional bills. S.F. 1164, authored by Sen. Douglas Johnson (DFL-Cook), establishes the Joint East Range Economic Development Authority to function as an economic development authority within the city of Biwabik and

the town of White. The measure was okayed and rereferred to the Committee on Taxes and Tax Laws. S.F. 1384, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), establishes the Minnesota Marketplace Program to determine which goods and services Minnesota businesses purchase out-of-state and assist those businesses in finding in-state suppliers. In addition, the bill specifies that the program analyze and provide foreign trade leads, provide information on state, regional and local agencies that assist businesses and provide marketing support and assist joint venture projects. The measure was approved and rereferred to the Finance Committee.

S.F. 1020, sponsored by Kelly, exempts from competitive bidding requirements corporations under contract with the St. Paul Port Authority to operate a port facility. The bill was approved and sent to the full Senate. S.F. 1021, also carried by Kelly, provides that a port authority may issue bonds or other obligations to finance any economic development project located outside the boundaries of the port authority district but within the state, if the governing body of the city or town where the project is located consents to the project. The bill was approved and rereferred to the Committee on Taxes and Tax Laws.

Finally, the panel also approved S.F. 1332, a resolution sponsored by Sen. Don Frank (DFL-Spring Lake Park). The resolution memorializes Congress to carefully consider proposed free trade agreements with Mexico and other nations in the Western Hemisphere. The measure was approved and sent to the full Senate.

Economic development bills

Members of the Economic Development and Housing Committee, chaired by Sen. James Metzen (DFL-South St. Paul), met Mon., Apr. 15, and advanced two bills designed to encourage economic development in Minnesota. S.F. 1264, authored by Sen. Janet Johnson (DFL-North Branch), establishes a business development and preservation program administered by four nonprofit organizations. Under the bill, the commissioner of trade and economic development is to develop program outcome criteria and requires the criteria to be incorporated into the contracts between the department and each organizations. Further, the bill authorizes the Metropolitan Economic Development Association, Inc., the Minnesota Cooperation Office for Small Business and Job Creation, the Northeast Entrepreneur Fund, Inc., and Women-Venture, Inc., to participate in the program. The measure was approved and rereferred to the Committee on Finance.

S.F. 1037, authored by Metzen, authorizes the Greater Minnesota Corporation,

in consultation with private venture and seed capital companies and other public and private organizations, to implement a centrally managed seed capital fund to invest in early stage companies and small companies in Minnesota through equity or equity-type investments. The measure specifies that no more than 20 percent of the total investments by the seed capital fund may be in the metropolitan area.

The measure also provides for a tax credit of an unspecified percentage of a qualified investment in the seed capital program. The bill was approved and rereferred to the Committee on Taxes and Tax Laws.

The panel also approved three additional bills and directed them to the full Senate. S.F. 553, sponsored by Sen. John Hottinger (DFL-Mankato), encourages a Minnesota international volunteer corps to aid business development in the Soviet Union or in East Central Europe. H.F. 1042, carried by Sen. Dennis Frederickson (IR-New Ulm), changes the organization of the Dept. of Trade and Economic Development described in statute to reflect actual organizational changes that have already taken place. S.F. 1411, authored by Sen. Dallas Sams (DFL-Staples), requires mortgage lenders, prior to entering into reverse mortgage loans, to certify that the borrower has received counseling and information about reverse mortgages from a housing counseling agency.

Finally, the panel also recommended confirmation for two gubernatorial appointments. The appointments of Robert Worthington and Demetrius G. Jelatis to the Housing Finance Agency were both approved.

Education

U of M Waseca bill heard

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake) met Fri., Apr. 12, to hear testimony on S.F. 1402, sponsored by Sen. John Hottinger (DFL-Mankato), requiring the chancellor of the Waseca campus of the U of M to contract for a study of potential uses for the Waseca campus.

Hottinger said that the Waseca campus is a valuable resource to the community and is important to economic development. It is appropriate that the Legislature and the community be a part of the determination of the future of the Waseca campus, he said.

The bill was approved and sent to the Committee on Finance.

The committee also heard S.F. 573, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), permitting the formation of library tax districts. The bill was approved and sent to the Committee on Taxes and Tax Laws. Also heard was S.F. 414, authored by Sen. Linda Berlin (DFL-Mpls.), establishing statewide and

Committee update

local drug and alcohol prevention programs. The bill was approved and sent to the Committee on Finance.

Education Funding

Drug, alcohol prevention bill

The Senate Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Thurs., Apr. 11, to hear a bill related to drug and alcohol prevention programs.

S.F. 414, authored by Sen. Linda Berglin (DFL-Mpls.), includes provisions establishing drug and alcohol prevention programs and requires students to attend school through age 17. The division deleted the provision making school attendance compulsory through age 17. The bill was approved and sent to the full Education Committee as amended.

The division also heard a bill allowing the formation of regional library districts and establishing their authority to levy for revenue. S.F. 573, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), also provides for the establishment of local boards and describes the things for which the district can levy. The bill was approved and sent to the full Education Committee.

The division also considered the omnibus education funding bill placing limits on the balance of school district unemployment funds, allowing career teacher aid to be used for secondary students to provide extended day programs, continuing the minority teacher incentive program, increasing the reimbursement for the school lunch program from 7.5 to 9.4 cents per meal, and specifying costs that can be charged to a district's food service fund.

The article includes appropriations that differ from the governor's recommendations by providing \$1 million for the biennium for Beginning Teachers Skills Assessment; \$5.6 million each fiscal year for school lunch aid, \$1 million more than the governor's recommendation each year; \$150,000 each year for Alcohol-Impaired Driver Education, \$470,000 less than the governor's recommendation each year; \$3 million for Career Teacher Aid, \$2.25 million over the governor's recommendation for the biennium; and \$30,000 for unemployment compensation and \$40,000 for liability insurance for the Nett Lake School District.

The provisions were approved for inclusion in the omnibus education funding bill.

Transportation, cooperation

The Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Mon., Apr. 15, to consider provisions related to pupil transportation and interdistrict cooperation in the omnibus education funding bill.

The bill restricts reimbursements for post-secondary open enrollment options transportation to 15 cents per mile; precludes aid authorization for late transportation; removes late activity transportation from the definition of non-regular transportation; adds a definition for handicapped transportation; changes the treatment of handicapped transportation so that the cost of handicapped transportation is reimbursed in the regular transportation category in an amount up to that generated by regular transportation; and provides state aid for 80 percent of costs in excess of a 15 percent growth rate in pupils. The appropriation for transportation is \$116 million for FY 1992 and \$122 million for FY 1993. This represents a \$2.5 million increase over the governor's recommendation for the biennium.

In the area of education organization and cooperation, the bill allocates appropriations for Regional Management Information Centers and Educational Cooperative Service Units (ECSU) to individual school districts; limits the number of fiscal years that a district can be required to be a member of a regional organization to one; extends district combination programs to paired districts that have no years of combination; allows combined districts to determine whether debt incurred before combination will be the responsibility of the new combined district or the precombination districts; reduces education district revenue from \$60 to \$48 per pupil unit; changes the uses of education district revenue; and makes changes to secondary vocational cooperative funding.

Special programs, misc. provisions

The Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing), continued discussion of the omnibus education funding bill, Tues., Apr. 16. The provisions discussed deal the special programs and other miscellaneous education provisions.

In special programs, the bill increases the age, from five to seven, of children with handicaps whose needs must be addressed by interagency groups from five to seven years; provides grants for Parent-to-Parent Support Programs; allows school districts, upon approval of the commissioner, to provide instruction and services in regular education classrooms to pupils who are low-performing and would eventually qualify for special education; requires the commissioner to establish statewide, interagency school-to-work grant programs; requires certain school districts to reserve part of their Early Childhood Family Education revenue to provide programs for American Indian children; changes the state reimbursement for teachers of handicapped children and

limited English proficiency students; establishes special education levy equalization revenue; increases revenue for Indian tribal contract schools; and codifies a teacher preparation program for Indian people. Funding areas where the bill differs from the recommendations of the governor are in American Indian Scholarships, \$1.6 million each fiscal year, \$18,000 more than the governor's recommendation; \$190,000 each year for Indian Teacher Preparation Grants, \$40,000 more per year than the governor's recommendation; \$760,000 each year for Tribal Contract Schools, which is \$560,000 per year more than the governor's recommendation; \$68,000 per year for Early Childhood Programs at Tribal Schools, a program not recommended by the governor; and \$23.5 million for the biennium for Secondary Vocational Education Aid, which is \$1.4 million more than the governor's recommendation.

The bill also changes flexible school year provisions; makes changes in data reporting standards for school districts; requires a school district to operate at least three grades; establishes rights for teachers when a cooperative dissolves or a district withdraws; allows a school board to reimburse an employee for attorney fees incurred by an employee to defend against criminal charges brought against the person while performing school district duties; requires the High School League Board to waive payment of school dues and activity fees for the next two years; and prohibits the league from entering into cooperative partnerships with businesses that sell products used by participants in league activities.

Elections and Ethics

County and city redistricting bill

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), devoted the Thurs., Apr. 18, meeting to discussing a bill specifying the standards for county and city redistricting plans. Under S.F. 1169, authored by Sen. William Luther (DFL-Brooklyn Park), the plans must take into consideration population equality, protection of minority populations and the preservation of communities of interest. In addition, the measure requires school districts to follow the same standards for county and city redistricting. According to Luther, only cities with a population of over 20,000 will be affected by the legislation. No action was taken on the measure.

Energy and Public Utilities

Head Start bill

The Energy and Public Utilities Committee okayed a bill relating to the Head Start Program at the Wed., Apr. 11,

meeting. The committee is chaired by Sen. Steven Novak (DFL-New Brighton).

Members approved S.F. 781, cited as the Head Start and Community Action Act of 1991, authored by Sen. Ronald Dicklich (DFL-Hibbing). The measure allows low income energy conservation programs to be funded through the Minnesota Future Resources Fund. The bill also allows for an \$18 million appropriation to the Head Start Program and a \$14 million appropriation to community action program grants. An additional \$8 million appropriation will go to weatherization assistance. All programs are to be administered by the Dept. of Jobs and Training. Dicklich said the need for the monies, which will come from the General Fund, arises in part from federal prohibition on the transfer of money between block grants. The bill was rereferred to the Finance Committee.

S.F. 1399, a housekeeping bill authored by Sen. Joanne Benson (IR-St. Cloud), changes the date when reconciliation of actual assessments to public utilities and telephone companies must be completed. The assessment date is determined under the bill to be the third quarter of each fiscal year. The bill was okayed and rereferred to the Finance Committee.

A bill authored by Sen. Janet Johnson (DFL-North Branch) was approved and rereferred to the Taxes and Tax Laws Committee. S.F. 1112 provides for property tax incentives for utilities installing wind turbines for energy generation. A Minnesota Power representative opposed a provision authorizing the Public Utilities Commission (PUC) to factor long term environmental costs in utility rates. He said that such legislation should be effected on a federal level, since emissions from utilities in states surrounding Minnesota are responsible for a majority of Minnesota's coal-related pollution.

S.F. 406, authored by Sen. John Marty (DFL-Roseville), specifies that the PUC may not issue a certificate of need for the construction of a nuclear power plant until the PUC has determined that a safe nuclear waste disposal or storage method is available.

PUC Commissioner Darrel Peterson indicated that the bill is a policy statement on nuclear facilities since the PUC already considers environmental costs. But he added that the measure may have some positive effect on Congress' adoption of rules in this area. Marty maintained that S.F. 406 will ensure long term consideration of present disposal and storage methods. The bill was okayed and sent to the floor.

Oxygenated fuel bill okayed

A bill mandating the use of oxygenated fuels by 1995 was recommended for passage Tues., Apr. 16, by members of the Energy and Public Utilities Committee.

Sen. Steven Novak (DFL-New Brighton) chairs the committee.

S.F. 559, authored by Sen. David Frederickson (DFL-Murdock), states that no fuel other than oxygenated fuel may be sold after 1995. An adopted amendment redefines oxygenated fuel to include oxygenates such as methanol. The bill originally required that ethanol be the oxygenate in oxygenated fuels. The amendment, offered by Sen. Harold "Skip" Finn (DFL-Cass Lake), also makes oxygenated fuel use a statewide mandate. The bill was rereferred to the Finance Committee.

Members okayed a measure authored by Finn. S.F. 1380 limits assessments made by the Public Utilities Commission against municipal and cooperative utilities. The assessments, which are two fifths of one percent, are capped at the same amount made against investor owned utilities. An adopted amendment exempts real estate companies from the one call procedure required before pounding a sign 12 inches or less into the ground. The bill was okayed and sent to the floor.

H.F. 924, authored by Sen. Tracy Beckman (DFL-Bricelyn), was also okayed and sent to the floor. The bill states that utilities may be allowed to recover from ratepayers the operating expenses associated with economic and community development activities.

Environment and Natural Resources

Bills advance

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), okayed eight bill before the committee deadline Fri., Apr. 12.

A number of bills were sent to the floor. S.F. 108, authored by Sen. Patrick McGowan (IR-Maple Grove), addresses the Petro Fund cleanup reimbursement plan. The measure specifies that a contractor may request an assignment from the Petro Fund Board before performing any service. The bill states that a reimbursement check must be made payable jointly to the financing party and the responsible party if financing has been obtained to cover costs. S.F. 108 also states that, if financing has been obtained, the board must pay interest costs. S.F. 970, authored by Sen. Douglas Johnson (DFL-Cook), allows for the extension of dates whereby all fish houses must be removed from state water. The measure extends the date to Feb. 28 for waters south of U.S. Route 200 and Mar. 15 for all other areas of the state.

S.F. 306, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes the exchange of property between the state and a private party. S.F.

871, authored by Sen. Steven Novak (DFL-New Brighton), permits the city of New Brighton to acquire granular carbon without a bond. The carbon will be used to purify contaminated water. S.F. 931, authored by Sen. Ted Mondale (DFL-St. Louis Park), requires counties and waste facilities to prepare household hazardous waste and problem materials plans that must be approved by the Pollution Control Agency (PCA). Mondale said the "clean waste bill" addresses loopholes that compromise the implementation of such plans by counties and facilities.

S.F. 1232, authored by Sen. Fritz Knaak (IR-White Bear Lake), creates and provides property tax relief for an additional class of wetlands in the Metropolitan Area. An adopted amendment, offered by Sen. Charles Berg (DFL-Chokio), extends the definition and property tax relief to all state wetlands. The bill was rereferred to the Committee on Taxes and Tax Laws.

S.F. 1417, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), allows the Dept. of Natural Resources (DNR) to contract with the Natural Resources Research Institute for a study of conservation areas: specifically, the impacts of conservation areas on counties and townships. Environmental Fund monies would fund the study. The bill was rereferred to Finance. Also rereferred to Finance was S.F. 1184, authored by Morse. S.F. 1184 allows the PCA to collect an annual fee from entities required to obtain air emission permits. The proceeds will be used to develop and administer permit programs. Morse indicated the bill will bring state permit fee requirements in line with Federal Clean Air Act specifications. Fee schedules will be based on emissions amounts and materials emitted.

Wetlands bill

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Tues., Apr. 16 and okayed S.F. 3, the wetlands bill authored by Sen. Charles Davis (DFL-Princeton).

S.F. 3 is designed to preserve wetlands in part by establishing a new classification system of wetlands based on public value. The bill also provides for the permitting of wetlands use and compensation to landowners for the denied use of wetlands. Representatives of the Minnesota Conservation Federation (MCF) and the Fish and Wildlife Legislative Alliance expressed concerns on the provisions relating to the classification system, funding and specific land exemptions from permitting. Both witnesses said the classification system is complicated and could delay wetland protection by years. They also maintained that the annual \$15 million Environmental Trust Fund appropriation could impair other projects

Committee update

supported by the fund. Don Dindorf, MCF, said the exemption of some currently harvested seasonal or temporary wetlands will result in the loss of some of the most vital groundwater recharge and waterfowl resource lands in the state. To this end, members adopted an amendment, offered by Sen. Janet Johnson (DFL-North Branch), deleting a provision exempting lands that are permitted by the Army Corps of Engineers for some activities.

Another adopted amendment, offered by Sen. Steven Morse (DFL-Dakota), addresses how to deal with wetlands until wetland mapping and digitization is completed in 1993. The amendment states that all currently designated wetlands are to be regulated under the Public Waters Law. Lands with infrastructures in place or site plan and preliminary plat approvals are exempted from the amendment. An adopted amendment, by Sen. Gene Merriam (DFL-Coon Rapids), requires the Dept. of Natural Resources (DNR) to accept wetlands as a gift. The bill was rereferred to the Agriculture and Rural Development Committee.

Members also okayed S.F. 480, authored by Sen. Ted Mondale (DFL-St. Louis Park). S.F. 480, addressing civil penalties for waste violations, expands current Pollution Control Agency (PCA) authority by allowing the PCA to impose administrative air and water pollution penalties. Currently administrative penalties are allowed only for hazardous waste violations. The measure also authorizes background investigations of environmental permit applicants. S.F. 480 provides for an 800 number to report environmental violations and provides for an award to persons providing information that leads to the conviction of an environmental criminal. The bill was rereferred to Judiciary.

S.F. 546, authored by Sen. Richard Cohen (DFL-St. Paul), deals with environmental enforcement and penalties. The measure makes a person who knowingly violates air emissions guilty of a felony. The bill also defines what elements should be considered in factoring whether a person could have known about hazardous waste violations, which Cohen said will aid in prosecuting criminals. An amendment, offered by Sen. Charles Berg (DFL-Chokio), requires the Dept. of Agriculture and the PCA to adopt a list of pesticides considered to be hazardous waste, as well as information on the handling of agricultural chemicals. The amendment, which was adopted, also names The Dept. of Agriculture as the entity responsible for administering and enforcing the rules. The bill was okayed and rereferred to Judiciary.

S.F. 462, authored by Sen. Phil Riveness (DFL-Bloomington), establishes a

field citation pilot project and an environmental enforcement fund account. The pilot project consists of appointed Pollution Control Agency (PCA) staff and Dept. of Natural Resources (DNR) enforcement officers issuing citations to persons unlawfully dumping solid waste. The bill also sets fine amounts. An adopted amendment, offered by Sen. Gregory Dahl (DFL-Ham Lake), deletes a provision allowing PCA staff to issue citations on the grounds they are not trained to deal with potential public reaction arising from such situations. The bill was rereferred to the Finance Division on Environment and Natural Resources.

BWSR bills

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (In'tl. Falls), okayed bills pertaining to the Board of Water and Soil Resources (BWSR) Wed., Apr. 17.

S.F. 1064, authored by Sen. Charles Davis (DFL-Princeton), eliminates the mandate requiring the Board of Water and Soil Resources (BWSR) to use Administrative Law Judges at certain hearings. The hearings pertain to watershed district establishment and termination, and appeals and disputes therein. Davis said the measure will save the BSWR money otherwise going to The Office of Administrative Hearings. S.F. 1064 was rereferred to the Governmental Operations Committee.

S.F. 1182, authored by Sen. John Hottinger (DFL-Mankato), allows the BWSR to accept gifts of money and land that will be used to acquire real property interests other than eminent domain. The bill was rereferred to the Finance Committee.

Two bills authored by Sen. Gregory Dahl (DFL-Ham Lake) were sent to the Senate floor. S.F. 1091 designates incinerator ash as a special waste until Pollution Control Agency rules on handling are adopted. S.F. 621 is a housekeeping bill reorganizing chapters on the Environmental Trust Fund law.

H.F. 128, authored by Sen. Steven Morse (DFL-Dakota), was also sent to the floor. H.F. 128 requires new impervious construction surfaces of one acre or more to have water retention devices.

Finance

State Auditor overview

The Finance Division on State Departments heard an overview Thurs., Apr. 11, of the Office of the State Auditor. Chair Carl Kroening (DFL-Mpls.) and members also heard overviews of the Dept. of Human Rights and the Amateur Sports Commission.

Mark Dayton, state auditor, said he is

requesting an additional staff complement of 10 in the \$14 million budget for next biennium. He said four of the positions would comprise a research office that presently consists of one research director. The state auditor audits approximately 316 local government entities to ensure compliance with laws and regulations.

Dept. of Human Rights Commissioner Frank Gallegos told committee members that the department's case load delay is between 12 and 20 months. He said the department, which is charged with enforcing the Minnesota Human Rights Act, has had no complement increase since 1985. The annual increase in caseloads is 25 percent, Gallegos said. He said the department will focus on delegating more power to local human rights commissioners while attempting to weed out non-meritorious cases. The budget request for next biennium is \$6 million.

Committee members also heard an overview of the Amateur Sports Commission, which is the state agency responsible for amateur sports program, event and facility development. Director Paul Erickson said the commission is requesting the \$500,000 pledged by the state in 1985 for costs associated with the 1992 National Collegiate Athletic Association (NCAA) Final Four event. A gubernatorial delegation successfully persuaded the NCAA in 1985 to award the 1992 Final Four event to Minnesota. Erickson said the event will be held at the National Sports Center (NSC) and will result in net sales tax proceeds of \$3.6 million. Erickson said the commission is also requesting a three-year extension on state loans totalling \$250,000 for NSC start-up costs. Although 1990 NSC operating losses were posted at \$414,000, Erickson said that future projections indicate annual gains of about \$100,000.

Budget hearings continue

Members of the Finance Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), met Fri., Apr. 12, to hear a budget presentation from the Dept. of Jobs and Training.

In addition, members devoted the Tues., Apr. 16 meeting to hearing the Dept. of Human Services (DHS) revised FY 92-93 governor's budget. Assistant Commissioner Dennis Erickson and George Hoffman, director of Reports and Statistics, highlighted the major budget changes. A majority of the changes were the result of new forecast figures issued in March.

Erickson identified a number of new budget requests from the governor. The governor is requesting \$5 million for the biennium to enable the Consolidated Chemical Dependency Fund to service an additional 1,000 clients each year who have incomes above the Medical Assis-

tance and General Assistance Medical Care (GAMC) entitlement limits.

The governor is also recommending the opening of five state-operated group homes and one day program, eliminating the copayments for the Medical Assistance program, with the exception of non-emergency services provided in an emergency room, and retaining the one month retroeligibility for GAMC.

State Planning Agency

State Planning Commissioner Linda Kohl gave a broad overview and expressed opposition to abolishment of the agency, at the Tues., Apr. 16, meeting of the State Departments Division of Finance. Kohl said the agency serves as the state's think tank and has a wide variety of duties that range from planning water resource strategy to developing adult literacy grants.

Kohl presented an agency plan to phase out programs and streamline the agency. Among those programs being considered for cutbacks are the Regional Development Commission and Government Training Service Grants. Community Resource Grants for St. Paul, Minneapolis, and Duluth are eliminated under the agency plan. Chair Carl Kroening (DFL-Mpls.) questioned the agency's reasoning, "The question is this: Do we need more money for policy and think tanks or do we need more money for family and crime issues?" Kroening said the Community Resource Grants are one of the better programs available in the cities and should not be eliminated.

The portion of the Legislative Commission on Minnesota Resources (LCMR) that falls under the auspices of the State Planning Agency was also described. The LCMR is requesting new appropriations to pay for the state's share of a matching (50-50) federal program to provide air photo and orthographic base map coverage of the state. The LCMR is also requesting funds for a statewide land use inventory.

In addition, three state retirement systems presented biennial budgets. Representatives of the Minnesota State Retirement System (MSRS), Public Employees Retirement Assn. (PERA), and the Teachers Retirement Association (TRA) outlined their programs and services.

Public testimony heard

The Finance Division on Health and Human Services began a week-long series of public testimony hearings on the governor's proposed budget for health and human services Wed., Apr. 17.

Representatives from social service agencies and Regional Treatment Centers (RTCs), and advocates of health and human service programs, voiced their opposition to the governor's proposed budget.

Testimony centered around closing

seven state operated Regional Treatment Center Chemical Dependency Treatment Programs, reducing reimbursement rates for Special Transportation providers, cutting five percent from the Family Planning Services budget and cutting General Assistance Medical Care and Children's Health Plan reimbursement rates for pharmacists. The division is chaired by Sen. Don Samuelson (DFL-Brainerd).

Higher ed emergency capital budget

The Education Division of the Committee on Finance, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), met Wed., Apr. 17, to hear presentations from the systems of higher education on their emergency capital budget requirements. The division also heard testimony on two bills relating to higher education.

Edward McMahon, capital budget officer, State University System, said that at the state universities, most of the capital improvement requests are in the areas of infrastructure improvements and land acquisition. Projects approved by the governor include a heating plant upgrade at Moorhead State and a utility tunnel upgrade at Mankato State, totalling \$4.94 million. This leaves \$13 million in projects unfunded, including the acquisition and upgrade of land donated to the system for Metropolitan State and land acquisitions at campuses that are in need of space, said McMahon.

Robert Erickson, vice president of finance, U of M, said that major code deficiencies exist in over 150 facilities at U of M campuses. It is estimated that it will cost over \$70 million to correct the deficiencies that have life-safety ramifications, he said. The system plans to eliminate these deficiencies over the next ten years and is requesting \$4 million for this year, said Erickson.

The division heard testimony on S.F. 444, authored by Sen. Leonard Price (DFL-Woodbury), providing tuition assistance for Persian Gulf War Veterans. S.F. 836, authored by Sen. Joanne Benson (IR-St. Cloud), allowing the St. Cloud State Foundation to lease and donate office space to the university was presented to the panel. No action was taken on either bill.

Governmental Operations

Higher ed merger

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), met Wed., Apr. 10, to hear testimony on S.F. 1071, sponsored by Sen. Roger Moe (DFL-Erskine) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

The bill merges the State University, Community College, and Technical College systems and creates the Minnesota Higher Education Board. The

committee adopted an amendment offered by Sen. Dennis Frederickson (IR-New Ulm), establishing the authority for the board, in cooperation with the Dept. of Employee Relations and the Dept. of Administration, to govern administrative practices including personnel, labor, compensation policies and property management.

The bill provides that the Minnesota Higher Education Board be made up of twelve members, with each of the systems' present boards appointing four members. The committee adopted an amendment, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), changing the number of members each existing board appoints from four to three and requiring the governor to appoint an additional member from each of the systems' boards.

An amendment, offered by Sen. Earl Renneke (IR-LeSueur), abolishes the Higher Education Coordinating Board and delegate its responsibilities to the Dept. of Education. The amendment was defeated.

The bill was approved and sent to the Committee on Finance.

The committee heard two bills related to legislative mandates. S.F. 448, authored by Sen. Steven Morse (DFL-Dakota), creates a division in the office of the state auditor to prepare fiscal notes on any state action that would incur cost to local governments and categorizes mandates as either class A or class B. The bill makes compliance with class B mandates optional when the state does not supply an appropriation for the mandate in the next fiscal year. The bill provides a better system of developing fiscal notes, said Morse, and makes local governments less obligated for unfunded mandates from the Legislature.

Pogemiller and Sen. Phil Riveness (DFL-Bloomington) said that the Legislature is appropriately responsible for mandates and that it would be more appropriate to look at the current process of fiscal note development in the Dept. of Finance. The committee affirmed a Pogemiller motion to table the bill.

Sen. Jim Vickerman (DFL-Tracy) also offered a bill related to state mandates. S.F. 705 allows local governments to elect not to comply with unfunded mandates from the legislature. The bill was also tabled by the committee.

Vickerman also authored S.F. 988, which includes doctors of osteopathy in a statutory provision that excludes medical doctors from the limit on salary for someone working for a unit of government to 95 percent of that of the governor. S.F. 919, authored by Sen. Gene Merriam (DFL-Coon Rapids), limits the rulemaking authority of the commissioner of the natural resources. Rules promulgated by the commissioner have the force of law, said Merriam, and the bill makes specific the conditions and procedures under

Committee update

which the commissioner can make rules. S.F. 768, authored by Sen. Sandra Pappas (DFL-St. Paul) requires gender balance on state boards and commissions. S.F. 86, authored by Sen. Jane Ranum (DFL-Mpls.), provides an equitable arbitration process for teachers in dismissal, termination, or discipline proceedings. The four above bills were approved and sent to the full Senate.

S.F. 821 authorizes a study to develop models for STARS regions. STARS is a telecommunications network designed to better connect units of government. The bill was approved and sent to the Committee on Finance. S.F. 887, authored by Sen. Tracy Beckman (DFL-Bricelyn) establishes an interagency economic development commission. The bill was approved and sent to the full Senate.

S.F. 1149, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), requires that the commissioner of administration to charge fees for building code reviews based on an hourly rate rather than as a percentage of the cost of the building project. The bill was approved and sent to the Committee on Finance.

Provisions of S.F. 708, sponsored by Riveness, include allowing the Richfield Police Relief Association pension plan to merge with the Public Employees Retirement Plan and changing the employee contribution from six to eight percent of pay. S.F. 775, carried by Pogemiller, requires the membership of a surviving spouse on the board that governs the Minneapolis Relief Association. The bill was approved and sent to the full Senate.

Health care access

A bill related to health care access was heard by the Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), on Thurs., Apr. 11. S.F. 2, authored by Sen. Linda Berglin (DFL-Mpls.) provides health insurance for uninsured and underinsured Minnesotans at rates based on the individuals ability to pay, and requires all Minnesotans to have health insurance.

The bill requires companies with contracts with the state to provide health insurance for their employees, authorizes the health commissioner to contract for health coverage for the state plan, and transfers to the Dept. of Health the administration of health care plans for state and local government employees.

Robert Cooley, Dept. of Employee Relations, said that the department opposes provisions transferring the administration of health care insurance to the Dept. of Health. The provision is in conflict with the collective bargaining process that established the status of health care coverage as part of employee compensation, he said.

The bill was approved and sent to the Committee on Finance.

Bills heard

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul) met Fri., Apr. 12, to hear several bills.

S.F. 982, sponsored by Sen. John Bernhagen (IR-Hutchinson), changes the name of the Greater Minnesota Corporation to Minnesota Technology, Inc. (MTI) and restructures the board of directors. The bill also specifies technology initiatives and duties for the organization, clarifies the status of the Agricultural Utilization Research Institute within MTI, and specifies guidelines for the acceptance and expenditure of funds by MTI.

The committee adopted an amendment, offered by Sen. David Frederickson (DFL-Murdock), providing for an appropriation to the Minnesota Inventors Congress.

The bill was approved and sent to the Committee on Finance.

S.F. 745, carried by Sen. Chuck Halberg (IR-Burnsville), calls for the reorganization of the Minnesota State High School League, changing board membership from 21 to 35 members and requiring the leaders of the Senate and House of Representatives to appoint board members. The committee adopted an amendment, offered by Sen. Jane Ranum (DFL-Mpls.), that requires those appointing board members to promote gender balance. The committee also adopted an amendment, advocated by Halberg, that requires the State High School League to either conduct a single state high school hockey tournament or a tournament in a format approved by the majority of high school hockey coaches.

S.F. 861, authored by Sen. William Luther (DFL-Brooklyn Park), removes and modifies certain bond requirements. The bill removes provision that are obsolete. S.F. 1190, authored by Sen. Steven Morse (DFL-Dakota), allows a local police or fire commission to designate up to two candidates for potential hire from each protected class in order to assist meeting affirmative action goals. S.F. 1008, sponsored by Sen. John Marty (DFL-Roseville), requires the governor to give the Legislature 30 days notice before reorganizing a state agency.

S.F. 646, authored by Sen. Sam Solon (DFL-Duluth), allows the surviving spouse of an officer killed in the line of duty to collect benefits under Public Employees Retirement Association (PERA) instead of a local benefit plan. The officers' choice of plan works a hardship on benefactors under specific conditions, said Solon. S.F. 679, sponsored by Solon, provides two months service credit to a

PERA member and former employee of St. Louis County who was forced to resign in 1956 under then existing policies due to the birth of a child. Solon also authored S.F. 449, eliminating a requirement that the Duluth and St. Paul Teachers Retirement Fund Association fund realize an investment gain in order to pay out an annual lump sum income adjustment.

S.F. 906, authored by Sen. Leonard Price (DFL-Woodbury), permits a Teachers Retirement Association (TRA) member to purchase service credit in TRA for time spent in military service.

S.F. 813, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), allows a TRA member to purchase two years of prior service for time the member spent on leave of absence and medical leave.

Several bills sponsored by Waldorf were advanced by the committee. S.F. 1030 makes administrative changes to TRA, including changes related to disabled members, membership, eligibility for benefits, maternity leave, and service credit contributions. S.F. 377 provides a continuation of benefits from the Local Police and Salaried Firefighter Relief Association for surviving spouses upon remarriage. S.F. 1224 allows certain state employees who work in an unclassified position but once held a classified position to remain in the classified pension plan. S.F. 794 provides a postretirement adjustment to members of the St. Paul Teachers Retirement Fund Association who retired before 1978. All of the above bills were approved and sent to the full Senate.

S.F. 338 extends a policy of continuation of benefits for surviving spouses of state employees after remarriage and alters surviving spouse benefits for surviving spouses of state legislators. S.F. 1340 modifies the procedure for the payment of Social Security and retirement fund contributions and appropriates funds to the Supreme Court for the purpose of paying the employer contribution of Social Security and retirement. Both bills were approved and sent to the Committee on Finance.

S.F. 307, authored by Solon, establishes the Minnesota Board of Invention. Bill advocate Dan Ferber said that the purpose of the board is to serve as a resource for innovation. The bill failed to receive approval.

Planning agency bill

A bill abolishing the State Planning Agency was heard at the Tues., Apr. 16, meeting of the Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul).

S.F. 1181, sponsored by Sen. Phil Riveness (DFL-Bloomington), abolishes

the State Planning Agency, transfers essential services to other state departments and agencies, and eliminates nonessential functions.

Planning Commissioner Linda Kohl said that the elimination of the agency will increase duplication in state agencies, eliminate the planning function for the executive branch and eliminate state government research and planning functions on issues that have impact across agency lines. Any reorganization should take place after completion of the Commission on Reorganization and Efficiency (CORE) study proposed by the governor, she said.

Eliot Seide, AFSCME, said that his organization is concerned over the disposition of state employees. AFSCME is concerned that employees they represent will have their positions eliminated in the reorganization, said Seide.

The bill was held over for further consideration.

The committee also heard S.F. 769, authored by Sen. Donald Storm (IR-Edina). The bill clarifies the authority of the Advisory Council Mental Health Board to elect its chair. The bill was approved and sent to the Committee on Finance.

S.F. 1316, sponsored by Sen. Don Frank (DFL-Spring Lake Park), authorizes the racing commission to adopt affirmative action rules with regard to practices of organizations with which the commission contracts for service. The bill was approved and sent to the full Senate.

Planning agency bill con't

S.F. 1181, authored by Sen. Phil Riveness (DFL-Bloomington), eliminating the State Planning Agency, was the focus of the Thurs., Apr. 18, meeting of the Governmental Operations Committee. The committee is chaired by Sen. Gene Waldorf (DFL-St. Paul).

Sen. Dennis Frederickson (IR-New Ulm) offered an amendment that postpones the immediate elimination of the agency and establishes a study panel consisting of legislators, the commissioner of planning and the commissioner of administration. The amendment was defeated.

Another amendment was offered by Sen. Steven Morse (DFL-Dakota), transfers many of the current functions of the Planning Agency to the Dept. of Finance. The amendment was not adopted and the bill was temporarily laid over.

The committee also heard S.F. 1405, sponsored by Sen. Allan Spear (DFL-Mpls.), changing the criteria a nonprofit organization must operate by in order to be eligible to have contributions made by way of payroll deduction from contributors who are state employees. The bill allows organizations to use this method of

fund-raising if 70 percent of individual contributions go to programs they sponsor by do not operate. The current policy states that 70 percent of total funds must go for those programs. The bill was approved and sent to the full Senate.

Health and Human Services

Bills processed

Members of the Health and Human Services Committee met Thurs., Apr. 11, to consider five measures. S.F. 1418, authored by Chair Linda Berglin (DFL-Mpls.), was discussed at length and subsequently approved.

The measure establishes health and safety standards for residential care homes. According to Berglin, the intent of the bill is to protect vulnerable individuals who live in unlicensed board and lodging homes. Under current law, board and lodging facilities are only regulated under the Public Safety Restaurant Law.

The measure defines residential care homes, requires licensure for the homes, specifies the requirements that facilities must meet before licenses will be granted, prohibits the transfer of licenses, and specifies the conditions under which licenses can be suspended, revoked or refused. Lastly, the measure establishes an advisory work group that will make recommendations to the commissioner of health regarding the development of rules. The measure was approved by an 8 - 6 vote, and rereferred to the Committee on Finance.

In addition, the panel approved a bill establishing grant programs for special employability and supported educational services that help individuals with serious and persistent mental illness obtain and retain employment. S.F. 1383, authored by Sen. Judy Traub (DFL-Minnetonka), also includes an appropriation of \$800,00 for the next biennium. The bill was rereferred to the Finance Committee.

Further, two measures were approved and sent to the Senate. S.F. 1231, sponsored by Sen. Dallas Sams (DFL-Staples), allows the commissioner of human services to waive the requirement that emergency mental health services be provided by a provider other than fire and public safety emergency service providers. The measure stipulates training requirements for 911 emergency service dispatchers on emergency mental health services; and requires that a mental health professional be on-call for emergency assessment and crisis intervention services.

S.F. 1203, authored by Sen. John Hottinger (DFL-Mankato), changes the effective date for separate billing of certified registered nurse anesthetists costs from hospital operating payment rates.

Finally, panel members continued to discuss, but took no action on a bill

modifying state health care programs. Discussion on S.F. 1250, authored by Sen. Don Storm (IR-Edina), revolved around delaying the development of new Intermediate Care Facilities for the Mentally Retarded (ICF/MR) until after July 1, 1993; freezing A-B conversions and replacing them with enhanced waivers to provide funding for family choice option programs and foster care services; and freezing community ICF/MR closures. The measure was laid over pending further discussion.

Health care bill changed

Substantive changes were made to the bill modifying state health care programs by members of the Health and Human Services Committee Fri., Apr. 12.

S.F. 1250, authored by Sen. Don Storm (IR-Edina), was approved and rereferred to the Committee on Finance, but not before a number of amendments were adopted that removed major budget provisions from the bill. Some of the major provisions that were removed from the bill pertained to eliminating the inflationary increase for day training and habilitation programs for individuals with mental retardation; eliminating the inflationary increase for personal care assistant services, and for providers who provide services under the Alternative Care Grants (ACGs) Program; limiting payments to Negotiated Rate Facilities (NRFs) that enter into contracts with counties on or after June 1, 1989; eliminating the inflationary increases for NRFs; limiting Medical Assistance (MA) dental services to adults to \$150 per year and for eyeglasses; and lastly requiring Special Transportation providers to maintain a current physician's order authorizing the service. In addition, the amendment restored dental services, mental health therapy and physician visits.

Panel members also approved and advanced to the Finance Committee S.F. 968, authored by Sen. Terry Johnston (IR-Prior Lake). The bill is an attempt to avoid unnecessary placement of children in foster care. The measure provides grants for family-based crisis (Families First) services, specifies the requirements that must be met to receive the grants; and includes an appropriation of \$2 million for the biennium.

Further, members took action on two measures relating to children. The first measure, S.F. 990, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), requires that ongoing training of child care providers include training in cultural dynamics and diversity. The second measure, S.F. 1005, authored by Sen. Judy Traub (DFL-Minnetonka), establishes a program to provide coordinated services for children whose emotional/behavioral problems interfere with their learning, and provides financial incentives for districts

Committee update

offering coordinated support and integrated services. Both S.F. 990 and S.F. 1005 were approved and sent to the Senate.

Psychology licensure bill approved

A bill modifying psychologists licensure and requiring psychological practitioners to be licensed provided the focal point for discussion at the Mon., Apr. 15, meeting of the Health and Human Services Committee.

According to Sen. Carol Flynn (DFL-St. Paul), chief author of S.F. 300, the bill is designed to increase the quality of psychological services, and at the same time, address the need for more accountability.

The bill recognizes two levels of practice; requires skills assessments and examinations for each level; establishes educational and continuing educational requirements for each level; includes the conditions that must be met before waivers are granted for licensure or supervision requirements; and stipulates the requirements for independent practice and psychological practitioners. The bill was approved and sent to the Senate.

The panel approved and rereferred to the Rules and Administration Committee, with little debate, S.F. 342, authored by Sen. Dennis Frederickson (IR-New Ulm). The bill clarifies contested case procedures for public employees who are disqualified from working in a licensed facility.

A bill establishing and implementing the Minnesota Family Investment Plan (MFIP), on a five-year field trial basis, was heard and given approval by panel members. S.F. 622, authored by Chair Linda Berglin (DFL-Mpls.), consolidates three programs: AFDC, General Assistance and Food Stamps into one program. According to John Petraborg, assistant commissioner with the Dept. of Human Services (DHS), eligibility is based on income and resources, not on family structure and work history. The intent of the program, said Petraborg, is to simplify the administration of the welfare system, support families' in moving toward self-support, prevent long-term dependence on welfare and help families increase their income.

The measure specifies conditions for MFIP eligibility; requires counties to provide case management for caregivers and to develop employability plans with the caregiver; establishes a conciliation procedure for caregivers; and provides that a caregiver who leaves the program as a result of employment is entitled to child care assistance on a copayment basis. Lastly, the measure provides for state reimbursement of the nonfederal share of MFIP administrative costs for counties

involved in the field trial. Petraborg indicated that the field trial will include one site in the Metro area and one in greater Minnesota that will serve 5,000 cases. The bill was approved and rereferred to the Committee on Finance.

Battered women's bill gains

A bill pertaining to battered women's services and programs cleared the Health and Human Services Committee at the evening Wed., Apr. 17, hearing.

Numerous amendments were incorporated into S.F. 835, as a result of heated debates over various provisions between chief author, Sen. Allan Spear (DFL-Mpls.), and various committee members.

The measure allows the commissioner of corrections to award grants for training, technical assistance, public awareness programs and shelters for battered women. The provisions that generated the most controversy included altering the makeup of the Battered Women's Advisory Council from nine to 12 members, specifying the council's role; requiring the commissioner to consider recommendations from the advisory council before awarding grants or adopting policies affecting battered women's programs; setting forth the reconsideration process that the commissioner must follow when deviating from the council's recommendations; and providing for a remedy to conflict of interests.

Advocates for battered women's services and programs testified in support and opposition to the measure. Proponents told members that S.F. 835 allows the battered women's movement to go forward by empowering battered women, who have the expertise, to be involved in the decision-making process.

Opponents of the measure said the bill does not adequately address the conflict of interest issue, even though the bill sets forth conditions prohibiting a member of the advisory council from participating in the review and recommendation process concerning grant applications. To reflect the concern, an amendment was offered establishing a funding review panel, but the motion failed on a 6-7 vote.

A motion was made by Sen. Dick Day (IR-Owatonna) to table the bill, but the motion failed. Before approving the measure, members adopted two amendments establishing a Sexual Assault Advisory Council and a General Crime Victims Advisory Council. The bill was rereferred to the Governmental Operations Committee.

Judiciary

Legal assistant bill goes to floor

Members of the Judiciary Committee met for an evening hearing Thurs., Apr.

11, to process 17 bills, 13 of which were sent to the full Senate.

The legal assistant bill, S.F. 520, once again sparked considerable debate between committee members and author Sen. Randy Kelly (DFL-St. Paul). The bill requests the Supreme Court to review the delivery of legal services by specialized legal assistants. A major amendment was offered and adopted by the committee, that made substantive changes to the bill. The amendment removes a provision that allows the court to adopt rules governing its practice, and replaces it with a provision stipulating that if the court determines that the delivery of legal services is in the best interests of legal service consumers the court must prepare a report for the legislature by Feb. 1, 1992. In addition, the amendment removes a provision pertaining to legal assistant initial areas of practice. The bill was approved on a 9 - 6 vote.

S.F. 268, authored by Sen. John Marty (DFL-Roseville), lengthens the statute of limitations for human rights act violations from one year to two years. S.F. 899, authored by Sen. Bob Lessard (DFL-International Falls), provides immunity from liability for a loss arising out of a person's use of a logging road on public land that is maintained for timber access.

Four bills, authored by Chair Allan Spear (DFL-Mpls.), were also approved. S.F. 1024 creates a cause of action for interference with access rights to a child. The bill allows a custodial parent, and the child, the opportunity to recover damages from a parent who interferes with custodial rights by abducting the child. S.F. 1034, increases the penalties — from \$1,000 to \$50,000 — for an employer who retaliates against an employee for filing a report of abuse or neglect. S.F. 634, provides immunity from liability arising out of the result of a test by a breath alcohol testing device in liquor establishments for a liquor licensee, designer, manufacturer, distributor or seller of such a device. S.F. 525, expands the definition of drug-free zones to include any public housing or development administered by a local housing agency, except public housing for the elderly and handicapped. The bill also requires that an assessment be made of all felons as to whether controlled substances were a factor in the commission of their crime, and that the feasibility of expanding DWI implied consent laws to other controlled substances be studied.

S.F. 969, authored by Sen. William Luther (DFL-Brooklyn Park), directs the Supreme Court to establish a statewide alternative dispute resolution program. An amendment offered by Sen. Gene Merriam (DFL-Coon Rapids), was adopted that sets forth training guidelines for mediators and arbitrators, and specifies

the methods that must be included in alternative dispute resolutions. In addition, an amendment offered by Luther, incorporates S.F. 1208, authored by Luther, that allows an arbitrator or the court to modify an award based on an error in the law.

S.F. 1206, authored by Sen. Jane Ranum (DFL-Mpls.), stipulates that anyone who assaults a public employee engaged in mandated duties is guilty of a gross misdemeanor. S.F. 788, authored by Merriam, prohibits the release of health records without a patient's signed and dated consent. The bill also provides that a person violating the provision is liable for damages, costs and reasonable attorney fees.

S.F. 822, also authored by Merriam, pertains to liability provisions in the Superfund law. The measure specifies that a public entity that acquires property through eminent domain is not responsible for hazardous substance site liability. In addition, the bill specifies that a mortgagee is not responsible solely because the mortgagee becomes an owner of the property through foreclosure or receipt of a deed in lieu of foreclosure. S.F. 809, authored by Sen. Richard Cohen (DFL-St. Paul), provides that it is a prima facie case for certification to adult court if a juvenile used a firearm at the time of the offense or is alleged to have committed a firearms violation after a previous firearm violation. The bill also sets forth consecutive mandatory minimum sentences for firearm and controlled substance violations; and enhances the penalties for committing a crime to benefit a gang.

Further, members approved and rereferred three bills to the Committee on Finance, one of which creates a pilot program for an ignition interlock system installed in cars for the purpose of alcohol detection. Sen. Thomas Neuville (IR-Northfield), author of S.F. 814, said the program would be available to approximately 4,500 drivers who have three or more alcohol-related offenses. The bill also sets forth the penalties for misusing, tampering or failing to use the device. S.F. 271, authored by Kelly, an omnibus community corrections bill, directs each judicial court to complete a Criminal Justice Resource Management Plan, and specifies the issues that must be addressed. In addition, the measure requires the Sentencing Guidelines Commission to develop a model day-fine system, and authorizes the commission, upon request of a judicial district, to establish one pilot project for the development of the system. S.F. 716, carried by Sen. Ember Reichgott (DFL-New Hope), specifies that a person violating an order for protection twice within two years is guilty of a gross misdemeanor; allows a judge, when imposing conditions of release, to issue an order for protection at the same time; and

requires that a domestic abuse petition state if there is an existing order for protection.

In other action, members approved and rereferred to the Taxes and Tax Laws Committee, S.F. 951, an omnibus housing bill. The measure, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), alters landlord-tenant provisions, and clarifies and alters provisions relating to unlawful detainer actions that apply to tenants involving mortgage foreclosures. An amendment was adopted that removes the provisions that deal with execution of a writ of restitution in unlawful detainer actions, and the requirements dealing with removal and storage of property of manufactured homes.

Seat belt gag bill gains

A bill providing that proof of the use or the failure to use seat belts by an individual 16 years of age or older is admissible as evidence in litigation was approved Fri., Apr. 12, by the Judiciary Committee.

The controversial bill stipulates that the evidence is admissible only in determining the amount of damages, not in determining fault. An amendment offered by Sen. Patrick McGowan (IR-Maple Grove), alters a provision that limits reduction of damages resulting from the failure to use a seat belt. The amendment clarifies that a plaintiff's compensation may be reduced by the amount of damages that would have been prevented by the use of a seat belt, provided that the total damages are not reduced by more than 10 percent, or \$4,500 whichever is less. The bill was approved and advanced to the Senate on a 9 - 7 roll call vote.

Members, chaired by Sen. Allan Spear (DFL-Mpls.), also took action on four other measures. S.F. 1069, authored by Sen. Richard Cohen (DFL-St. Paul), limits defenses relating to human rights violations. The measure prohibits an employer from discriminating against an employee who was injured on the job and received worker's compensation benefits. S.F. 837, authored by Sen. Janet Johnson (DFL-North Branch), provides for improvements in the state's ability to manage mineral exploration by extending timelines for drill core periods and provides for the classification of data. S.F. 691, sponsored by Sen. William Luther (DFL-Brooklyn Park), allows a court to set aside financial or gift transactions made by a ward or conservatee during the two year period before establishment of a guardianship or conservatorship. S.F. 1053, a revisor's bill, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), corrects language, text and obsolete references and makes technical changes to statutes and other laws. All four measures were approved and advanced to the Senate.

A bill establishing welfare fraud prevention programs was approved and

rereferred to the Committee on Finance. S.F. 873, authored by Sen. Don Storm (IR-Edina) sets forth penalties for persons convicted of welfare fraud, and requires the courts, in the sentencing process, to take into consideration that the individual will be disqualified from receiving public assistance. The panel also approved and rereferred to the Finance Committee, S.F. 514, authored by Sen. John Marty (DFL-Roseville), requiring the registration of employees of private detectives and protective agents, and security guard employees.

Finally, the omnibus transportation bill, S.F. 598, cleared the Judiciary Committee and was rereferred to the Taxes and Tax Laws Committee. The bill specifies the penalties for failing to stop a vehicle at a railroad grade crossing; provides immunity from liability for the state and counties for claims relating to the design standards established by the commissioner for construction or reconstruction of natural preservation routes; and provides immunity from liability for road authorities for the design of a park road, if the design complies with the minimum standards applicable to the road.

Bills approved

The Judiciary Criminal Law Division, chaired by Sen. John Marty (DFL-Roseville), met Mon., Apr. 15, to consider four bills.

S.F. 628, authored by Sen. Randy Kelly (DFL-St. Paul), creates a study group to evaluate the effectiveness of Minnesota's juvenile certification laws. The bill creates a study group made up of members of the law enforcement and corrections community, and the child care and mental health community.

S.F. 605, also authored by Kelly, requires that a crime victim be notified of an offenders escape from prison or other type of corrective supervision, and requires that, if there are identifiable crime victims, each victim be notified of the final disposition of the offender's case. The bill also waives fees necessary to file a temporary restraining order to protect a victim from harassment if the victim is unable to pay.

S.F. 772, authored by Sen. Dennis Frederickson (IR-New Ulm), imposes a duty to investigate and render aid when a person is injured in a shooting accident. The bill requires if a person who discharges a firearm and has reason to know bodily harm resulted must provide assistance to the injured party. The bill specifies that failure to render aid is a felony. A witness to such an incident must provide aid under penalty of a gross misdemeanor and a passerby must provide aid under penalty of a misdemeanor.

S.F. 858, authored by Sen. Patrick McGowan (IR-Maple Grove), requires offenders who have been court-ordered to pay restitution of over \$500 to submit an

Committee update

affidavit of financial disclosure.

All four bills were approved by the division and sent to the full Judiciary Committee.

Child support bill changes

A bill modifying child support orders was the major topic of discussion at the Mon., Apr. 15, hearing of the Judiciary Civil Law Division. The panel, chaired by Sen. Richard Cohen (DFL-St. Paul), adopted a major amendment altering many of the provisions of the original bill, authored by Sen. Linda Berglin (DFL-Mpls.).

S.F. 917 reinstates prior procedures and requirements for determining support obligations and sets forth the conditions for modifying a maintenance or support order. The bill alters the basic principles governing the application of guidelines and procedures by specifying that the guidelines are a rebuttable presumption when establishing or modifying child support orders; requires the courts to review stipulated settlements for compliance with guidelines; and requires the courts to make written findings explaining deviation from the guidelines.

Controversy on the measure centered on a provision allowing the court to base child support orders on a determination of imputed income for parents who are voluntarily unemployed or underemployed. The amendment also removes sections pertaining to relief for second families; determining child support obligations in cases of split physical custody; and calculating work-related child care expenses and extraordinary medical expenses.

The bill was amended to include a provision establishing expedited procedures for modifying child support orders while still protecting due process rights for obligors. The bill was laid over to provide for further discussion.

Further, division members advanced four other measures to the full committee. S.F. 1155, authored by Sen. Gary Laidig (IR-Stillwater), provides for a cause of action on an interest in real estate of a married person when the property was conveyed by the person's spouse, and the person claiming the interest was not joined in the conveyance. H.F. 71, carried by Sen. Pat Pariseau (IR-Farmington), allows a court administrator to provide, upon request, a certified copy of the certificate of dissolution that reflects, but does not replace the entire divorce document. The bill also specifies the contents of the certificate. S.F. 1026, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), enacts the Uniform Foreign-Money Claims Act. Finn informed division members that the principle of the Act is to restore the aggrieved party to the economic position

the party would have been in had the wrong not occurred. The bill spells out that the act applies only to a foreign money claim in an action or distribution proceeding; and establishes standards in determining the amount of money to be paid for claims.

S.F. 1267, authored by Sen. William Luther (DFL-Brooklyn Park), was amended and incorporated into S.F. 1026. The amendment clarifies limitations on levy or garnishment earnings in situations where the judgement is less than 12 weeks old; and corrects an error in the worksheets that a garnishee/third party is required to complete when child support judgements are collected.

Child support bill advances

The Tues., Apr. 16, evening hearing of the Judiciary Civil Law Division was devoted to continuing the discussion on the controversial child support bill, S.F. 917, authored by Sen. Linda Berglin (DFL-Mpls.).

Discussion between panel members, chaired by Sen. Richard Cohen (DFL-St. Paul), revolved around a number of amendments that were eventually incorporated into the bill. The amendments clarify the provision on guideline calculations by requiring the court to make written findings concerning the amount of the obligor's income and any other factors affecting the determination of child support, even if the courts did not deviate from the guidelines; specify the conditions under which current support orders are presumed to be unreasonable and unfair; and clarify expedited procedures for modifying child support orders.

An author's amendment clarifies that a parent is not considered voluntarily unemployed or underemployed if the parent shows that it is temporary and will lead to an increase in income, or represents a bona fide career change. In addition, the amendment allows the court to calculate child support based on full-time employment at the federal or Minnesota minimum wage level, whichever is higher. The bill was approved and advanced to the full committee.

Local Government

County financial statements

The Local Government Committee met Thurs., Apr. 11, and approved S.F. 240, a bill changing the requirements for contents and public availability of county financial statements. Bill author, Sen. Sam Solon (DFL-Duluth), offered an amendment in response to complaints by opponents that the bill interferes with the public's right-to-know. The amendment specifies that the county must publish a financial

statement or a summary of the financial statement in the newspaper as required in statute. The original bill specified that the county need only publish a notice that the statement was available. The bill, as amended, advanced to the full Senate.

Committee Chair Betty Adkins (DFL-St. Michael) presented a bill sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake). S.F. 1040 authorizes Pine County to transfer \$100,000 from the County Welfare Fund to the General Fund in order to reimburse the General Fund for money paid to the North Pine Area Hospital District. The bill specifically exempts Pine County from penalties, which the commissioner of revenue has authority to impose, regarding the conformity of local levies to existing law. The bill was approved and sent to the Senate.

Another bill relating to hospitals and hospital districts was approved. S.F. 1160, sponsored by Sen. David Frederickson (DFL-Murdock), provides for the creation of a hospital district in Swift County. The measure changes the joint powers agreement between the city of Benson and Swift County and creates a hospital district to assume and operate the Swift County-Benson Hospital. The bill creates and specifies duties for the governing board and further specifies that the hospital district has no taxing authority. The bill was sent to the full Senate.

A bill that creates a Ramsey County Consolidation Study Commission was advanced. Bill author, Sen. Richard Cohen (DFL-St. Paul), explained that the commission would study the possibility of consolidating county and city entities in order to streamline government. The bill, S.F. 1295, which also specifies membership on the commission and sets duties, was approved and sent to the Senate floor.

Sen. Jim Vickerman (DFL-Tracy) is sponsor of a measure to permit counties to donate county dollars to the construction and operation of a noncommercial television station. The bill, S.F. 1116, was approved and sent to the Senate.

S.F. 1318, authored by Sen. Dennis Frederickson (IR-New Ulm), authorizing the recording of monuments on plats before actual placement and S.F. 1122, authored by Sen. Joanne Benson (St. Cloud) permitting public officers to rent space in public facilities were advanced to the full Senate.

S.F. 1195, authored by Sen. Steven Novak (DFL-New Brighton), removing the levy limit on libraries in Ramsey County to allow completion of proposed libraries was approved and rereferred to the Committee on Taxes and Tax Laws.

Two measures advanced

The Local Government Committee, chaired by Sen. Betty Adkins (DFL-St.

Michael), met and approved two bills, Thurs., Apr. 18.

H.F. 578, authored by Sen. James Metzen (DFL-South St. Paul), authorizes cities and towns in Dakota County to transfer the duties of a board of equalization to the county board of equalization. The county assessor is required to attend each meeting of the county board of equalization. S.F. 894, sponsored by Sen. Dean Johnson (IR-Willmar), adds an exception to the conflict of interest provisions for local government officials. The measure allows local officials to contract with the local unit of government to provide goods and services by a sealed bid process as long as the local official wishing to provide the service refrains from voting on the bid. Both bills were placed on the consent calendar.

Metropolitan Affairs

Controversy over transportation

The omnibus transportation bill was once again the focus of attention at the Wed., Apr. 10, evening hearing of the Metropolitan Affairs Committee.

S.F. 598, authored by Sen. Keith Langseth (DFL-Glyndon), establishes a state transportation plan with an emphasis on multimodal, efficient and safe transportation. Panel members debated at length, the most controversial section of the bill, Article IV, pertaining to Light Rail Transit (LRT).

The bill allows the commissioner of transportation to plan, construct and equip LRT facilities in the Metro Area; identifies the preliminary design and engineering stages for construction of the central corridor; and stipulates that the central corridor will have priority state funding. Two amendments to Article VII offered by Sens. Carol Flynn (DFL-Mpls.), and Sandra Pappas (DFL-St. Paul), generated considerable discussion between panel members.

According to Flynn, her amendment requires the Regional Transit Board (RTB) to reexamine all LRT corridors and take into consideration new ridership forecast figures and cost estimates. The amendment also requires the RTB to recommend the first corridor to be constructed as part of the LRT Demonstration Project. Flynn informed members that the demonstration project must also meet specific criteria before any construction is considered.

Pappas argued that Flynn's amendment will take Minnesota backwards in implementing LRT by requiring redundant studies and cost estimates. Therefore, Pappas offered an amendment that provides funding for LRT by imposing an additional metropolitan sales tax. The amendment also stipulates that if funds are appropriated by the Legislature or received from the metropolitan sales tax,

the funds must be used first for construction of the central corridor.

Chair Don Frank (DFL-Spring Lake Park), requested a roll call vote on both amendments. Flynn's amendment failed on a 3-9 vote, with Pappas' amendment being adopted on a 7-5 vote. Sen. Pat Pariseau (IR-Farmington), offered an amendment striking Article VII. The motion failed on a 3-8 roll call vote. The bill was approved as amended and rereferred to the Judiciary Committee.

Metro governance

Members of the Metropolitan Affairs Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), devoted their entire meeting Thurs., Apr. 11, to consideration of a metropolitan governance bill. S.F. 1323, authored by Frank, makes a number of changes in the laws governing the Metropolitan Council, the Regional Transit Board and other metro agencies. The measure strengthens the role of the Metro Council by requiring council oversight of the RTB budget and requires council approval for transit operations. In addition, the measure requires more legislative oversight of the metropolitan agencies particularly on budget matters.

The bill originally reduced the role of the chair of the RTB, but was amended so that the provision takes effect after the current chair's term expires. In addition, the measure provides for staggered terms for Metro Council members, requires the governor to obtain recommendations from legislators on council appointments and provides for a six-year term for the chair of the council.

Finally, the bill requires the council to conduct studies on the need for separate metropolitan agencies for libraries, solid waste disposal, and to ensure compliance with federal surface water runoff regulations.

Debate on the measure centered on the role of the RTB and on the increased responsibilities for the council. The measure was approved and sent to the full Senate.

At a hearing earlier in the day, the panel also approved S.F. 1329. The measure, sponsored by Frank, creates a paratransit advisory council, defines special transportation service, clarifies drivers license classifications, specifies qualifications of school bus and special transportation service drivers, and sets appropriate fees. The measure was sent to the full Senate.

Redistricting

Local standards bill

The Redistricting Committee, chaired by Sen. Roger Moe (DFL-Erskine), met Fri., Apr. 12, to take action on one measure and to reconsider another.

S.F. 1169, authored by Sen. William Luther (DFL-Brooklyn Park), establishing standards for county and city redistricting, was brought back to the committee after having been approved at a previous hearing. Luther said that he wished to reconsider the measure in order to add an amendment. The amendment requires cities and school districts with a population of more than 20,000 to adopt a system of ward representation. Luther said that the purpose of the amendment was to better safeguard the interests of minority populations that might not be adequately represented in at-large elections. The bill was reconsidered, the amendment adopted and the measure was approved and sent to the full Senate.

In other action, the panel also approved a bill allowing the Minneapolis Park and Recreation Board to appoint two members to serve on the Minneapolis Reapportionment Commission. The measure, S.F. 1330, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), was approved and sent to the full Senate.

Taxes and Tax Laws

Racing bill okayed

Members of the Taxes and Tax Laws Income, Sales, and Economic Development Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), met Tues., Apr. 16, and advanced four bills to the full committee.

S.F. 255, sponsored by Sen. Leonard Price (DFL-Woodbury), amends various provisions relating to horse racing. The measure was rereferred to the division because of a provision reducing the rate of income tax withholding on track winnings from ten percent to eight percent. S.F. 295, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), specifies that discounts and rebates are not deducted in determining the cost of doing business by a cigarette wholesaler, whether that cost is determined under the formula or according to actual costs.

S.F. 945, sponsored by Sen. Charles Berg (DFL-Chokio), relates to the development of aquaculture in Minnesota. The measure was rereferred to the division because of a provision that specifies that equipment used for aquaculture be treated the same as farm equipment for tax purposes.

S.F. 720, authored by Sen. James Metzen (DFL-South St. Paul), establishes a variety of new housing programs. The measure provides that buildings leased under a lease-purchase program be given homestead treatment. The measure was amended to further define income limits, to specify that buildings leased under federal Fannie Mae lease-purchase programs be given homestead treatment, to further define nonprofit organizations and

Committee update

to incorporate Dept. of Human Services provisions into the shallow rent subsidy language contained in the measure.

Finally, the panel devoted a portion of the hearing to discussion of S.F. 506, the omnibus gaming bill. The measure, sponsored by Berg, changes the method of taxation by eliminating the combined receipts tax and the two percent tax on the ideal gross of a pull-tab or tipboard deal and instituting a 4.5 percent tax on the ideal gross. In addition, the bill limits the payout rate to 75 percent of the ideal gross and allows payment of up to \$18,000 per year in real estate taxes by a lawful gambling organizations, except for bingo organizations, as a lawful purpose. No action was taken on the measure to allow time for further discussion.

Dept. property tax bill

The Taxes and Tax Laws Property Taxes and Local Government Aids Division, chaired by Sen. Ember Reichgott (DFL-New Hope), met Wed., Apr. 17, to consider several bills for possible inclusion in the omnibus tax measure to be assembled later in the session. In addition, the panel advanced a relatively noncontroversial technical property tax bill. S.F. 362, carried by Reichgott, makes changes in the laws relating to property tax administration, makes technical corrections in property tax laws and clarifies mortgage registry tax provisions. The bill was advanced to the full committee.

The panel also discussed several bills that allow specific counties to levy outside their levy limits. S.F. 183, sponsored by Sen. David Frederickson (DFL-Murdock), authorizes an increase in Swift County for social service costs. S.F. 616, sponsored by Sen. Cal Larson (IR-Fergus Falls), authorizes an increase in Becker County to fund social services and S.F. 923, sponsored by Sen. Charles Davis (DFL-Princeton), authorizes an increase in Mille Lacs County. All three bills were laid over for further consideration in the context of the omnibus bill.

S.F. 760, sponsored by Sen. Joe Bertram (DFL-Paynesville), changing the distribution of fire state aid from an allocation based on population and tax capacity to an allocation based on population and market value, was also discussed. No action was taken on the measure but Reichgott indicated that the bill would be considered for inclusion in the omnibus bill.

Transportation

Donor bill

The Transportation Committee okayed a bill Thurs., Apr. 11, relating to the donation of anatomical gifts. The committee is chaired by Sen. Gary DeCramer (DFL-Ghent).

S.F. 1059, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), expedites the procedure by which drivers license applicants pledge anatomical gifts. The measure eliminates the two witness requirement and stipulates that only the applicant's signature is required to meet donor application criteria. An adopted amendment, offered by Sen. Florian Chmielewski (DFL-Sturgeon Lake), provides for an option to decline donation on the application. The bill was rereferred to the Finance Committee.

Members also okayed and rereferred S.F. 1238, authored by Sen. Phil Riveness (DFL-Bloomington) to the Finance Committee. S.F. 1238 authorizes the city of Richfield to advance funds to the Minnesota Department of Transportation to expedite construction of a remote frontage road that will provide access to areas closed by I-494 construction. The bill also allows the city to issue bonds and exempts the bonds from election and net debt provisions.

S.F. 61, authored by Sen. Steven Morse (DFL-Dakota), also was rereferred to Finance. The bill designates Highway 61 as the Disabled American Veterans Highway. An adopted amendment by Sen. Lyle Mehrkens (IR-Red Wing) allows special license plates issued to veterans to also be issued to retired National Guard persons and to persons serving in the Ready Reserve and the Persian Gulf war.

S.F. 1175, authored by DeCramer, requires motor carriers in Minnesota to adopt federal out-of-service criteria for motor carriers. The bill was okayed and sent to the Senate floor.

A bill authored by Sen. Randy Kelly (DFL-St. Paul) failed on a divided voice vote. S.F. 287 imposes a surcharge on vehicles that exceed federal fuel-efficiency standards. A Minnesota Automobile Dealer representative said the measure would not generate nearly as much money as Kelly proposed.

House bills okayed

The Senate Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent) met Mon., Apr. 15, to begin hearing testimony on house bills. All bills were okayed and sent to the floor.

H.F. 106, sponsored by Sen. Keith Langseth (DFL-Glyndon), requires Mn/DOT to pay counties for town road apportionments in sufficient time to allow the counties to distribute the funds to towns by Mar. 1 of each year. The measure requires counties to distribute funds to towns by Mar. 1, but an amendment, by Sen. Don Frank (DFL-Spring Lake Park), allows counties an additional 30 days beyond receiving the funds from Mn/DOT. S.F. 126, authored by Sen. Don

Samuelson (DFL-Brainerd) requires Mn/DOT to adopt signs indicating that the route between Little Falls and Bemidji is the Paul Bunyon Highway. H.F. 87, authored by Sen. Bob Lessard (DFL-Int'l. Falls), exempts 175 miles of Itasca Highway from a statute requiring public roads to be at least four rods in width. S.F. 155, authored by Sen. Nancy Brataas (IR-Rochester) provides for the towing of an illegally parked car that obstructs another car's egress without the four hour waiting period. An amendment, by Sen. Carol Flynn (DFL-Mpls.), includes cars parked in a school zone and cars parked on a sidewalk or crosswalk. H.F. 357, authored by Sen. Steven Novak (DFL-New Brighton), extends to townships the same protection offered to cities regarding right-of-ways and pipeline installation and repair. H.F. 466, authored by Sen. Charles Davis (DFL-Princeton), extends the definition of wrecker to include new variations of tower vehicles. The bill also states that the wrecker must operate flashing red lights only when engaged in emergency service, and flashing amber lights when the wrecker is towing a vehicle.

Veterans and General Legislation

Hazardous materials response plans

The Veterans and General Legislation Committee met Wed., Apr. 17, and approved S.F. 738, requiring the commissioner of public safety to implement a state hazardous materials incident response plan. The bill, authored by Sen. Gene Merriam (DFL-Coon Rapids), creates the hazardous materials incident response account in the general fund and appropriates money. The account consists of money from hazardous materials safety permit fees for transporters of hazardous materials as well as fees from those engaged in storing of hazardous materials. The bill was approved and rereferred to the Transportation Committee.

Sen. Joe Bertram (DFL-Paynesville) chairs the Veterans and General Legislation Committee.

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.

Preview

The Minnesota Senate Week at a Glance

Monday, April 22

Editor's note: Because Wed., Apr. 24, is the final committee deadline, committee schedules are all subject to change. For updated information call the Senate Hotline at 296-8088 or the Information Office at 296-0504.

Education Subcommittee on Higher Education

Chair: John Hottinger

8 a.m. Room 15 Capitol

Agenda: S.F. 942-Hottinger: Scholarship funded through special collegiate license plates. S.F. 1166-Stumpf: Disabled student policies in post-secondary institutions. S.F. 1240-Waldorf: Student financial aid and post-secondary education financing. S.F. 1425-Ranum: Governing boards cultural diversity.

Gaming Regulation Committee

Chair: Charles Berg

8 a.m. Room 107 Capitol

Agenda: Confirmation hearings for Gambling Control Board members Sally Howard, Anthony Thomas, Sr. and Nicholas Zuber.

Employment Committee

Chair: Florian Chmielewski

10 a.m. Room 107 Capitol

Agenda: S.F. 853-Kelly: Honoring deceased workers. S.F. 432-Samuelson: Construction bid equity act. S.F. 1249-Chmielewski: OSHA penalties. S.F. 1317-Frank: Family leave. S.F. 764-Dahl: Amusement ride safety.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

10 a.m. Room 123 Capitol

Agenda: Budget hearing for RTB, TRB, Ethical Practices Board, Greater Minnesota Corp., Dept. of Labor & Industry, Dept. of Public Safety and Secretary of State.

Judiciary Committee

Chair: Allan Spear

10 a.m. Room 15 Capitol

Agenda: S.F. 212-Finn: DWI limited driver's license waiting period. S.F. 227-Reichgott: Family law modifications. S.F. 228-Spear: Marriage dissolution expedited procedures. S.F. 494-Spear: DWI repeat offender pilot programs. S.F. 594-Pariseau: Marriage dissolution name change information. S.F. 917-Berglin: Child support omnibus bill. S.F. 1007-Marty: DWI implied consent advisory amendment. Bills remaining from previous committee meetings. Bills rereferred.

Economic Development and Housing Committee

Chair: James Metzen

12 noon Room 107 Capitol

Agenda: S.F. 1443-Reichgott: Tax increment financing. S.F. 1371-Morse: Science and technology division. S.F. 776-Sams: Rural

finance authority transferred to the Dept. of Agriculture.

Finance Division on Education

Chair: LeRoy Stumpf

12 noon Room 318 Capitol

Agenda: Higher education budget allocations.

Transportation Committee

Chair: Gary DeCramer

12 noon Room 112 Capitol

Agenda: S.F. 626-Price: Regulating limousine drivers. H.F. 934-Neuville: Prohibiting registration of salvaged vehicles. S.F. 986-Belanger: Littering penalty increase. S.F. 1503-DeCramer: Bridge funding. S.F. 891-Morse: Oil and hazardous substance spill prevention.

Senate session at 2 p.m.

Education Division on Education Funding

Chair: Ronald Dicklich

3 p.m. Room 107 Capitol

Agenda: Articles 1-11 of S.F. 467-Dicklich: Omnibus education funding bill.

Finance Division on Environment and Natural Resources

Chair: Steven Morse

3 p.m. Room 123 Capitol

Agenda: Allocations.

Health and Human Services Committee

Chair: Linda Berglin

3 p.m. Room 15 Capitol

Agenda: To be announced.

Governmental Operations Committee

Chair: Gene Waldorf

7 p.m. Room 112 Capitol

Agenda: To be announced.

Tuesday, April 23

Governmental Operations Committee

Chair: Gene Waldorf

8 a.m. Room 15 Capitol

Agenda: To be announced.

Local Government Committee

Chair: Betty Adkins

8 a.m. Room 107 Capitol

Agenda: H.F. 291-Kroening: Minneapolis residency bill.

Finance Division on Health and Human Services

Chair: Don Samuelson

8:30 a.m. Room 125 Capitol

Agenda: Public testimony.

Agriculture and Rural Development Committee

Chair: Charles Davis

10 a.m. Room 112 Capitol

Agenda: S.F. 666-Morse: Agricultural Chemical Response Compensation Board deadline change. S.F. 820-Chmielewski: State Fair building and contracting exceptions. S.F. 1300-Beckman: Livestock feed permit requirements. S.F. 1414-Sams: Resolution for fair dairy products prices. S.F. 1232-Knaak: Metro wetlands property tax exemption. S.F. 3-Davis: Wetlands bill.

Energy and Public Utilities Committee

Chair: Steven Novak

10 a.m. Room 107 Capitol

Agenda: S.F. 1432-Frederickson, D.J.: Limiting the number on a party line. S.F. 709-Novak: Telephone facility licensing exemption. S.F. 1337-Johnson, J.B.: Rental property energy conservation tax credit. S.F. 619-Dicklich: Resale of local exchange telecommunications services.

Commerce Committee

Chair: Sam Solon

1 p.m. Room 112 Capitol

Agenda: S.F. 865-Mondale: Rental vehicles no-fault auto insurance. S.F. 440-Marty: Medical records access for health insurance purposes. S.F. 895-Luther: Sales representative agreements termination. S.F. 1118-Luther: Franchise assignment, transfer or sale consent withholding prohibition. S.F. 683-Solon: Omnibus liquor bill. S.F. 1433-Solon: Workers comp self insurance regulation modifications.

Environment and Natural Resources Committee

Chair: Bob Lessard

1 p.m. Room 107 Capitol

Agenda: S.F. 490-Johnson, D.J.: Sale of land in St. Louis County. H.F. 1001-Price: Dog handler radio communication. S.F. 1333-Berg: Fish and wildlife management. S.F. 457-Berg: Allow taking two deer. H.F. 743-Stumpf: Red River Watershed Management Board. S.F. 972-Morse: Protecting aquacultural waters.

Finance Division on Agriculture, Transportation and Regulation

Chair: Keith Langseth

3 p.m. Room 125 Capitol

Agenda: Budget hearing for the Arts Board, Historical Society, Humanities Commission, International Center, World Trade Center, Dept. of Agriculture and Board of Animal Health.

Finance Division on Education

Chair: LeRoy Stumpf

3 p.m. Room 107 Capitol

Agenda: Higher education budget review.

Taxes and Tax Laws Committee

Chair: Douglas Johnson
3 p.m. Room 15 Capitol
Agenda: S.F. 362-Reichgott: Dept. property tax bill. S.F. 363-Pogemiller: Dept. income tax bill. S.F. 364-Pogemiller: Dept. sales tax bill. S.F. 455-Benson, D.D.: Updating state references to the Internal Revenue Code. S.F. 476-Benson, D.D.: Cigarette tax increase; changing computation of alcoholic beverage tax. S.F. 1294-Belanger: Property tax classification changes. S.F. 1422-Bernhagen: Personal property tax.

Health and Human Services Committee

Chair: Linda Berglin
6 p.m. Room 112 Capitol
Agenda: To be announced.

Environment and Natural Resources Committee

Chair: Bob Lessard
6 p.m. Room 107 Capitol
Agenda: Continuation of afternoon agenda.

Agriculture and Rural Development Committee

Chair: Charles Davis
7 p.m. Room 123 Capitol
Agenda: Any bills from morning agenda.

Judiciary Committee

Chair: Allan Spear
7 p.m. Room 15 Capitol
Agenda: Bills from previous meetings.

Wednesday, April 24

Education Committee

Chair: Gregory Dahl
8 a.m. Room 15 Capitol
Agenda: S.F. 942-Hottinger: Scholarship for academic excellence. S.F. 1166-Stumpf: Disabled student policies in post-secondary institutions. S.F. 1425-Ranum: Governing boards cultural diversity report. H.F. 696-Frederickson, D.J.: Joint vocational technical board membership requirement revision. S.F. 467-Dicklich: Omnibus education funding bill.

Employment Committee

Chair: Florian Chmielewski
10 a.m. Room 107 Capitol
Agenda: Any bills laid over from Monday, April 24. S.F. 1069-Cohen: Disabled person employment discrimination. S.F. 384-Frank: Dislocated worker program.

Judiciary Committee

Chair: Allan Spear
10 a.m. Room 15 Capitol
Agenda: To be announced.

Veterans and General Legislation Committee

Chair: Joe Bertram
10 a.m. Room 112 Capitol
Agenda: To be announced.

Elections and Ethics Committee

Chair: Jerome Hughes
12 noon Room 107 Capitol
Agenda: S.F. 1169-Luther: Cities and school districts to use single-member districts for elections. H.F. 398-Hughes: Allowing high school students to act as election judges. S.F. 263-Luther: Election by mail experiment.

Commerce Committee

Chair: Sam Solon
1 p.m. Room 112 Capitol
Agenda: Bills not heard on Tues., Apr. 23.

Environment and Natural Resources Committee

Chair: Bob Lessard
1 p.m. Room 107 Capitol
Agenda: S.F. 1289-Belanger: Prohibiting DNR lands to DNR employees. S.F. 511-Luther: Eurasian water milfoil. H.F. 21-Bertram: Infectious waste incinerator EIS. S.F. 382-Novak: Petroleum tank release fund reimbursement requirements. S.F. 1134-Novak: Petrofund. S.F. 1193-Merriam: Exotic species management.

Finance Division on Education

Chair: LeRoy Stumpf
3 p.m. Room 107 Capitol
Agenda: Final review of the higher education budget.

Taxes and Tax Laws Committee

Chair: Douglas Johnson
3 p.m. Room 15 Capitol
Agenda: S.F. 119-Moe, R.D.: Crookston special service district. S.F. 255-Price: Racing commission members per diem increase. S.F. 282-Riveness: Natural gas and propane fueled vehicle permit fee. S.F. 295-Lessard: Unfair Cigarette Sales Act amendments. S.F. 431-Stumpf: Thief River Falls student housing. S.F. 598-Langseth: Transportation funding. S.F. 760-Bertram: Distribution of fire state aid. S.F. 860-Riveness: Special service district parking facilities. S.F. 945-Berg: Aquaculture development. S.F. 1021-Kelly: Port authority extra-territorial powers. S.F. 1112-Johnson, J.B.: Renewable energy sources incentives for utilities.

Education Committee

Chair: Gregory Dahl
6 p.m. Room 123 Capitol
Agenda: S.F. 467-Dicklich: Omnibus education funding bill.

Health and Human Services Committee

Chair: Linda Berglin
6 p.m. Room 15 Capitol
Agenda: To be announced.

Thursday, April 25

Rules and Administration Ad Hoc Subcommittee on Election Contests

Chair: William Luther
10 a.m. Room 237 Capitol
Agenda: To be announced.

Taxes and Tax Laws Division on Income, Sales and Economic Development

Chair: Lawrence Pogemiller
10 a.m. Room and agenda to be announced.

Senate session at 12 noon.

Friday, April 26

Senate session at 12 noon.

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

April 26, 1991

Wetlands bill gains

The bill providing for the preservation, enhancement, restoration and establishment of wetlands cleared the Agriculture and Rural Development Committee at an evening hearing Tues., Apr. 23. Extensive public hearings have been held on S.F. 3, authored by Chair Charles Davis (DFL-Princeton), throughout the session. Therefore, most of the discussion centered on amendments offered to the bill. Perhaps one of the most significant amendments, offered by Davis, deletes Article V, the sections of the bill providing for a wetland establishment and restoration program. In place of the 50 pages deleted under the amendment, the new language vests more authority for wetland establishment and restoration in local units of government. Another amendment allows more flexibility in the time line for soil and water board determination of wetlands, but specifies a time certain for appeals of the determination. An amendment, offered by Sen. David Frederickson (DFL-Murdock), specifies that noxious weeds must be controlled on wetlands owned by governmental units. An amendment, offered by Sen. Steve Morse (DFL-Dakota), directs the Dept. of Natural Resources to adopt rules providing for the state to assume responsibility for the federal 404 program. Another Davis amendment clarifies that language in the bill requiring land to have been in crops six out of 10 years in order to be exempted, also applies to land that has been in the set aside program or under CRP. The amendment also enumerates exemptions for general use permits and activities that are exempt. All of the amendments were adopted and the measure was referred to the Committee on Taxes and Tax Laws.

In other action, the panel also approved a bill exempting wetlands from property taxes. S.F. 1232, authored by Sen. Fritz Knaak (IR-White Bear Lake), was also referred to the Committee on Taxes and Tax Laws.

Parental notification bill fails

Senate floor session activity Tues., Apr. 23, was dominated by discussion of S.F. 296, a bill allowing a pregnant minor to notify only one parent before having an abortion. Current law requires a minor to notify both parents before an abortion is performed. Current law also allows a

minor to bypass the parental notification requirement if she obtains permission for the procedure from a judge.

Sen. John Marty (DFL-Roseville), author of S.F. 296, indicated that the bill targets teens who feel they cannot discuss the option of abortion with both parents. An amendment, offered by Sen. Nancy Brataas (IR-Rochester), allows a minor to notify only one parent if the minor lives with only one parent, but requires that both parents be notified if the minor lives with both. The amendment failed on a 30-32 roll call vote. Sen. Gene Waldorf (DFL-St. Paul) offered an amendment requiring authorities who are notified about a sexual abuse or neglect victim seeking an abortion to ensure that the information is not revealed to her parents. The amendment was adopted.

The bill failed to gain preliminary approval on a 30-36 roll call vote.

Recreation fees increased

The agenda for the Committee on Finance, chaired by Sen. Gene Merriam (DFL-Coon Rapids), Wed., Apr. 24, included a bill establishing fee increases for state park permits, boat licenses and some hunting and fishing licenses.

S.F. 1333, sponsored by Sen. Charles Berg (DFL-Chokio), increases annual park permit fees from \$16 to \$18 and increases the charge for a two day park permit from \$3.25 to \$4. Annual park permits for people older than 65 and for people with disabilities increase from \$8 to \$12 while the two day permit fees are raised from \$2 to \$4.

The bill changes fees for boats 17 to 19 feet in length from \$12 to \$35; for boats under 17 feet, the fee increases from \$12 to \$22; for boats 19 to 26 feet, the fee increases from \$20 to \$45; for boats 26 to 40 feet, the fee increases from \$30 to \$60; for boats longer than 60 feet, the fee increases from \$40 to \$80. The fee for a human powered or wind powered boat under 17 feet increases from \$7 to \$12.

The bill eliminates provisions that allow those at least 65 years of age to receive refunds on their fishing licenses. The bill increases turkey hunting licenses from \$14 to \$16, opens the season to nonresidents for a fee of \$56, and allows turkey hunting without a small game license. The bill allows deer hunting throughout the state, not only in restricted zones, for a fee of \$44.

Nonresident fishing license fees increase in the bill from \$20 to \$25 for individuals and from \$33.50 to \$35 for families. Provisions allow snowmobile buyers to register their snowmobiles with dealers and specify that snowmobile registration fees increase from \$18 to \$30. The committee eliminated a provision establishing a mourning doves hunting season in western Minnesota. The bill was approved and sent to the full Senate.

Gas, automotive service taxes approved

An amendment to the Transportation Study Board bill that raises the gasoline tax from 20 cents to 23 cents and places a six percent sales tax on automotive service charges was approved by the Agriculture, Transportation and Regulation Division of Finance at the Tues., Apr. 24, meeting. The amendment was offered by Sen. Gary DeCramer (DFL-Ghent) who said that the state simply must find new ways to fund transit and road repair, especially in light of the governor's decision to direct the Motor Vehicle Excise Tax (MVET) money into the General Fund. Chair Keith Langseth (DFL-Glyndon), echoed DeCramer's statement, saying that the state must make some hard decisions in the face of growing transportation needs, and that the repair tax would raise \$52 million a year. The bill, S.F. 598, carried by Langseth advances to the full Finance Committee.

In other action taken by the division, S.F. 982, authored by Sen. John Bernhagen (IR-Hutchinson) was also advanced. The measure makes numerous changes to the Greater Minnesota Corporation (GMC) including changing the name to Minnesota Technologies, Inc. The bill removes the Agricultural Utilization Research Institute (AURI) from under the auspices of Minnesota Technologies, Inc. and creates a separate agency. The measure allocates \$24 million for Minnesota Technologies, Inc. for the biennium with \$8 million going to AURI. Sen. Charles Davis (DFL-Princeton) offered an amendment to the bill that changes the amount received by AURI to \$5 million each year and in addition requires the GMC to pay AURI \$3.5 million plus interest. The amendment was approved, as was the bill.

Committee update

Agriculture and Rural Development

Fee increase measures

Several bills proposing fee increases formed the focal point for two meetings of the Agriculture and Rural Development Committee held Thurs., Apr. 18.

S.F. 864, authored by Sen. Earl Renneke (IR-LeSueur), changes food licensing fees. The measure, which generally increases the fees, is designed to raise funds for more aggressive food safety programs, Renneke said. The fees are based on gross sales at both the retail and wholesale level. The measure was approved and rereferred to the Finance Committee. S.F. 1284, also sponsored by Renneke, changes the livestock licensing act. The measure requires licensing of persons engaged in the business of farming, when purchasing livestock for breeding or herd replacement purposes or feeding programs, and when selling the livestock they have had in their specific farming program for a period of at least 15 days. In addition, the bill spells out administrative penalties for violations and details an appeals process. The measure was approved and sent to the full Senate.

S.F. 1309, sponsored by Sen. Cal Larson (IR-Fergus Falls), changes the commercial cannery assessment maximum from \$2,500 to \$3,000. The measure was approved and rereferred to the Finance Committee.

Several measures were approved and advanced to the Committee on Finance at the evening portion of the meeting. The hearing began with discussion of S.F. 481, a bill raising fees on fluid milk processors to cover the costs for dairy inspections by the Dept. of Agriculture. The measure, sponsored by Sen. Dallas Sams (DFL-Staples), also limits the charge to farmers for on-farm inspections to 40 percent of the average cost of inspections. The measure specifies that manufacturers are to pay a fee for fluid milk products of five cents per hundredweight and that if funding for the Grades A and B inspection programs is inadequate, the commissioner may charge a different fee, not to exceed nine cents per hundredweight.

S.F. 786, sponsored by Sen. Dennis Frederickson (IR-New Ulm), makes changes in the plant and animal pest control act. The measure defines the clientele that must pay fees and alters the fee program. According to Frederickson, the increase in fees is designed to offset the costs of the inspection program. In addition, the measure provides for administrative penalties for violations.

S.F. 954, sponsored by Sams, extends the farmer-lender mediation act and provides an appropriation for purposes of

carrying out the mediation program. An amendment, offered by Sen. Joe Bertram (DFL-Paynesville), deleted a section of the bill that provided for the assessment of fees for the mediation program should the appropriation not adequately cover the program and shortened the extension of the program from 1996 to 1993. Another amendment, offered by Chair Charles Davis (DFL-Princeton), provides for an appropriation to continue the Agricultural Data Collection Task Force. A third amendment, offered by Sen. Tracy Beckman (DFL-Bricelyn), provides for an appropriation to fund the Farm Advocates Program. All three amendments were adopted by the committee.

S.F. 892, sponsored by Beckman, establishes a pilot program to participate in a Minnesota Grown commodities program. Under the bill, schools participating in the program are reimbursed for purchases of Minnesota commodities used in the school lunch program. S.F. 1413, authored by Sams, provides for compensation for damage to farm crops or livestock by protected wild animals. S.F. 1066, sponsored by Bertram, authorizes farm safety programs to train youth in the safe operation of farm equipment. In addition, the measure establishes a farm injuries surveillance system, requires specific safety equipment on farm tractors and establishes a research center for agricultural health and safety. All six measures were approved and rereferred to the Committee on Finance.

Finally, the panel also approved and sent to the floor, S.F. 1194. The measure, sponsored by Davis, regulates genetically engineered plants, pesticides, fertilizers, soil amendments and plant amendments. In addition, the bill sets forth permit requirements, defines terms, requires inspections, and sets penalties.

Dairy resolution gains

In addition to acting on the wetlands measure, the Agriculture and Rural Development Committee met earlier Tues., Apr. 23, and advanced five additional bills. S.F. 1414, sponsored by Sen. Dallas Sams (DFL-Staples), is a resolution memorializing the president and Congress to ensure that the federal milk marketing order is modified. S.F. 820, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes the State Agricultural Society to enter into contracts without review by the Dept. of Administration. An amendment, offered by Sen. Joe Bertram (DFL-Paynesville), allows counties to spend up to \$2,000 for an exhibit at the State Fair. The amendment was adopted and the bill was approved. S.F. 1300, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), allows nonmeat by-products of commer-

cial food processing operations to be fed to livestock if the Board of Animal Health determines that it is in the best interest of the livestock industry and not detrimental to public health to do so. S.F. 666, authored by Sen. Steven Morse (DFL-Dakota), changes the deadline—to at least 30 days before a board meeting—for a request for reimbursement to be eligible for consideration by the Agricultural Chemical Response Compensation Board. S.F. 1142, sponsored by Chair Charles Davis (DFL-Princeton), changes the net worth provisions of the Rural Finance Authority's beginning farmer program. All five measures were approved and sent to the Senate floor.

Commerce

Committee completes work

Members of the Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), met Tues., Apr. 23 and Wed., Apr. 24, to complete work on bills assigned to the committee.

The Tues., Apr. 23, hearing was marked by debate on an amendment to a bill increasing the property damage liability coverage on rental vehicles. H.F. 875, carried by Sen. Ted Mondale (DFL-St. Louis Park), increases the coverage from \$25,000 to \$35,000 to reflect the increased value of rental vehicles. However, the controversy on the bill centered on an amendment, offered by Sen. Betty Adkins (DFL-St. Michael), specifying that it is an unfair settlement practice if an automobile policy provides for settlement of an automobile loss due to damaged window glass and the insurer fails to assume all costs sufficient to pay the insured's chosen vendor for the replacement of comparable window glass. The controversy centers on one company's use of a single vendor to do glass replacement. An amendment to the amendment that clarifies that nothing in the bill prohibits an insurer from recommending a vendor was adopted. The entire amendment was also adopted and the bill was advanced to the full Senate.

In other action, the panel approved an additional seven measures and advanced them to the Senate floor. S.F. 440, authored by Sen. John Marty (DFL-Roseville), requires insurers to furnish a summary of claims review findings to the provider who requested the review or to the insured, upon that person's request. S.F. 895, authored by Sen. William Luther (DFL-Brooklyn Park), provides for the enforcement of sales representative contracts, clarifies representatives rights upon termination and provides for arbitration of disagreements.

H.F. 683, sponsored by Solon, is this session's omnibus liquor bill and contains numerous provisions making primarily

technical changes to the laws governing alcoholic beverages. An amendment, offered by Sen. Allan Spear (DFL-Mpls.), changes all statutory references to "non-intoxicating malt beverages" to "3.2 percent malt liquor." S.F. 1433, also authored by Solon, modifies workers compensation self-insurance regulations. S.F. 926, sponsored by Luther, specifies that it is an unfair practice to refuse to insure or continue to insure the life of a member of the armed forces because of the person's status as a member of the military or their duty assignment. S.F. 1117, also sponsored by Luther, establishes minimum loss ratios for noncomprehensive individual or group medical policies. S.F. 1118, carried by Luther, alters provisions relating to franchise assignments, transfers or sales.

The final meeting of the committee Wed., Apr. 24, resulted in two bills being advanced to the full Senate. S.F. 764, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), requires amusement ride operators to carry insurance of at least \$500,000 for liability for injury to persons arising out of the use of an amusement ride. According to Dahl, amusement rides are not currently subject to any sort of regulation. By requiring insurance and by requiring the insurance companies to inspect the rides the regulatory function is performed. One provision of the bill exempts amusement rides permanently located in an amusement park. The bill also sets a civil penalty for failure to have insurance.

S.F. 1474, carried by Sen. Ronald Dicklich (DFL-Hibbing), makes numerous changes in the laws governing barbers. The bill clarifies registration requirements for barbers, apprentices and instructors, requires barber schools file a \$25,000 bond with the secretary of state, expands the causes for discipline and provides for summary suspension.

Economic Development and Housing

Neighborhood bills

Two bills aimed at improving targeted neighborhoods were among the five bills advancing at the Thurs., Apr. 18, meeting of the Economic Development and Housing Committee. S.F. 1204, sponsored by Sen. Linda Berglin (DFL-Mpls.), lists criteria designed to provide a preference for specific neighborhoods for grants-in-aid for park renovation. The bill specifies that in awarding grants special consideration must be given to outdoor recreation projects in high density, low income areas with a high population of school age children and a lack of outdoor recreation facilities. In addition, the bill specifies that a lack of transportation to existing outdoor recreation facilities and the need for acquisition or renovation of

land in fully developed areas are two additional factors to be considered when awarding the grants. The bill was approved and sent to the full Senate.

The second measure, S.F. 1137, sponsored by Sen. Sandra Pappas (DFL-St. Paul), redefines eligibility requirements for targeted neighborhoods by adding a city of the second class with a portion of its border contiguous to a city of the first class in the Metro Area, or having a population of at least 55,000, or a city of the second class outside the Metro Area. An amendment, offered by Chair James Metzen (DFL-South St. Paul), specifies that an area within an eligible city of the second class qualifies for designation as a targeted neighborhood if the city is designated as an economically depressed area by the U.S. Dept. of Commerce. The bill also provides for an appropriation for the community resources program. The measure was approved and rereferred to the Committee on Finance.

In other action, the panel also approved a bill creating a small business incubator program and containing an appropriation for a pilot project. The measure, S.F. 1420, sponsored by Berglin, sets forth the applications process, specifies how funds may be used, sets forth the responsibilities of sponsors and requires the commissioner to establish criteria to establish the priority of applications. The bill was also rereferred to the Committee on Finance. S.F. 771, authored by Sen. Sam Solon (DFL-Duluth), permits St. Louis County to establish subordinate service districts. The bill was approved and sent to the full Senate. S.F. 579, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), regulates tax exempt revenue bonds. The measure was approved and rereferred to the Committee on Taxes and Tax Laws.

Ag bonding program gains

A bill providing for an agricultural development bond program was advanced at the Mon., Apr. 22, meeting of the Economic Development and Housing Committee. S.F. 776, sponsored by Sen. Dallas Sams (DFL-Staples), sets up the program to aid agricultural business enterprises and beginning farmers. In addition, the measure transfers the Rural Finance Authority to the Dept. of Agriculture, defines terms, sets forth eligibility requirements and details the mechanism for issuing the bonds. The measure was approved and rereferred to the Governmental Operations Committee.

The committee, chaired by Sen. James Metzen, approved an additional four measures. S.F. 1443, sponsored by Sen. Ember Reichgott (DFL-New Hope), makes numerous technical changes in the laws relating to tax increment financing approved last year in the omnibus tax bill. The measure, said Reichgott, is an attempt to correct a number of technical

glitches that occurred as a result of last year's legislation. The measure was approved and rereferred to the Committee on Taxes and Tax Laws.

The final three measures were all approved and rereferred to the Finance Committee. S.F. 1382, sponsored by Sen. Sam Solon (DFL-Duluth), provides for a neighborhood rehabilitation program for the cities of Minneapolis, St. Paul, and Duluth. S.F. 1370, carried by Sen. Ted Mondale (DFL-St. Louis Park), establishes an international partnership program in the Minnesota Trade Office to promote joint ventures in research and development, commercialization and export opportunities between Minnesota companies and foreign companies and foreign governments. S.F. 1371, authored by Sen. Steve Morse (DFL-Dakota), creates a division of science and technology within the office of the governor to seek out and recruit technology based companies with an interest in doing business in Minnesota.

Education

Peace officer ed bill advances

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Fri., Apr. 19, to hear bills related to peace officer education and a special cooperation referendum.

S.F. 404, authored by Sen. Randy Kelly (DFL-St. Paul) requires the systems of higher education to develop a joint plan to integrate components of peace officer training into a degree program. Currently, a person is not able to receive all the requisite peace officer training and education in one program in the Metropolitan Area.

The bill was approved and sent to the Committee on Finance.

S.F. 719, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), permits the school districts of Hallock and Humboldt-St. Vincent to conduct a referendum on a potential consolidation at a time other than the designated election time. The bill is necessary because the enrollment of the St. Vincent School District is such that it may be dissolved and divided between two existing school districts in an inequitable and inefficient fashion, said Stumpf. The bill was approved and sent to the full Senate.

License plate scholarships

The Education Higher Education Subcommittee met Mon., Apr. 22, to consider four bills, including a bill establishing a college scholarship funded through fees for special collegiate license plates.

Subcommittee Chair John Hottinger (DFL-Mankato) sponsored S.F. 942 establishing the Minnesota Academic Excellence Scholarship Program to

Committee update

provide scholarships to students who have demonstrated ability in either writing, fine arts, foreign language, math, science, or social science. Under the bill, the scholarships are available for graduates of Minnesota high schools enrolled in a baccalaureate program at a Minnesota institution of higher education, and pursuing studies in the subject area for which the award is made. The bill specifies that the scholarship fund is to be established through fee contributions of \$100 or more for special collegiate license plates.

S.F. 1425, authored by Sen. Jane Ranum (DFL-Mpls.), requires each post-secondary governing board to report the status of cultural diversity initiatives on each campus. The bill requires the boards to report to the Higher Education Coordinating Board and to the Legislature.

S.F. 1166, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), requires post-secondary governing boards to have a written policy to provide for the needs of students who have disabilities. The bill also requires the policy to provide counseling services and support groups, academic assistance programs, and advocacy services. Dr. Susan Kroeger, University of Minnesota, said that the bill helps eliminate the competitive disadvantage that many students with disabilities face.

All three bills were approved and sent to the full Education Committee.

S.F. 1240, authored by Sen. Gene Waldorf (DFL-St. Paul), decreases the state's direct appropriation to systems of higher education, increases financial aid to students, and bases the amount of aid on the number of credits for which a student is enrolled. The bill provides more equity in higher education funding, said Waldorf, since appropriations to institutions and systems subsidize the education for all students regardless of need. Financial aid is based on need and providing assistance to those with the greatest financial need is a more appropriate method of subsidy, he said.

Jennifer Alstad, Legislative Director, U of M Student Association, said that the bill would result in an increase in tuition of 122 percent. The bill also negatively affects interstate reciprocity agreements and shifts state funds in a way that may not adequately fund some institutions and programs.

No action was taken on the bill.

Five bills advance

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), approved five bills at its Wed., Apr. 24, meeting.

S.F. 1166, authored by Sen. LeRoy

Stumpf (DFL-Thief River Falls), requires the development of policies for students with disabilities in post-secondary institutions. S.F. 1425, authored by Sen. Jane Ranum (DFL-Mpls.) requires post-secondary governing boards to report on the implementation of policies addressing cultural diversity on each campus. Both bills were approved and sent to the full Senate.

S.F. 942, authored by Sen. John Hottinger (DFL-Mankato), establishes a scholarship program and provides funding through the sale of collegiate license plates. Hottinger offered an amendment that authorizes the commissioner of public safety to borrow funds in order to initiate the scholarship program. The bill was approved and sent to the Transportation Committee.

S.F. 826, authored by Sen. David Frederickson (DFL-Murdock), allow the election of joint vocational technical board members who are not residents of the district. The measure allows the appointment of members from areas served by a regional technical college, but how live outside district bounds. The bill also allows the boards to appoint additional members. The bill was approved and sent to the full Senate.

S.F. 728, also authored by Hottinger, establishes a Minnesota training institute to ensure quality service to persons with developmental disabilities. The institute is to train care providers and their families. The bill was approved and sent to the Committee on Finance.

Omnibus ed funding bill

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met later Wed., Apr. 24, to consider the omnibus education funding bill. The bill appropriates \$4.6 billion for education, which is \$940,000 million less than the governor's recommendation.

The committee adopted several amendments to the bill. Sen. Sandra Pappas (DFL-St. Paul) offered an amendment that requires outcome-based schools to reflect racial and cultural diversity in order to be exempt from Dept. of Education rules. Sen. Lawrence Pogemiller (DFL-Mpls.) offered an amendment to provide service grants in areas with high concentrations of children with mental health problems. An amendment offered, by Sen. Gen Olson (IR-Mound), increases parent involvement in monitoring curriculum in comprehensive wellness programs. Sen. Gary DeCramer (DFL-Ghent) offered an amendment that allows the Olivia School District to levy for a newly realized debt before combination. All the amendments were adopted.

The bill was approved and sent to the Committee on Taxes and Tax Laws.

Education Funding

Levy referendum moratorium

The Education Division on Education Funding, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Thurs., Apr. 18. Provisions of the omnibus education funding bill relating to district aid and levy calculation were discussed. Facilities and equipment funding were discussed.

The bill changes the determination of all future referendum levies to a per pupil amount. School districts and education districts are also prohibited from conducting a levy referendum in November of 1991.

The bill follows the governor's recommendations in increasing the percent of levies that must be recognized in the year of that levy from 31 to 37 percent, changes the weighting for secondary pupils from 1.35 to 1.3 when determining the weighted average daily membership (WADM) for a school district, and sets the formula allowance at \$3,050 per WADM.

The bill also determines AFDC funding based on the ratio of pupils from AFDC families to the WADM; phases in compensatory revenue and developmental and learning (formerly training and experience or T and E) revenue over a four year period; sets the general education levy target for FY 1993 at \$935 million and for FY 1994 at \$999 million; and allows a district to receive \$20 per pupil to provide elementary preparation time if teachers devote at least 390 minutes per day to student contact.

The bill provides districts up to \$250,000 per year to remove handicapped access barriers and to make modifications required by fire inspectors; reduces the equalizing formula for health and safety revenue to \$3,515; prohibits a district from receiving revenue for petroleum tank removal under both the health and safety or petroleum tank cleanup programs; adds to the list of property exempt from school-purpose property taxes property leased for preschool, Early Childhood Family Education and community education programs; and allows the St. Paul School District to issue up to \$12.5 million in bonds for 1992 and \$9 million through 1996.

The bill appropriates \$73.2 million in FY 1992 and \$72 million in FY 1993 for capital funding, \$467,000 more than the governor's recommendation for the biennium; \$36 million each year for capital equipment, \$34,000 less than the governor's recommendation; \$11.4 million in FY 1992 and \$9.2 million in FY 1993 for health and safety; and \$5.85 million for Maximum Effort School Loans.

Family ed, access to excellence

The Education Division on Education

Funding, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Fri., Apr. 19, to consider provisions of the omnibus education funding bill dealing with Community and Family Education and the Access to Excellence Program.

The bill provides that developmental early childhood screening programs can be supervised rather than directly administered by licensed individuals; provides for a uniform amount of aid for health screening and increases the reimbursement to districts from \$30 to \$35; allows Adult Basic Education Programs to be approved for two years; requires the state to pay the cost of GED tests for qualifying individuals; and increases Early Childhood Family Education (ECFE) Revenue to \$93.50 in FY 1992 and \$100 in FY 1993 per child under five years of age.

The Adult Basic Education Aid is \$7.2 million for FY 1992 and \$7.4 million in FY 1993. The appropriation is \$2.13 million more than the governor's recommendation for 1992 and \$2.37 million more for 1993. Other appropriations include \$3.6 million in FY 1992 and \$3.3 million in FY 1993 for Community Education Aid, which is \$202,000 less than the governor's recommendation for 1993; \$12.2 million for each year of the biennium for ECFE, \$344,000 less in FY 1992 and \$239,000 less in FY 1993 than the governor's recommendation; \$2 million in FY 1992 and \$1.9 million in FY 1993 for Health and Developmental Screening, \$260,000 more than recommended by the governor for the biennium.

In the area of Access to Excellence initiatives, the bill moves the Office of Educational Leadership to the State Board of Education from the Dept. of Education, and requires the office to act as a clearinghouse for information on outcome based education; expands the education effectiveness program to include ECFE and post-secondary teacher preparation programs; establishes a Formal Learning Preparation Program where all four-year-olds are eligible; each Formal Learning Preparation Program is required to have a social service plan, a development and learning component, a health service component, a nutrition component, and a parental involvement component; specifies the characteristics of a Formal Learning Preparation Program, provides that a district may contact with another provider for this service, and allows a sliding fee schedule. The bill also contains provisions directed at increasing collaboration between agencies and between units of government and service providers.

Appropriations for Access to Excellence include \$17 million in FY 1992 and \$20 million in FY 1993 for Formal Learning Preparation Programs and \$500,000 in FY 1992 for the Minnesota Local Partnership Act.

Ed funding bill advances

The Education Funding Division, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met Mon., Apr. 22, for the presentation of the maximum effort bonding provisions of the omnibus education funding bill and to consider and offer amendments to the entire bill.

The bill provides for new bond authorization of \$45 million for maximum effort debt service and capital loans. The bill also allows a district to issue local bonds without an election for the difference between the cost of a capital loan project and the amount of the loan actually made.

Author's amendments to the omnibus bill include a requirement that teachers must have 300 minutes of pupil contact each day in order for districts to be eligible for \$20 of reserved preparation time revenue; an increase in the equalization factor for special education levy equalization revenue to \$3,600; an appropriation of \$500,000 for education-to-community living services for youth with disabilities; a change to provisions related to cooperation and combination; changes in the aid and levy; and modifications of the restrictions on participation in education districts and intermediate districts. The amendments also allow two school districts to recognize the additional \$100 per pupil unit for cooperating districts a year early and provides grants for cooperative technology programs; clarifies that children who are at least four years of age but not in kindergarten are eligible for learning readiness programs; provides \$700,000 for the biennium for grants to districts to purchase special equipment to provide electronic networks; provides \$510,000 in FY 1992 and \$920,000 in FY 1993 for stipends to teachers to become aware of outcome-based education (OBE); provides \$900,000 in FY 1992 and \$3.3 million in FY 1993 for stipends for teachers to plan implementation of OBE; allows the transfer of funds from the capital expenditure and debt redemption funds without a reduction in levies; and allows the deadline for open enrollment to be waived if the commissioners of education and human rights determine that a civil rights violation has occurred.

Panel members also offered and adopted amendments to the bill. Sen. Jerome Hughes (DFL-Maplewood) offered and amendment restricting the hours and conditions under which 16 and 17 year olds can work on an instructional day. Sen. Ember Reichgott (DFL-New Hope) sponsored and amendment basing state reimbursements for school lunches on the total number of lunches served and not the number of full paid lunches, combining the school lunch and milk funds, and making clear that certain costs cannot be charged against a district's food service fund. Sen. Fritz Knaak (IR-White Bear Lake) offered an amendment allowing school districts in Chisago and Isanti

Counties to join Intermediate School District #916 and delaying the date by which intermediate district board members must be directly elected to 1993. Reichgott also sponsored an amendment changing a requirement for participation in the high school graduation incentives program from having completed 10th grade to having at least an eighth grade competency level.

Elections and Ethics

Election by mail

A bill requiring the presidential primary to be conducted by mail was approved at the Tues., Apr. 23, meeting of the Elections and Ethics Committee. Secretary of State Joan Growe, told committee members that S.F. 263, authored by Sen. William Luther (DFL-Brooklyn Park), will make it easier for people to vote. She indicated that under the current system, voter participation for the presidential primary stands at about 38 percent. Growe predicts that if the primary is conducted through the mail, voter participation could reach 65 percent.

The measure also includes provisions setting forth the procedure for mailing ballots and counting votes. The bill specifies that it is a felony if coercion is used to influence a voter to vote in a particular manner in an election by mail. An amendment, offered by Luther, requiring the secretary of state and the commissioner of public safety to develop a single registration form to serve as a combined application for driver's licences and voter registrations, was adopted by panel members.

Sen. Lawrence Pogemiller (DFL-Mpls.), offered an amendment incorporating S.F. 644, into the bill. S.F. 644 had already been approved and sent to the floor. The amendment limits special elections for municipalities and school districts; sets forth a uniform election day throughout the state requiring most local elections for county, municipal, and school district officers, and officers of all other political subdivision, except towns, to be held at the same time as the November general election. In addition, the amendment establishes uniform and coordinated election precinct and polling places for municipality and school district elections. The amendment was adopted. Panel members approved the bill, as amended, and rereferred it to the Committee on Finance.

Further, panel members discussed H.F. 398, carried by Chair Jerome Hughes (DFL-Maplewood), allowing high school students, who are at least 16 years of age to act as election judges. The measure also sets forth the conditions under which a student may be excused from school when serving as an election judge; increases the number of days an employee

Committee update

can take off from work to serve as an election judge from 10 to 20 days; and allows an employer to reduce an employee's wage or salary by the amount paid for service as an election judge. The bill was approved and sent to the Senate.

Employment

Construction bid bill

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), okayed a bill Mon., Apr. 22, that regulates construction bids.

S.F. 432, authored by Sen. Don Samuelson (DFL-Brainerd), requires a successful bidder on a nonresidential construction project to provide unemployment and workers' compensation coverage for employees. Samuelson said the bill targets independent contractors who do not cover employees and can often outbid competitors that do carry insurance. He said S.F. 432 allows losing bidders to sue violators for damages that, under the measure, are estimated to be equal to the profit projected in the bid. The bill was sent to the floor.

S.F. 764, authored by Sen. Gregory Dahl (DFL-Ham Lake), was also recommended for passage. The bill regulates amusement rides by requiring insurance coverage and inspections. A provision sets a \$500,000 floor on insurance policies carried on rides. The bill was rereferred to the Commerce Committee.

S.F. 1317, authored by Sen. Don Frank (DFL-Spring Lake Park), was okayed and sent to the floor. The bill, which Frank said is supported by both labor and industry, clarifies family leave law provisions.

Dislocated workers bill gains

A bill removing the sunset for the dislocated workers program was okayed at the Wed., Apr. 24, meeting of the Employment Committee. S.F. 384, sponsored by Sen. Don Frank (DFL-Spring Lake Park), generated considerable debate and was amended several times before being advanced to the Senate floor. Portions of an amendment, offered by Sen. Nancy Brataas (IR-Rochester), were incorporated into the bill. Originally, the bill had broadened the definition of "displaced worker" however, the amendment returned the definition to current law. In addition, an amendment added a requirement that the commissioner adopt rules to evaluate the effectiveness of displaced worker programs. The amendment also requires the legislative auditor to evaluate the effectiveness of the dislocated worker program.

In other action, the panel, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), approved two additional bills. S.F.

853, sponsored by Sen. Randy Kelly (DFL-St. Paul), authorizes the commissioner of labor and industry to erect a plaque in honor of workers who suffer fatal accidents at a construction scene. The bill was sent to the full Senate. S.F. 1249, sponsored by Chmielewski, increases the fine maximums for occupational health and safety violations and sets up a minimum fine for a willful violation of \$5,000. Under the bill the maximum fine is changed from \$20,000 to \$70,000. In addition, the bill clarifies the procedures for contesting OSHA citations. Several additional amendments were adopted. One amendment provides that one third of the fines are to be paid into a dedicated fund to be used for workplace safety training, increased enforcement and litigation costs. Another amendment adjusts previous assessments of attorney general fees to eliminate the outstanding balance. Finally, a third amendment delays the effective date for small employers to comply with the standard industrial classification list.

Energy and Public Utilities

Bills considered

The Energy and Public Utilities Committee, chaired by Sen. Steven Novak (DFL-New Brighton), considered bills at the Thurs., Apr. 18, meeting.

H.F. 282 exempts from prior rate regulation gas utilities that have less than 650 customers in any one municipality and less than 2,000 customers total. Sen. John Bernhagen (IR-Hutchinson), author of the bill, indicated that the cost for these utilities to request a rate change can amount to as much as \$8,000, essentially making any rate hike a wash. The bill was okayed and sent to the floor.

S.F. 1466, authored by Sen. Pat Piper (DFL-Austin), creates a low-income energy assistance task force to investigate the establishment of a nonprofit energy assistance foundation. Task force members would be appointed by the governor, with the exception of two legislative appointees. An adopted amendment by Sen. Gene Waldorf (DFL-St. Paul) stipulates that the two members, one each from the Senate and the House, be appointed by the Legislature. The bill was okayed and was sent to the floor.

Two bills authored by Sen. Janet Johnson (DFL-North Branch) were considered. H.F. 910, requiring low income housing to be built to energy efficiency standards, was okayed and sent to the floor. S.F. 1337, providing incentives for improving rental properties' energy efficiency, was laid over. Members debated a provision requiring rental property owners to disclose energy costs to prospective tenants.

S.F. 709, authored by Novak, was also laid over. The bill exempts hotels and motels with telephone systems from regulation as telephone companies.

Telephone exemption bill okayed

A bill exempting some licensed establishments from regulation as telephone companies was okayed Tues., Apr. 23, by the Energy and Public Utilities Committee, chaired by Sen. Steven Novak (DFL-New Brighton).

S.F. 709, authored by Novak, requires establishments—such as hotels and motels—with telephone systems to charge fair and reasonable rates to customers. The bill also requires establishments to post the identity of the long distance carrier and the charge for all calls. The bill was sent to the floor.

S.F. 1432, authored by Sen. David Frederickson (DFL-Murdock), eliminates multiparty phone service to more than two subscribers per line by October 1993. The bill was okayed and sent to the floor.

S.F. 1337, authored by Sen. Janet Johnson (DFL-North Branch), was also recommended for passage. The bill provides incentives for rental property owners to comply with energy efficiency measures. A representative of the Minnesota Multi Housing Association said the bill should provide better incentives to spur voluntary compliance. He said energy efficiency investments for rental properties can take nine or ten years to recover. He added that there is no state inspection program to enforce compliance, and the building codes relating to energy efficiency are involved and not easy to show compliance with. A Legal Services Advocacy representative agreed that most local governments will end up enforcing codes and conducting audits, but the bill is just one way of effecting rental property energy efficiency. The bill was rereferred to the Taxes and Tax Laws Committee.

And, a bill enhancing the 911 systems was okayed and sent to the floor. Sen. Florian Chmielewski (DFL-Sturgeon Lake), author of the bill, said S.F. 1507 will provide grants to the Dept. of Administration to allocate to areas that need system access and upgrades.

Environment

Waste act bill

A bill amending the 1980 Waste Management Act was considered Fri., Apr. 19, by the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls).

Sen. Gene Merriam (DFL-Coon Rapids), author of S.F. 256, said that one of the bill's substantive changes to the act is a provision prohibiting the landfilling of

residential furnaces, microwaves and dehumidifiers. The bill requires that they be recycled or reused. The measure also establishes timelines at the local and state level for landfill permitting and application review. Merriam said the bill gives waste management districts all the authority of a county for solid waste management purposes and requires that volume based fees be charged for mixed municipal solid waste.

Merriam pointed out the ways in which S.F. 256 addresses solid waste designation. One provision establishes penalties for designation violation. Another provision exempts materials that are separated at a transfer station for recycling. For designation enforcement, S.F. 256 requires haulers and operators of landfills, which must be licensed, to maintain daily records on waste origin, type and weight.

An adopted author's amendment abolishes the metro landfill siting process that was initiated out of concerns about disposal facility capacity. Merriam indicated that current waste handling measures obviate the need for the measure.

Lessard said discussion on the bill, which was laid over, will continue.

Waste act bill approved

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard, okayed S.F. 256, a bill amending Waste Management Act statutes, at the Tues., Apr. 23, meeting.

A number of amendments were adopted to the bill, which was rereferred to the Taxes and Tax Laws Committee. Sen. Gene Merriam (DFL-Coon Rapids), author of the bill, offered an amendment relating to solid waste designation. The amendment exempts materials that are separated at a permitted transfer station for recycling if the station is located within the boundaries of the designating authority and if the transfer station was in operation on Jan. 1, 1991. The amendment also stipulates that exemption occurs if materials are not being separated for recycling at the designated facility. Two amendments, offered by Sen. Gregory Dahl (DFL-Ham Lake), were adopted. One amendment prohibits reports or publications to be circulated to members of the Legislature unless the reports are requested. It also places restrictions on types of ink and paper purchased by public entities. The second amendment cuts toxic materials in the waste stream by eliminating toxins such as mercury and lead in packaging by 1995. An amendment, by Sen. Charles Berg (DFL-Chokio), changes the population of a city required to have garbage collection for each resident from 5,000 to 10,000. The bill was rereferred to the Taxes and Tax Laws Committee.

S.F. 257, authored by Merriam, was recommended for passage and rereferred

to the Finance Committee. The bill provides for a solid waste management certification and training program. It also establishes a central materials recovery facility for state offices.

Members also okayed S.F. 1333, the omnibus fish and wildlife bill authored by Berg. The bill raises snowmobile, watercraft and watercraft dealer license fees and allows snowmobile dealers to issue licenses. Two amendments incorporating language from other bills authored by Berg were approved. One amendment takes fox off the unprotected list and the other establishes an experimental season for mourning doves. Both amendments were adopted, and the bill was rereferred to the Finance Committee.

Another bill approved was H.F. 887, authored by Berg, establishing the conditions under which two deer may be taken. The bill was sent to the floor. Also okayed and sent to the floor was S.F. 972, authored by Sen. Steven Morse (DFL-Dakota), promoting the fledgling aquaculture industry; H.F. 743, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), relating to the Red River Watershed district board; S.F. 1001, authored by Sen. Leonard Price (DFL-Woodbury), allowing the use of one way radio between a handler and a dog in a hunting situation; and S.F. 256, authored by Sen. Doug Johnson (DFL-Cook), authorizing the sale of state lands in St. Louis County.

Milfoil bill

A bill relating to the control of Eurasian Water Milfoil was okayed Wed., Apr. 24, by the Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls).

S.F. 511, authored by Sen. William Luther (DFL-Brooklyn Park), allows a \$2 surcharge to be applied to all watercraft license fees. The proceeds will be placed in an account for milfoil and zebra mussel control. Luther said that milfoil has infested 36 Minnesota lakes, many of which are in the Metropolitan Area. A provision directs the Dept. of Natural Resources to perform checks on trailered boats at infested lakes' exit points. The bill was sent to the Senate floor.

The committee also approved two bills authored by Sen. Steven Novak (DFL-New Brighton). The bills amend Petrofund statutes to address cost control measures. H.F. 744 designates responsible persons eligible for Petrofund reimbursement as well as the conditions under which applications for reimbursement may be considered. H.F. 181 regulates Petrofund reimbursements to insurance companies by denying companies' coverage of expenses that may result in reimbursement. Both bills were sent to the floor.

S.F. 1289, authored by Sen. William Belanger (IR-Bloomington), was also okayed and sent to the floor. The bill

prohibits the sale of state lands administered by the DNR to any DNR employee.

H.F. 21, authored by Sen. Joseph Bertram (DFL-Paynesville), requires new or expanded incinerators emitting less than 1000 lbs. per hour to obtain air emission permits. An adopted amendment, offered by Sen. Gregory Dahl (DFL-Ham Lake), prohibits new facilities of 350 lbs. or more from receiving a permit until an environmental impact worksheet has been completed and approved by the PCA. An amendment, offered by Sen. Harold "Skip" Finn (DFL-Cass Lake), exempts incinerators that are planned to manage waste generated primarily by the owner or operator. The amendment was adopted, and the bill was sent to the floor on a divided voice vote.

Finance

MERF overview

The Finance Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), heard an overview of the Minneapolis Employees Retirement Fund (MERF) Thurs., Apr. 18.

Jim Hacking, MERF executive director, said there is legislation pending to address problems in the assets of the active employee fund. He said investments in the account are in serious financial trouble and account loans are in default. Hacking said the bill proposes to increase salary and interest assumptions to four and six percent, respectively, from three and a half and five percent. The bill also extends the amortization period for loan payments for an additional three years. Hacking added that city and school districts will have to pick up extra costs totalling about \$500,000. He said the fund is currently being restructured.

Members also heard an overview of the Minnesota Senate. Patrick Flahaven, secretary, said next biennium's budget does not include certain staff salary increases for the next two years. He said these costs would have to come out of a salary supplement bill or some other part of the budget. Flahaven also said that the state will have to start making Social Security payments on behalf of temporary employees as of June 1991.

Workers' comp; higher ed merger

The full Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Fri., Apr. 19, and took action on two major bills. First, the panel approved, and sent to the Senate floor, a bill to consolidate three of the higher education system boards. S.F. 1071, sponsored by Majority Leader Roger Moe (DFL-Erskine), creates a Higher Education Board to provide programs of study that meet the needs of students for occupational, general, baccalaureate, and graduate education. The board is to develop administrative

Committee update

arrangements that make possible the efficient use of the facilities and staff of the former Technical College System, the Community College System and the State University System. The goal is to provide students with improved and broader course offerings, ease of transfer among schools and programs, integrated course credit, coordinated degree programs and coordinated financial aid. The panel adopted one amendment specifying that the Higher Education Board is to set the salary rate for the chancellor of the higher education system.

In addition, the panel also approved, and sent to the full Senate, S.F. 1248, the workers' compensation bill. The bill, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), reduces insurance costs by 12 percent and sets up a commission to review all elements of Minnesota's current system of workers' compensation and make specific recommendations for reform. The bill was a compromise worked out by the president of the Minnesota Chamber of Commerce and the president of the AFL-CIO. However, IR's and DFLers whose districts lie along the state's borders argued against the bill. Chmielewski countered that the bill was the only opportunity to reform the system and that it was necessary to get the bill to the Senate floor. The bill was approved on a close 15-14 roll call vote.

Higher ed budget

The Education Division of the Committee on Finance met Thurs., Apr. 18, to discuss the legislative budget allocation proposal for higher education.

Division Chair LeRoy Stumpf (DFL-Thief River Falls) unveiled the legislative proposal that will temporarily reduce the state's share of cost of funding to higher education institutions from 67 percent to 62 percent in FY 1992 and 57 percent in FY 1993. The proposal increases student financial aid by increasing the Living and Miscellaneous Expense (LME) allowance from \$3,465 to \$3,750 in FY 1992 and \$4,033 in FY 1993, extends the time that a student qualifies for aid, and increases allocations to work study to reflect the increase in the minimum wage. The proposal also calls for maintaining nonresident, non-reciprocity provisions in the current aid package which is contrary to the governor's recommendation.

Allocations begin

The Agriculture, Transportation and Regulation Division of the Senate Finance Committee met Fri., Apr. 19, and agreed on some preliminary figures for various state agency allocations. The panel, chaired by Sen. Keith Langseth (DFL-Glyndon), compared Senate budget allocations with the governor's and

agencies' recommendations. In each case, the committee accepted the Senate version of the budget. Several agencies' budgets are in concordance with the Senate's and governor's. They include: the Board of Abstractors, the Board of Accountancy, the Board of Architecture, Engineers, Land Survey and Landscape Architecture, the Board of Barber Examiners, the Board of Boxing, the Minnesota Municipal Board, the POST Board, the Veterans of Foreign Wars and the Military Order of the Purple Heart. All of the agencies above mentioned are almost fully funded by fees.

In addition, the panel also considered budgets for the Dept. of Commerce, Public Utilities Commission, Dept. of Public Service, Lawful Gambling Control Division and the Racing Commission. Discussion centered on the Dept. of Transportation (Mn/DOT) budget, with the governor and the department allocating considerably more than the Senate. Langseth said that his intention was to hold the MnDOT budget level. "With so many other agencies taking a hit, we could run into a lot of trouble giving this department more," Langseth said. Langseth also requested to hold the Dept. of Gaming budget out of the motion to approve the budget, in order that the division may further discuss the question of abolishing the office of commissioner of gaming, as one current Senate bill proposes.

Public testimony continues

Members of the Finance Division on Health and Human Services continued hearing public testimony on the governor's proposed budget for health and human services Fri., Apr. 19.

Testimony revolved around the proposed closing of seven state operated Regional Treatment Center Chemical Dependency Treatment Programs, delaying development of three skilled nursing facilities, delaying development of State Operated Community Service for the mentally retarded facilities, decreasing the budget for vocational rehabilitation and independent living service programs for the disabled, and freezing the personal needs allowance for residents in nursing homes. The committee is chaired by Sen. Don Samuelson (DFL-Brainerd).

RTB funding decision

The Agriculture, Transportation and Regulation Division of Finance met Mon., Apr. 22, and approved more preliminary budget allocations. Chair of the division, Sen. Keith Langseth (DFL-Glyndon), told members that he was reluctantly supporting the governor's budget decision's on allocations for the Regional Transit Board (RTB). But, Langseth said, he is still

wants to find more money for the Regular Route and Metro Mobility programs. At \$22 million annually, the budget is grossly underfunded in transit, Langseth said.

The panel also discussed and approved several other portions of the budget. The Greater Minnesota Corporation is slated to receive \$24 million in the next two years. Dept. of Labor and Industry and the Dept. of Public Safety budget allocations were approved with no significant difference between the governor's and the Senate's recommendations.

Higher ed allocations discussed

The Education Division of the Committee on Finance, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), met Mon., Apr. 22, to discuss the higher education funding proposal.

The proposal includes increasing the Living and Miscellaneous Expense calculation to \$3,906 for FY 1992 from the proposed \$3,750; increasing the number of credits for which a student is eligible to receive financial aid to 180; using 15 credits as the criterion for full-time status in calculating financial aid and allowing students taking less than 15 credits to receive aid on a prorated basis.

Edward McMahon, State University System, said that the proposal represents a six percent tuition increase in 1992 and a 15 percent increase in 1993 for the State University students. He said that spending will have to decrease by \$14 million for the biennium and that collective bargaining will be adversely affected.

Omnibus bill okayed

The first of the major spending bills was approved at the Tues., Apr. 23 meeting of the Agriculture, Transportation and Regulation Division of Finance. The division, chaired by Sen. Keith Langseth (DFL-Glyndon), discussed and adopted separate financing sections of the bill before taking final action. The bill appropriates a total amount of \$2.6 billion for the operation of the Dept. of Transportation and other state agencies.

Under the approved Senate plan, only \$10,000 is appropriated to phase out the Dept. of Gaming and the commissioner's office, in accordance with a bill that is moving through both bodies to abolish the office. The panel again discussed the Secretary of State's budget and allocated \$103,000 to restore full counter service to the office.

The Historical Society received a total of \$26 million while the Arts Board budget was reduced \$1.903 million over the biennium. The decrease represents a 22 percent cut. Also included in a rider to the bill is language to separate the Humanities Commission from the Historical Society. The bill includes a

significant change in allocations for the World Trade Center, cutting \$1 million over the biennium and allocating \$100,000 each year.

The Dept. of Agriculture was discussed at some length. The governor and Senate agree on the program total for Family Farm Services, but the governor had proposed to substantially reduce the farm advocacy program and institute a Farmer Support Center. The Senate bill redirects the funds (\$200,000) back into the Farm Advocacy Program.

Other budget items included in the omnibus bill are fee changes for food handlers and processors, and nursery stock growers and dealers. Rider language was also included that limits the amount charged for on-farm dairy inspection and that charges milk processors a fee.

Several other riders were folded into the omnibus funding bill, including: an exemption for the Ethical Practices Board from paying attorney general fees; a limit on state liability for the petro tank release clean-up program; an exemption for Split Rock Lighthouse, Fort Snelling and Lindbergh State Parks from the state park permit requirement; and elimination of the lottery revenue dedication to the Infrastructure Development Fund and the Greater Minnesota Corporation (GMC).

Higher ed bill advances

The Education Division of the Committee on Finance, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), met Tues., Apr. 23, for consideration of funding proposals for higher education.

Much of the discussion centered around the proposed increase in financial aid to students and the transition to a credit based system of granting aid. The division considered a provision that decreases the appropriation to the U of M Institute of Technology from \$3.6 million each year to the biennium to \$2.85 million and transfers the money to special programs. They also considered a proposal that decreases the state share of funding to instructional cost, a policy consistent with providing increased aid directly to students.

Provisions that clarify the cap on tuition assistance for students attending private institutions and establishing the number of credits for which a student can receive aid were discussed. Discussion also centered on the elimination of the Dislocated Rural Workers Fund, since clients can be served through other programs.

The division considered the entire higher education funding bill at the Thurs., Apr. 25, meeting. The bill appropriates \$1.9 billion to general higher education for the biennium; \$240 million for the Higher Education Coordinating Board (HECB); \$306 million to the Technical Colleges; \$183 million to the

Community Colleges; \$330 million to the State Universities; \$853 million to the U of M; and \$1.9 million to the Mayo Medical Foundation.

The bill directs the HECB to conduct a study on the number of hours faculty devote to students each week in each higher education system, to review information on full-time equivalent enrollment figures, and to continue efforts to provide better and more accessible consumer information. The bill increases the living allowances for calculating financial aid to \$3,750 in 1992 and \$4,455 in 1993.

Appropriations to the Technical Colleges include \$227 million each year for instruction; \$2.3 million each year goes to the Community Colleges to account for increased enrollments; and \$20.4 million each year is allocated to special system programs at the U of M.

The bill provides for a lower state contribution to instructional costs to each system and specifies that the reduction in appropriation to instructional costs will end in FY 1993. The bill defines a full-time student as one taking 15 credits in a quarter for financial aid purposes, and is eligible for aid up to 180 credits.

The division approved two other bills at the Thurs. meeting. S.F. 836, authored by Sen. Joanne Benson (IR-St. Cloud), allows the St. Cloud State Foundation to lease and then donate office space to St. Cloud State University. S.F. 353, authored by Sen. James Metzen (DFL-South St. Paul), authorizes Dakota County Technical College to spend up to \$399,000 to construct additional classroom space. An amendment, offered by Johnson, authorizes \$325,000 for Northeast Metro Technical College for electrical and mechanical renovations and \$350,000 for Moorhead Technical College for classroom space. Both bills were sent to the full Finance Committee.

Omnibus environment bill okayed

The Finance Division on Environment and Natural Resources, chaired by Sen. Steven Morse (DFL-Dakota), okayed the omnibus environment and natural resources appropriation bill Wed., Apr. 24.

The \$470 million budget for agencies and programs next biennium includes a \$250 million appropriation from the General Fund; \$22 million from the Environmental Trust Fund; and \$100 million from the Game and Fish fund. Appropriations are made from 10 funding sources. A major portion of the budget, \$290 million, is allocated to the Dept. of Natural Resources (DNR), while a \$60 million dollar allocation goes to the Pollution Control Agency (PCA). One of the bill's provisions, relating to a program in the DNR Forestry Division, restores payments in lieu of taxes on tax forfeited forestry lands.

Another provision, relating to the Environmental Trust Fund, permits the Legislature to accelerate the allocation of 1993-94 monies deposited in the fund. The change in policy will result in the availability of \$7 million more than the original Legislative Commission on Natural Resources (LCMR) recommendation for next biennium. The bill was sent to the full Finance Committee.

Members also okayed S.F. 1184, authored by Morse, allowing the PCA to accelerate over a three year period the amount of money collected by air emission permit fees. The fees must be collected to conform to Federal Clean Air Act regulations. The measure allows the collected fees to be used to fund a variety of Air Quality Division programs. The bill also allows the PCA to adopt temporary rules by Sept. 1, 1991, to expedite the process. The bill was rereferred to the Finance Committee.

Gaming Regulation

Gambling Control Board

The Gaming Regulation Committee, chaired by Sen. Charles Berg (DFL-Chokio), met briefly Mon. Apr. 22, to confirm appointments to the Gambling Control Board. The committee heard statements from two of appointees, Anthony Thomas, Sr. and Nicholas Zuber. A third appointee, Sally Howard was unable to attend the meeting. All three appointments were confirmed.

Governmental Operations

Strike replacement bill approved

A bill prohibiting permanent replacements for workers who choose to strike was heard at the Thurs., Apr., 18, meeting of the Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul).

S.F. 597, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), makes hiring permanent replacement workers an unfair labor practice when the company's employees are represented by an authorized bargaining unit and provides that employers can hire temporary workers in the event of a strike.

The bill was approved and sent to the full Senate.

Sen. Pat Piper (DFL-Austin) authored a bill establishing the Minnesota Early childhood Care and Education Council. S.F. 475 creates a council coordinate efforts in various agencies and children's services, report service needs, and make recommendations to providers and the Legislature. The bill was approved and sent to the Committee on Finance.

S.F. 789, authored by Sen. Carl Kroening (DFL-Mpls.), restructures the employer contribution for retirement

Committee update

plans for teachers in cities of the first class. The bill increases the employer contribution. This requires added state funding estimated at \$8.8 million per biennium. The bill also allows Minneapolis teachers to receive up to one year of credit for medical leaves of absence. The bill was approved and sent to the Committee on Finance.

S.F. 1168, authored Waldorf, reclassifies some state employees from unclassified to classified status. The bill puts back into the classified service positions that are neither short-term nor part of top agency management. Linda Barton, commissioner, Dept. of Employee Relations, said that the bill is unfair to a large group of new employees who have not had an opportunity to comment on the reclassification plan.

Representatives from the Attorney General's Office, the State Board of Investment, and the Higher Education Coordinating Board said that placing certain employees in their offices in the classified service is a matter that needs further study. The committee adopted an amendment, offered by Sen. Phil Riveness (DFL-Bloomington), requiring a study of the positions in the three offices before placing any of them in classified status. The bill was approved and sent to the full Senate.

S.F. 862, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), changes the actuarial assumptions of interest rates for the Minneapolis Employees Retirement Fund (MERF). It also sets a limit on the state's funding obligation to \$11 million dollars and changes the target date by which the fund must be fully able to meet its obligations from the year 2017 to 2020. S.F. 656, also authored by Pogemiller, makes administrative changes to MERF, including a modification State Board of Investment practices, elimination of mandatory retirement provisions, and a change in the vestment period for defined contribution deferred retirement annuity from 20 to three years. S.F. 1286, authored by Sen. William Belanger (IR-Bloomington), requires devices to aid the hearing impaired be available in all Capitol hearing rooms. All three bills were approved and sent to the Committee on Finance.

S.F. 900, authored by Sen. Steven Morse (DFL-Dakota), eliminates an employer contribution to the Teachers Retirement Association (TRA) for Community College and State University employees who have changed to the Individual Retirement Account Plan. H.F. 1584, sponsored by Waldorf, makes changes reflecting benefits, administration, and investment to the Public Employees Retirement Plan. Both bills were approved and sent to the full Senate.

State planning bill advances

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), met Mon., Apr. 22, and approved several bills including one eliminating the State Planning Agency.

S.F. 1181, authored by Sen. Phil Riveness (DFL-Bloomington), abolishes the state planning agency and transfers essential functions to other agencies and state departments. The committee adopted an amendment, offered by Sen. Steven Morse (DFL-Dakota), that transfers many of the Planning Agency functions to the Dept. of Finance. Also adopted was an amendment, offered by Sen. Jane Ranum (DFL-Mpls.), that retains one position in the Office of Dispute Mediation in the Dept. of Administration. The bill was approved and sent to the Committee on Finance.

S.F. 640, sponsored by Sen. Janet Johnson (DFL-North Branch), allows the Veterans Home Board to lease out surplus space in veterans' facilities. H.F. 664, sponsored by Sen. Sam Solon (DFL-Duluth), specifies that three employees in the state building inspector's office are to assist municipalities in complying with accessibility codes. S.F. 1045, authored by Sen. Linda Berglin (DFL-Mpls.), eliminates the Office of Social Work and Mental Health Boards and phases out the Board of Unlicensed Mental Health Service Providers. The bill establishes an autonomous Board of Social Work, Board of Marriage and Family Therapy and an Office of Mental Health Practice. The structure provided by the bill provides for increased registration and licensure and compels providers to register and pay fees that support the work of the boards. S.F. 202, authored by Sen. Gregory Dahl (DFL-Ham Lake), requires building contractors to be licensed by the state. All four bills were approved and sent to the Committee on Finance.

H.F. 1551, sponsored by Sen. Donald Storm (IR-Edina), provides benefits to spouses of deceased members of the Edina Volunteer Firefighters Relief Association who remarry and expands benefits to surviving children. S.F. 1064, authored by Sen. Charles Davis (DFL-Princeton), exempts some proceedings by the Board of Water and Soil Resources from the requirement of being heard before an administrative law judge. H.F. 371, sponsored by Sen. Randy Kelly (DFL-St. Paul), provides surviving spouse benefits through the Public Employees Retirement Association Police and Fire Plan to a spouse who was not married to the deceased member for the required one year. H.F. 870, sponsored by Solon, allows the surviving spouse of an officer killed in the line of duty to elect a prescribed benefit plan and if that killed

officer was covered by the Public Employees Retirement Association Police and Fire Consolidation Account. All four bills were approved and sent to the full Senate.

S.F. 1060, authored by Sen. Carl Kroening (DFL-Mpls.) provides health and dental coverage for state employees who choose an early retirement option. S.F. 112, authored by Sen. David Frederickson (DFL-Murdock), provides a pension plan for volunteer ambulance service personnel fund through a two dollar fee on drivers' licenses. Both bills were approved and sent to the Committee on Finance.

Battered women's advisory council

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), heard three bills at its Tues., Apr. 23, meeting, including a bill that expands the role of the Battered Women's Advisory Council.

S.F. 835, authored by Sen. Allan Spear (DFL-Mpls.), expands the role and authority of the Battered Women's Advisory Council. The bill clarifies the duties of the council, the duties of the commissioner of corrections, and the relationship between the two. The established structure creates greater policy-making authority for the council, instead of having the council's recommendations enacted at the discretion of the commissioner. The bill also increases council membership to 12, limits members to two two-year terms, and specifies criteria for appointment. The committee adopted an amendment, offered by Sen. Dennis Frederickson (IR-New Ulm), that eliminates a provision requiring the commissioner of corrections to provide written objections to the council's recommendations. The bill was approved and sent to the Committee on Finance.

S.F. 776, authored by Sen. Dallas Sams (DFL-Staples), establishes an agricultural development bond program to finance agriculture business enterprises and beginning farmers. Committee discussion centered around provisions that transfer the Rural Finance Authority to the Dept. of Agriculture, include the commissioner of trade and economic development on the authorizing board, increase the public members to five, and establish the commissioner of agriculture as the board chair. The bill was approved and sent to the Committee on Taxes and Tax Laws.

H.F. 611, sponsored by Waldorf, provides for a refund to the estate of a decedent when no survivor benefit is payable under the Local Police and Salaried Firefighters Relief Associations. The bill was approved and sent to the full Senate.

Health and Human Services

Medical Examiners Board bills heard

Two bills relating to the Medical Examiners Board were approved at the Thurs., Apr. 18, Health and Human Services Committee meeting. The first bill, H.F. 90, carried by Sen. Dallas Sams (DFL-Staples), requires geographic representation for members on the Board of Medical Examiners. The second bill, H.F. 36, carried by Sen. Carol Flynn (DFL-Mpls.), clarifies that individuals who are licensed in another state and are applying for a medical license to practice in Minnesota, must have passed a national standardized licensing examination; and changes the name of the Board of Medical Examiners to the Board of Medical Practice. The measure also authorizes the board to establish midwife licensing requirements and to adopt rules. Both H.F. 90 and H.F. 36 were approved and sent to the Senate.

In other action, members advanced four other measures to the full Senate. H.F. 808, carried by Sen. Richard Cohen (DFL-St. Paul), allows the commissioner of human services to authorize a variance on staffing requirements for drop-in child care programs operated by parent co-operatives. Under current law, drop-in care programs must have at least two staff persons on duty. H.F. 671, carried by Sen. Duane Benson (IR-Lanesboro), allows churches, which offer child care services, an extension on installing interior vertical access, such as elevators for individuals with disabilities. In addition, the churches must secure a \$2,500 bond to ensure that interior vertical access requirements are met.

S.F. 1419, authored by Chair Linda Berglin (DFL-Mpls.), merges the federal home care bill of rights with the state home care bill of rights. Further, panel members discussed at length, S.F. 782, authored by Sen. Jim Vickerman (DFL-Tracy), requiring the commissioner of jobs and training to contract with qualified nonprofit agencies or organizations that provide comprehensive adjustment-to-blindness training services for the blind and visually handicapped. The measure however, does not limit the commissioners authority to contract with other qualified agencies or organizations, or limit existing programs and services for the blind. Objections were raised concerning a provision stipulating that the use of long white canes must be included in the available training services. Sen. Don Storm (IR-Edina) and Sen. Judy Traub (DFL-Minnetonka), informed members that some people prefer using the short white cane, because they object to the length of the long white cane. Traub offered an amendment removing the stipulation, but the motion failed.

Mental health bill approved

Members of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), processed five measures at the Mon., Apr. 22, hearing. S.F. 325, authored by Berglin, requires the commissioner of human services to revise existing rules governing case management services. The measure also imposes criteria for admission, continued stays and discharges for acute care hospital inpatient services and residential treatment for mental health patients; provides that contracts include appeal right for clients; and specifies that individual placement agreements include payment rates. In addition, the measure stipulates that screenings of emotionally disturbed children must include diagnostic and functional assessments; establishes a statewide program to assist counties in providing services to children with severe emotional disturbances, and allows Institutions for Mental Diseases (IMDs) to reduce the number of licensed beds to 16, in order to become eligible for more Medical Assistance dollars. The bill was approved and rereferred to the Committee on Finance.

Members also approved and rereferred to the Committee on Finance three other measures. S.F. 819, authored by Sen. Nancy Brataas (IR-Rochester), provides funding for three pilot projects relating to mental illness programs. The measure provides a \$496,00 allocation to Olmstead County to be used for enhanced community support services for individuals with mental illness through the Dispersed Apartment Pilot Program. In addition, the measure provides for an \$80,400 allocation to be used for supportive housing services for individuals who are chronically mentally ill in Goodhue and Fillmore counties. S.F. 1044, authored by Berglin, establishes a grant program for 10 Living-at-Home/Block Nurse Programs to enable senior citizens to live as independently as possible in their own homes and communities. The measure stipulates that seven of the programs must be outside the Metro Area and sets forth the criteria for choosing grantees. The measure also provides funding for existing Living-at-Home and Block Nurse Programs to enable the implementation of the Combined Program Model and requires the commissioner of human services to contract with an organization to develop the grant programs.

Berglin, chief author of S.F. 773, said that the bill requires local social service agencies to place children who are in need of out of home placements, in homes of the same ethnic background/heritage. The measure also sets forth an ombudsperson appointment process for the Ombudsperson Office for families of color; authorizes the ombudsperson to accept complaints; and specifies the conditions under

which ombudspersons and their designees are protected from civil liability.

Further, a bill extending female offender programs to include juveniles offenders was heard by panel members. H.F. 932, carried by Sen. Pat Piper (DFL-Austin), also allows counties and agencies to receive grants to develop and implement female offender programs, and removes the 60 percent local match requirement for counties or agencies that combine to provide one or more programs. The bill was approved and sent to the Senate floor.

Finally, members discussed, but took no action on S.F. 1082, authored by Sen. Duane Benson (IR-Lanesboro), relating to long term care. Pam Parker, director of Long Term Care Management for the Dept. of Human Services (DHS), led members through the bill. The measure changes the name of the Interagency Board for Quality Assurance to the Interagency Long-Term Care Planning Committee, increases the membership from eight to twelve members, and strengthens the role of the committee. The measure also establishes congregate housing service projects; requires the commissioners of human services and health to adopt joint rules governing licensure of personal care services provided under the MA program; and sets forth the eligibility requirements for MA coverage for home health services, private duty nursing, and personal care services.

SAIL bill approved

Members of the Health and Human Services Committee held an evening hearing Tues., Apr. 23, to approve the long term care bill heard the previous day. Amendments to S.F. 1082, authored by Sen. Duane Benson, were adopted by the committee. The amendments require the commissioner of human services to authorize home care services within 30 days after receiving a request for prior authorization; specify the conditions that counties must meet to receive targeted funds to be used for alternative care programs; set forth the procedures for county agencies in the collection of premiums from clients for alternative care services; and specify retroactive authorizations for home care service recipients who are currently receiving medically necessary services. The bill was rereferred to the Committee on Finance.

Committee members also approved, and rereferred to the Finance Committee, S.F. 937, authored by Chair Linda Berglin (DFL-Mpls.). The bill relates to nursing home property cost reimbursements, provider surcharges and provider reimbursements. An amendment was offered incorporating S.F. 1183, authored by Benson, into the bill, relating to changes in long term care nursing homes. The amendment was adopted. The bill as amended, requires Intermediate Care Fa-

Committee update

cilities for the Mentally Retarded (ICF/MRs) to use any reduction in workers' compensation costs to provide salary increases for employees below top management; establishes a capital replacement per diem that must be added to the property-related per diem; places restrictions on the capital replacement fund; recognizes refinancing costs and debts related to sales occurring after May 22, 1983; and establishes an index for inflating the ICF/MR investment per bed limit. The measure also provides for the reduction or forfeiture of nursing facility efficiency incentive payments for failing to correct violations; establishes provider surcharges; increases the maximum reimbursement rate for special transportation charges to \$18 and increases mileage reimbursement rates to \$1.20 per mile; reduces nursing home property costs and other operating costs limits; and reduces the ICF/MR efficiency incentive. Lastly, the measure specifies the conditions under which a licensed boarding care facility can be licensed as a skilled nursing facility.

In other action, S.F. 1127, authored by Sen. Jim Vickerman (DFL-Tracy), establishes an advisory council to examine rules governing ICF/MRs, and requires a plan to simplify rules and regulations governing services to people with developmental disabilities and related conditions. H.F. 85, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), authorizes nursing homes with 150 beds or less that are located within 75 miles of each other to share an administrator. S.F. 1451, also authored by Berglin, extends liability protection to health maintenance review organizations. All three measures were approved and sent to the Senate floor.

Judiciary

Offenders registration bill

A controversial bill requiring convicted sex offenders and kidnappers to register with local law enforcement agencies provided the focal point for debate at the Wed., Apr. 17, hearing of the Judiciary Committee. Sen. Joe Bertram, (DFL-Paynesville), chief author of S.F. 371, told members the bill requires convicted sex offenders and kidnappers whose victims are minors to provide probation officers with a current address for ten years after being discharged from prison. An amendment offered by Sen. Jane Ranum (DFL-Mpls.), and adopted by the committee, expands the category of crimes committed to include child pornography and prostitution of a minor. The bill was approved and rereferred to the Committee on Finance.

In other action, members advanced seven measures to the full Senate with little debate. S.F. 400, authored by Sen.

Randy Kelly (DFL-St. Paul), requires local and state law enforcement agencies to adopt written policies governing the use of deadly force by peace officers. H.F. 239, carried by Kelly, clarifies circumstances under which a person can be charged with a felony after taking or attempting to take away a weapon from a peace officer. H.F. 365, carried by Sen. David Frederickson (DFL-Murdock), prohibits the sheriff of any Minnesota county from charging for service of process to individuals who are involved in forma pauperis proceedings. H.F. 236, also carried by Kelly, allows a governmental unit to test for hazardous substances on property that it is considering purchasing before eminent domain proceedings have been initiated. An amendment offered by Sen. William Luther (DFL-Brooklyn Park), and adopted by the panel, allows for a determination in the condemnation process for assumed costs of removal and remedial actions due to environmental contamination.

S.F. 193, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), requires the Supreme Court, in its determination process, to take into consideration whether abolishing or transferring a judicial vacancy would result in a county having no chambered judge. S.F. 213, sponsored by Sen. Dean Johnson (IR-Willmar), provides immunity from liability for some injuries caused by beach and swimming pool equipment owned, leased or operated by a municipality other than a school district. S.F. 565, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), allows fire insurers to recover damages from the manufacturer that are caused by purchased goods.

Finally, the committee approved and rereferred to the Committee on Finance, a bill relating to the secretary of state. S.F. 1120, authored by Finn, increases the filing fee for articles of correction from \$25 to \$35, provides for the removal of documents from the public record and allows the office to offer supplemental filing and information services.

Omnibus data practices bill gains

The omnibus data practices bill, authored by Sen. Jane Ranum (DFL-Mpls.), sparked considerable debate between members of the Judiciary Committee at the Fri., Apr. 19, hearing.

Debate on S.F. 802 centered on an amendment, offered by Sen. John Marty (DFL-Roseville), prohibiting the Dept. of Public Safety from releasing lists of data on individuals contained in driver's license or motor vehicle registration records for commercial purposes. The amendment stipulates that the department can only release data to a motor vehicle manufacturer or its designated representative for the purpose of notifying

motor vehicle purchasers of a recall. The motion to amend failed on a 6 - 8 roll call vote. The measure allows local welfare agencies and court service agencies to share information about cases relating to child abuse when involving the same clients, and specifies the conditions under which information on juveniles involved in traffic accidents may be disclosed to the public.

Sen. Richard Cohen (DFL-St. Paul), offered an amendment, incorporating S.F. 70 into the bill. S.F. 70 stipulates that the classification of personnel data is determined by the date on which the request for the data is made. The amendment also provides that if a termination or personnel agreement was entered into between Jan. 17, 1989 and Aug. 1, 1990, the data can be made public. The amendment was adopted by the panel. The measure was approved, as amended, and sent to the full Senate. H.F. 606, a Dept. of Transportation data privacy bill, carried by Sen. Terry Johnston (IR-Prior Lake), classifies estimate data for construction projects as private data from the time of preliminary design until the project is awarded. The bill was approved and rereferred to the Committee on Finance.

In other action, members, chaired by Sen. Allan Spear (DFL-Mpls.), approved and advanced five measures to the full Senate. S.F. 772, authored by Sen. Dennis Frederickson (IR-New Ulm), imposes a duty to investigate and render aid when a person is injured in a shooting accident. The bill specifies that failure to render aid is a felony. S.F. 893, authored by Sen. Charles Davis (DFL-Princeton), authorizes the Mille Lacs Band of Chippewa Indians to exercise law enforcement activities and specifies the requirements that must be met before establishing a law enforcement agency. H.F. 726, carried by Sen. Gary Laidig (IR-Stillwater), allows an individual to clear a title by providing a cause of action on an interest in real estate of a married person when the property was conveyed by the person's spouse and the person claiming the interest was not joined in the conveyance. The measure also sets the statute of limitations at 14 years.

H.F. 594, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), enacts the Uniform Foreign-Money Claims Act. The measure spells out that the act applies only to a foreign money claim in an action or distribution proceeding, establishes standards in determining the amount of money to be paid for claims and specifies how the exchange rates are to be determined. Finally, H.F. 456, carried by Sen. Cal Larson (IR-Fergus Falls), clarifies the requirements for adoption consents. The measure stipulates the consents must be in writing, clarifies that special notice

provisions relating to the right to withdraw consent, termination of parental rights and the duty to support the child apply only to consents by parents.

Divorce and child support bills

Two bills relating to divorce were discussed and approved at the Mon., Apr. 22, hearing of the Judiciary Committee. Considerable discussion was devoted to S.F. 228, authored by Chair Allan Spear (DFL-Mpls.), clarifying summons/temporary restraining order language; allowing divorce judgements and decrees to be issued without a court hearing under limited circumstances; providing for a rebuttable presumption when joint physical custody is not in the best interests of the child, if either party objects to joint physical custody; and establishing a summary dissolution procedure pilot project. The bill was approved and rereferred to the Committee on Finance. An amendment to H.F. 71, carried by Sen. Pat Pariseau (IR-Farmington), specifies an attorney may prepare and submit to the court a certificate of dissolution at the time the divorce is granted by the court. The measure also stipulates that the court administrator will provide, upon request, a certified copy of the certificate. The amended bill was approved and sent to the Senate.

Further, two bills relating to child support were approved by the committee. S.F. 227, authored by Sen. Ember Reichgott (DFL-New Hope), clarifies procedures for modifying joint legal or joint physical custody orders, provides for additional child support payments and sets forth the conditions when determining satisfaction of child support payments by the obligor. The measure was sent to the full Senate. S.F. 917, a bill also modifying child support orders, cleared the full committee, but not after considerable debate. The measure, authored by Sen. Linda Berglin (DFL-Mpls.), sets forth the procedures and requirements for determining support obligations and the conditions for modifying a maintenance or support order. An amendment offered by Sen. Fritz Knaak (IR-White Bear Lake), clarifies that if a parent has made a good faith effort to seek suitable employment, the parent is not considered to be voluntarily unemployed or underemployed. Another amendment, offered by Sen. Randy Kelly (DFL-St. Paul), sets forth the conditions under which a licensing board may revoke or suspend an obligor's license if the obligor is found to be delinquent in making child support payments. The bill was approved and rereferred to the Committee on Finance.

In other action, members discussed provisions in S.F. 2, the health care access bill, relating to data privacy issues. The bill, authored by Berglin, provides health insurance for uninsured and underinsured

Minnesotans' at rates based on the individuals ability to pay. The bill establishes a health care analysis unit in the Dept. of Health to conduct data and research initiatives, specifies data collection procedures, and classifies patient identifying data collected through research initiatives as private data. The bill was approved and rereferred to the Committee on Finance. Further, members approved and rereferred to the Committee on Taxes and Tax Laws, a bill making changes to the public defender system. S.F. 755, authored by Sen. Richard Cohen (DFL-St. Paul), limits the entitlement to appellate representation by the state public defender only on the first direct appeal of a conviction, specifies the conditions under which the state public defender may assign the representation of a defendant to any district public defender, provides for public defender representation in the second, third, fourth, sixth and eighth judicial districts for misdemeanor and juvenile offenses and provides for the state takeover of administrative trial court costs and guardian ad litem programs from the counties.

Finally, members approved and sent to the Senate floor two measures. H.F. 815, carried by Sen. Jane Ranum (DFL-Mpls.), classifies preferred provider data as private data. The measure also allows closed meetings of the Comprehensive Health Association, its board, and any committees of the association, during a hearing of an enrollee's appeal of an action, upon request by the enrollee. S.F. 464, authored by Sen. Gene Merriam (DFL-Coon Rapids), exempts claimants whose property has been seized under the forfeiture statute, and is less than \$500, from paying a fee to have access to judicial review, requires reimbursement of the filing fee if the court orders the return of seized property, and requires an interpreter to be available for individuals whose property is seized.

Statute of limitations extended

Members of the Judiciary Committee met Tues., Apr. 23, for an evening hearing to process 15 bills before the committee deadline. Ten of the bill were sent to the Senate floor. H.F. 345, a bill relating to sexual abuse, carried by Sen. Ember Reichgott (DFL-New Hope), generated considerable discussion among members. The measure extends the statute of limitations for personal injury actions based on sexual abuse from two years to six years and provides for special applicability in a case where the claim would otherwise be barred by allowing a suit to be brought up to Aug. 1, 1992. H.F. 605, carried by Kelly, requires that a crime victim be notified of an offenders escape from prison or other type of corrective supervision and requires that the prosecutor make a reasonable good faith

effort to notify each identifiable victim of the final disposition of an offender's case. S.F. 526, authored by Chair Allan Spear (DFL-Mpls.), makes clear that intensive supervision or "house arrest" can be used as part of a probationary, non-prison sentence, or when an offender has served a prison sentence but is placed on an intensive supervised release term. S.F. 858, authored by McGowan, requires offenders who have been court-ordered to pay restitution of over \$500 to submit an affidavit of financial disclosure.

Further, H.F. 424, carried by Sen. John Hottinger (DFL-Mankato), bars anyone who assaults a high school sports official in connection with an interscholastic athletic event from attending such an activity for up to 12 months. H.F. 154, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), clarifies amendments to the Uniform Commercial Code relating to personal property leases. S.F. 1440, authored by Sen. Richard Cohen (DFL-St. Paul), provides that an indemnity provision in a motor vehicle lease includes the right to indemnify for punitive damages caused by the lessee. S.F. 502, authored by Sen. Linda Berglin (DFL-Mpls.), waives the filing fees for Persian Gulf military families seeking protection under the Soldiers' and Sailors' Civil Relief Act of 1940.

Also, H.F. 825, carried by Sen. John Marty (DFL-Roseville), clarifies advisories given by law enforcement officials to drivers being asked to take chemical tests for alcohol concentration. The measures specifies that a driver's right to drive will be revoked instead of may, and that the driver's refusal will be offered as evidence at the person's trial. H.F. 551, carried by Finn, increases the waiting period for a limited driver's license from 60 to 180 days for individuals convicted of manslaughter, criminal negligence resulting from the use of a motor vehicle, or criminal vehicular homicide or injury. Neuville offered an amendment incorporating S.F. 814 into the bill. The amendment creates a pilot program for an ignition interlock system installed in cars for the purpose of alcohol detection. The bill, authored by Neuville, was approved at a prior hearing and the amendment was adopted by the committee. The committee also approved S.F. 494, authored by Spear, creating a program in the Dept. of Public Safety to provide grants to counties to establishing appropriate sentencing alternatives for persons convicted of DWI and considered to be of high risk to the community. In addition, the measure provides that repeat DWI offenders will be required to pay an additional \$5 surcharge in addition to the \$76 chemical dependency assessment charge. The bill was rereferred to the Committee on Finance.

In other action, members approved and rereferred to the Committee on Finance,

Committee update

three other measures, two of which relate to environmental crimes. S.F. 480, authored by Sen. Ted Mondale (DFL-St. Louis Park), authorizes background investigations of environmental permit applicants, and authorizes the Pollution Control Agency (PCA) to impose administrative air and water pollution penalties. According to Mondale, the bill addresses minor environmental infractions that are committed. S.F. 546, authored by Cohen, sets forth environmental violation penalties. The measure stipulates that a person who knowingly violates air emissions or introduces a hazardous substance into a sewer system or treatment system, is guilty of a felony; and specifies that a person who knowingly disposes of solid waste at a location that does not have a required permit is guilty of a gross misdemeanor. S.F. 628, authored by Kelly, creates a study group to evaluate the effectiveness of Minnesota's juvenile certification laws. Finally, a bill establishing neighborhood land trusts was approved and rereferred to the Committee on Taxes and Tax Laws. S.F. 294, also authored by Kelly, provides that neighborhood land trusts are nonprofit corporations, specifies that one purpose of the land trusts must be holding and leasing land in order to preserve affordable housing, and requires land trusts to lease land to low and moderate income households.

Local Government

Residency requirement defeated

A bill allowing the city of Minneapolis to require Minneapolis city employees to reside within the city limits was defeated on a voice vote at the Tues., Apr. 23, meeting of the Local Government Committee. The committee, chaired by Sen. Betty Adkins (DFL-St. Michael), heard testimony from a number of supporters, including Mayor Don Fraser, Minneapolis City Council President Sharon Sayles-Belton and Rep. Richard Jefferson (DFL-Mpls.) who all said that the measure was needed to encourage neighborhood revitalization and to stem the current trend of migration from the city center. Bill author Carl Kroening (DFL-Minneapolis) presented a map showing all the abandoned and condemned houses within the city limits and cited figures relating to the number of city employees who commute into the city for work. Kroening said that 55 percent of civil service employees live outside the city as well as 71 percent of the police force.

Jefferson said that millions of dollars have been spent to stabilize the physical structure of the city while nothing has been done to stabilize the economic base

for the people who reside there. He explained that the measure grandfathered in anyone presently working for the city and allows new employees up to two years to move to the city.

Opponents argued that the measure was unconstitutional and affects individual freedom of choice. Sen. Florian Chmielewski (DFL-Strugeon Lake) made a motion to pass the bill without recommendation. Chmielewski said that since there were no members on the committee from the Minneapolis delegation it was unfair for the committee to pass judgment on the measure. The motion failed. The bill was then defeated on a voice vote.

Taxes and Tax Laws

Cigarette tax increase gains

A bill increasing the tax on cigarettes, wine and beer cleared the Taxes and Tax Laws Committee at the Tues., Apr. 23, hearing. The measure, S.F. 476, carried by Sen. Duane Benson (IR-Lanesboro), also alters the method of computing the tax on alcoholic beverages and conforms state income tax provisions with federal income tax laws. According to estimates from the department, the bill will raise \$276 million in new revenue. The conformity with federal income tax provisions is expected to generate \$82 million and the tax increase on cigarettes is expected to generate \$164.5 million. The inclusion of smokeless tobacco and cigars in the measure is expected to generate an additional \$8 million. Finally, the tax on liquor will be based on value rather than on volume. The bill was approved and sent to the full Senate.

In addition to advancing the excise tax and conformity bill, the panel, chaired by Sen. Douglas Johnson (DFL-Cook), also advanced several departmental "house-keeping" bills Tues., Apr. 23. S.F. 362, sponsored by Sen. Ember Reichgott (DFL-New Hope), is the departmental technical property tax bill. S.F. 363, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), is the departmental technical income tax bill and S.F. 364, also carried by Pogemiller, is the departmental technical sales tax bill. All three measures were advanced to the full Senate.

S.F. 506, authored by Sen. Charles Berg (DFL-Chokio), is the omnibus gaming bill. The measure originally altered the pulltab tax from 2 percent of the ideal gross to 4.5 percent of the ideal gross and specified an amount an organization could claim as a lawful expense for property taxes. However, all the tax provisions were removed at a Fri., Apr. 22, Division on Income, Sales and Economic Development hearing. An amendment, offered by Sen. Phil Riveness (DFL-Richfield), sets

forth clarifying language about charitable organizations being subject to the unrelated business tax. The amendment was adopted and the bill was rereferred to the Committee on Finance.

The panel also approved S.F. 1422, sponsored by Sen. John Bernhagen (IR-Hutchinson), a technical bill relating to the collection of delinquent personal property taxes. The measure had sparked some controversy at an earlier division hearing over provisions relating to the collection of personal property taxes on manufactured homes. However, Bernhagen offered an amendment that offered a compromise on the bill's original provisions. The amendment specifies that the taxes are to be escrowed with the county, that there be a twice yearly payment of taxes and that if the new manufactured home is purchased through a financial institution, the property tax must be escrowed as part of the mortgage payment. The amendment, and the bill, were approved and sent to the full Senate.

Finally, the panel spent a portion of the hearing discussing the governor's property tax proposal as embodied in S.F. 1294. The measure, carried by Sen. William Belanger (IR-Bloomington), simplifies the property tax classification system, changes it to a four class system, provides a three year phase-in for the new system, alters the tax rates and provides for homestead credit. The measure failed to gain committee approval.

Ten bills advance

The Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), met Wed., Apr. 24, and took action on a variety of relatively noncontroversial bills. The measures were all advanced to the Senate floor.

S.F. 119, authored by Sen. Roger Moe (DFL-Erskine), authorizes the city of Crookston to establish a special services district. S.F. 255, authored by Sen. Leonard Price (DFL-Woodbury), changes a number of provisions governing horse racing including raising the per diem of members of the racing commission. The bill was amended to remove a provision that made the increase in per diem retroactive. S.F. 860, sponsored by Sen. Jane Ranum (DFL-Mpls.), provides that Minneapolis special service districts may provide parking facilities. S.F. 295, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), specifies that the cost of doing business by cigarette wholesalers does not include discounts for purposes of the Minnesota Unfair Cigarette Sales Act. S.F. 1112, authored by Sen. Janet Johnson (DFL-North Branch), provides incentives for renewable energy sources of utility power and provides for a property tax exemption for wind energy conversion systems installed after Jan. 1, 1991, and

used as an electric power source.

S.F. 282, sponsored by Sen. Phil Riveness (DFL-Bloomington), establishes an alternative method for determining the annual permit fee for vehicles propelled in part by compressed natural gas or propane. S.F. 431, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), permits Pennington County and Thief River Falls to construct, finance and own student housing. H.F. 578, carried by Sen. James Metzen (DFL-South St. Paul), permits cities and towns in Dakota County to transfer assessment review duties to the county. S.F. 945, authored by Sen. Charles Berg (DFL-Chokio), provides for the development of aquaculture and specifies that aquaculture equipment be treated in the same manner as farm equipment for tax purposes. S.F. 760, sponsored by Sen. Joe Bertram (DFL-Paynesville), provides for the distribution of fire state aid to cities.

Transportation

Triple trailer study

A bill authorizing a study of triple trailer effects on highways was approved Thurs., Apr. 18, by members of the Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent).

S.F. 1076 allows the Minnesota Dept. of Transportation (Mn/DOT) to select with other parties a consultant to conduct a study of the effect of triple trailers on Minnesota highways. The study would be funded from the Trunk Highway Fund. Sen. Jim Vickerman (DFL-Tracy), author of the bill, said Minnesota transportation would benefit from the measure. But a representative from the Minnesota Transport Services Association said the issue has been investigated for years by Congress and the Canadian government with negative conclusions. He added that the study should be privately funded. A Mn/DOT representative agreed that the study should not be funded from taxpayer dollars. The bill was rereferred to the Finance Committee.

Bills okayed and sent to the floor included S.F. 192, authored by Sen. Sam Solon (DFL-Duluth). The bill repeals a provision allowing publicly owned transit buses to transport secondary school students within city limits. S.F. 1152, authored by DeCramer, authorizes a licensed motor vehicle lessor to register at certain locations a group or ten or more vehicles for four or more months. Currently, new registration are for 3 to 15 months, which DeCramer said causes loss of registration dollars. S.F. 195, authored by Sen. Joseph Bertram, Sr. (DFL-Paynesville), amends statutes relating to commercial drivers licenses. A provision redefines commercial motor vehicle and defines hazardous waste materials for

transportation purposes.

S.F. 275, authored by Sen. Tracy Beckman (DFL-Bricelyn), relates to inspections of commercial motor vehicles. The bill defines commercial motor vehicle and extends the farm vehicle inspection provisions date to 1992 for some farm vehicles. The bill was okayed and rereferred to the Finance Committee.

Limousine bill

The Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent), okayed a bill regulating limousines Mon., Apr. 22.

Sen. Len Price (DFL-Woodbury), author of S.F. 626, said the bill defines limousine for licensing, insurance and inspection purposes. He said the bill requires operators to purchase a \$150 permit fee annually and carry \$100,000 insurance policies for property damage. The bill was rereferred to the Finance Committee.

S.F. 986, which increases the penalty for littering, was also rereferred to Finance. The bill's author, Sen. William Belanger (IR-Bloomington), said the state should see more revenue in raising the fee from \$100 to \$400.

Members also okayed a bill authored by Sen. Thomas Neuville (IR-Northfield). H.F. 934 states that a salvage certificate does not authorize the holder to register a vehicle. The bill requires that a salvaged vehicle be inspected before it is reregistered. The bill was sent to the floor.

Floor Action

Civil commitment bill okayed

Senators devoted most of the Mon., Apr. 22, floor session to consideration of bills on the General Orders Calendar. One of the major bills gaining preliminary approval, S.F. 98, establishes the requirements for judicial release orders during an emergency hold period. The measure, sponsored by Sen. John Marty (DFL-Roseville), arises from the case last year in which a suburban man was incarcerated for intoxication and released prior to the end of the 72 hour hold period without a hearing. The individual subsequently murdered his wife. Under the bill, the court may release a person held under the emergency hold provision only through a writ of habeas corpus, and must make written findings about the decision to release. In addition, the bill requires the court to make every effort to notify any specific individuals who might be endangered if the person was not held, and the examiner whose written statement was the basis for the hold or the peace officer who applied for the emergency hold. Two amendments were adopted. The first, offered by Sen. Thomas Neuville (IR-

Northfield), sets forth a mechanism for a person with "good cause" to petition to be released prior to the end of the 72 hour period. The amendment also specifies that the court would have to make written findings about the decision to order the release. According to Neuville, obtaining a writ of habeas corpus could, in some instances take longer than the original 72 hour hold period. The second amendment, offered by Sen. William Luther (DFL-Brooklyn Park), clarifies that the court would have to have contact with the victim or with the person responsible for the incarceration before ordering a release.

In other action, Senators granted preliminary approval to an additional six bills. H.F. 146, carried by Sen. James Metzen (DFL-South St. Paul), regulates real estate closings by prohibiting persons from requiring the use of particular closing agents. S.F. 420, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), authorizes the sale of tax-forfeited lands in Cass County. S.F. 515, also sponsored by Finn, increases the number of permits—from four to six—that may be held by one purchaser of timber on state lands and sets an interest rate for extensions of the permits.

S.F. 373, sponsored by Sen. Joe Bertram (DFL-Paynesville), authorizes the commissioner of veterans affairs to assist dependents of military personnel who are called to active service. H.F. 230, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), permits a referendum on combining two school districts before formal cooperation begins. S.F. 302, authored by Sen. John Hottinger (DFL-Mankato), requires recycling centers and junk yards to accept metal hazard signs.

In addition, Senators granted final passage to the six bills given preliminary passage Thurs., Apr. 18. H.F. 326, sponsored by Sen. Jerome Hughes (DFL-Maplewood), provides for time off to vote in all elections. H.F. 73, carried by Sen. LeRoy Stumpf (DFL-Thief River Falls), eliminates the deduction for one year's interest payments from the proceeds of state bonds for maximum effort school loans. H.F. 331, carried by Finn, permits education districts and districts operating under joint powers agreements to conduct meetings via interactive television. H.F. 472, sponsored by Sen. Gene Waldorf (DFL-St. Paul), amends the definition of high pressure piping. H.F. 697, carried by Sen. Allan Spear (DFL-Mpls.), provides that credit unions may be designated as depositories of state funds. S.F. 350, authored by Sen. Ted Mondale (DFL-St. Louis Park), authorizes the city of Hopkins to issue bonds to pay for environmental response costs at a landfill and authorizes the city to impose a solid waste collection surcharge.

Preview

The Minnesota Senate Week at a Glance

Monday, April 29

Senate session at 8:30 a.m.

Education Subcommittee on Higher Education

Chair: John Hottinger

1 p.m. Room 318 Capitol

Agenda: Discussion of S.F. 1240-Waldorf: Student financial aid and post-secondary education financing.

Finance Division on State Departments

Chair: Carl Kroening

1 p.m. Room 123 Capitol

Agenda: To be announced.

Taxes and Tax Laws Division on Income, Sales and Economic Development

Chair: Lawrence Pogemiller

1 p.m. Room 15 Capitol

Agenda: Income tax article of omnibus bill.

Taxes and Tax Laws Division on Property Tax and Local Government Aids

Chair: Ember Reichgott

3 p.m. Room 15 Capitol

Agenda: Discussion of property tax article of the omnibus tax bill.

Joint Senate/House Finance Division on Claims

Chairs: Tracy Beckman and Rep. Andy Steensma

6:30 p.m. Room 400 South SOB

Agenda: Discussion of claims against the state.

Tuesday, April 30

Senate session at 8:30 a.m.

Finance Committee

Chair: Gene Merriam

12 noon Room 123 Capitol

Agenda: S.F. 467-Dicklich: Omnibus education funding bill. S.F. 105-Samuelson: Veterans Home Board/capitol building projects revision. S.F. 109-Chmielewski: Probate surcharges. S.F. 196-Beckman: Capital access program. S.F. 441-Lessard: Auto accident prevention courses. S.F. 740-Merriam: Dept. of Finance housekeeping bill. S.F. 1116-Vickerman: County broadcast facility expenditures. H.F. 722-Johnston: Military land acquisition clarification. H.F. 1299-Moe, R.D.: Paddy wild rice fee refund abolishment.

Taxes and Tax Laws Committee

Chair: Douglas Johnson

1 p.m. Room 15 Capitol

Agenda: S.F. 1009-Johnson, D.J.: Omnibus tax bill.

Finance Division on Health and Human Services

Chair: Don Samuelson

4 p.m. Room 112 Capitol

Agenda: Allocations.

Finance Division on State Departments

Chair: Carl Kroening

One half hour after full Finance Committee

adjourns Room 123 Capitol

Agenda: To be announced.

Wednesday, May 1

Senate session at 8:30 a.m.

Joint Economic Development and Housing Committee and Education Committee

Chair: James Metzen and Gregory Dahl

10 a.m. Room 10 SOB

Agenda: Address by Ira Magaziner.

Joint Senate/House Finance Division on Claims

Chairs: Tracy Beckman and Rep. Andy Steensma

12:30 p.m. Room 318 Capitol

Agenda: S.F. 1528-Beckman: Claims.

Finance Division on State Departments

Chair: Carl Kroening

1 p.m. Room 123 Capitol

Agenda: To be announced.

Thursday, May 2

Senate session at 8:30 a.m.

Transportation Committee

Chair: Gary DeCramer

1 p.m. Room 15 Capitol

Agenda: S.F. 112-Frederickson, D.J.: Driver license fee increase for EMS pension fund. S.F. 942-Hottinger: Special license plate for scholarship fund. S.F. 834-Merriam: Eminent domain over railroad property. Confirmation hearings for TRB members Lorraine Mayasich and Richard Helgeson, Mn/ DOT Commissioner John Riley and Dept. of Public Safety Commissioner Ralph Church.

Finance Division on State Departments

Chair: Carl Kroening

1 p.m. Room 123 Capitol

Agenda: To be announced.

Friday, May 3

Senate session at 8:30 a.m.

Finance Committee

Chair: Gene Merriam

12 noon Room 123 Capitol

Agenda: Health and Human Services omnibus appropriations bill.

Senate Publications

Room G95, State Office Building

St. Paul, MN 55155

(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

May 3, 1991

Education funding bill okayed

The omnibus education funding bill, S.F. 467, was given final passage on the Special Orders Calendar Wed., May 1, after several hours of debate. The final vote of 63-3 did not reflect the intense debate sparked by the bill. The \$8.2 billion measure provides funding for K-12 education and represents a \$1 billion increase in funding. The bill also earmarks \$37 million for a "Learning Readiness Program" to help four year olds prepare to enter school. Chief author, Sen. Ron Dicklich (DFL-Hibbing), said that the bill, while not perfect, is a collaborative effort to best meet the educational needs of Minnesota students.

Debate centered on a number of amendments offered to the bill. One amendment, offered by Sen. Thomas Neuville (IR-Northfield), removed a provision requiring eight hours between late-night work and school. Proponents of the amendment pointed out that after-school activities often preclude students from having the full eight hours before school and that it is parents' responsibility to regulate students time. The amendment was adopted on a close 36-30 vote. Another amendment, offered by Sen. Judy Traub (DFL-Minnetonka), curtails provisions that allow the public to inspect instructional materials that deal with "personal development and related instruction," allow parents to determine whether their children will participate in personal development instruction, and directs the Board of Education to study the role of parental involvement. The amendment failed. An amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), eliminates the one-year moratorium on levy referendum. This amendment was also defeated.

Higher ed bill passes

The Senate gave final passage to S.F. 1535, the higher education appropriation bill carried by Sen. Gene Merriam (DFL-Coon Rapids) during the Wed., May 1, floor session. The bill failed to gain passage during the Tues., Apr. 30, session but was brought up for reconsideration on the Special Orders Calendar. Members adopted an amendment, offered by Sen. LeRoy Stumpf (DFL-Thief River Falls), providing for an additional \$25.5 million appropriation to relieve tuition increases. Stumpf said the amendment reduces the

proposed financial aid package by \$500,000, and also slightly reduces an allocation to the Higher Education Coordinating Board.

Tax bill approved

The omnibus tax bill gained final passage Thurs., May 2, on a close 34-33 roll call vote. H.F. 1086, carried by Sen. Douglas Johnson (DFL-Cook), applies the sales tax to several new categories, raises the top rate for income taxes and provides for increased property tax relief to offset the expected rise in property taxes.

"Minnesota is faced with a \$1.5 billion shortfall. The Senate tax bill and the Senate budget proposals take the responsible approach to solving the problem," Johnson said in his opening remarks. The Senate has cut spending by not allowing \$400 million for inflation and by reducing base funding by \$200 million, Johnson said. In addition, the omnibus tax bill authorizes the use of \$250 million from the budget reserve and raises \$100 million more than the governor's recommendation, mostly from the wealthiest individuals, he said. At the same time, Johnson said, the Senate bill targets more property tax relief—\$204 million—to those Minnesotans who will be hardest hit by property tax increases.

"It is not easy to vote for cuts in spending or for revenue increases but it is the most responsible, rational way to hold down property tax increases and meet the needs of Minnesota citizens," Johnson concluded.

Sen. John Bernhagen (IR-Hutchinson) argued, though, that the bill tried to solve the state's budget difficulty through tax increases rather than through reduced spending. Minority Leader Duane Benson (IR-Lanesboro) also argued against the measure because of the increases in income and sales taxes. Benson argued that all taxes were going to be increased under the measure.

Members also debated several amendments. An amendment, offered by Johnson, lowering the property tax target threshold from 12 percent to 10 percent and removing the sales tax on weight loss services was, adopted. Members also adopted an amendment providing for an additional check-off on income tax forms for foodshelf programs. Opponents of the amendment argued that adding additional checkoffs would dilute the contributions

that are currently given to the nongame wildlife fund. However, Sen. Linda Berglin (DFL-Mpls.) successfully countered that "We in Minnesota have room in our hearts for the hungry and for the environment."

In the course of the debate, Majority Leader Roger Moe (DFL-Erskine) said that the question is which taxes are the fairest. Moe argued that proposals from the executive branch and the minority shifted the burden from state taxes to local government taxes, from the wealthy to those least able to pay. Moe called for support for the bill, contending that the measure—in conjunction with the budget proposals—represented the most progressive method for meeting the state's commitments to the people.

Airbus package advances

A bill designed to aid in the construction of two large airline maintenance bases in Northeastern Minnesota began to make its way through the legislative process Thurs., May 2, when members of the Economic Development and Housing Committee approved the "airbus" measure. S.F. 1517, sponsored by Sen. Sam Solon (DFL-Duluth), contains bonding and tax break provisions to enable Northwest Airlines to construct the maintenance facilities to service the airline's fleet of Airbus 320s and Boeing 757s. According to Congressman James Oberstar, who led off the testimony in support of the bill, the maintenance facilities would each employ up to 1,000 people and have a combined annual payroll of nearly \$100 million.

The bill authorizes the sale of both general obligation and revenue bonds to finance the facilities. In addition, the measure provides for income tax credits, sales tax exemptions and authorizes the city of Duluth to create a redevelopment tax increment financing district at the international airport. Finally, the measure extends the jurisdiction of the Metropolitan Airports Commission to the city of Duluth for the purpose of owning and leasing the aircraft maintenance facility.

The measure was approved by the committee, chaired by Sen. James Metzen (DFL-South St. Paul), and rereferred to the Rules and Administration Committee. The rereferral is necessary because the deadline has passed for hearing bills.

Committee update

Agriculture and Natural Resources

Appointment approved

Members of the Agriculture and Natural Resources Committee, chaired by Sen. Charles Davis (DFL-Princeton), met briefly Thurs., Apr. 25. The panel approved the appointment of former Rep. Elton Redalen as commissioner of the dept. of agriculture. The appointment now goes to the full Senate for confirmation.

Education

Higher ed funding restructure

The Education Higher Education Subcommittee, chaired by Sen. John Hottinger (DFL-Mankato), met Mon., Apr. 29, to continue consideration of the higher education funding proposal of Sen. Gene Waldorf (DFL-St. Paul). S.F. 1240 decreases the direct appropriations to each system of higher education and increases appropriations for student financial aid.

The proposal calls for a 50 percent direct state contribution to the systems for instructional costs, while the other 50 percent of costs are funded through tuition augmented by need-based student financial aid. This compares to the current 67 percent state contribution with the remaining 33 percent being made up through tuition and a lower level of student financial aid.

The current system allocates funds for higher education in such a way as to provide 36 percent of the appropriation to the wealthiest 24 percent of students enrolled in the state's higher education institutions, said Bryan Zucker, vice president, Minnesota Private College Council. The proposal, he said, would increase the number of students receiving aid by 18,000. Waldorf added that S.F. 1240 subsidizes higher education in a way that provides more assistance to those with lower incomes rather than the current system that subsidizes higher education for everyone regardless of income.

Steve Watson, director, Minnesota High Tech Council, said that his organization supports the proposal. Participation rates are low for the poor in the area of math and science, he said. Higher participation rates in these areas are necessary to provide an educated workforce, said Watson.

Jennifer Alstad, U of M Student Association, said that the proposal will result in tuition costs at the U that will be far higher than most Big 10 schools. It is too early to tell what effect will have on students or whether aid will be sufficient to offset tuition increases, she said.

Confirmation hearings

Confirmation hearings were conducted by the Education Committee at the Wed., May 1, meeting. Sen. Gregory Dahl (DFL-Ham Lake) chairs the committee.

Confirmed were H. Theodore Grindal, to the Board of the Minnesota Center for Arts Education; William C. Ulland, Jerry Serfling and Corey R. Elmer, to the State University Board; and Ann M. Kruchten, to the State Board of Community Colleges.

Finance

Three bills advance

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved three bills at the Wed., Apr. 24, meeting.

The panel considered the omnibus funding bill that came out of the Agriculture, Transportation and Regulation Division of the Committee on Finance. S.F. 1530 appropriates \$2.6 billion to the Dept. of Transportation and other state agencies.

The bill, presented by Sen. Keith Langseth (DFL-Glyndon), was amended to allow the commissioner of labor and industry and the office of the secretary of state to direct excess unencumbered funds for any of their current operations. Another amendment requires the Greater Minnesota Corporation to transfer funds to its Agricultural Utilization Research Institute. The amendment also dedicates monies for the Natural Resources Research Institute, Minnesota Project Outreach, Minnesota Project Innovation, and the Minnesota Inventors' Congress.

The committee also heard a bill that sets up a collection mechanism of air emission fees. S.F. 1184, authored by Sen. Steven Morse (DFL-Dakota), specifies that fees are to be collected from owners and operators of sources of air contamination. The committee adopted an amendment, offered by Morse, that directs the Pollution Control Agency to report to the Legislature on the collection and allocation of fees as well as the effectiveness of the program.

The committee also heard S.F. 1333, sponsored by Sen. Charles Berg (DFL-Chokio), the bill that increases several recreational license fees.

All three bills were approved and sent to the full Senate.

Environment bill approved

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Thurs., Apr. 25, to hear the environment and natural resources appropriations bill. The bill appropriates \$248 million for the biennium.

The committee adopted two technical amendments along with one, offered by Sen. LeRoy Stumpf (DFL-Thief River Falls), that directs the Natural Resource Research Institute to conduct a study of consolidated conservation areas of the state.

The bill was approved and sent to the full Senate.

Budget allocation preview

The State Departments Division of Finance met Thurs., Apr. 25, to discuss budget allocations to various state agencies. The division, chaired by Sen. Carl Kroening (DFL-Mpls.), also heard a capital budget overview from the Depts. of Finance and Administration.

Assistant Commissioner of Administration Jim Peterson told panel members that the department has five priority requests contained in the capital budget. The first of the requests, that of parking ramp improvements, is classified as an emergency funding decision, Peterson said. Peterson distributed data to the division elaborating on public safety concerns in state parking ramps. Members discussed raising parking fees for public employees. Peterson said that raising fees is a goal of the department but the safety improvements need to be made sooner than those fees can be raised. The other priority items listed by the department include: land acquisition, capital asset preservation and replacement account, agency relocation expenses, and developing an education building plan. Discussion centered on the land acquisition plan. Commissioner Dana Badgerow explained that acquiring land in the Capitol Area now will save money in the long term. Panel members discussed the need for more space versus the need for some state agencies, in particular, the Dept. of Transportation, to stop expanding.

The division then went over comparison documents of increases to baseline budgets requested by the governor and various agencies. In particular, members discussed increases to larger agencies such as the Depts. of Administration and Revenue. In general, the governor's budget cuts a total of \$24 million. Agency requests totalled \$18 million over base allocations. The panel did not act on the budget.

Higher ed omnibus bill

The Committee on Finance, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Fri., Apr. 26, to discuss the higher education omnibus bill, S.F. 1535.

The bill appropriates \$1.9 billion to higher education. Bill sponsor, Sen. LeRoy Stumpf (DFL-Thief River Falls), said that the bill cuts \$50.7 million from the 1991 base to the four systems of higher

education. The governor's recommendation is to cut \$119 million. Other provisions include decreasing the state's share in funding to each higher education system for 1992 and 1993, increasing direct financial aid to students, changing the method of determining financial aid eligibility, and increasing funds for work study.

Much of the committee discussion focused around the issues of tuition and financial aid.

The committee adopted an amendment, offered by Sen. Gene Waldorf (DFL-St. Paul) that specifies the types of accounts that can be maintained in a university activity fund; establishes a special fund for systemwide management of employee retirement fund contracts, student equipment purchases, and transfer of foreign program funds; and provides for the administration of the funds. Another amendment adopted by the committee, offered by Sen. Ronald Dicklich (DFL-Hibbing), makes adjustments to taconite tax proceeds that go for education purposes.

The bill was approved and sent to the full Senate.

Planning Agency Elimination

S.F. 1181, a bill abolishing the State Planning Agency and authored by Sen. Phil Riveness (DFL-Bloomington), was one of a series of bills heard but not acted upon during the Mon., Apr. 29, meeting of the State Departments Division of Finance. The division, chaired by Sen. Carl Kroening (DFL-Mpls.), discussed the logistical aspects of eliminating the office and transferring position to various other state agencies. Riveness told panel members that the bill eliminates approximately 60 of the 137 positions in the agency. He said that the bill transfers necessary departments like the State Demographer and the Environmental Quality Board to other state agencies.

Several other bills were heard and discussed during the meeting but no final action was taken. Kroening explained that until regular baseline budgets are allocated, there is no money available for any of the proposals heard. S.F. 402, sponsored by Gregory Dahl (DFL-Ham Lake), establishes international trade centers throughout the state, in conjunction with the World Trade Center in St. Paul. S.F. 554, authored by Sen. Dennis Frederickson (IR-New Ulm) establishes a interpretive history center in Traverse Des Sioux. S.F. 668, carried by Sen. Steven Morse (DFL-Dakota), establishes a small business development center program. S.F. 720, carried by Sen. James Metzen (DFL-South St. Paul), appropriates \$11 million for the Affordable Housing and Preservation Act. S.F. 821, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), provides for a study

to develop models for STARS regions. S.F. 1020, authored by Kroening, provides early retirement incentives for public employees.

S.F. 1137, sponsored by Sen. Sandra Pappas (DFL-St. Paul), redefines eligibility requirements for targeted neighborhoods by adding a city of the second class with a portion of its border contiguous to a city of the first class in the Metro Area, or having a population of at least 55,000, or a city of the second class outside the metro area and provides for an appropriation for the community resources program. S.F. 1080, authored by Sen. Jim Gustafson (IR-Duluth), establishes a nonprofit public corporation, called Advantage Minnesota, to encourage businesses to remain in the state, to promote expansion of current businesses and to attract new businesses. S.F. 1264, sponsored by Sen. Janet Johnson (DFL-North Branch), establishes a business development and preservation program and authorizes the Metropolitan Economic Development Association, Inc., the Minnesota Cooperation Office for Small Business and Job Creation, the Northeast Entrepreneur Fund, Inc., and Women-Venture, Inc., to participate in the program.

S.F. 1370, authored by Sen. Ted Mondale (DFL-St. Louis Park), establishes an international partnership program. S.F. 1384, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), establishes a Minnesota Marketplace Program to determine which goods and services Minnesota businesses purchase out-of-state and assist those businesses in finding in-state suppliers. S.F. 1513, carried by Sen. Dean Johnson (IR-Willmar), provides for state ribbons to honor Minnesota Reservists who served in the Gulf War.

Ed funding bill sent to floor

The Committee on Finance, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Tues., Apr. 30, to consider the omnibus education funding bill, carried by Sen. Ronald Dicklich (DFL-Hibbing).

Committee members offered several amendments to the bill that provides \$4.6 billion for education needs. An amendment offered by Dicklich makes several changes, some technical in nature and others that establish funding for programs. Among the provisions of the amendment is a requirement that every levy referendum ballot must state the total amount of money being levied. The amendment also establishes the Task Force on Education and Employment Transitions and provides a grant for peace officer liaison services in a city's middle and secondary schools. The amendment was adopted by the committee.

An amendment, offered by Sen. Dennis Frederickson (IR-New Ulm), establishes bonding authority for three school

districts. The proceeds are to fund repair, provide necessary equipment, provide handicapped accessibility, and correct problems dealing with life and safety issues. The amendment was adopted. Two amendments that would have eased restrictions on the sale of Maximum Effort School Loan Bonds failed on divided votes.

The bill was approved and sent to the full Senate.

Revised budget figures discussed

The State Departments Division of Finance met Tues., Apr. 30, to discuss budget allocations. The division, chaired by Sen. Carl Kroening (DFL-Mpls.), went over revised comparison documents of changes to baseline budgets requested by the governor and various agencies. In addition, members discussed numerous riders for possible inclusion in the budget. The governor's budget revised recommendations and cuts approximately \$23 million over the biennium. The deepest cuts are reserved for the Dept. of Trade and Economic Development (\$14 million) and the State Planning Agency (\$8 million). Agency requests totalled \$18 million over base allocations. The panel also examined figures for possible base level reductions of one and two percent.

Several riders were discussed including a salary freeze for FY 92 for constitutional officers, legislators, and members of the judiciary. Members also discussed appropriating \$1 million to fund a joint public/private commission called the Commission on Reform and Efficiency (CORE). The commission is to make recommendations to produce savings of at least \$11 million in the 92-93 biennium. Under the plan, if the goal is not reached, the commissioner of finance must unallot from other agencies in order to meet the goal.

The panel took no formal action on the budget.

Budget allocations unsettled

The Finance Division on Health and Human Services hit a snag during budget allocations in the late hours of the Tues., Apr. 30 meeting. The division, chaired by Sen. Don Samuelson (DFL-Brainerd), went through the budget and accepted most of the governor's budget recommendations, which represent a cut to agency base funding in almost every instance. Agencies discussed include Dept. of Health, Veterans Homes, Dept. of Corrections, Dept. of Jobs and Training, Dept. of Human Services, and various boards and agencies. The Dept. of Human Services was slated to take the greatest cuts, particularly in the area of staffing and administration. Samuelson explained that the Senate was recommending only general reductions in order

Committee update

to allow the department some flexibility. Samuelson said the recommendations include a cut in central operating costs of \$1.8 million and a central office reduction of \$3.75 million and 80 positions.

After the panel had completed allocations, Sen. Linda Berglin (DFL-Mpls.) introduced a rider which, through providing money for matching federal grants, changes the amount of dollars available for several programs within the Dept. of Human Services. A change in federal health care financing, increases federal Medicaid revenues available to the state by using surcharges on fees charged by hospitals, nursing homes, doctors, dentists, and special medical transportation providers to generate federal matching funds. The federal funds are then used to repay the surcharge and provide additional funding to health care providers.

Berglin said that the increased funding could be used to offset some of the Medical Assistance (MA) budget cuts and provide increases to some health and long-term care providers. In particular, Berglin said that she wants some of the dollars generated by this proposal to be used for nursing home property reimbursement, a program dropped from the current rider.

Berglin suggested that since her proposal changes budget figures significantly throughout the health and human services budget, the division should consider the budget again with the new dollar amounts in mind. Samuelson concurred and the division took no formal action on the budget.

State dept. bill discussion

The State Departments Division of Finance, chaired by Sen. Carl Kroening (DFL-Mpls.), met Wed., May 1, to hear testimony on several bills and to consider provisions for the omnibus state departments bill.

S.F. 196, authored by Sen. Tracy Beckman (DFL-Bricelyn), establishes a capital access program for small businesses. The program provides loans to small businesses from a capital access fund. Contributions to the fund are made by the bank and the borrower and are matched by the state. No action was taken on the bill.

Several measures were introduced by Sen. James Metzen (DFL-South St. Paul) that deal with housing rehabilitation. The bills access local and federal funds and provide a state commitment.

The division also heard testimony from Lee Berlin, chair, Medtech Corporation on a proposal for Minnesota World Trade Center sponsorship of a World Class Medical Exhibition. The exhibition would require \$500,000 from the state but will bring in \$180 million from visitors.

The division considered several provisions for inclusion in the omnibus state departments bill. One provision combines programs offering legal assistance to family farmers and low-income individuals. Another provision provides \$250,000 each year of the biennium for Vinland National Center, a program that provides training for Minnesota Veterans and disabled workers. Provisions dealing with state employee relations include a measure requiring vacant management positions not be filled during the biennium, a requirement that if lay-offs are necessary, management personnel must be reduced before direct service providers, and a provision that provides job retraining for state employees who lose their job in department restructuring.

Also considered were measures directing the legislative auditor to conduct more critical analysis of goals and objectives in state agencies, the provision of three employees in the Dept. of Administration to assist counties in complying with building accessibility codes, and a measure to allow the state to match contributions from private sources to fund tourism marketing efforts.

HHS budget passes first hurdle

The omnibus health and human services bill cleared the Finance Division on Health and Human Services at the Wed., May 1, evening hearing. As a result of ironing out most of their differences the evening before, members, chaired by Sen. Don Samuelson (DFL-Brainerd), approved the bill with no debate.

A rider that was under intense scrutiny at the earlier hearing required no revisions. The rider, offered by Sen. Linda Berglin (DFL-Mpls.), increases federal Medicaid revenues to the state while lessening state matching requirements. Berglin's rider allows for a surcharge on hospitals, nursing homes, doctors, dentists, and Special Transportation providers to be used for the state Medical Assistance (MA) match requirement. The federal funds generated will be used to repay the surcharge and provide additional funding to health care providers. For example, hospitals will pay a surcharge of \$53.1 million for the biennium, and will subsequently receive \$71.3 million in Medical Assistance payments.

The one program that was dropped from the rider the previous day, nursing home property reimbursement, was restored. With the restoration of the program, nursing homes will pay a surcharge of \$67.5 million, and receive \$111.3 million in MA payments.

The total FY 92-93 budget for all the agencies — Depts. of Health, Human Services, Corrections, Jobs and Training; Veterans Homes; and various boards and

councils — includes a \$3.469 billion appropriation from the General Fund. The biggest chunk of the budget, \$2.934 billion, is allocated to the Dept. of Human Services (DHS): \$1.516 million for MA and General Medical Assistance Care; \$480.8 million for State Operated Residential Care for Special Needs Populations; \$377.5 million for AFDC, General Assistance, Work Readiness and Minnesota Supplemental Aid programs; and \$243.3 million for services to special needs adults, which includes Regional Treatment Center Chemical Dependency Programs.

The bill also allocates \$314.9 million to the Dept. of Corrections and \$93.46 million to the Dept. of Health. The bill, authored by Sen. Gene Merriam (DFL-Coon Rapids), was approved and rereferred to the full committee.

Glendalough Park bill

A bill establishing Glendalough State Park was recommended for passage Wed., May 1, by members of the Finance Division on Environment and Natural Resources. The committee chair is Sen. Steven Morse (DFL-Dakota).

S.F. 74, authored by Sen. Dallas Sams (DFL-Staples), delineates land in Otter Tail County to be used for Glendalough State Park. A \$55,000 General Fund appropriation to the Dept. of Natural Resources for land acquisition was provided for in the omnibus environment and natural resources bill. The land was previously transferred by private ownership to the Nature Conservancy and will be acquired under the bill by the Dept. of Natural Resources. An amendment to the bill, offered by Sen. Gene Merriam (DFL-Coon Rapids), reduces payments in lieu of taxes to Otter Tail County over a three year period. Merriam said that payments received by Otter Tail County from the state under the bill would have been significantly higher than tax revenues generated from the land under private ownership. The bill was advanced to the full Finance Committee.

A bill allowing the Pollution Control Agency (PCA) to collect fees for household hazardous waste was approved. S.F. 218, authored by Sen. Bob Lessard (DFL-Int'l. Falls), also provides for a charge for computer use. The bill was advanced to the full committee.

H.F. 354, authored by Sen. Ronald Dicklich (DFL-Hibbing), extends the deadline for a report due to the Legislature from the Legislative Task Force on Minerals. The committee authorized a \$41,000 rollover of funds left over from last biennium for use next biennium in order to assist in the completion of the report. The bill will go to the floor.

A bill amending the 1988 Infectious Waste Control Act was okayed and ad-

vanced to the full committee. S.F. 783, authored by Sen. Gregory Dahl (DFL-Ham Lake), transfers infectious waste control responsibility from the PCA to the Dept. of Health. An author's amendment requesting a \$104,000 General Fund appropriation for the Dept. of Health next biennium was adopted. The amendment also provides for a complement increase of one within the Dept. of Health, and a complement decrease of two in the PCA. The PCA will also incur a \$220,000 loss in funding next biennium as a result of the transfer.

Governmental Operations

Nursing home bill gains

The Governmental Operations Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), met Fri., Apr. 26, to consider S.F. 937, authored by Sen. Linda Berglin (DFL-Mpls.).

The bill relates to nursing home fees and property cost reimbursements, provider surcharges, and provider medical assistance reimbursements. The bill was amended in a motion, offered by Sen. Dennis Frederickson (IR-New Ulm), to change provisions allowing the commissioner of health to adopt permanent rules to administer the bill's provisions. The amendment authorizes the commissioner to adopt emergency rules with a specified time limit and allows the adoption of permanent rules if necessary.

The bill was approved and re-referred to the Rules Committee.

Judiciary

Discipline procedures for officers

Members of the Judiciary Committee approved a bill setting forth procedures for formal disciplinary actions of peace officers at the Wed., Apr. 24, meeting. S.F. 351, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), allows legal representation for officers under investigation and prohibits an employer from retaliating against an officer. The measure also specifies that investigations and proceedings by the Minneapolis civilian Police Review Authority, and investigations of criminal charges against an officer do not apply to this bill. The bill was approved and sent to the Senate.

S.F. 1227, authored by Sen. Carl Kroening (DFL-Mpls.), permits governmental subdivisions to regulate the display of firearm ammunition that is sold to the public. The bill was sent to the Senate floor. Further, members rereferred a measure without recommendation to the Committee on Finance. S.F. 485, authored by Chair Allan Spear (DFL-Mpls.), creates 12 new district court judgeships, and adjusts the number of district court judges authorized by law to reflect the addition of district court judges

as a result of trial court unification.

Lastly, members debated a bill allowing someone other than a railroad authority to condemn railroad property. Commissioner John Riley, from the Minnesota Dept. of Transportation, voiced his opposition to the bill, S.F. 834, sponsored by Sen. Gene Merriam (DFL-Coon Rapids). He indicated that the bill will allow every piece of railroad property and railroad siting to be seized under eminent domain. He added that it will have a negative impact on carrier service and people employed by the railroads.

The measure sets forth the conditions that must be met in order for someone to proceed under eminent domain proceedings. An amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), and adopted by the committee, clarifies that a non-railroad authority has presumed superior use rights of the property over that of the railroad, if the conditions in condemnation proceedings are met. In addition, the amendment specifies that the presumption may be rebutted by the railroad if the railroad can show that the property is necessary for the ongoing operation of the railroad. The measure does not apply to an operational spur line, or to a spur line that is the principal means for agricultural transportation. The bill was rereferred to the Transportation Committee.

Taxes and Tax Laws

Omnibus ed funding bill heard

The Committee on Taxes and Tax Laws, chaired by Sen. Douglas Johnson (DFL-Cook), met Fri., Apr. 26, to consider provisions of the omnibus education funding bill, S.F. 467, having property tax implications.

Bill sponsor, Sen. Ronald Dicklich (DFL-Hibbing), said that the bill impacts property taxes in the state by \$24 million more than current law but \$33 million less than the governor's proposal.

An amendment, offered by Sen. William Belanger (IR-Bloomington), allowing a school district that is in financial difficulty and whose current levy referendum is due to expire to levy if so resolved by a supermajority of the school board, was not adopted by the committee. A similar amendment, offered by Sen. John Bernhagen (IR-Hutchinson), provides the school board with the same opportunity to levy, but requires an opportunity for voters to repeal the levy through a reverse referendum. This amendment was adopted. Another amendment, adopted by the committee, clarifies provisions relating to elementary teacher preparation time, extended day programs, and district revenue determination. The bill was approved and sent to the Committee on Finance.

S.F. 755, authored by Sen. Richard

Cohen (DFL-St. Paul), makes changes to laws governing the state administration of the court systems. The bill provides funding for public defense services and other court operations taken over by the state, and decreases Homestead Agricultural Credit Act funds to counties where court functions have been taken over by the state. An amendment, offered by Sen. David Frederickson (DFL-Murdock), includes additional judicial districts in the public defense funding program. The bill was approved and sent to the Committee on Finance.

Panel approves tax bill

The omnibus tax bill, S.F. 1009, barely escaped the Taxes and Tax Laws Committee Tues., Apr. 30. Initially, it appeared the measure, sponsored by Committee Chair Douglas Johnson (DFL-Cook), was doomed to fail on a 11-10 roll call vote. However, Sen. Florian Chmielewski (DFL-Sturgeon Lake), changed his vote in order to allow the bill to be debated on the Senate floor.

The measure applies the sales tax to several new categories, raises the top rate for income taxes from 8 percent to 8.5 percent and provides for targeted property tax relief to offset expected increases in property taxes. According to Johnson, the measure raises \$135 million more than the governor's proposal. The measure applies the sales tax to marina slip charges, furniture refinishing and reupholstery, stabling and kenneling, auction sales, weight loss services and magazine subscriptions. The sales tax provisions raise a total of \$33.7 million. The change in the income tax top rate is expected to raise \$85.5 million.

In the area of property taxes, the measure targets relief to individuals whose property taxes go up more than 12 percent and at least \$80. The bill provides relief of up to 50 percent of the increase for those who qualify. In addition, the measure begins the phase out of the third tier of property taxes. Finally, the measure provides for \$189 million more property tax relief than the governor's proposal.

A number of amendments, including proposals to eliminate the third tier property tax immediately, to create a voluntary checkoff for foodshelves, to base the property tax on household income and to provide a property tax deferral for older and disabled persons were all rejected by the panel. Two author's amendments, to refine the targeting of property tax relief and to make technical changes, were adopted. The panel did adopt an amendment to allow small resorts to stay open an additional 25 days and still retain their tax status and an amendment exempting a scrap metal waste recovery facility from the property tax.

In other action, the panel deleted the tax provisions from S.F. 720 and rereferred

Committee update

the measure to the Finance Committee. The measure, sponsored by Sen. James Metzen (DFL-South St. Paul), provides for the establishment of a shallow rent subsidy program and a family stabilization demonstration project. The panel also removed most of the tax provisions from the omnibus housing measure sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.). The measure, S.F. 951, was also rereferred to the Finance Committee.

Wetlands bill advances

S.F. 3, the Senate wetlands preservation bill, cleared yet another hurdle Wed., May 1, when the Taxes and Tax Laws Committee approved the measure and advanced it to the Committee on Finance. The measure, sponsored by Sen. Charles Davis (DFL-Princeton), provides for the preservation, enhancement, restoration and establishment of wetlands in Minnesota. Members of the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), reviewed the sections of the measure with tax implications. The measure provision changes the method of calculating the value of agricultural land for tax purposes. Under the bill, tillable agricultural land is valued according to its productivity value. Cropland is valued at the full amount determined according to income factors, permanent pasture at one-third of the cropland value and other agricultural land, including wetlands, at no less than one-sixth of the cropland value. An amendment, offered by Johnson, requiring a study of methods to implement the new valuation system, was adopted by the panel.

In other action, the committee advanced five additional bills. S.F. 1179, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), is an annual bill that amends various provisions relating to the issuance of bonds by local units of government and authorities, and to the operation of those authorities. S.F. 856, sponsored by Sen. Don Storm (IR-Edina), specifies that the recapture provision of the Open Space Property Tax Law does not apply if a property ceases to qualify under the law because it was acquired by the state or a political subdivision. S.F. 1164, sponsored by Johnson, authorizes the city of Biwabik and the town of White to establish a joint economic development authority. All three measures were approved and sent to the Senate floor.

S.F. 776, authored by Sen. Dallas Sams (DFL-Staples), provides for the establishment of an agricultural development bond program to finance agricultural business enterprises and beginning farmers. S.F. 579, sponsored by Pogemiller, is the bond allocation bill for this session. During the course of the committee hearing, S.F.

776—the agricultural bond program—was amended to delete a section containing an appropriation and then the balance of the language of the measure was offered as an amendment to S.F. 579—the bond allocation bill. Simultaneously, the agricultural bond program bill—S.F. 776—was amended to delete sections pertaining to bond allocations. The result was that S.F. 776 was approved and rereferred to the Committee on Finance and that S.F. 579 was approved and sent to the full Senate.

Thursday, April 25

Workers' Comp bill okayed

Senators granted preliminary approval to H.F. 1422, the workers' compensation bill, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), on an 41-26 roll call vote at the Thurs., Apr. 25, floor session. The measure, supported by the AFL-CIO and the president of the Minnesota Chamber of Commerce, mandates an immediate 12 percent insurance premium rate reduction that is estimated to save Minnesota employers \$120 million employers, and freezes insurance rates for two years. An amendment, offered by Chmielewski and adopted by the Senate, clarifies the formula for calculating holiday and vacation pay when determining workers' compensation benefits; provides workers' compensation benefits to volunteer workers who provide services for joint labor-management nonprofit community service projects; provides that an employee may choose not to receive managed care, and may instead receive services from a certified health care provider of the employee's own choosing. Sens. Nancy Brataas (IR-Rochester) and Jim Gustafson (IR-Duluth), objected to the latter provision by saying that it defeats the whole purpose of the managed care system by allowing an employee the option to go outside the system for services. Chmielewski countered by saying that an employee will still be required to go to a provider that is approved by the managed care system.

An amendment, offered by Gustafson, to replace H.F. 1422 with the governor's workers' comp bill, failed on a narrow 34-33 roll call vote. The amendment provides a 17 percent reduction in rates, scales back supplemental benefits to address the issue of overpayments and "double dipping", limits temporary partial benefits for ultra high wage earners, and stipulates that long-term benefits will no longer be awarded solely because of lack of jobs in the area.

Bar hours debated

Members spent a significant amount of time considering S.F. 592. The bill's author, Sen. Sandra Pappas (DFL-St.

Paul), said the measure authorizes municipalities to extend the hours of bars and restaurants selling on-sale liquor to 2:30 a.m. Pappas said the bill, which is a statewide measure, gives cities and townships the prerogative of opting out of extending establishment hours. She indicated that the bill will result in more favorable consideration of Minnesota as a convention site. Pappas also said the bill accommodates people desiring late night dining, since many restaurants will not extend late night hours if they cannot serve liquor. Sen. William Belanger (IR-Bloomington) argued that the distances between establishments and homes in rural communities increase the chances of an unassisted late night car accident. Belanger offered an amendment, which failed, limiting the bill to cities of the first class. An amendment, offered by Sen. Roger Moe (DFL-Erskine), proposing to extend hours in the Metropolitan Area during the Superbowl and NCAA Final Four events, also failed, as did one offered by Sen. Dean Johnson (IR-Willmar), limiting the hours extension to Superbowl week. Sen. Fritz Knaak (IR-White Bear Lake) opposed both amendments and the bill, charging that they endanger the lives of Minnesotans. An amendment, offered by Sen. Ted Mondale (DFL-St. Louis Park), sunsets the provision in August 1993. No action was taken on the amendment, and the bill was progressed.

A number of other bills on General Orders were acted favorably upon. H.F. 246, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), allows persons with Canadian identification cards to buy liquor in Minnesota. S.F. 397, also authored by Stumpf, alters terms of a Red Lake Watershed District grant. H.F. 415, authored by Sen. John Hottinger (DFL-Mankato), regulates farm equipment dealerships. H.F. 41, authored by Sen. Ronald Dicklich (DFL-Hibbing), provides for widow benefits and asset disposition from the Virginia Firefighters Relief Association. S.F. 543, sponsored by Sen. James Metzen (DFL-South St. Paul), relating to housing programs, authorizes new construction and off-reservation improvement programs. S.F. 548, authored by Sen. Richard Cohen (DFL-St. Paul), relating to state finance, permits investments in federally insured savings accounts. H.F. 132, authored by Sen. John Marty (DFL-Roseville), prohibits incandescent lighting in certain exit signs in state buildings. Marty said the new lights, each of which pays for itself in a year, will save the state about \$13 million annually in energy costs. S.F. 635, sponsored by Sen. Don Samuelson (DFL-Brainerd), prohibits agreements between insurers and health care providers. H.F. 809, authored by Hottinger, increases

Floor action

county document fees. H.F. 526, authored by Sen. Ember Reichgott (DFL-New Hope), relating to corporations, modifies provisions governing mergers and dissolutions. S.F. 910, sponsored by Sen. Linda Berglin (DFL-Mpls.), clarifies laws relating to public health issues. S.F. 324, authored by Chmielewski, regulates employee wage liens.

Friday, April 26

Excise tax bill fails

The governor's cigarette tax plan failed to win preliminary approval on the General Orders Calendar during the early portion of the Fri., Apr. 26, floor session.

Bill author Duane Benson (IR-Lanesboro) explained that the bill, S.F. 476, raises taxes on alcohol, cigarettes and smokeless tobacco products. The measure also conforms Minnesota tax law with federal tax law and eliminates the "bubble" for higher income taxpayers. Benson said that the cigarette tax is fair considering the fact that cigarettes costs businesses and the state far more in health care costs and income lost. The exact cost to smokers is 24 cents a pack and for beer drinkers, four cents a six-pack. Bill opponents protested the plan. Sen. Steven Novak told members that excise taxes are unfair and that income taxes are more equitable because they are based on the ability to pay. Many members expressed a general distaste for raising any taxes. Sen. Chuck Halberg (IR-Burnsville) said that problems can't be solved by raising taxes. The bill failed 49-16.

Senators granted preliminary approval to a number of other bills during the early part of the session. S.F. 804, sponsored by Sen. William Luther (DFL-Brooklyn Park), requires that county boards provide medical aid to prisoners in jail. H.F. 244, also carried by Luther, recodifies the stop-arm law concerning school buses and school bus safety. The bill requires the use of stop-arms in every instance where a school bus is stopped on a street. H.F. 482, carried by Sen. Ember Reichgott (DFL-New Hope), reforms corporate takeover laws in accordance with the Minnesota Wellspring Taskforce on corporate takeovers, strengthening and clarifying certain parts of the corporate takeover statute. S.F. 793, authored by Sen. Gregory Dahl (DFL-Ham Lake), establishes maximum content levels of mercury for batteries and prohibits some batteries from manufacture or sale. H.F. 274, carried by Sen. LeRoy Stumpf (DFL-Thief River Falls), modifies the regulations governing motor vehicle manufacturer and dealer franchises. S.F. 885, sponsored by Sen. Linda Berglin (DFL-Mpls.), creates a limited exception to the

moratorium on licensure for new nursing home beds. The measure allows certain facilities to upgrade existing boarding care beds to skilled level beds in some circumstances. S.F. 707, Authored by Sen. Jim Gustafson (IR-Duluth), modifies exceptions to boiler requirements and brings state regulations into compliance with federal law. H.F. 832, sponsored by Sen. Sam Solon (DFL-Duluth), regulates heavy and utility equipment dealership contract terminations. S.F. 785, Sponsored by Sen. Richard Cohen (DFL-St. Paul), permits interstate banking with two additional reciprocating states, Ohio and Michigan.

The Senate concurred in amendments by the House to S.F. 539 and repassed the measure, which provides for an evidentiary presumption in resale price maintenance cases. Sen. Thomas Neville (IR-Northfield) moved for a conference committee on the bill but the motion failed on a roll-call vote. In addition, Senators approved one bill on the Senate Consent Calendar. H.F. 894, carried by Sen. Dean Johnson (IR-Willmar), permits local government officers to contract for services.

BST debate

At the afternoon portion of the Fri., Apr., 26, floor session, the Senate gave preliminary passage to a bill that would extend the moratorium on the use of bovine somatotropin (BST) in dairy herds for another year. S.F. 971, authored by Sen. Steven Morse (DFL-Dakota), prohibits the use of synthetic BST, which enhances milk production. Morse said that it will cost the federal government \$205 million to purchase surplus milk due to the use of BST. It is inappropriate to sanction the use of BST when a substantial surplus already exists in the market, he said. The body rejected an amendment, offered by Sen. Duane Benson (IR-Lanesboro), that makes the moratorium effective only if other states pass similar restrictions. Another amendment, offered by Sen. Charles Berg (DFL-Chokio), makes the moratorium effective until BST is approved for use by the United States Food and Drug Administration. The amendment also failed. No final action was taken on the bill.

Also considered on General Orders was H.F. 877. The bill, authored by Sen. Gene Merriam (DFL-Coon Rapids), authorizes the commissioner of natural resources to establish special hunting seasons for people with disabilities. H.F. 1105, sponsored by Sen. Randy Kelly (DFL-St. Paul), provides for additional civil service certification of underrepresented groups. H.F. 983, also sponsored by Kelly, changes Ramsey County special laws to make them more consistent with the county's home rule charter. S.F. 859, authored by Sen.

Lawrence Pogemiller (DFL-Mpls.), provides the authority for review of assessments for improvements for malls and roadways in Minneapolis. S.F. 1074, authored by Sen. John Hottinger (DFL-Mankato), authorizes the City of Mankato to annex noncontiguous territory to the city. H.F. 1017, sponsored by Sen. Joe Bertram (DFL-Paynesville), regulates the licensure of grocery stores and makes specific exemptions for some convenience store services. S.F. 687, authored by Sen. Gregory Dahl (DFL-Ham Lake), requires recycled chlorofluorocarbons (CFCs) used in refrigerant applications comply with environmental standards. The bill was amended to make clear that the use of recycled CFCs does not invalidate appliance warranties. H.F. 179, sponsored by Sen. Terry Johnston (IR-Prior Lake), prohibits the use of live lures for greyhound races. H.F. 238, sponsored by Hottinger, prohibits requiring a credit card number as a condition of check cashing or acceptance. An amendment, offered by Sen. Harold "Skip" Finn (DFL-Cass Lake), prohibiting the request of the address or phone number of a credit card holder as a condition of card use, except for shipping purposes, was adopted. All of these bills received preliminary passage.

S.F. 385, authored by Sen. Don Frank (DFL-Spring Lake Park), provides Senate confirmation of the chair of the Metropolitan Airports Commission. A motion to reconsider for the purposes of amendment was made after the bill was approved. No further action was taken on the bill.

Saturday, April 27

Election reform

A bill clarifying election procedures won preliminary approval during the early part of floor session, Sat., Apr. 27. H.F. 137, carried by Sen. William Luther (DFL-Brooklyn Park), specifies the nomination procedures for filling vacancies in nonpartisan offices and clarifies that a major political party may provide, in its governing rules, a procedure for filling vacancies in nominations. Luther moved to amend the measure to change the deadline for voluntary withdrawal of a candidate from 10 days after the primary to 16 days before the general election. The amendment was adopted. The Senate also adopted an amendment, offered by Sen. Gary Laidig (IR-Stillwater), clarifying that a vacancy in the nomination for a partisan office must be filled by the candidate who received the next highest number of votes in the primary for that office, provided the candidate received 25 percent or more of votes cast in the primary.

Several other bills on the General

Floor action

Orders Calendar gained preliminary approval. S.F. 422, sponsored by Sen. John Marty (DFL-Roseville), provides for the distribution of public notices in cities of the fourth class in the Metropolitan Area. S.F. 724, sponsored by Sen. Randy Kelly (DFL-St. Paul), repeals an annual housing impact reporting and replacement housing requirement. S.F. 385, carried by Sen. Don Frank (DFL-Spring Lake Park), provides for Senate confirmation of the chair of the Metropolitan Airports Commission. H.F. 1179, carried by Sen. Ted Mondale (DFL-St. Louis Park), mandates that the Metropolitan Council conduct a study of development in the seven-county Metro Area. In addition, the bill was amended to require that the council's budget be filed with the Legislature for review.

H.F. 1418, carried by Sen. Don Samuelson (DFL-Brainerd), excludes Medical Assistance and General Assistance Medical Care payments from the calculation of Minnesota Comprehensive Health Association members' share of expenses. Another bill, S.F. 226, sponsored by Samuelson, consolidates and simplifies county mental health and community social services planning. The bill authorizes the review and reduction of social service administrative requirements and establishes a process for limiting social services mandates due to county fiscal limitations.

S.F. 1032, authored by Sen. Leonard Price (DFL-Woodbury), increases the penalty for assaulting a correctional officer from one to two years. S.F. 1235, authored by Sen. Carol Flynn (DFL-Mpls.), eliminates a provision that requires dismissal of felony charges when depriving a person of parental rights if the child is voluntarily returned within 14 days. The measure changes the 14 day restriction to 48 hours. S.F. 1019, sponsored by Sen. Jane Ranum (DFL-Mpls.), requires that the attorney general conduct a study that includes recommendations for training on data practices laws for individuals involved in the child protection system. S.F. 765, authored by Marty, clarifies parking provision and provides for handicapped license plates for motorcycles and authorizes tinted windshields for medical reasons.

S.F. 962, authored by Sen. Ronald Dicklich (DFL-Hibbing), revises leasing procedures under which the Dept. of Natural Resources (DNR) operates when it offers public lands for lease, allowing more flexibility in iron ore and taconite leases sales. H.F. 633, carried by Sen. Robert Lessard (DFL-Int'l. Falls), regulates the use and operation of personal watercraft. S.F. 1027, authored by Price, and amended by Sen. Cal Larson (IR-Fergus Falls), creates an adopt-a-park program

similar to the existing adopt-a-highway program. S.F. 593, authored by Sen. Gen Olson (DFL-Minnetrista), allows railroad companies to collect repair funds, for improvements made to railroad right-of-ways, from property owners when the repairs are initiated by the property owner.

H.F. 1282, carried by Sen. Janet Johnson, (DFL-North Branch) provides additional procedures for storm sewer improvements. S.F. 1213, authored by Sen. James Metzger (DFL-South St. Paul), permits the combination of the offices of Dakota County treasurer and auditor and makes the combined office non-elective. H.F. 584, carried by Langseth, authorizes municipalities to enter into joint ventures with telecommunications organizations. S.F. 1129, authored by Lessard, expands municipalities' authority to contract for private design and construction of water and wastewater treatment facilities.

H.F. 479, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), Provides for the appointment of temporary town officers when the duly elected town officer is called to active military duty. S.F. 460, authored by Sen. Tracy Beckman (DFL-Bricelyn) changes appointment requirements for county veterans service officers. S.F. 976, sponsored by Sen Dennis Frederickson (IR-New Ulm), gives domestic animal status and protection to domestic European ferrets. S.F. 118, authored by Sen. Fritz Knaak (IR-White Bear Lake), tightens laws prohibiting cruelty to animals.

One of the measures generated considerable debate. S.F. 735, authored by Lessard, increasing the amount of vacation time that certain state employees can donate to bargaining representatives who are trying to negotiate new contracts, was progressed when an unfriendly amendment was adopted. Sen. Gene Waldorf (DFL-St. Paul) offered the amendment that specified that the bargaining representatives may not use the time for lobbying or political activity. Lessard then asked for progress on the bill.

Bills processed

Among the 10 bills given preliminary passage during the second portion of the Sat., Apr. 27, floor session was a measure removing the red fox from the protected wild animal list. The measure, S.F. 139, is authored by Sen. Charles Berg (DFL-Chokio). H.F. 623, carried by Sen. Tracy Beckman (DFL-Bricelyn), consolidates the Martin County auditor and treasurers offices into one office. S.F. 743, sponsored by Sen. Carl Kroening (DFL-Mpls.), requires the State Supreme Court to prepare fiscal notes at the request of a policy or appropriations committee chair. S.F. 950, sponsored by Sen. Linda Berglin

(DFL-Mpls.), assists individuals who live in areas where "crack" houses exist. S.F. 588, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), provides penalties for intentional damage to timber or wood processing, manufacturing or transportation equipment.

Further, S.F. 1050, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), alters the processing requirements for a producer of Minnesota farmstead cheese. H.F. 807, carried by Kroening, requires real estate brokers and salespersons to receive instruction in fair housing laws. S.F. 147, authored by Sen. Sam Solon (DFL-Duluth), changes the number of qualifying combined charitable organizations from ten to seven, for payroll deduction purposes. H.F. 843, carried by Solon, changes the date for the Western Lake Superior Sanitary District to adopt a budget and alters the definition of solid waste. S.F. 800, authored by Sen. Leonard Price (DFL-Woodbury), allows a resident of a nursing or boarding care facility to fish without a license. The measure also requires that tags must be attached to a taken animal before the animal is removed from the site and kept on until the animal is processed.

Senators also granted final passage to the 13 bills given preliminary passage on Thurs., Apr. 25, and to the 19 bills given preliminary passage on Fri., Apr. 26.

Cigarette tax bill passed

The Senate also gave final passage on the Special Orders Calendar to S.F. 476, an excise tax bill authored by Sen. Duane Benson (IR-Lanesboro). The bill raises \$82 million by conforming state income tax laws with federal tax law, \$165 million from cigarette taxes, and \$8 million from cigar and smokeless tobacco taxes. Benson offered an amendment, which was adopted, deleting a beer and wine tax provision. Benson said the amendment reduces revenues by \$24 million. Sen. Charles Berg (DFL-Chokio) who opposed the bill, contended that taxing these products to buy down property taxes is not the way to solve the problem. Sen. Douglas Johnson (DFL-Cook) countered that, although there are fairer ways to tax, the bill generates revenues needed to control property tax increases. The bill passed on a 35-29 roll call vote.

Additional bills on General Orders were granted preliminary approval during the late afternoon portion of the floor session. S.F. 84, authored by Sen. Keith Langseth (DFL-Glyndon), authorizes the sale of tax-forfeited land in Clay County. S.F. 1128, authored by Sen. William Luther (DFL-Brooklyn Park), provides for replacement costs insurance coverage for personal property and prohibits insurers from requiring that more than one

residential renter's insurance policy be written to cover a single household. S.F. 998, authored by Sen. Joanne Benson (IR-St. Cloud), requires that Minnesota adopt weights and measures standards recommended by the United States Dept. of Commerce and National Institute of Standards and Technology. H.F. 173, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), changes the structure of certain bargaining units within the University of Minnesota. S.F. 588, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), provides penalties for intentional damage to timber processing, manufacturing or transportation equipment as well as for the possession of devices that damage such equipment.

Monday, April 29

Bad check bill

Majority Leader Roger Moe (DFL-Erskine) designated the bills on the General Orders Calendar as Special Orders in order to allow the measures to be considered for final passage Mon., Apr. 29.

Members passed a bill relating to bad check penalties and procedures. S.F. 880, authored by Sen. Allan Spear (DFL-Mpls.), increases bank verification requirements for opening checking accounts and prohibits service charges for dishonored checks on persons other than the issuer. The bill also authorizes service charges for the use of law enforcement agencies. An amendment, offered by Spear, stipulates that if a checking account applicant provides a drivers license for identification, the banker must confirm the number with the Dept. of Public Service. The amendment, which was adopted, does not apply if a banker has known an applicant for one year or more.

Twenty one additional bills were granted final passage as Special Orders. S.F. 918, authored by Sen. William Luther (DFL-Brooklyn Park), prohibits agreements between insurance companies and clients to rescind a policy if the insurer has knowledge of any claims against the insured that would remain unsatisfied. S.F. 505, authored by Sen. Gary Laidig (IR-Stillwater), authorizes the sale of tax-forfeited lands in Washington County. S.F. 1122, authored by Sen. Joanne Benson (IR-St. Cloud), permits public officers to rent space in public facilities. S.F. 1216, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), allows the state to sell lands to Lake Township in Roseau County. Members adopted an amendment, by Sen. Gene Merriam (DFL-Coon Rapids), requiring Lake to consult with the Dept. of Natural Resources on the specific use of the land in order to protect tree stands. S.F. 355, authored by Sen. Lawrence Pogemiller (DFL-Mpls.),

requires bond or other security for expenses associated with the care of animals taken into custody. S.F. 1399, authored by Joanne Benson, determines the date when reconciliation of actual assessments to public utilities and telephone companies must be completed. S.F. 1318, authored by Sen. Dennis Frederickson (IR-New Ulm), authorizes the recording of monuments on plats before actual placement. S.F. 1160, authored by Sen. David Frederickson (DFL-Murdock), creates a new hospital subdivision in Swift County. S.F. 620, authored by Sen. Douglas Johnson (DFL-Cook), authorizes the sale of two lots in Cook County. S.F. 248, authored by Sen. Gregory Dahl (DFL-Ham Lake), authorizes the sale of tax-forfeited lands in Anoka County.

S.F. 274, authored by Sen. Ember Reichgott (DFL-New Hope), provides for the designation of a uniform symbol to warn children of dangerous dogs on premises. S.F. 83, authored by Sen. Keith Langseth (DFL-Glyndon), authorizes the sale of tax-forfeited lands in Clay and Cottonwood counties. S.F. 1295, authored by Sen. Richard Cohen (DFL-St. Paul), authorizes a study commission to explore Ramsey County local government consolidation. S.F. 240, authored by Sen. Sam Solon (DFL-Duluth), clarifies publication and notice requirements and provides for the contents and public availability of the county financial statement. S.F. 406, authored by Sen. John Marty (DFL-Roseville), prohibits the issuance of a certificate of need by the Public Utilities Commission (PUC) for new nuclear power plants until the PUC is satisfied that a safe nuclear waste permanent disposal method is available. S.F. 765, also sponsored by Marty, authorizes special motorcycle license plates and tinted windshields on cars for medical reasons. S.F. 1533, the omnibus environment and natural resources allocation bill sponsored by Sen. Gene Merriam, appropriates money for environment and natural resources protection. The \$470 million package appropriates \$60 million to the Pollution Control Agency and \$290 million to the Dept. of Natural Resources (DNR). The bill restores payments in lieu of taxes in the DNR's Forestry Division and accelerates the allocation of Environmental Trust Fund monies. An amendment to allocate \$10,000 from the state forest account to restrict old growth timber harvesting and sales failed. The amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), also defined old growth forest stand. S.F. 1530, also authored by Merriam, appropriates money to the Dept. of Transportation and other state agencies. Sen. Keith Langseth (DFL-Glyndon), said that the bill appropriates \$2.6 billion to these agencies for operating costs and contains a provi-

sion to abolish the gaming commissioner. The bill restores funding to the Historical Society and the World Trade Center. The Greater Minnesota Corporation is funded under the measure by General Fund monies instead of previously dedicated lottery proceeds. Langseth said another provision eliminates the transfer of motor vehicle excise tax money.

DNR fee increases

The members of the Senate granted two measures final passage on the Special Orders Calendar during the later portion of the Mon., Apr. 29, floor session. Sen. Gene Merriam (DFL-Coon Rapids), is chief author of the Dept. of Natural Resources omnibus fee increase bill. The bill, S.F. 1333, increases fees for state park permits, watercraft and snowmobiles licenses, and some game and fishing licenses. One of the bill's provisions, eliminating refunds on fishing licenses for individuals 65 years of age or older, was the focus of debate among members. Sen. Harold "Skip" Finn (DFL-Cass Lake), told members that the refund is just one small privilege granted to seniors and should not be eliminated. Finn offered an amendment eliminating the provision which was adopted on an 48-13 roll call vote. In response, Sen. Fritz Knaak (IR-White Bear Lake), offered an amendment that limits the fishing license refund to seniors whose gross annual income is below \$50,000. The amendment was adopted. Currently, seniors 65 years of age and older receive a \$4.50 refund from the state if they apply. The bill, as amended, was granted final passage on a close 34-32 roll call vote.

S.F. 1184, authored by Sen. Steven Morse (DFL-Dakota), allows the Pollution Control Agency to accelerate the amount of money collected by air emission permit fees over a three year period, and specifies that the fees must be collected to conform to Federal Clean Air Act regulations.

In other action, Senators granted final passage to all but one of the bills granted preliminary approval on Sat., Apr. 27. The measure that failed, S.F. 139, authored by Sen. Charles Berg (DFL-Chokio), removes the red fox from the protected wild animal list.

Tuesday, April 30

Higher ed merger okayed

Among the bills granted final passage on the Special Orders Calendar at the Tues., Apr. 30, floor session was a bill that merges three systems of higher education and creates the Higher Education Board. S.F. 1071, sponsored by Majority Leader Roger Moe (DFL-Erskine), merges the Technical College, Community College, and State University Systems, and creates one administrative board to govern the

Floor action

new system. Moe said that the bill will eliminate unnecessary duplication of services, increase coordination, and enhance quality in higher education.

Sen. Joanne Benson (IR-St. Cloud), said that many people in the higher education systems feel that they have not been included in the discussion on merger. "We need to pursue the goals of the merger," she said, but many of the systems are making progress toward those goal. Sen. Dean Johnson (IR-Willmar) said that the bill does not provide for protection of the mission of each system. Under such consolidation, the technical colleges will lose support in funding and for their mission, he said.

The body adopted an amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), that addresses the problem of how school districts will be compensated for technical college property to be transferred to the merged system. The amendment requires a proposal be submitted to the Legislature by school districts and the commissioner of administration. Another adopted amendment, offered by Sen. Gen Olson (IR-Minnetrista) changes the number of members appointed to the Higher Education Board by each board of the existing systems from three to two. The bill received final passage.

An additional 11 bills gained final passage. S.F. 953, authored by Sen. Jane Ranum (DFL-Mpls.) provides that some of the fees from criminal convictions to fund law libraries. S.F. 1332, authored by Sen. Don Frank (DFL-Spring Lake Park), is a resolution memorializing Congress to carefully consider the proposed Free Trade Agreement with Mexico. S.F. 988, authored by Sen. Jim Vickerman (DFL-Tracy), includes doctors of osteopathy in the exclusion of medical doctors from local government salary caps. S.F. 919, authored by Sen. Gene Merriam (DFL-Coon Rapids), eliminates the powers of the commissioner of natural resources to promulgate commissioner's orders and provides emergency rulemaking authority. H.F. 1455, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for the appointment of members of the Minneapolis Park and Recreation Board to the Minneapolis Reapportionment Commission. S.F. 824, authored by Knaak, clarifying the status of foreign exchange students enrolled in Minnesota high schools who have graduated from high schools in their home country and clarifies that the students are not eligible for post-secondary enrollment options. S.F. 417, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), is the Dept. of Education technical bill. S.F. 871, sponsored by Sen. Steven Novak (DFL-New Brighton), permits the city of New Brighton to acquire granular carbon without a bond. S.F. 958, carried by

Dicklich, authorizes the sale of tax-forfeited lands and an easement in St. Louis County. S.F. 887, authored by Sen. Tracy Beckman (DFL-Bricelyn), creates a Commission on Economic Development to study economic development efforts in the state.

In other action, the Senate voted to concur with the House on S.F. 729, authored by Sen. Gene Merriam (DFL-Coon Rapids), establishing qualifications for obtaining a license to take wild animals by firearms. The Senate also passed a bill on the consent calendar, H.F. 471, authored by Sen. William Luther (DFL-Brooklyn Park), which is a resolution memorializing the International Special Olympics Committee in support of the 1991 International Special Olympics Games, being held in the Twin Cities.

Higher ed bills fails

S.F. 1535, the higher education appropriation bill, was also considered for final passage on the Special Orders Calendar. The \$1.9 billion package, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), allocates money to the Higher Education Coordinating Board, technical, community college and state university boards and the University of Minnesota. Among Senate proposals differing from the governor's recommendations are the reductions in state funding levels to the higher education systems. The Senate proposal decreases base level funding by \$50 million for the biennium, while the governor's recommendation decreases funding by \$119 million. Under the Senate proposal, monies are funneled into an augmented financial aid package that raises the amount of assistance currently allotted for living and miscellaneous expenses. The Senate proposal also restores nonresident reciprocity funding by allotting to nonresidents half the funding amount available to residents. The bill proposes tuition increases amounting to 20 percent for community colleges, 31 percent for technical and state colleges, and 34 percent for the University of Minnesota. Sen. LeRoy Stumpf (DFL-Thief River Falls) indicated that the tuition increases amount to about \$110 per year per student and are not unreasonable given the alternative of cutting courses or services. Sen. Dick Day (IR-Owatonna) offered an amendment that transfers the Waseca branch from the University of Minnesota system to the Community College System. The amendment failed on a 32-34 roll call vote. Sen. Roger Moe (DFL-Erskine) moved to incorporate S.F. 1071, the higher education merger bill, into S.F. 1535. Although the amendment was adopted, S.F. 1535 failed to gain passage on a 15-51 vote. But Moe's motion to re-

consider S.F. 1535 prevailed, and the bill was laid on the table.

Wednesday, May 1

Pension bills okayed

During the early portion of the Wed., May 1, Senate floor session, Senators granted final passage to three measures on the Special Orders Calendar relating to retirement benefits. S.F. 449, authored by Sen. Sam Solon (DFL-Duluth), eliminates the requirement that the Duluth and St. Paul Teachers Retirement Fund Association (TRFA) realize an investment gain in order to pay out an annual lump sum income adjustment. H.F. 806, carried by Sen. Gene Waldorf (DFL-St. Paul), provides a postretirement adjustment to members of the St. Paul TRFA who retired before 1978. H.F. 954, also carried by Solon, provides two months service credit to a Public Employee Retirement Association member and former employee of St. Louis County who was forced to resign in 1956 due to the birth of a child.

Senators also granted final passage to an additional three measures. S.F. 86, authored by Sen. Jane Ranum (DFL-Mpls.), provides an equitable arbitration process for teachers in dismissal, termination or discipline proceedings. Debate on the measure focused on an amendment, offered by Sen. Thomas Neuville (IR-Northfield), allowing a school board to choose arbitration even if a teacher has requested a formal hearing. The amendment failed to gain Senate approval.

Further, S.F. 861, sponsored by Sen. William Luther (DFL-Brooklyn Park), eliminates and modifies obsolete bonding requirements. S.F. 1231, sponsored by Sen. Dallas Sams (DFL-Staples), allows the commissioner of human services to waive the requirement that emergency mental health services be provided by a provider other than fire and public safety emergency service providers. The measure also stipulates training requirements for 911 emergency service dispatchers on emergency mental health services

Preview

May 6-11, 1991

Conference committees on the major spending and tax bills will meet throughout the week. Floor Sessions will be held daily. Please call the Senate Information Office at 296-0504 or the Senate hotline at 296-8088 for the latest schedule information.

Senate Committee Assignments

AGRICULTURE AND RURAL DEVELOPMENT (12)

Chair: Davis Vice chair: Beckman
Office: G-24 Telephone: 296-7405
Meets: T, Th; Room 112; 10-12 noon
Beckman Davis Frederickson, D. R. Renneke
Berg Day Larson Sams
Bertram Frederickson, D. J. Morse Vickerman

COMMERCE (16)

Chair: Solon Vice chair: Pappas
Office: 303 Telephone: 296-4158
Meets: T, W, F; Room 112; 1-3 p. m.
Adkins Cohen Larson Pappas
Belanger Day Luther Samuelson
Berglin Hottinger Mehrkens Solon
Brataas Kroening Metzen Spear

ECONOMIC DEVELOPMENT & HOUSING (12)

Chair: Metzen Vice chair: Johnson, J. B.
Office: 303 Telephone: 296-8864
Meets: M, Th; Room 107; 12-2 p. m.
Beckman Gustafson Kroening Sams
Bernhagen Johnson, J. B. Metzen Storm
Davis Kelly Neuville Traub

EDUCATION (23)

Chair: Dahl Vice chair: Traub
Office: 235 Telephone: 296-4185
Meets: M, W, F; Room 15; 8-10 a. m.
Beckman Hottinger Mehrkens Pogemiller
Benson, J. Hughes Mondale Ranum
Dahl Johnston Morse Reichgott
DeCramer Knaak Neuville Stumpf
Dicklich Langseth Olson Traub
Frederickson, D. J. Larson Pappas

EDUCATION FUNDING DIVISION (14)

Chair: Dicklich
Office: 235 Telephone: 296-8018
Meets: M, Th; Room 107; 3-6 p. m.
Dahl Hughes Mehrkens Reichgott
DeCramer Knaak Olson Stumpf
Dicklich Langseth Pappas
Frederickson, D. J. Larson Pogemiller

ELECTIONS AND ETHICS (13)

Chair: Hughes Vice chair: Luther
Office: 328 Telephone: 296-8866
Meets: W; Room 107; 12 Noon - 1 p. m.
Cohen Johnson, D. E. Luther Moe Samuelson
Halberg Johnson, D. J. Marty Piper
Hughes Laidig McGowan Pogemiller

EMPLOYMENT (10)

Chair: Chmielewski Vice chair: Mondale
Office: 325 Telephone: 296-8865
Meets: M, W; Room 107; 10-12 noon
Adkins Chmielewski Gustafson Kroening Piper
Brataas Frank Halberg Mondale Solon

ENERGY AND PUBLIC UTILITIES (12)

Chair: Novak Vice chair: Finn
Office: 321 Telephone: 296-1767
Meets: T, Th; Room 107; 10-12 noon
Benson, J. Gustafson Novak Reichgott
Dicklich Johnson, D. J. Olson Storm
Finn Marty Piper Waldorf

ENVIRONMENT AND NATURAL RESOURCES (19)

Chair: Lessard Vice chair: Price
Office: 111 Telephone: 296-1113
Meets: T, W, F; Room 107; 1-3 p. m.
Benson, J. Frederickson, D. R. Merriam Pariseau
Berg Johnson, J. B. Mondale Price
Bernhagen Laidig Morse Riveness
Dahl Lessard Novak Stumpf
Finn Marty Olson

FINANCE (30)

Chair: Merriam Vice chair: Vickerman
Office: 122 Telephone: 296-4157
Meets: T, W, F; Room 123; 3-6 p. m.
Beckman Frederickson, D. R. McGowan Solon
Berg Johnson, D. E. Mehrkens Spear
Brataas Kroening Merriam Storm
Cohen Laidig Metzen Stumpf
Dahl Langseth Morse Vickerman
Davis Larson Piper Waldorf
DeCramer Lessard Renneke
Dicklich Luther Samuelson

GAMING REGULATION (10)

Chair: Berg Vice chair: Bertram
Office: 328 Telephone: 296-5539
Meets: M, W; Room 107; 8-10 a. m.
Berg Dicklich Johnson, D. E. Metzen
Bertram Frederickson, D. R. McGowan Price Samuelson
Spear

GOVERNMENTAL OPERATIONS (12)

Chair: Waldorf Vice chair: Ranum
Office: 317 Telephone: 296-4175
Meets: T, Th; Room 15; 8-10 a. m.
Belanger Frederickson, D. R. Pariseau Renneke
DeCramer Hughes Pogemiller Riveness
Frederickson, D. J. Morse Ranum Waldorf

HEALTH AND HUMAN SERVICES (17)

Chair: Berglin Vice chair: Sams
Office: G-9 Telephone: 296-4151
Meets: M, Th; Room 15; 3-6 p. m.
Adkins Day Hottinger Solon Waldorf
Benson, D. Finn Johnson, J. B. Storm
Berglin Flynn Piper Traub
Brataas Halberg Sams Vickerman

JUDICIARY (17)

Chair: Spear Vice chair: Kelly
Office: G-27 Telephones: 296-4191
Meets: M, W, F; Room 15; 10-12 noon
Belanger Kelly Marty Pogemiller
Berglin Knaak McGowan Ranum
Cohen Laidig Merriam Reichgott
Finn Luther Neuville Spear

LOCAL GOVERNMENT (9)

Chair: Adkins Vice chair: Hottinger
Office: G-29 Telephone: 296-4150
Meets: T, Th; Room 107; 8-10 a. m.
Adkins Chmielewski Day Lessard
Bernhagen Davis Hottinger Neuville Traub

METROPOLITAN AFFAIRS (13)

Chair: Frank Vice chair: Flynn
Office: 226 Telephone: 297-8070
Meets: T, Th; Room 15; 10-12 noon
Cohen Johnston Laidig Pappas
Flynn Kelly Langseth Pariseau
Frank Knaak Mondale Price Ranum

REDISTRICTING (10)

Chair: Moe Vice chair: Luther
Office: 208 Telephone: 296-4196
Meets: On Call
Benson, D. DeCramer Knaak Moe
Cohen Johnson, D. J. Luther Pogemiller Reichgott
Storm

RULES AND ADMINISTRATION (29)

Chair: Moe Vice chair: Luther
Office: 208 Telephone: 296-4196
Meets: On Call
Adkins Bertram Frank Lessard
Belanger Brataas Hughes Solon
Benson, D. Chmielewski Johnson, D. E. Merriam
Berg Dahl Johnson, D. J. Metzen
Berglin Davis Knaak Moe
Bernhagen DeCramer Laidig Novak Waldorf

TAXES AND TAX LAWS (22)

Chair: Johnson, D. J. Vice chair: Frederickson, D. J.
Office: 205 Telephone: 296-4839
Meets: T, W, F; Room 15; 3-6 p. m.
Belanger Chmielewski Halberg Novak
Benson, D. Flynn Hughes Olson Reichgott
Berglin Frank Johnson, D. J. Pariseau
Bernhagen Frederickson, D. J. Kelly Pogemiller
Bertram Gustafson Marty Price Riveness

TRANSPORTATION (14)

Chair: DeCramer Vice chair: Riveness
Office: 309 Telephone: 296-4186
Meets: M, Th; Room 112; 12-2 p. m.
Benson, J. Flynn Langseth Olson Vickerman
Chmielewski Johnson, D. E. Mehrkens Pappas
DeCramer Johnston Novak Riveness

VETERANS AND GENERAL LEGISLATION (11)

Chair: Bertram Vice chair: Johnson, J. B.
Office: 323 Telephone: 296-1771
Meets: M, W; Room 112; 10-12 noon
Bertram Johnson, D. E. Johnston Pariseau Sams Vickerman
Dahl Johnson, J. B. Lessard Renneke Samuelson

Minnesota Senate

Senate Members --- 1991 Session

Party	Phone	Name	Room	Dist.	Party	Phone	Name	Room	Dist
DFL	296-5981	Adkins, Betty	G-29	Cap. 22	DFL	3205	Langseth, Keith	G-24	Cap. 9
DFL	5713	Beckman, Tracy	G-24	Cap. 29	IR	5655	Larson, Cal	145	SOB 10
IR	5975	Belanger, William V., Jr.	107	SOB 41	DFL	4136	Lessard, Bob	111	Cap. 3
IR	3903	Benson, Duane D.	147	SOB 32	DFL	8869	Luther, William P.	205	Cap. 47
IR	6455	Benson, Joanne E.	153	SOB 17	DFL	5645	Marty, John	G-9	Cap. 63
DFL	5094	Berg, Charles A.	328	Cap. 11	IR	2159	McGowan, Patrick D.	129	SOB 48
DFL	4261	Berglin, Linda	G-9	Cap. 60	IR	8075	Mehrrens, 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 P.	303	Cap. 39
IR	4848	Brataas, Nancy	139	SOB 33	DFL	2577	Moe, Roger D.	208	Cap. 2
DFL	4182	Chmielewski, Florian	325	Cap. 14	DFL	7-8065	Mondale, Ted	325	Cap. 44
DFL	5931	Cohen, Richard J.	G-27	Cap. 64	DFL	5649	Morse, Steven	G-24	Cap. 34
DFL	5003	Dahl, Gregory L.	235	Cap. 50	IR	1279	Neuville, Tom	123	SOB 25
DFL	2302	Davis, Charles R.	G-24	Cap. 18	DFL	4334	Novak, Steven G.	322	Cap. 52
IR	9457	Day, Dick	105	SOB 30	IR	1282	Olson, Gen	125	SOB 43
DFL	6820	DeCramer, Gary M.	309	Cap. 27	DFL	1802	Pappas, Sandra L.	G-24	Cap. 65
DFL	2859	Dicklich, Ronald R.	235	Cap. 5	IR	5252	Pariseau, Pat	109	SOB 37
DFL	6128	Finn, Harold R. "Skip"	321	Cap. 4	DFL	9248	Piper, Pat	G-9	Cap. 31
DFL	4274	Flynn, Carol	227	Cap. 61	DFL	7809	Pogemiller, Lawrence J.	306	Cap. 58
DFL	2877	Frank, Don	225	Cap. 51	DFL	7-8060	Price, Leonard R.	111	Cap. 56
DFL	5640	Frederickson, David J.	306	Cap. 20	DFL	7-8061	Ranum, Jane	317	Cap. 62
IR	8138	Frederickson, Dennis R.	143	SOB 23	DFL	2889	Reichgott, Ember D.	301	Cap. 46
IR	4314	Gustafson, Jim	115	SOB 8	IR	4125	Renneke, Earl W.	117	SOB 35
IR	4120	Halberg, Chuck	133	SOB 38	DFL	7-8062	Riveness, Phil	309	Cap. 40
DFL	6153	Hottinger, John C.	G-29	Cap. 24	DFL	7-8063	Sams, Dallas C.	G-9	Cap. 12
DFL	4183	Hughes, Jerome M.	328	Cap. 54	DFL	4875	Samuelson, Don	124	Cap. 13
IR	3826	Johnson, Dean E.	131	SOB 15	DFL	4188	Solon, Sam G.	303	Cap. 7
DFL	8881	Johnson, Douglas J.	205	Cap. 6	DFL	4191	Spear, Allan H.	G-27	Cap. 59
DFL	5419	Johnson, Janet B.	303	Cap. 19	IR	6238	Storm, Donald A.	119	SOB 42
IR	4123	Johnston, Terry	135	SOB 36	DFL	8660	Stumpf, LeRoy A.	G-24	Cap. 1
DFL	5285	Kelly, Randy C.	G-27	Cap. 67	DFL	7-8064	Traub, Judy	235	Cap. 45
IR	1253	Knaak, Fritz	149	SOB 53	DFL	5650	Vickerman, Jim	122	Cap. 28
DFL	4302	Kroening, Carl W.	124	Cap. 57	DFL	3809	Waldorf, Gene	317	Cap. 66
IR	4351	Laidig, Gary W.	141	SOB 55					

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

May 10, 1991

Tax conference committee

Members of the conference committee on the omnibus tax bill, H.F. 1086, completed work on a compromise plan Thurs., May 9. Cochairs Rep. Paul Ogren (DFL-Aitkin) and Sen. Douglas Johnson (DFL-Cook), described the measure as "steeply progressive, based on the ability to pay." According to Ogren, the measure holds down property tax increases and contains no income tax increases for families making less than \$100,000 per year. Johnson characterized the measure as fair, progressive, appropriate and conservative.

Key components of the bill, which faces an almost certain veto, include raising the top rate on individual income taxes to nine percent, increasing the cigarette tax by five cents per pack, broadening the sales tax to include new categories, retaining the six percent sales tax, and expanding the first and second property tax tier on homes and phasing in the elimination of the third tier.

The measure raises a total of \$482.59 million in revenue for the biennium. Specifically, the bill raises almost \$300 million in individual and corporate income taxes, \$50.9 million in sales taxes and \$132 million in other taxes. The plan also uses \$250 million from the budget reserve, leaving \$300 million in the reserve for cash flow purposes.

However, the measure does contain several provisions that provide relief by expanding the elderly income exclusion from \$10,000 to \$12,000, providing for a military pay credit, exempting aquaculture equipment from the sales tax, exempting the Special Olympics from the sales tax and allowing childcare providers to take a childcare credit. The compromise tax package also contains property tax relief aimed at low and middle income homeowners.

State Departments bill approved

After six hours of deliberation, the Senate Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved a bill Wed., May 8, that appropriates \$722 million for the administrative, legislative, judicial functions of state government. The state departments omnibus bill was presented by Sen. Carl Kroening (DFL-Mpls.).

Bill provisions include a program for

low-income and family farm legal assistance; a directive requiring the commissioner of administration to identify immediate cost savings for state government to equal \$11 million and requiring the commissioner of finance to unallot from agency budgets to meet this goal; and a directive to state agencies to look at lay-offs of front line personnel only after considering lay-offs to managerial personnel. Several provisions develop cooperative housing development programs for low-income or disadvantaged people. A provision freezes salaries of legislators and judges. Other provisions contain a requirement that the commissioner of administration designate three employees to assist local governments in order to comply with accessibility codes; a requirement that state agency employees be retrained for existing positions when agencies are restructured; and an extension of the pilot project of the state takeover of the Eighth Judicial District.

The bill also eliminates the State Planning Agency and transfers essential activities to other agencies. Seven and a half million dollars is transferred to other agencies along with the transferred activities, while \$3.3 million per year will be saved, said Kroening. Sen. Nancy Brataas (IR-Rochester) offered an amendment that removes provisions eliminating the State Planning Agency but the amendment was defeated on a divided vote.

The committee adopted an amendment, offered by Sen. Dennis Frederickson (IR-New Ulm), that limits the salary of attorneys of political subdivisions to 95 percent of the salary of the state attorney general. Also adopted was an amendment offered by Sen. Don Samuelson (DFL-Brainerd) that limits state agency employee salaries to 95 percent of that of the commissioner. In addition, the committee adopted two amendments, offered by Sen. Gene Waldorf (DFL-St. Paul) and Morse that limit the state's contribution to the Minneapolis Employee Retirement Fund.

The bill was approved and sent to the full Senate.

HHS budget moves through Senate

The omnibus health and human services appropriations bill, H.F. 719, was

granted final passage on the Special Orders Calendar at the Mon., May 6, Senate floor session. Senators passed the measure, carried by Sen. Gene Merriam (DFL-Coon Rapids), by a 59-7 roll call vote.

The \$3.469 billion measure provides funding for the Depts. of Health, Human Services, Corrections, Jobs and Training; Veterans Homes; and various boards and councils. According to Sen. Don Samuelson (DFL-Brainerd), the largest portion of the budget, \$2.1 billion (61 percent), goes toward funding health care programs.

Members also debated a number of amendments. The first amendment, offered by Sen. Charles Berg (DFL-Chokio), allows the sunset provision on the Dislocated Worker Program assessment to remain at June 30, 1992. The amendment eliminates the .1 percent tax on chargeable wages currently being assessed against employers to help fund the program. Under the bill, the tax employers pay to help fund the program is made permanent. Berg told members that the surcharge should not be made permanent through the bill. Sen. Don Frank (DFL-Spring Lake Park), vehemently opposed the amendment saying that the program is successful and is necessary to help retrain and educate workers who become dislocated through no fault of their own. After further debate, the amendment failed on a narrow 33-34 roll call vote.

Sen. Dean Johnson (IR-Willmar) offered an amendment relating to the General Assistance (GA) and Work Readiness (WR) programs. The amendment reduces GA and WR monies received by single persons without minor children to 60 percent of the amount currently being received by such persons. The amendment was adopted on a 31-23 roll call vote.

Members also adopted an amendment, by Sen. Thomas Neuville (IR-Northfield), relating to pardon procedures by the Board of Pardons. The amendment allows for public attendance at board meetings and directs the board to hold meetings whenever formal pardon or sentence commutation action is taken. The amendment repeals a law ordering sealed records in criminal pardons and instead stipulates that a copy of the pardon be included in the criminal's court file.

Committee update

Education

Confirmation hearings

The Education Committee, chaired by Sen. Gregory Dahl (DFL-Ham Lake), met Thurs., May 9, to conduct confirmation hearings.

Confirmed were Harry A. Sieben, Jr., Jonelle Moore, William Jones, and Steven Watson to the Board of the Minnesota Center for Arts Education; Verne E. Long and Robert Decker to the Minnesota Higher Education Coordinating Board; F.B. Daniel, Billeigh H. Riser, and Robert L. Cahlander to the State Board of Technical Colleges; Robert M. Bigwood and Stephen Lloyd Maxwell to the State Board for Community Colleges; Gary Mohrenweiser to the State Board of Vocational Technical Education; and Tom Martinson to the Minnesota Higher education Facilities Authority.

Environment and Natural Resources

Confirmation hearings

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), conducted confirmation hearings Thurs., May 2.

Approved were Dottie M. Rietow as director of the Office of Waste Management; Carolyn E. Engebretson and Edward C. Oliver as Environmental Quality Board members; and C. Merle Anderson, Christine Susan Kneeland and Patricia Baker as members of the Environmental Trust Fund Citizens Advisory Committee.

Finance

Boards eliminated

A bill eliminating the Office of Social Work and Mental Health Boards was approved at the Thurs., May 2, hearing of the Finance Divi-

sion on Health and Human Services.

S.F. 1045, authored by Sen. Linda Berglin (DFL-Mpls.), also phases out the Board of Unlicensed Mental Health Service Providers. The bill establishes an autonomous Board of Social Work, Board of Marriage and Family Therapy and an Office of Mental Health Practice. Discussion among division members, chaired by Sen. Don Samuelson (DFL-Brainerd), centered on the appropriation section of the bill for the Office of Mental Health Practice. The bill provides for an \$175,000 appropriation from the state special revenue fund for the next biennium. The bill was sent to the full Finance Committee.

Members also approved and advanced to the full committee three other measures. S.F. 819, sponsored by Sen. Nancy Brataas (IR-Rochester), provides Rule 12 Quarry Hill Center funding to be redirected to three pilot projects in Olmsted, Goodhue and Fillmore Counties. The funding must be used for enhanced community support services for individuals with mental illness through the Dispersed Apartment Pilot Program, and to provide supportive housing services for individuals who are chronically mentally ill.

A bill relating to the Dept. of Human Services (DHS) Telephone Assistance Plan application process was also discussed by division members. S.F. 699, authored by Sen. John Hottinger (DFL-Mankato), requires applicants to prove they are eligible for the program before receiving any assistance funds. To be eligible for the program, an individual must be elderly, disabled or low income. Hottinger told members that under current rules, applicants receive assistance as soon as they apply. He added that between 20 and 25 percent of the applicants who are receiving funds are actually ineligible for the program. The bill also specifies that funds will not be distributed until applications

are approved by the DHS. The bill includes an appropriation of \$422,000 for FY 92.

Lastly, S.F. 716, authored by Sen. Ember Reichgott (DFL-New Hope), pertains to domestic abuse. The measure requires that a domestic abuse petition state if there is an existing order for protection. Due to An amendment offered by Sen. Pat Piper (DFL-Austin), and adopted by the division, removes the section of the bill providing additional funding for advocacy services for battered women.

Heritage Center

The Finance Division Environment and Natural Resources okayed a bill Thurs., May 2, providing for the establishment of the St. Croix Valley Heritage Center. Senator Steven Morse (DFL-Dakota) chairs the division.

S.F. 966, a bill adding and deleting land in state parks, is sponsored by Sen. Janet Johnson (DFL-North Branch). A provision in the bill allows for establishment of the St. Croix Valley Heritage Center within the St. Croix Valley State Park in Taylors Falls, Minnesota. Mary Schmitz, St. Croix Valley Heritage Project, said the center will provide history and education about the valley. She added that some project funding is being sought and raised from the private sector. An adopted author's amendment authorizes the Dept. of Natural Resources (DNR) to make a grant to the Chisago County Historical Society for the Heritage Center. The bill was advanced to the full Finance Committee.

S.F. 842, authored by Morse, amends 1989 Ground Water Act statutes relating to health. The bill regulates borings and well drilling, sealing and construction. An amendment, offered by Morse, adjusts from \$2,000 to \$10,000 the bonding amount required from plumbers to perform well modifications. The

amendment was adopted. Another Morse amendment institutes an \$8 filing fee for disclosure certificates. The amendment, which was adopted, stipulates that half of the fees must be given to the Dept. of Health on a quarterly basis. The bill was recommended for passage and advanced to the full committee.

Members also heard testimony on a bill expanding the use of the Minnesota Future Resources Fund. S.F. 781, authored by Sen. Ronald Dicklich (DFL-Hibbing), allows fund monies to be used for low income household energy conservation projects, many of which are administered by community action programs. Mike Noble, Natural Resources Corporation, said conservation projects such as weatherization contribute to the reduction of carbon dioxide emissions resulting from fossil and nuclear fuel use. He said that energy conservation and environmental protection are not separate issues, and that the fund would provide a needed source for programs suffering from slashed federal funding. No action was taken on the bill.

Health and Human Services bill

The Health and Human Services omnibus bill was the primary subject of the Fri., May 3, meeting of the Committee on Finance, chaired by Sen. Gene Merriam (DFL-Coon Rapids).

The bill appropriates \$3.5 billion for health and human service purposes. Sen. Don Samuelson (DFL-Brainerd) said that 61 percent of the appropriation goes for health care costs, while the other 39 percent goes to other human services, corrections, and jobs and training. The bill appropriates \$53 million less than the governor's recommendation and is a 16.8 percent increase over the funding level from the previous biennium.

One of the major issues dealt with in the bill, said Samuelson, is its fee and reimbursement structure for nursing homes, hospitals, and care providers. The proposal allows the

state to take advantage of federal monies for reimbursement to providers through the Medical Assistance Program and other health related programs, said Samuelson.

The committee adopted an amendment, offered by Samuelson, giving explicit authority to the commissioner of human services to contract with the commissioner of revenue for the collection of child support obligations. Also adopted was another Samuelson amendment that directs the commissioners of human services and health to study health care cost containment options that do not decrease the number of persons eligible for services.

An amendment, offered by Sen. Gene Waldorf (DFL-St. Paul), provides state family planning funds to organizations that do not meet current department criteria for funding. Sen. Allan Spear (DFL-Mpls.) offered an amendment that withholds student financial aid to persons who do not meet child support obligations. Both amendments were adopted.

Two other amendments that were adopted specify guidelines for emergency rule promulgation and specify classified employee status in the Dept. of Human Services and the Dept. of Health.

The bill was approved and sent to the full Senate.

The committee also considered the Joint Subcommittee on Claims bill. S.F. 1528, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), authorizes payment of claims against the state. Payment is restricted to those individuals identified in the Joint Claims Subcommittee bill. The bill was approved and sent to the full Senate.

Building contractor bill debated

The Committee on Finance, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Sat., May 4, to consider several bills.

S.F. 202, authored by Sen. Gregory Dahl (DFL-Ham Lake), requires building contractors to be licensed by

the state. The bill requires licensure for those doing work on projects that exceed \$2,500, establishes licensing fees, requires a contractor be bonded or insured, and establishes an examination requirement. Several committee members expressed reservations over bill provisions. Sen. Tracy Beckman (DFL-Bricelyn) said that the provisions would work an undue hardship on people doing small-project building in rural areas. Sen. Steven Morse (DFL-Dakota) agreed, adding that the bill's purpose would be served if the licensing provision were optional. The bill was defeated on a divided vote.

S.F. 105, sponsored by Sen. Don Samuelson (DFL-Brainerd), allows appropriations to the Minnesota Veterans Homes Board to be transferred from one project to another and allows the commissioners of finance and administration to transfer federal funds received later to the project from which the appropriation was taken. The committee adopted an amendment, offered by Sen. Jim Vickerman (DFL-Tracy), that requires the Veterans Nursing Home Board to develop a long-range plan for the Minneapolis and Hastings campuses. The bill was approved and sent to the full Senate.

S.F. 783, authored by Dahl, transfers responsibilities for the transport of infectious wastes from the Pollution Control Agency to the Dept. of Health. S.F. 208, authored by Sen. Lyle Mehrkens (IR-Red Wing), provides for seven-year, in transit license plates for dealers. S.F. 786, carried by Sen. Dennis Frederickson (IR-New Ulm), raises fees for inspection for nursery stock growers. S.F. 1116, sponsored by Vickerman, allows counties to spend money for public television broadcast facilities. S.F. 275, authored by Beckman, permits the commissioner of public safety to charge a fee, not in excess of \$10, for inspection of a commercial motor vehicle and provides less strict rules for safety compliance for vehicles

Committee update

under 57,000 pounds. S.F. 740, carried by Merriam, is the Dept. of Finance housekeeping bill. All six bills were approved and sent to the full Senate.

Earlier Sat., May 4, the Finance Committee advanced four measures to the Senate floor. S.F. 510, authored by Sen. Charles Berg (DFL-Chokio), changes the fee schedule and handling requirements for egg producers, transporters and sellers. The measure was amended to delete the provision outlining the new fee schedule because the language is contained in the omnibus agriculture, transportation and regulated industries bill.

H.F. 606, sponsored by Sen. Terry Johnston (IR-Prior Lake), is a department of transportation housekeeping bill and authorizes the department to cancel uncollectible debts of up to \$200. The measure was amended to provide for an extension of funds appropriated last year for federal discretionary bridge fund matching purposes to allow continuation of work on the Bloomington Ferry Bridge. H.F. 722, also sponsored by Johnston, clarifies language about money appropriated for military land acquisition. H.F. 882, sponsored by Sen. William Belanger (IR-Bloomington), increases the fine for littering from \$100 to \$400.

Seat belt fines

A bill changing the fines for violation of seat belt laws was approved at the Mon., May 6, meeting of the Committee on Finance, chaired by Sen. Gene Merriam (DFL-Coon Rapids). S.F. 542, authored by Sen. Don Frank (DFL-Spring Lake Park), increases fines for not wearing a seat belt from \$10 to \$25 and allows a peace officer to stop a motorist primarily for the violation of the seat belt laws. The committee adopted an amendment that appropriates \$900,000 to the commissioner of health to distribute among emergency medical services systems for training

and equipment. The bill was approved and sent to the full Senate.

S.F. 559, authored by Sen. David Frederickson (DFL-Murdock), requires that all gasoline sold in the state must be oxygenated. Under the bill, oxygenated gasoline is defined as ethanol. The committee adopted an amendment, offered by Sen. Earl Renneke (IR-LeSueur), that eliminates the requirement that school bus operators buy gasoline in bulk in order to be eligible for the agricultural alcohol gasoline tax break. The bill was approved and sent to the full Senate.

S.F. 74, sponsored by Sen. Dallas Sams (DFL-Staples), establishes Glendalough State Park. H.F. 1299, sponsored by Sen. Roger Moe (DFL-Erskine), abolishes the refund of a checkoff fee paid by paddy wild rice producers. S.F. 607, authored by Frederickson, includes certain streets, in cities with populations of less than 5,000 as of the 1990 census, in the County State-Aid Street System. H.F. 609, sponsored by Sen. Janet Johnson (DFL-North Branch), allows the Veterans Home Board to lease excess facilities. S.F. 441, authored by Sen. Bob Lessard (DFL-Int'l. Falls), extends the accident reduction program for drivers over age 55 and provides for decreased premiums for participating drivers. S.F. 109, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), changes the administration of fees charged by county commissioners. S.F. 982, sponsored by Sen. John Bernhagen (IR-Hutchinson), makes changes to the structure of the Greater Minnesota Corporation. All these bills were approved and sent to the full Senate.

Eurasian milfoil surcharge bill

The Committee on Finance, chaired by Sen. Gene Merriam (DFL-Coon Rapids), heard several bills at the Tues., May 7, meeting, including one dealing with the control and management of Eurasian water milfoil and

other exotic species of plants and animals in Minnesota waterways.

S.F. 511, authored by Sen. William Luther (DFL-Brooklyn Park), establishes a surcharge on watercraft to be used for management of Eurasian water milfoil and the zebra mussel. The bill establishes a public education program for boaters, lakeshore owners, and those receiving fishing licenses. The bill also gives authority to the commissioner of natural resources to establish road-side checks of trailered boats. The bill was approved and sent to the full Senate.

S.F. 598, carried by Sen. Keith Langseth (DFL-Glyndon), deals with the Transportation Study Board. Included in the bill's provisions is a statement of the goals of the board. The bill makes recommendations and calls for studies in the areas of railroad crossings, port development, and light rail transit. The bill gives authority to the commissioner of transportation to use up to one percent of undedicated appropriations to conduct these studies. Also included in the bill are recommendations for the use of toll facilities. The bill recommends an increase in the gas tax of 23 cents and extends the sales tax to car repair labor costs.

The committee adopted amendments that delete the recommendation for the tax on repairs. The committee adopted another amendment, offered by Merriam, that removes the requirement that one percent of sales tax in the Metropolitan Area go for light rail transit purposes and prohibits local governments from accessing federal monies for light rail without the approval of the Metropolitan Council. The bill was approved and sent to the Committee on Taxes and Tax Laws.

S.F. 1087, authored by Sen. Dennis Frederickson (IR-New Ulm), increases the bonding authority for the Public Facilities Authority (PFA) from \$150 million to \$300 million. The PFA loans money to local governments for

the development of wastewater treatment facilities using money from the proceeds of the sale of bonds. The bill was amended, in a motion by Frederickson, to change the bonding authority to \$250 million. The bill was approved and sent to the full Senate.

S.F. 836, authored by Sen. Joanne Benson (IR-St. Cloud), provides access to funding for the renovation of office space for faculty at St. Cloud State University. The committee adopted an amendment that changes the mechanism of funding from a lease-donation arrangement between the university and the university's foundation to an arrangement that appropriates \$465,000 to the university. This money is to be paid back over a period of five years. The bill was approved and sent to the full Senate.

S.F. 1182, authored by Merriam, makes changes to the capital bonding process. Included are requirements for the governor to submit a debt capacity forecast for each biennium that projects needs for the following six years, for the governor's capital bonding recommendations to be submitted to the Legislature by June 15 of odd-numbered years, and restricts the total amount of annual debt service to \$390 million. The bill was approved and sent to the full Senate.

Building contractor bill okayed

S.F. 202, a bill specifying licensing requirements for building contractors, was okayed Thurs., May 9, by the Finance Committee. The panel is chaired by Sen. Gene Merriam (DFL-Coon Rapids).

After failing in an earlier meeting, S.F. 202 was brought before members on a motion to reconsider. The bill, authored by Sen. Gregory Dahl (DFL-Ham Lake), requires building contractors to take a written exam, continuing education classes and be bonded before they are licensed. Dahl said the bill replaces the wide variety of local licensing systems currently

available throughout the state. An author's amendment, requiring licensure for only those contractors doing more than \$15,000 annually, failed to be adopted. An amendment offered by Sen. Steven Morse (DFL-Dakota), creating a statewide licensing system that could be voluntarily adopted by municipalities, also failed to gain acceptance. But members adopted an amendment, offered by Sen. Gene Waldorf (DFL-St. Paul), that includes St. Paul and Minneapolis contractors in the bill. Contractors in the Twin Cities had been excluded from the bill because of the established licensing systems already in place. Sen. LeRoy Stumpf (DFL-Thief River Falls) offered an amendment deleting a provision mandating continuing education classes. Stumpf said Greater Minnesota contractors will have to drive long distances to attend the classes, but members voted down the amendment. S.F. 202 was then recommended to pass on an 18-9 roll call vote.

Members also okayed S.F. 100, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake). The bill allows for bridge approach work to be funded through town bridge accounts, which are funded through highway user monies. S.F. 228, authored by Sen. Allan Spear (DFL-Mpls.), was also recommended for passage. Spear said the bill amends provisions in the family law statutes to expedite the marriage dissolution process. The bill also allocates \$30,000 for a pilot project that will expedite dissolutions for certain individuals. Although Sen. Carl Kroening (DFL-Mpls.) indicated the bill will enable lawyers to screen out cases that won't yield large judgements, Spear said the bill will expedite a process that is often both emotionally and financially draining.

S.F. 1402, authored by Sen. John Hottinger (DFL-Mankato), was also considered. The bill authorizes funding for a study examining potential uses of the University of Minnesota Waseca Campus. An amend-

ment, by Sen. Don Samuelson (DFL-Brainerd), authorizes the Dept. of Administration to direct the study. The amendment was adopted. Another amendment, by Sen. William Luther (DFL-Brooklyn Park), providing for an allocation of \$50,000 to the Dept. of Administration only if \$1 of every \$2 of that sum is matched by nonstate funds was also adopted. The bill was recommended for passage.

Members also okayed S.F. 1238, authored by Sen. Phil Riveness (DFL-Bloomington). The bill permits the City of Richfield to advance funds to the Minnesota Dept. of Transportation for a frontage road project necessitated by Highway 494 construction. S.F. 806, authored by Sen. Joseph Bertram (DFL-Paynesville), was also recommended for passage. The bill provides for a public fire safety educator position within the state fire marshall's office. S.F. 1340, authored by Sen. Gene Waldorf (DFL-St. Paul) was also okayed. Waldorf said the bill restructures judges' retirement plans by providing for a fully funded plan, which is estimated under the measure to cost the state \$10 million over the biennium.

Transportation

Confirmation hearings

The Transportation Committee, chaired by Sen. Gary DeCramer (DFL-Ghent), held confirmation hearings Thurs., May 2.

Approved were Lorraine Mayasich and Richard Helgeson as Transportation Regulation Board members; John Riley as commissioner of the Dept. of Transportation; and Ralph Church as Public Safety Commissioner.

Three bills passed out of the committee. S.F. 112, authored by Sen. David Frederickson (DFL-Murdock), increases drivers' license fees for the EMS pension fund. The bill was rereferred to the Finance Committee. S.F. 942, authored by Sen. John Hottinger (DFL-Mankato), establishes a special collegiate license plate that

Floor action

funds a scholarship fund. The bill was sent to the Finance Committee. S.F. 834, authored by Sen. Gene Merriam (DFL-Coon Rapids), authorizes an economic development authority to exercise the power of eminent domain over railroad properties. The bill will go to the Senate floor.

Friday, May 3

Birth certificate bill

A bill allowing an unmarried mother who gives birth to a child to designate the child's birth certificate as public data was passed by the Senate during the Fri., May 3, floor session.

S.F. 762, authored by Sen. Sandra Pappas, renders the birth certificate of a child born to an unwed mother as public data. Currently the birth certificate of a child born to an unwed mother, unlike the certificate of a child born to a married mother, is confidential data. In opposition to the bill, Sen. William Belanger (IR-Bloomington) argued that confidentiality should be maintained since the law has been in effect since 1870. Belanger offered an amendment that preserves the confidential status of the birth certificate unless the mother specifies otherwise. The amendment was adopted. An amendment by Sen. Gene Merriam (DFL-Coon Rapids) specifies that private birth data be available to the public 100 years after the birth of the child. The amendment, which was adopted, pertains to births occurring on or after August 1, 1991. The amendment states that birth data on a child born before August 1, 1991, may be designated as public data by the mother, if the child was not adopted.

Some other bills on the Special Orders Calendar were given final approval. S.F. 837, authored by Sen. Janet Johnson (DFL-North Branch), amends mineral exploration, exploratory boring and data acquisition provisions. S.F. 1034, authored by

Sen. Allan Spear (DFL-Mpls.), increase penalties for retaliation by employers under the child abuse and vulnerable adults reporting acts. Currently, the penalty for such action is \$1,000, which Spear said is not an adequate deterrent. H.F. 813, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), adds members to the board of the Minneapolis Police Relief Association and provides for payment of the board members. S.F. 899, authored by Sen. Bob Lessard (DFL-Int'l. Falls), provides for immunity against tort liability for claims arising out of the use of highways that provide access to timber. H.F. 1208, also authored by Lessard, allows fish and dark houses located on state waters north of Highway 200 to remain on the water until March 15 of each year.

S.F. 268, authored by Sen. John Marty (DFL-Roseville), extends the statute of limitations for human rights violations from one to two years. Marty said the bill will bring the statute into conformity with other state statutes of limitations. S.F. 43, authored by Sen. William Luther (DFL-Brooklyn Park), allows a court to set aside a ward or conservatorship transaction if it was entered into prior to guardianship or conservatorship. S.F. 822, authored by Merriam, relates to the clean-up of polluted or contaminated property. The bill specifies that a person does not become a responsible party solely through acquiring such property. The bill also states that a creditor does not become a responsible party through property acquisition due to foreclosure or capacity to influence. An amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), requires that an entity developing or conveying such property must take removal or remediation actions to protect public health and environmental welfare. The amendment was adopted. H.F. 579, authored by Sen. Phil Riveness (DFL-Bloomington), increases em-

ployee contributions to the Richfield Police Relief Association. The measure also increases benefits by adding college incentive pay to the salary base on which benefits are computed. The bill provides for early retirement and eliminates the penalties on deferred pensioners. H.F. 1006, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), allows for the transfer of state land to the city of Moose Lake. An adopted author's amendment states that the land can be used for any public purpose. H.F. 375, also authored by Chmielewski, allows retired court officers to perform marriage solemnization. S.F. 331, sponsored by Chmielewski, requires that local governments report airport developments.

At the late afternoon portion of the Fri., May 3, floor session, Senators also granted final passage to an additional 14 measures on the Special Orders Calendar. H.F. 1371, carried by Sen. Charles Berg (DFL-Chokio), eliminates the right of first refusal by an immediately preceding owner who participated in the Family Farm Security Program and extends the time period to ten years for exercising the right of refusal in instances where an individual is involved with a corporate lender and the right of first refusal has expired. S.F. 979, authored by Sen. Sandy Pappas (DFL-St. Paul), provides that selling a toxic substance containing pure butane or butane lighters to individuals under the age of 18 is a misdemeanor. H.F. 1039, carried by Sen. Steve Morse (DFL-Dakota), gives the commissioner of employee relations the authority to adopt rules on pay equity and allows former state employees who receive disability benefits to remain eligible for employment and for medicare benefits if they are between the ages of 55 and 65. S.F. 601, authored by Sen. Dean Johnson (IR-Willmar), clarifies the definition of "signed" for credit agreements. S.F. 1153, sponsored by Sen. Florian

Chmielewski (DFL-Sturgeon Lake), specifies that an elected official must be granted a leave of absence from regular employment when attending to public business. H.F. 1396, carried by Chmielewski, authorizes Pine County to transfer \$100,000 from the County Welfare Fund to the General Fund in order to reimburse the General Fund for money paid to the North Pine Area Hospital.

H.F. 1310, carried by Sen. Jane Ranum (DFL-Mpls.), stipulates that anyone who assaults a public employee engaged in mandated duties is guilty of a gross misdemeanor. S.F. 1224, authored by Sen. Gene Waldorf (DFL-St. Paul), allows state employees who work in an unclassified position, but at one time held a classified position, to remain in the classified pension plan. S.F. 931, authored by Sen. Ted Mondale (DFL-St. Louis Park), requires counties and waste facilities to prepare household hazardous waste and problem materials plans that must be approved by the Pollution Control Agency (PCA).

Further, S.F. 204, sponsored by Sen. John Marty (DFL-Roseville), places restrictions on credit service organizations. S.F. 946, sponsored by Sen. John Hottinger (DFL-Mankato), stipulates that no public elementary school may schedule a school sponsored event between 6 to 8 p.m. on the day that a regularly scheduled election is held in any political subdivision located in that school district. A similar bill, authored by Sen. Gene Merriam (DFL-Coon Rapids), stipulates that a public elementary or secondary school may not schedule a school sponsored event between 6 to 8 p.m. on the day that an election is held in any political subdivision in which the school is located. S.F. 1053, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), the revisor's bill, corrects language, text and obsolete references, and makes technical changes to statutes and other laws. S.F. 788, authored by Merriam, prohibits the release of

health records without a patient's signed and dated consent.

Senators also adopted House Concurrent Resolution 1, which sets the standards for redistricting plans. The resolution establishes the criteria and standards to be used for both bodies in developing congressional redistricting plans. Debate among members arose over an amendment offered by Sen. Donald Storm (IR-Edina), specifying that the districts must be composed of compact convenient contiguous territory. Storm said the word "compact" clarifies the standards that are used in establishing district lines. Sen. William Luther (DFL-Brooklyn Park), countered by stating that the word "compact" will negatively impact the effort to provide equal representation to minority populations, because it will require mathematical computations when drawing up district lines. A number of IR Senators countered by stating that mathematical formulas are already being used in computing district lines, and that those Senators who are opposing the amendment are only protecting their current district lines. The motion failed on a 20-38 roll call vote.

After taking up the national congressional redistricting resolution, members took up a resolution establishing guidelines for the structure of state legislative districts. H.R. 2 sets forth the standards for new state legislative districts. The resolution specifies that the Senate must be composed of 67 members and the must be 134 members in the House of Representatives. The resolution also prescribes requirements related to the bounds and proportion of the districts from which each member is elected. Sen. Dean Johnson (IR-Willmar), offered an amendment that changes the membership of the Senate from 67 to 45 and the membership of the House of Representatives from 134 to 135. The motion to amend was rejected. The resolution was passed on a vote of 44-13.

Monday, May 6

Preliminary approval granted

In addition to acting on the omnibus health and human services bill, Senators granted preliminary passage to 14 measures on the General Orders Calendar, one of which promotes volunteerism on an international level. According to Sen. John Hottinger (DFL-Mankato), chief sponsor of H.F. 121, the measure encourages a Minnesota international volunteer corps to aid business development and entrepreneurship in the Soviet Union and East Central Europe. S.F. 1411, authored by Sen. Dallas Sams (DFL-Staples), requires mortgage lenders, prior to entering into reverse mortgage loans, to certify that the borrower has received counseling and information about reverse mortgages from a housing counseling agency. H.F. 87, carried by Lessard, exempts 175 miles of Itasca Highway from a statute requiring public roads to be at least four rods in width. H.F. 106, carried by Sen. Keith Langseth (DFL-Glyndon), requires Mn/Dot to pay counties for town road apportionments in sufficient time to allow the counties to distribute funds to towns by Mar. 1 of each year.

H.F. 1042, carried by Sen. Dennis Frederickson (IR-New Ulm), changes the organization of the Dept. of Trade and Economic Development to reflect actual organizational changes that have already taken place. An amendment offered by Sen. Tracy Beckman (DFL-Bricelyn), incorporates S.F. 887 into the bill. The amendment creates a Commission on Economic Development to study economic development efforts in the state. The amendment was adopted. H.F. 466, carried by Sen. Charles Davis (DFL-Princeton), expands the definition of "wrecker" to include new variations of towing vehicles. The bill also clarifies that the wrecker must operate flashing red lights only when engaged in emergency service, may display flashing amber lights when the wrecker is

Floor action

towing a vehicle and replaces all references to the term "wrecker", with tow truck or towing vehicle. Finally, S.F. 634, authored by Spear, provides immunity from liability arising out of the result of a test by a breath alcohol testing device in liquor establishments for a liquor licensee, designer, manufacturer, distributor or seller of such a device.

H.F. 1151, authored by Sen. Randy Kelly (DFL-St. Paul), exempts some St. Paul Port Authority activities from competitive bidding requirements. S.F. 906, carried by Sen. Leonard Price (DFL-Woodbury), permits a Teachers Retirement Association member to purchase military service credit. S.F. 809, authored by Sen. Richard Cohen (DFL-St. Paul), provides that it is a *prima facie* case for certification to adult court if a juvenile used a firearm at the time of the offense or is alleged to have committed a firearms violation after a previous firearms violation. H.F. 155, carried by Sen. Nancy Brataas (IR Rochester), authorizes the immediate towing of an illegally parked vehicle that prevents a legally parked vehicle's egress. S.F. 1316, authored by Frank, authorizes the racing commissioner to promulgate rules governing affirmative action plan goals and economic opportunity contract goals. H.F. 1054, offered by Sen. Fritz Knaak (IR-White Bear Lake), permits purchases of prior services by employees for periods of leave. H.F. 525, authored by Beckman, requires chemical dependency claim reviewers to meet qualifications and requires insurers to file annual evaluation reports.

Tuesday, May 7

Legal assistants measure gains

During the early portion of the Tues., May 7, floor session, the Senate gave preliminary approval to S.F. 520, a bill that requests the state Supreme Court to review the delivery of legal

services by specialized legal assistants. Under the measure, carried by Sen. Randy Kelly (DFL-St. Paul), the high court is to review the feasibility of adopting rules governing the delivery of legal services by specialized legal assistants. Opponents of the bill questioned if the granting of special licensure to legal assistants was in the best interest of the law and questioned the role of the Supreme Court in deciding the issue. Proponents said that the bill is needed to address rising legal costs and will help the indigent to retain legal services at a lower cost.

S.F. 300, another measure which generated considerable debate, was defeated during the early part of the floor session. The bill, sponsored by Sen. Carol Flynn (DFL-Mpls.), represented a comprehensive recodification of psychology statutes and the practice of psychology in the state. The bill, recognizes two levels of practice, that of psychologist and psychological practitioner. In addition, the bill requires skill assessments at each level and stipulates the requirements for those levels.

Discussion centered on the levels of practice clause. Currently, a licensed psychologist is anyone with a doctoral or a master's degree in psychology. Under the bill, a psychologist must possess a doctoral degree. Sen. Gary Laidig (IR-Stillwater) cited a report from the Dept. of Health that there is little correlation between education and degree of competency of psychologists. The measure would create a division, between those who can afford such services and those who cannot; a situation that could result in less and inferior service in rural areas of the state, Laidig said.

A bill to expand the definition of drug free zones to include public housing property was approved. S.F. 525, authored by Sen. Allan Spear (DFL-Mpls.), also requires chemical assessments of persons convicted of felonies. Sen. Pat. McGowan (IR-Maple Grove) offered an amendment

to enlarge drug free zones from 300 feet to 1000 feet. The amendment also expands the definition of controlled substances. The amendment was adopted.

A bill that permits evidence of DWI convictions to be admitted as evidence in civil procedures was also approved. The measure, S.F. 753, authored by Sen. Jane Ranum (DFL-Mpls.), was challenged by Sen. John Hottinger (DFL-Mankato). Hottinger offered an amendment to delete the section of the bill that states that persons sued for damages in civil court as a result of intoxication may also be held liable for punitive damages. Ranum said that the courts have invited guidance in the issue. Hottinger said that the courts have what they need in present statute for sufficient conviction of drunken drivers. The amendment was not adopted.

A bill that requires posting of penalties for DWI conviction in licensed liquor establishments was approved. The measure, carried by Sen. Leonard Price (DFL-Woodbury), also requires posting to inform customers that liquor establishments are prohibited from selling liquor to obviously intoxicated persons.

S.F. 478, a housekeeping elections bill carried by Sen. Jerome Hughes (DFL-Maplewood), was approved, as was S.F. 357, authored by Sen. Steven Novak (DFL-New Brighton), extending to townships the same protection offered to cities regarding right-of-ways and pipeline installation and repair. H.F. 1201, carried by Sen. Steven Morse (DFL-Dakota), permits police and fire civil service commissions to expand certified lists.

Senators also granted final passage to all the measures given preliminary approval, Mon., May 6.

General Orders bills considered

After debating measures relating to psychologist regulation and the duties

of legal assistance, members of the Senate devoted the balance of the afternoon's session to processing relatively noncontroversial bills on the General Orders Calendar. The following measures were given preliminary passage with little or no debate. S.F. 306, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes the exchange of real property in Aitkin County. H.F. 654, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), requires training of child care providers to include training in cultural dynamics. H.F. 924, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), authorizes the Public Utilities Commission to allow recovery of expenses associated with economic and community development incurred by public utilities. H.F. 178, carried by Sen. Terry Johnston (IR-Prior Lake), increases the minimum insurance coverage required for abstractors and abolishes the requirement of seals by impression. H.F. 276, sponsored by Sen. Betty Adkins (DFL-St. Michael), prohibits insurance companies from requiring the nondiagnostic use of X-rays.

S.F. 621, authored by Sen. Gregory Dahl (DFL-Ham Lake), clarifies and corrects provisions relating to the Legislative Commission on Minnesota Resources and the Minnesota Environmental and Natural Resources Trust Fund. S.F. 1091, also sponsored by Dahl, extends the date for incinerator ash to be considered special waste. S.F. 1152, authored by Sen. Gary DeCramer (DFL-Ghent), authorizes the registrar of motor vehicles to prorate the original registration on groups of passenger motor vehicles presented to St. Paul by a lessor. H.F. 192, carried by Sen. Sam Solon (DFL-Duluth), provides for the transportation of students by the Duluth Transit Authority. H.F. 239, sponsored by Sen. Randy Kelly (DFL-St. Paul), clarifies the application of felony penalties to the act of intentionally disarming a peace officer.

S.F. 782, sponsored by Sen. Jim Vickerman (DFL-Tracy), requires the commissioner of jobs and training to contract for the provision of comprehensive adjustment to blindness training services. S.F. 1419, authored by Sen. Linda Berglin (DFL-Mpls.), requires home care providers to advise persons receiving home care services of their rights. S.F. 1284, authored by Sen. Earl Renneke (IR-LeSeuer), changes the livestock market agency and dealer licensing act. H.F. 74, sponsored by Sen. Dean Johnson (IR-Willmar), specifies the liability for injuries caused by beach and swimming pool equipment owned by a municipality. H.F. 200, carried by Finn, allows counties with chambered judges to retain the judicial position and recognizes that adequate access to the courts is a factor in determining whether a judicial position should remain, be abolished or transferred.

H.F. 414, sponsored by Kelly, requires reports on the discharge of firearms by peace officers to be sent to the Board of Peace Officer Standards and Training, requires law enforcement agencies to adopt written policies governing the use of deadly force, specifies that the policies are to be no more restrictive than allowed by state law, and requires initial and continuing peace officer training on deadly force and the use of firearms. H.F. 808, sponsored by Sen. Richard Cohen (DFL-St. Paul), permits variances from staffing requirements for parent cooperative programs. H.F. 671, authored by Sen. Duane Benson (IR-Lanesboro), allows an extension for installing elevators in child care facilities in churches. H.F. 90, carried by Sen. Dallas Sams (DFL-Staples), requires geographic representation on the board of medical examiners. H.F. 36, sponsored by Sen. Carol Flynn (DFL-Mpls.), changes requirements for reciprocal licensing of physicians from other states and foreign medical school graduates, authorizes physicians to cancel licenses in good standing, requires the cancellation of physi-

cians' licenses for nonrenewal, changes licensing requirements for midwifery and changes the name of the board of medical examiners.

H.F. 282, sponsored by Sen. John Bernhagen (IR-Hutchinson), exempts gas utilities that have 650 or fewer customers in any one municipality and a total of less than 2,000 customers from prior rate regulation. S.F. 1204, authored by Berglin, provides a preference for outdoor recreation grants. H.F. 1405, authored by Sen. Allan Spear (DFL-Mpls.), changes the distribution requirements for charitable organizations that are authorized to collect contributions by payroll deductions. S.F. 195, sponsored by Sen. Joe Bertram (DFL-Paynesville), makes numerous technical changes to provisions relating to drivers licenses. H.F. 456, sponsored by Sen. Cal Larson (IR-Fergus Falls), clarifies the requirements for consents in adoption.

H.F. 236, authored by Kelly, allows entry onto land for environmental testing before beginning eminent domain proceedings. H.F. 726, sponsored by Sen. Gary Laidig (IR-Stillwater), provides for a cause of action on an interest in real property of a married person when the property was conveyed by the person's spouse before Mar. 1, 1977.

Wednesday, May 8

Omnibus data practices bill okayed

Senators devoted the early portion of the Wed., May 8, floor session to processing messages from the House and granting thirteen bills preliminary passage on the General Orders Calendar. Debate on one of the bills gaining preliminary approval, H.F. 693, carried by Sen. Jane Ranum (DFL-Mpls.), the omnibus data practices bill, centered around three amendments that were eventually adopted. After two failed attempts in the Judiciary committee to amend the bill to prohibit the Dept. of Public Safety from releasing motor vehicle and

Floor action

driver's license data lists for commercial purposes, Sen. John Marty (DFL-Roseville), won a victory, but not without one condition. An amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), delays the effective date of the amendment for one year. Knaak said the amendment allows the Legislature time to consider the possible fiscal impact the amendment will have on the department. Marty's amendment also specifies that the department may release data to a motor vehicle manufacturer or its designated representative for the purpose of notifying motor vehicle purchasers of a recall.

The third amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), addresses the classification of personnel data. The motion by Merriam specifies that no cause of action may arise as a result of data contained in a termination or personnel settlement agreement if the data was not public at the time of the agreement, but became public data under a law enacted after execution. The bill also allows local welfare agencies and court service agencies to share information about cases relating to child abuse when involving the same clients.

Senators devoted most of the balance of the day's activity to consideration of other measures on the General Orders Calendar. H.F. 922, carried by Sen. Dennis Frederickson (IR-New Ulm), imposes a duty to investigate and render aid when a person is injured in a shooting accident. The bill specifies that failure to render aid is a felony. H.F. 934, sponsored by Sen. Thomas Neuville (IR-Northfield), specifies that a salvage certificate does not authorize the holder to register a vehicle and requires that a salvaged vehicle be inspected before it is registered. Further, H.F. 594, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), enacts the Uniform Foreign Money

Claims Act. H.F. 1475, also carried by Ranum, requires post-secondary governing boards to report the status of cultural diversity initiatives on campus. S.F. 440, authored by Marty, requires insurers to furnish a summary of claims review findings to the provider who requested the review or to the insured, upon that person's request. An amendment by Marty, that was subsequently adopted, alters the make up of the Minnesota Comprehensive Health Association board of directors.

H.F. 1549, carried by Sen. Dallas Sams (DFL-Staples), memorializes the president and the U.S. Congress to take action to alleviate the crisis in the Midwest dairy industry. S.F. 811, authored by Sen. Randy Kelly (DFL-St. Paul), provides survivor benefits to the widow of a St. Paul police officer under the Public Employees Retirement Association Police and Fire Plan. S.F. 1064, sponsored by Sen. Charles Davis (DFL-Princeton), exempts some proceedings of the Board of Water and Soil Resources from the Administrative Procedure Act. S.F. 1300, authored by Sen. Tracy Beckman (DFL-Bricelyn), allows the board of animal health to permit garbage, such as bakery products and pasta, to be fed to livestock or poultry. H.F. 1551, sponsored by Sen. Don Storm (IR-Edina), modifies limitations on survivor benefits coverage under the Edina Volunteer Firefighters Relief Association. H.F. 815, sponsored by Sen. Jane Ranum (DFL-Mpls.), regulates premium determinations, meetings and experimental delivery and managed care delivery methods of the Minnesota Comprehensive Health Insurance Plan.

All but five of the 34 bills given preliminary passage at the previous day's session were granted final approval. The exceptions were not acted upon because three of the measures were out for comparison

with House companion bills and two were progressed at the author's request. The five measures included S.F. 306, authorizing the exchange of state lands; S.F. 1152, authorizing the registrar of motor vehicles to prorate the original registration on groups of passenger motor vehicles; S.F. 1419, requiring home care providers to advise persons receiving home care services of their rights; S.F. 1284, changing the livestock market agency and dealer licensing act; and S.F. 1204, exempting gas utilities that have less than 650 customers in any one municipality and less than 2,000 customers in all from prior rate regulation.

In other action, Senators granted final passage to a bill on the Special Orders Calendar. The bill, S.F. 156, authored by Sen. Allan Spear (DFL-Mpls.), changes the organization and administrative authorities in the state public defense system. The measure provides that the chief district public defender is appointed by an ad hoc board, not by the state public defender; specifies the duties of the state board of public defense, the state public defender and the chief district public defenders; and alters the composition of the ad hoc board.

In addition, the Senate voted to concur with the House and repass S.F. 231, authored by Sen. Randy Kelly (DFL-St. Paul). The bill redefines full-time students for the purpose of dependent insurance coverage.

Preview

May 13-18, 1991

Conference committees on various spending and policy bills will meet throughout the week. Floor sessions will be held daily. Please call the Senate Information Office at 296-0504 or the Senate hotline at 296-8088 for the latest schedule information.

Senate Committee Assignments

AGRICULTURE AND RURAL DEVELOPMENT (12)

Chair: Davis Vice chair: Beckman
Office: G-24 Telephone: 296-7405
Meets: T, Th; Room 112; 10-12 noon
Beckman Davis Frederickson, D. R. Renneke
Berg Day Larson Sams
Bertram Frederickson, D. J. Morse Vickerman

COMMERCE (16)

Chair: Solon Vice chair: Pappas
Office: 303 Telephone: 296-4158
Meets: T, W, F; Room 112; 1-3 p. m.
Adkins Cohen Larson Pappas
Belanger Day Luther Samuelson
Berglin Hottinger Mehrkens Solon
Brataas Kroening Metzen Spear

ECONOMIC DEVELOPMENT & HOUSING (12)

Chair: Metzen Vice chair: Johnson, J. B.
Office: 303 Telephone: 296-8864
Meets: M, Th; Room 107; 12-2 p. m.
Beckman Gustafson Kroening Sams
Bernhagen Johnson, J. B. Metzen Storm
Davis Kelly Neuville Traub

EDUCATION (23)

Chair: Dahl Vice chair: Traub
Office: 235 Telephone: 296-4185
Meets: M, W, F; Room 15; 8-10 a. m.
Beckman Hottinger Mehrkens Pogemiller
Benson, J. Hughes Mondale Ranum
Dahl Johnston Morse Reichgott
DeCramer Knaak Neuville Stumpf
Dicklich Langseth Olson Traub
Frederickson, D. J. Larson Pappas

EDUCATION FUNDING DIVISION (14)

Chair: Dicklich
Office: 235 Telephone: 296-8018
Meets: M, Th; Room 107; 3-6 p. m.
Dahl Hughes Mehrkens Reichgott
DeCramer Knaak Olson Stumpf
Dicklich Langseth Pappas
Frederickson, D. J. Larson Pogemiller

ELECTIONS AND ETHICS (13)

Chair: Hughes Vice chair: Luther
Office: 328 Telephone: 296-8866
Meets: W; Room 107; 12 Noon - 1 p. m.
Cohen Johnson, D. E. Luther Moe Samuelson
Halberg Johnson, D. J. Marty Piper
Hughes Laidig McGowan Pogemiller

EMPLOYMENT (10)

Chair: Chmielewski Vice chair: Mondale
Office: 325 Telephone: 296-8865
Meets: M, W; Room 107; 10-12 noon
Adkins Chmielewski Gustafson Kroening Piper
Brataas Frank Halberg Mondale Solon

ENERGY AND PUBLIC UTILITIES (12)

Chair: Novak Vice chair: Finn
Office: 321 Telephone: 296-1767
Meets: T, Th; Room 107; 10-12 noon
Benson, J. Gustafson Novak Reichgott
Dicklich Johnson, D. J. Olson Storm
Finn Marty Piper Waldorf

ENVIRONMENT AND NATURAL RESOURCES (19)

Chair: Lessard Vice chair: Price
Office: 111 Telephone: 296-1113
Meets: T, W, F; Room 107; 1-3 p. m.
Benson, J. Frederickson, D. R. Merriam Pariseau
Berg Johnson, J. B. Mondale Price
Bernhagen Laidig Morse Riveness
Dahl Lessard Novak Stumpf
Finn Marty Olson

FINANCE (30)

Chair: Merriam Vice chair: Vickerman
Office: 122 Telephone: 296-4157
Meets: T, W, F; Room 123; 3-6 p. m.
Beckman Frederickson, D. R. McGowan Solon
Berg Johnson, D. E. Mehrkens Spear
Brataas Kroening Merriam Storm
Cohen Laidig Metzen Stumpf
Dahl Langseth Morse Vickerman
Davis Larson Piper Waldorf
DeCramer Lessard Renneke
Dicklich Luther Samuelson

GAMING REGULATION (10)

Chair: Berg Vice chair: Bertram
Office: 328 Telephone: 296-5539
Meets: M, W; Room 107; 8-10 a. m.
Berg Dicklich Johnson, D. E. Metzen Samuelson
Bertram Frederickson, D. R. McGowan Price Spear

GOVERNMENTAL OPERATIONS (12)

Chair: Waldorf Vice chair: Ranum
Office: 317 Telephone: 296-4175
Meets: T, Th; Room 15; 8-10 a. m.
Belanger Frederickson, D. R. Pariseau Renneke
DeCramer Hughes Pogemiller Riveness
Frederickson, D. J. Morse Ranum Waldorf

HEALTH AND HUMAN SERVICES (17)

Chair: Berglin Vice chair: Sams
Office: G-9 Telephone: 296-4151
Meets: M, Th; Room 15; 3-6 p. m.
Adkins Day Hottinger Solon Waldorf
Benson, D. Finn Johnson, J. B. Storm
Berglin Flynn Piper Traub
Brataas Halberg Sams Vickerman

JUDICIARY (17)

Chair: Spear Vice chair: Kelly
Office: G-27 Telephones: 296-4191
Meets: M, W, F; Room 15; 10-12 noon
Belanger Kelly Marty Pogemiller Stumpf
Berglin Knaak McGowan Ranum
Cohen Laidig Merriam Reichgott
Finn Luther Neuville Spear

LOCAL GOVERNMENT (9)

Chair: Adkins Vice chair: Hottinger
Office: G-29 Telephone: 296-4150
Meets: T, Th; Room 107; 8-10 a. m.
Adkins Chmielewski Day Lessard Traub
Bernhagen Davis Hottinger Neuville

METROPOLITAN AFFAIRS (13)

Chair: Frank Vice chair: Flynn
Office: 226 Telephone: 297-8070
Meets: T, Th; Room 15; 10-12 noon
Cohen Johnston Laidig Pappas
Flynn Kelly Langseth Pariseau
Frank Knaak Mondale Price Ranum

REDISTRICTING (10)

Chair: Moe Vice chair: Luther
Office: 208 Telephone: 296-4196
Meets: On Call
Benson, D. DeCramer Knaak Moe Reichgott
Cohen Johnson, D. J. Luther Pogemiller Storm

RULES AND ADMINISTRATION (29)

Chair: Moe Vice chair: Luther
Office: 208 Telephone: 296-4196
Meets: On Call
Adkins Bertram Frank Lessard Renneke
Belanger Brataas Hughes Luther Solon
Benson, D. Chmielewski Johnson, D. E. Merriam Spear
Berg Dahl Johnson, D. J. Metzen Storm
Berglin Davis Knaak Moe Waldorf
Bernhagen DeCramer Laidig Novak

TAXES AND TAX LAWS (22)

Chair: Johnson, D. J. Vice chair: Frederickson, D. J.
Office: 205 Telephone: 296-4839
Meets: T, W, F; Room 15; 3-6 p. m.
Belanger Chmielewski Halberg Novak Reichgott
Benson, D. Flynn Hughes Olson Riveness
Berglin Frank Johnson, D. J. Pariseau
Bernhagen Frederickson, D. J. Kelly Pogemiller
Bertram Gustafson Marty Price

TRANSPORTATION (14)

Chair: DeCramer Vice chair: Riveness
Office: 309 Telephone: 296-4186
Meets: M, Th; Room 112; 12-2 p. m.
Benson, J. Flynn Langseth Olson Vickerman
Chmielewski Johnson, D. E. Mehrkens Pappas
DeCramer Johnston Novak Riveness

VETERANS AND GENERAL LEGISLATION (11)

Chair: Bertram Vice chair: Johnson, J. B.
Office: 323 Telephone: 296-1771
Meets: M, W; Room 112; 10-12 noon
Bertram Johnson, D. E. Johnston Pariseau Sams Vickerman
Dahl Johnson, J. B. Lessard Renneke Samuelson

Minnesota Senate

Senate Members --- 1991 Session

Party	Phone	Name	Room	Dist.	Party	Phone	Name	Room	Dist.
DFL	296-5981	Adkins, Betty	G-29	Cap. 22	DFL	3205	Langseth, Keith	G-24	Cap. 9
DFL	5713	Beckman, Tracy	G-24	Cap. 29	IR	5655	Larson, Cal	145	SOB 10
IR	5975	Belanger, William V., Jr.	107	SOB 41	DFL	4136	Lessard, Bob	111	Cap. 3
IR	3903	Benson, Duane D.	147	SOB 32	DFL	8869	Luther, William P.	205	Cap. 47
IR	6455	Benson, Joanne E.	153	SOB 17	DFL	5645	Marty, John	G-9	Cap. 63
DFL	5094	Berg, Charles A.	328	Cap. 11	IR	2159	McGowan, Patrick D.	129	SOB 48
DFL	4261	Berglin, Linda	G-9	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 P.	303	Cap. 39
IR	4848	Brataas, Nancy	139	SOB 33	DFL	2577	Moe, Roger D.	208	Cap. 2
DFL	4182	Chmielewski, Florian	325	Cap. 14	DFL	7-8065	Mondale, Ted	325	Cap. 44
DFL	5931	Cohen, Richard J.	G-27	Cap. 64	DFL	5649	Morse, Steven	G-24	Cap. 34
DFL	5003	Dahl, Gregory L.	235	Cap. 50	IR	1279	Neuville, Tom	123	SOB 25
DFL	2302	Davis, Charles R.	G-24	Cap. 18	DFL	4334	Novak, Steven G.	322	Cap. 52
IR	9457	Day, Dick	105	SOB 30	IR	1282	Olson, Gen	125	SOB 43
DFL	6820	DeCramer, Gary M.	309	Cap. 27	DFL	1802	Pappas, Sandra L.	G-24	Cap. 65
DFL	2859	Dicklich, Ronald R.	235	Cap. 5	IR	5252	Pariseau, Pat	109	SOB 37
DFL	6128	Finn, Harold R. "Skip"	321	Cap. 4	DFL	9248	Piper, Pat	G-9	Cap. 31
DFL	4274	Flynn, Carol	227	Cap. 61	DFL	7809	Pogemiller, Lawrence J.	306	Cap. 58
DFL	2877	Frank, Don	225	Cap. 51	DFL	7-8060	Price, Leonard R.	111	Cap. 56
DFL	5640	Frederickson, David J.	306	Cap. 20	DFL	7-8061	Ranum, Jane	317	Cap. 62
IR	8138	Frederickson, Dennis R.	143	SOB 23	DFL	2889	Reichgott, Ember D.	301	Cap. 46
IR	4314	Gustafson, Jim	115	SOB 8	IR	4125	Renneke, Earl W.	117	SOB 35
IR	4120	Halberg, Chuck	133	SOB 38	DFL	7-8062	Riveness, Phil	309	Cap. 40
DFL	6153	Hottinger, John C.	G-29	Cap. 24	DFL	7-8063	Sams, Dallas C.	G-9	Cap. 12
DFL	4183	Hughes, Jerome M.	328	Cap. 54	DFL	4875	Samuelson, Don	124	Cap. 13
IR	3826	Johnson, Dean E.	131	SOB 15	DFL	4188	Solon, Sam G.	303	Cap. 7
DFL	8881	Johnson, Douglas J.	205	Cap. 6	DFL	4191	Spear, Allan H.	G-27	Cap. 59
DFL	5419	Johnson, Janet B.	303	Cap. 19	IR	6238	Storm, Donald A.	119	SOB 42
IR	4123	Johnston, Terry	135	SOB 36	DFL	8660	Stumpf, LeRoy A.	G-24	Cap. 1
DFL	5285	Kelly, Randy C.	G-27	Cap. 67	DFL	7-8064	Traub, Judy	235	Cap. 45
IR	1253	Knaak, Fritz	149	SOB 53	DFL	5650	Vickerman, Jim	122	Cap. 28
DFL	4302	Kroening, Carl W.	124	Cap. 57	DFL	3809	Waldorf, Gene	317	Cap. 66
IR	4351	Laidig, Gary W.	141	SOB 55					

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

Briefly

The Minnesota Senate Week in Review

May 17, 1991

Redistricting plan advances

Members of the Redistricting Committee, chaired by Sen. Roger Moe (DFL-Erskine), met Wed., May 15, and advanced a DFL sponsored redistricting plan to the full Senate. S.F. 1571, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), sets new boundaries for all 67 Senate districts and 134 House districts. According to Pogemiller, "redistricting is one of the most difficult tasks facing the Legislature because we are being asked to change boundaries for friends and colleagues." Pogemiller emphasized, though, that "redistricting is not done for legislators but for the citizens of Minnesota to insure fairness and equity of representation. Pogemiller contended that the bill was based on fairness and principle.

Under the bill, Greater Minnesota loses two and one half Senate seats because of population loss. As a result of population gains, the measure increases the number of seats allotted to outer ring Metro Area suburbs. In addition, under the plan three Senate districts are drawn to increase the voting strength of minority populations. Two Senate districts in Minneapolis and one district in St. Paul have minority populations of over 40 percent. The drawing of new district lines changes boundaries in such a manner that four districts would have incumbents vying for the same seats. Under the plan, two districts would have DFLer's running against one another, one district would have a race between IR's and one district would pit an incumbent DFLer against an incumbent IR.

Sen. Don Storm (IR-Edina) and Sen. Fritz Knaak (IR-White Bear Lake), both objected to the rapidity with which the plan was proceeding through the legislative process. However, testimony from Bill Davis of the NAACP, Bill Wilson of the St. Paul City Council and a representative of the Association of Minnesota Counties urged speedy action on the redistricting process in order to allow adequate time for local units of government and communities of interest to prepare for the next election.

Todd Otis, chair of the state DFL Party, also urged that the redistricting process proceed with dispatch. However, Otis said that from a partisan standpoint he was concerned that the plan diluted traditional DFL strength on the Iron Range and in the core cities. Bob Weinholzer, chair of the state IR Party, argued that there was no need to rush through the redistricting process. Pogemiller responded that to the extent that the legislature completes its job in redistricting in a timely manner, the possibilities of opening up the electoral process are greatly enhanced.

The bill was approved on a strict 6-3 party line vote.

Health care access bill amended

Deliberations continued on the health care access bill at the Thurs., May 16, meeting of the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids). S.F. 2, authored by Sen. Linda Berglin (DFL-Mpls.), provides access to health insurance for those who no insurance or inadequate insurance.

Substantial changes to the bill are made by an amendment offered by Merriam. The amendment changes the program to a pilot study that will provide insurance for uninsured individuals and families in a designated geographic area and will serve approximately 15,000 people. Another provision of the amendment establishes an insurance industry sponsored plan to provide insurance packages for small businesses. Merriam said that the original bill commits future Legislatures to something that has unknown costs that the state may not have the ability to meet.

Berglin said that the Merriam proposals would increase costs, increase rejections of people applying for health coverage, and allow the limited benefit package offered in the proposal to be offered to all small business employers, not just those who do not currently offer insurance plans to their employees. The amendment provides coverage for fewer Minnesotans, she said. The amendment was adopted on a divided, roll call vote and the bill was approved and sent to the full Senate.

Gas tax increase removed

The on-again-off-again three cent per gallon increase in the gasoline tax is off as a result of action taken by the Senate Taxes and Tax Laws Committee at the Thurs., May 16, meeting. S.F. 598, authored by Sen. Keith Langseth (DFL-Glyndon), is a major transportation bill that establishes state transportation goals and provides for transportation funding. Committee Chair Douglas Johnson (DFL-Cook) offered an amendment to delete the provision in the bill that increases the gasoline tax from 20 to 23 cents per gallon. The amendment was adopted on a lopsided voice vote.

Debate on the measure focused primarily on an amendment to cap the amount that counties may levy for light rail transit development at one half mill. Currently, counties may levy up to two mills for light rail. A provision of the omnibus tax bill vetoed by the governor, restricted the amount to three quarters of the amount levied the previous year. Discussion on the amendment, offered by Sen. John Marty (DFL-Roseville), was conducted primarily by the Metro Area legislators on the panel. Proponents of the amendment contended that it was unnecessary to levy for light rail at this time because no final decision has been made to go forward with construction of light rail. Opponents argued, successfully, that counties, particularly Hennepin and Ramsey, are close to agreement about light rail and that the levy is needed to prepare for the future. The amendment failed to gain adoption. The bill was then approved and sent to the full Senate.

The committee also advanced a bill providing for a working family tax credit. According to Johnson, chief author of the bill, the bill is likely to become the vehicle for the next omnibus tax bill should negotiations between representatives of the governor and legislators be successful.

Finally, the panel approved the appointment of Kathleen Doar to the Minnesota Tax Court.

Committee update

Employment

Confirmation hearings

The Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), recommended three persons for confirmation Fri., May 10.

Peter Obermeyer was recommended as commissioner of the Bureau of Mediation Services. Debra Wilson and Steven Wheeler were recommended as judges of the Workers' Compensation Court of Appeals.

Finance

Omnibus energy, gambling bills

The omnibus energy bill and the omnibus charitable gambling bill, along with four other bills, were approved at the Fri., May 10, meeting of the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids).

S.F. 944, carried by Sen. Steven Novak (DFL-New Brighton), is the omnibus energy bill. The bill creates a Low-Income Energy and Conservation Account. The bill requires gas utilities to contribute one half of a percent and electric utilities to contribute 1.5 percent of their gross operating revenues for the Conservation Improvement Programs and Low-Income Energy and Conservation.

An amendment, offered by Sen. Ronald Dicklich (DFL-Hibbing), clarifies provisions of conservation improvement program. It also states that up to one third of the percentage of gross operating income of municipal or cooperative utilities, contributed for conservation improvement, can be met through peak load management efforts. The amendment was adopted. Sen. Charles Berg (DFL-Chokio) offered an amendment to the Dicklich amendment that allows all of the conservation improvement requirements to be met through load management. The amendment was also adopted.

The committee also adopted an amendment that establishes the Energy and Conservation Account as a special account and not part of the General Fund.

The bill was approved and sent to the full Senate.

S.F. 506, sponsored by Sen. Charles Berg (DFL-Chokio), is the omnibus charitable gambling bill. The bill establishes regulations related to charitable gambling, including the broadening of compulsive gambling services. The bill provides that funds for the compulsive gambling program are to come from a transfer of \$375,000 in each year of the biennium to the General Fund and through a surcharge on fees charged for permits to operate gambling premises.

An amendment, offered by Sen. Tracy Beckman (DFL-Bricelyn), moves up the requirement that the director of the lottery not spend more than 2.75 percent of gross revenues for advertising purposes from July 1, 1992 to July 1, 1991. An amendment, offered by Sen. Bob Lessard (DFL-Int'l Falls), clarifies language prohibiting lottery advertisement that exploit religious holidays. An amendment, offered by Sen. Allan Spear (DFL-Mpls.), directs the Task Force on Compulsive Gambling to develop an program for the assessment of persons convicted of certain crimes that are commonly connected with compulsive gambling. All of the amendments were adopted.

The committee also heard S.F. 819, authored by Sen. Nancy Brataas (IR-Rochester), providing funding for pilot projects in Olmsted County for persons with mental illnesses. S.F. 371, authored by Sen. Joe Bertram (DFL-Paynesville), requires convicted sex and kidnapping offenders to provide current addresses following release from prison and requires the publication of missing children reports. S.F. 716, authored by Sen. Ember Reichgott (DFL-New Hope), increases penalties for the violation of restraint orders in domestic abuse cases. S.F. 966, sponsored by Sen. Janet Johnson (DFL-North Branch), adds and eliminates lands from certain state parks. All four bills were approved and sent to the full Senate.

Bill to help first time farmers gains

A bill creating an agricultural development bond program to assist first time farmers and agri-businesses was approved at the Sat., May 11, hearing of the Committee on Finance. The bill, H.F. 702, carried by Sen. Dallas Sams (DFL-Staples), creates the program within the Rural Finance Authority (RFA).

Under the bill, the RFA is authorized to make loans to beginning farmers and to enter into contracts to purchase land and real estate for agri-businesses. According to Sams, banks will guarantee that the interest on the bonds will be tax free, and that the banks will be liable for the loan. The average loan granted, said Sams, will run about \$70,000, and is capped at \$200,000.

Discussion centered around whether the RFA should be under the jurisdiction of the Dept. of Agriculture or the Dept. of Finance. Sams took the stance that the RFA should be administered through the Dept. of Agriculture because of the departments experience in dealing with farmers.

Sen. Charles Berg (DFL-Chokio), disagreed, arguing that the current system should remain within the Dept. of

Finance since they are administering the program more than satisfactorily. He subsequently offered a major amendment transferring the RFA back into the Dept. of Finance from the Dept. of Agriculture. The amendment also eliminates the appropriation from the General Fund to the commissioner of agriculture to administer the RFA and eliminates the separate RFA administrative fund. The amendment allows the authority to impose a fee, which will be deposited into the state treasury and credited to the General Fund. The amendment was adopted.

Lastly, the measure provides for a \$300,000 appropriation from the General Fund to the commissioner of finance to develop and promote the bond program.

In other business, the committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved three other measures during the early portion of the hearing. H.F. 961, also carried by Sams, extends the farmer-lender mediation act and provides for a \$200,000 appropriation for purposes of carrying out the mediation program. An amendment was offered removing a \$400,000 appropriation to support the Farm Advocates Program, since it is being addressed in another measure.

H.F. 744, carried by Sen. Steven Novak (DFL-New Brighton), provides that the interest costs associated with cleaning up releases from petroleum tanks are reimbursable for a period of up to 180 days. In addition, the reimbursable costs would be capped at two percentage points above the prime rates charged by banks. Novak explained that it is critical that interest costs be reimbursed to help expedite the clean-up process.

Merriam voiced his concern that the state is adding more reimbursable costs to the Petrofund Program at a time when the legislative auditor reported that costs for the program are out of control. Therefore, he offered a motion to remove the provision from the bill, but the motion failed.

Finally, the environmental crimes bill, H.F. 694, carried by Sen. Phil Riveness (DFL-Bloomington), was discussed. The measure includes provisions from two other bills establishing a field citation pilot project that issues citations to individuals who unlawfully dump solid waste and establishes an environmental enforcement fund account. The measure also authorizes background investigations of environmental permit applicants, authorizes the Pollution Control Agency (PCA) to impose administrative air and waste pollution penalties, and imposes criminal penalties for knowingly violating air emissions or introducing a hazardous substance into a sewer system or treatment system. The measure provides that

it is a gross misdemeanor if a person knowingly disposes of a solid waste at a location that does not have a required permit.

Discussion centered on a provision that provides for a toll free number to report potential environmental violations and provides monetary awards to individuals who provide information that lead to the conviction of an environmental crime. An amendment was offered and adopted stipulating that monetary awards will be funded only through private sources.

The measure includes an \$890,000 appropriation from the General Fund to the PCA and \$238,000 appropriated to the attorney general for costs associated with the civil and criminal portions of the bill. In addition, a \$200,000 appropriation from the General Fund to the commissioner of natural resources is included to implement the field citation pilot project. All the measures were sent to the Senate floor for action.

Wetlands bill approved

Later on Sat., May 11, the Finance Committee took up a bill that provides for the preservation, enhancement, restoration, and establishment of wetlands. S.F. 3, authored by Sen. Charles Davis (DFL-Princeton), directs the state to identify the importance of wetlands, promote multiple use, ensure that lost wetlands are replaced, and compensate owners of private wetlands when the lands are protected for public use. The committee approved the bill and sent it to the full Senate.

S.F. 720, sponsored by Sen. James Metzen (DFL-South St. Paul), makes changes to housing programs and regulations. The bill includes provisions for Minnesota Housing Finance Agency programs, modifies procedures related to renters and landlords, and establishes low-and moderate-income and blighted property housing programs. S.F. 263, authored by Sen. William Luther (DFL-Brooklyn Park), facilitates local governments in using 1990 census data for redistricting purposes, clarifies campaign financing provisions, and establishes the mail-in ballot for presidential primaries. The bill provides \$3.34 million in revenues through fees from the Secretary of State's office, lobbyist registration, and other fees. The bill appropriates \$3.27 million for the Secretary of State, the Ethical Practices board and for functions related to elections. Both bills were approved and sent to the full Senate.

S.F. 496, authored by Sen. Carl Kroening (DFL-Mpls.), provides for tele-racing facilities and pari-mutuel betting at these facilities. S.F. 842, authored by Sen. Steven Morse (DFL-Dakota), modifies requirements for drilling, sealing, or

constructing wells. The bill provides for fees for well disclosure statements when selling property on which a well is located. H.F. 977, also authored by Morse, establishes a duty on the part of hazardous substance and oil handlers to have a plan to respond to accidental or intentional discharge or spills. H.F. 381, carried by Metzen, authorizes construction at Dakota County, Northeast Metropolitan, and Moorhead Technical Colleges. S.F. 257, authored by Merriam, provides resources for the Dept. of Administration to increase its efforts in assessing resource recovery and recycling. All of these bills were approved and sent to the full Senate.

S.F. 37, authored by Luther, provides greater regulatory authority for the Dept. of Commerce for insurance matters. The bill provides for an increase of 17 insurance company examiners to determine the solvency of firms. The new positions will be funded through licensing and examination fees assessed to the insurance industry. The bill was approved and sent to the full Senate.

Health care access bill discussed

The Committee on Finance, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Mon., May 13, to consider the health care access proposal. S.F. 2, authored by Sen. Linda Berglin (DFL-Mpls.), provides access to health care for Minnesotans who are uninsured or underinsured.

The committee discussed an amendment that separates categories of coverage into Part A or Part B. Both types of coverage are offered in the proposal, but only Part A, which covers outpatient services, will be subsidized by the state, said Berglin. Appropriations toward the program will provide access to health care for 23,000 Minnesotans who are currently uninsured or underinsured, said Berglin. At the discretion of the legislature, the program can become comprehensive to serve the 417,000 Minnesotans in need of insurance, Berglin said.

The amendment also requires the commissioner of health to establish health plan payment arrangements that encourage improvements in the effectiveness and efficiency of health care delivery. Sections dealing with the mandate for universal health coverage are deleted by the amendment.

The amendment requires that commissions from private market policy sales be spread over a period of five years, requires health plan companies to accept applicants for coverage so long as the health plan company sells to other applicants in the same category, restricts the use of preexisting conditions for exclusion from

coverage, and prohibits charging different rates based on age, sex, health status, disability, occupation or geographical location.

The amendment eliminates chemical dependency services from subsidy and establishes a small employer plan.

As well, the amendment authorizes additional enrollments of medical students in the rural physician loan forgiveness program, establishes the Mid-Level Practitioner Education Program, and provides grants for hospitals in rural areas. No action was taken on the amendment, or on the bill.

Airbus bill discussed

The Committee on Finance, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Tues., May 14, to discuss S.F. 1517, carried by Sen. Sam Solon (DFL-Duluth). The bill authorizes financing and tax arrangements for the building of Northwest Airlines (NWA) Airbus maintenance facilities in Duluth and Hibbing.

Most of the discussion centered around the bill provisions that increase bonding authority for the Metropolitan Airports Commission and on the state's obligation for the repayment to investors if NWA should default. No action was taken on the bill.

Drug prevention bill discussed

The Committee on Finance, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Wed., May 15. Among the bills discussed were one for alcohol and drug prevention projects, one related to the battered woman's program in the Dept. of Corrections, and one related to peace officer training.

S.F. 414, authored by Sen. Linda Berglin (DFL-Mpls.), establishes state-wide and local alcohol and drug prevention programs and family resource center pilot projects. The bill was amended to eliminate state funded prevention programs and eliminates a formula by which federal funds are distributed to community health boards and American Indian reservations.

S.F. 666, authored by Sen. Steven Morse (DFL-Dakota), lowers license fees charged to lawn service applicators paid into the Agricultural Chemical Response and Reimbursement Account. H.F. 571, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), makes changes to the administration of benefits for the Minneapolis Employees Retirement Fund including guidelines for the investment of funds paid into the benefit plan. S.F. 655, sponsored by Sen. Gary DeCramer (DFL-Ghent), is the Mn/DOT house-keeping bill. The bill states regulations regarding vehicle size and weight and

Committee update

provides guidelines for fees charged by the commissioner of transportation. All three of the bills were approved and sent to the full Senate.

S.F. 835, authored by Sen. Allan Spear (DFL-Mpls.), makes structural changes to the Battered Women's Advisory Council and establishes the Sexual Assault and Crime Victims Advisory Councils. The committee adopted an amendment, offered by Spear, that eliminates the reimbursement to council members.

S.F. 404, authored by Sen. Randy Kelly (DFL-St. Paul), directs the systems of higher education to develop a comprehensive program for peace officer training and education. The bill was amended to provide a \$500,000 per year appropriation.

All three bills were approved as amended and sent to the full Senate.

S.F. 494, also authored by Spear, establishes a pilot project for counties to use intensive supervision for repeated DWI offenders instead of imprisonment. S.F. 93, sponsored by Sen. Keith Langseth (DFL-Glyndon), limits the inspection fee charged to a town in connection with road construction to \$100. S.F. 1120, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), is the Secretary of State housekeeping bill. It increases certain fees and allows the Secretary of State to remove a document from the public record when a filing fee is not paid. S.F. 1286, sponsored by Sen. William Belanger (IR-Bloomington), requires that devices to aid the hearing impaired be available in all hearing rooms in the Capitol and in the chambers of each legislative body. H.F. 1353, sponsored by Sen. Ted Mondale (DFL-St. Louis Park), establishes the International Partnership Program in the Minnesota Trade Office. S.F. 780, sponsored by Sen. Dennis Frederickson (IR-New Ulm), eliminates a two-dollar charge for accessing public information at the Secretary of State office. H.F. 99, carried by Morse, designates a portion of Trunk Highway No. 61 as the Disabled Veterans Highway and provides for Gulf War Veterans license plates. H.F. 354, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), extends the time by when the Minerals Task Force must report findings to the Legislature. All of the bills were approved and sent to the full Senate.

Metropolitan Affairs

Airbus bill comes to halt

The Northwest Airlines (NWA) aircraft maintenance bill stalled in the Metropolitan Affairs Committee after members voiced their concern over the

bill at the Fri., May 10, hearing. Members and Chair Don Frank (DFL-Spring Lake Park), indicated concern over being asked to move a bill with such major financial implications attached, because of pressure imposed by the May 20 constitutional deadline for adjournment.

S.F. 1517, authored by Sen. Sam Solon (DFL-Duluth), authorizes the state to sell up to \$350 million in revenue, deficiency and general obligation revenue bonds to finance construction of an aircraft maintenance facility in Duluth, and an aircraft engine repair facility in Hibbing. The facilities are to enable NWA to service their fleet of Airbus 320s and Boeing 757s.

According to E. Peter Gillette, commissioner of the Dept. of Trade and Economic Development, the state will issue three series of bonds, the bulk of which will be repaid by NWA through lease payments. Gillette also told members that the first major fleet overhaul is scheduled for the spring of 1993, so it is imperative that the legislation be passed in order for Duluth to begin negotiating with NWA, and to begin construction of the facility. Gillette also informed members that the airbus maintenance facility in Duluth could create up to 1200 new jobs with an average payroll of \$50,000.

The bill also provides for a \$5,000 per job income tax credit for five years, sales tax exemptions and authorizes the city of Duluth to create a redevelopment tax increment financing district at the Duluth International Airport not to exceed \$47.6 million.

In the event the Duluth proposal is not accepted, the bill includes a provision that authorizes the Metropolitan Airports Commission (MAC) to sell up to \$230 million in general obligation revenue bonds to finance the construction of the maintenance base at the Minneapolis-St. Paul International Airport. However, if the airline declares bankruptcy, taxpayers in the seven county Metro Area could be required to pay off the bonds. No action was taken on the bill.

Rules and Administration

Airbus bill sent to Finance

Members of the Rules and Administration Committee, chaired by Sen. Roger Moe (DFL-Erskine), met briefly Fri., May 10, to act on a motion to remove a bill from one committee and send it to another. The relatively rare procedure was used, on the motion of chief author Sen. Sam Solon (DFL-Duluth), to advance S.F. 1517, the Northwest Airlines airbus maintenance facility bill, from the Metropolitan Affairs Committee to the Committee on Finance. According

to Moe, the action was taken to expedite consideration of the financial implications of the measure.

Veterans and General Legislation

Appointment approved

Members of the Veterans and General Legislation Committee met Fri., May 10, and approved the gubernatorial appointment of Bernard Melter as commissioner of the Dept. of Veterans Affairs. The panel, chaired by Sen. Joe Bertram (DFL-Paynesville), tabled the appointments of Lucy Rieth, Conrad Razidlo, Elizabeth C. Whitbeck and Joseph Duffy to the State Arts Board.

Thursday, May 9

Fan bill moves forward

Among the 25 measures granted preliminary approval during the first half of the Thurs., May 9, floor session was a measure, H.F. 424, authored by Sen. John Hottinger (DFL-Mankato), providing sanctions against anyone who assaults a high school sports official in connection with an interscholastic athletic event. The sanction could result in the individual being barred from attending such an activity for up to 12 months. H.F. 932, carried by Sen. Pat Piper (DFL-Austin), extends female offender programs to include juvenile offenders, and allows counties to develop and implement female offender programs.

Among the bills considered on the General Orders Calendar, several of them dealt with various judicial issues. S.F. 858, authored by Sen. Patrick McGowan (IR-Maple Grove), requires offenders who have been court-ordered to pay restitution of over \$500 to submit an affidavit of financial disclosure. H.F. 825, carried by Sen. John Marty (DFL-Roseville), clarifies advisories given by law enforcement officials to drivers being asked to take chemical tests for alcohol concentration. H.F. 551, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), increases the waiting period for a limited driver's license from 60 to 180 days for individuals convicted of manslaughter, criminal negligence resulting from the use of a motor vehicle, or criminal vehicular homicide or injury. In addition, the measure creates a pilot program for an ignition interlock system installed in cars for the purpose of alcohol detection.

An amendment to H.F. 605, carried by Sen. Randy Kelly (DFL-St. Paul), requiring that crime victims be notified of an offender's escape from prison or other type of corrective supervision, was offered and

Floor action

adopted by the Senate. The amendment was offered by Sen. William Luther (DFL-Brooklyn Park), and clarifies that victims must also be notified of an offenders transfer from one correctional facility to another when the correctional program involves less security and stipulates the timeframe that must be adhered to when making the good faith effort to notify each identifiable victim of an offenders release, transfer or change in security status. S.F. 526, authored by Sen. Allan Spear (DFL-Mpls.), clarifies that intensive supervision or "house arrest" can be used as part of a probationary, non-prison sentence, or when an offender has served a prison sentence but is placed on an intensive supervision term. S.F. 502, authored by Sen. Linda Berglin (DFL-Mpls.), waives the filing fees for Persian Gulf military families seeking protection under the Soldiers' and Sailors' Civil Relief Act of 1940. H.F. 71, carried by Sen. Pat Pariseau (IR-Farmington), specifies that an attorney may prepare and submit to the court a certificate of dissolution at the time a divorce is granted. H.F. 154, carried by Finn, clarifies amendments to the Uniform Commercial Code relating to personal property leases.

Further, H.F. 1066, carried by Berglin, extends liability protection to health maintenance review organizations. S.F. 1127, sponsored by Sen. Jim Vickerman (DFL-Tracy), establishes an advisory council to examine rules governing Intermediate Care Facilities for the Mentally Retarded, and requires a plan to simplify rules and regulations governing services to people with developmental disabilities and related conditions. H.F. 85, carried by Finn, authorizes nursing homes with 150 beds or less that are located within 75 miles of each other to share an administrator. S.F. 1466, sponsored by Piper, creates a low-income energy assistance task force to investigate the establishment of a nonprofit energy assistance foundation. S.F. 1112, authored by Sen. Janet Johnson (DFL-North Branch), provides incentives for renewable energy sources of utility power and provides for a property tax exemption for wind energy conversion systems installed after Jan. 1, 1991, and used as an electric power source.

S.F. 853, sponsored by Kelly, authorizes the commissioner of labor and industry to erect a plaque in honor of workers who suffer fatal accidents at a construction site. S.F. 764, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), requires amusement ride operators to carry insurance of at least \$500,000 for liability for injury to persons arising out of the use of an amusement ride and requires the insurance company to make annual inspections. S.F. 431, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), allows Pennington

County and the city of Thief River Falls to sell bonds to construct student housing.

In addition, H.F. 870, carried by Sen. Sam Solon (DFL-Duluth), allows the spouse of an officer killed in the line of duty to elect a prescribed benefit plan if that officer had been covered by the Public Employees Retirement Association Police and Fire Consolidation Accounts. S.F. 1289, authored by Sen. William Belanger (DFL-Bloomington), prohibits the sale of state lands administered by the Dept. of Natural Resources (DNR) to any DNR employee. H.F. 743, carried by Stumpf, allows the Red Lake Watershed District to undertake expanded projects. H.F. 21, carried by Sen. Joe Bertram (DFL-Paynesville), requires new or expanded incinerators emitting less than 1000 lbs. per hour to obtain air emission permits, and prohibits new facilities emitting 350 lbs. or more from receiving a permit until an environmental assessment worksheet has been completed and approved by the Pollution Control Agency. An amendment offered by Sen. John Bernhagen (IR-Hutchinson), makes an exception for hospitals by allowing them to continue the process of upgrading their incinerator facilities.

S.F. 282, authored by Sen. Phil Riveness (DFL-Bloomington), establishes an alternative method for determining the annual permit fee for vehicles propelled in part by natural gas or propane. The omnibus liquor bill, H.F. 683, carried by Solon, makes technical changes to the laws governing alcoholic beverages. H.F. 875, carried by Sen. Ted Mondale (DFL-St. Louis Park), increases the property damage liability coverage on rental vehicles from \$25,000 to \$35,000. In addition, the measure specifies that it is an unfair settlement practice if an automobile policy provides for the settlement of an automobile loss due to damaged damaged window glass, and the insurer fails to assume all costs sufficient to pay the insured's chosen vendor for the replacement of comparable window glass at a price generally available in the area. S.F. 760, sponsored by Bertram, provides for the distribution of fire state aid to cities.

Finally, Senators concurred with House amendments and repassed two measures. S.F. 958, authored by Sen. Ronald Dicklich (DFL-Hibbing), authorizes the sale of tax-forfeited lands and an easement in St. Louis County. S.F. 635, authored by Sen. Don Samuelson (DFL-Brainerd), specifies that an agreement between an insurer and health care provider may not prohibit the provider from contracting with other insurers to provide services at a lower price than the payment specified in contract.

Infectious waste bill approved

A bill making clarifications to laws governing the handling of infectious

waste received approval at the Thurs., May 9, floor session. S.F. 783, authored by Sen. Gregory Dahl (DFL-Ham Lake), transfers the responsibility for certain stages of waste handling from the Pollution Control Agency to the Dept. of Health. The bill also makes clear that veterinary waste is included under the law. An amendment, offered by Sen. Janet Johnson (DFL-North Branch), requires a medical waste task force to study the issue of infectious and medical waste and to find alternatives to incineration. An amendment, offered by Sen. Gen Olson (IR-Minnetrista), includes alternatives to the use of landfills in the task force study. Both amendments were adopted. The bill was approved as amended.

Several other bills received preliminary approval at the Thursday session. S.F. 856, authored by Sen. Donald Storm (IR-Edina), specifies that no additional taxes must be paid when an open space qualification is lost due to the acquisition of that property by the state or by a political subdivision. S.F. 510, authored by Sen. Charles Berg (DFL-Chokio), makes changes to egg laws, specifying temperatures at which eggs must be stored for the prevention of salmonella development. H.F. 882, carried by Sen. William Belanger (IR-Bloomington), increases fines for littering. S.F. 722, authored by Sen. Terry Johnston (IR-Prior Lake), clarifies language relating to monies appropriated for land acquisition by the military. S.F. 208, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), allows the Dept. of Public Safety to issue license plate stickers for dealer registered cars rather than requiring a dealer plate. S.F. 255, authored by Sen. Leonard Price (DFL-Woodbury), makes changes to horse racing regulation including increasing per diem for horse racing commission members and reducing the state tax withholding on pari-mutuel winnings. H.F. 1001, also sponsored by Price, permits the communication by radio between a handler and a dog. H.F. 609, authored by Janet Johnson, authorizes the Veterans Homes Board to lease facilities. S.F. 127, authored by Sen. Dallas Sams (DFL-Staples), establishes Glendalough State Park. S.F. 928, authored by Sen. Thomas Neuville (IR-Northfield), provides for enforcement of agricultural laws. H.F. 425, sponsored by Sen. Douglas Johnson (DFL-Cook), authorizes the sale of state land. The bill was amended to authorize other land transactions. S.F. 1164, also authored by Douglas Johnson, permits the city of Biwabik and the town of White to establish a joint economic development authority.

Floor action

State Departments omnibus bill

The Senate took up discussion of the omnibus state departments appropriations bill at the Thurs., May 9, floor session. The bill, presented by Sen. Carl Kroening (DFL-Mpls.), provides \$732 million for the biennium, with \$699 million being appropriated from the General Fund. The appropriations are for the general legislative, judicial, and administrative expenses of operating state government.

Major budget adjustments include \$9 million for new housing programs, \$5.5 million in other new programs, no salary supplement for state employees, a cut of \$22.3 million from the base level funds provided to the Minneapolis Employees Retirement Fund, and new revenues of \$1.4 million. The bill provides \$55.8 million more than did the state departments omnibus bill for the current biennium, said Kroening, but most of the increase has come as a result of the inclusion of funding that has, in previous years, been carried by other initiatives.

The body adopted an amendment, offered by Sen. William Luther (DFL-Brooklyn Park), that makes changes in the state's system of public defense. The amendment requires that the State Board of Public Defense consist of four attorneys appointed by the Supreme Court and three public members appointed by the governor. The amendment specifies that no judge may be appointed to the board, promotes diversity among board members, specifies that the state public defender appoints the chief administrator to the board, and specifies that the appointment of chief district public defenders in each judicial district are made by the board plus two residents of the relevant judicial district.

An amendment, offered by Sen. Thomas Neuville (IR-Northfield), extends the bill's freeze on legislative salaries until January 3, 1994. The amendment failed.

An amendment, offered by Sen. William Luther (DFL-Brooklyn Park), freezing the salaries of all public employees not covered by a bargaining unit until 1993 was adopted. Originally the amendment specified that the salaries of those earning more than \$50,000 a year would be subject to the freeze. However, an amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), specifies that employees earning more than \$35,000 per year would be subject to the salary freeze. An attempt by Sen. Duane Benson (IR-Lanesboro) to reinstate language relating to the governor's CORE initiative, the commission to study ways of cutting state spending, was unsuccessful.

The bill was granted final passage on a vote of 53-13.

Data practices bill okayed

After debating the omnibus state departments bill, Senators took up the Senate Calendar. Bills on the Senate Calendar are considered for final passage after having been approved on the General Orders Calendar. Thirteen measures were given final passage. H.F. 693, sponsored by Sen. Jane Ranum (DFL-Mpls.), is the omnibus data practices bill and provides for the classifications of government data. S.F. 1152, authored by Sen. Gary DeCramer (DFL-Ghent), authorizes the registrar of motor vehicles to prorate the original registration on groups of passenger motor vehicles presented to St. Paul by a lessor. S.F. 1284, authored by Sen. Earl Renneke (IR-LeSeuer), changes the livestock market agency and dealer licensing act. H.F. 922, authored by Sen. Dennis Frederickson (IR-New Ulm), imposes a duty to investigate and render aid when a person is injured in a shooting accident and imposes a felony penalty for failure to do so. H.F. 934, sponsored by Sen. Thomas Neuville (IR-Northfield), prohibits registration of a vehicle for which a salvage certificate of title is issued.

H.F. 594, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), enacts the Uniform Foreign-Money Claims Act. H.F. 1549, sponsored by Sen. Dallas Sams (DFL-Staples), memorializes the president and the U.S. Congress to take action to alleviate the crisis in the Midwest dairy industry. S.F. 811, authored by Sen. Randy Kelly (DFL-St. Paul), provides survivor benefits to the widow of a St. Paul police officer under the Public Employees Retirement Association Police and Fire Plan. S.F. 1064, authored by Sen. Charles Davis (DFL-Princeton), exempts some proceedings by the Board of Water and Soil Resources from the Administrative Procedure Act and exempts the Minnesota Housing Finance Agency from restrictions on transfers of marginal land and wetlands. S.F. 1300, authored by Sen. Tracy Beckman (DFL-Bricelyn), allows exemption of some types of garbage from requirements for feeding to livestock and poultry.

H.F. 1551, carried by Sen. Don Storm (IR-Edina), modifies limitations on survivor benefit coverage under the Edina Volunteer Firefighters Relief Association. H.F. 1475, carried by Ranum, requires post-secondary governing boards to report on cultural diversity. H.F. 815, also carried by Ranum, regulates premium determinations, meetings and experi-

mental delivery and managed care delivery methods under the Minnesota Comprehensive Health Insurance Plan.

After completing work on the Senate Calendar, members again turned their attention to consideration of bills on the General Orders Calendar. Two measures incurred extensive debate during the evening session. S.F. 768, authored by Sen. Sandra Pappas (DFL-St. Paul), requires appointing authorities to strive for gender balance on various executive branch boards and commissions. According to Pappas, women are still underrepresented on most of the boards and commissions comprised of appointees. Pappas said that the current administration is making an excellent effort to achieve gender balance in the appointment process, the bill is necessary to insure future balance in the appointments of individuals to serve on various state boards. Opponents of the measure argued that the bill was aimed at restricting the current administration's appointment efforts. Pappas offered an amendment, at the request of the governor's appointments staff, to provide more flexibility by allowing a 25 percent variance in the composition of some boards. The amendment failed after extensive debate. An amendment, offered by Sen. Randy Kelly (DFL-St. Paul), to delay the effective date also failed. The measure ultimately failed to get preliminary approval.

The second measure that sparked extensive debate, also failed to gain approval. S.F. 688, sponsored by Sen. Gene Waldorf (DFL-St. Paul), makes numerous changes to the laws governing electricians and the Board of Electricity. The measure ran into heavy opposition because of provisions relating to the establishment of a complaint committee and the disciplinary powers of the board. The bill failed on a 27-29 roll call vote.

In other action, though, a number of bills were given preliminary approval. S.F. 173, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), changes the definition of the term "employee" for purposes of the Public Employee Labor Relations Act. S.F. 735, authored by Sen. Bob Lessard (DFL-Int'l. Falls), increases the amount of vacation time that state employees can donate to bargaining representatives. H.F. 1509, carried by Sen. Don Samuelson (DFL-Brainerd), allows land near Camp Ripley to be used as a veterans cemetery. S.F. 535, sponsored by Chmielewski, regulates the assignments of benefits under accident and health insurance policies. H.F. 914, carried by Sen. Janet Johnson (DFL-North Branch), authorizes Otter Tail County to return donated state lands to the donor's heir and requires that descrip-

tions of tax-forfeited lands bordering public water be submitted to the commissioner of natural resources before legislation is proposed to permit conveyance of the land.

H.F. 126, carried by Samuelson, designates the Paul Bunyan Highway from Little Falls through Cass Lake to Bemidji. H.F. 128, sponsored by Sen. Steven Morse (DFL-Dakota), specifies that impervious surfaces, such as shopping center parking lots, must have water retention devices to prevent runoff into the drainage system. S.F. 351, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), guarantees peace officers rights when a formal statement is taken for disciplinary purposes. S.F. 1179, also authored by Pogemiller, provides the conditions and requirements for the issuance of debt and for the financial obligations of authorities.

Friday, May 10

Tax bill passes

The Fri., May 10, floor session was dominated by discussion on the Conference Committee report on H.F. 1086, the omnibus tax bill.

Sen. Douglas Johnson (DFL-Cook) said property tax relief and budget balancing would be achieved under the measure by raising almost \$500 million in sales and income taxes over the biennium. Johnson said \$250 million will be taken from the budget reserve for additional relief.

According to Johnson, the bill provides \$300 million in property tax relief not proposed by the governor. Under the measure, the income tax on incomes over \$100,000 is raised to nine percent. The cigarette tax is raised five cents per pack. Johnson said revenues will also be raised through a luxury tax on furs and jewelry valued at over \$10,000 and cars valued at over \$30,000. He said the bill provides for the elimination of the third property tax tier over a two year period and expands the first and second tiers.

Sen. Ember Reichgott (DFL-New Hope) said that property tax increases under the bill will amount to 7.3 percent; an amount she said is less than the amount that would be raised if the Legislature did nothing. Reichgott highlighted a number of other provisions in the bill, including a provision imposing a one year moratorium on school referenda. Another provision requires that referenda be based on the market value of a home rather than on net tax capacity. Reichgott said a provision provides for a note on voting ballots informing voters that a vote for a referendum is essentially a vote for a property tax increase. She said the bill also includes a provision to exempt cities of under 1,000 from truth in taxation.

Opposition to the bill came from Sen. Fritz Knaak (IR-White Bear Lake), who charged that the bill increases taxes but does not provide for spending cuts. Sen. Duane Benson (IR-Lanesboro) reiterated Knaak's allegations, adding that the situation will only be worse in two years. But Sen. Roger Moe (DFL-Erskine) said the bill achieves tax reform, reflects public opinion and preserves most of the budget reserve: all criteria asked for by the governor. The bill was passed on a strict party line 45-21 roll call vote.

In other action, members granted final passage to all but four measures that were on the General Orders Calendar Thurs., May 9. S.F. 173, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), relating to public employees, was laid over at the author's request. Three of the bills were out for comparison with House Files: S.F. 440, authored by Sen. John Marty (DFL-Roseville), relates to economic development; S.F. 853, authored by Sen. Randy Kelly (DFL-St. Paul), honors workers killed while working on public projects; and S.F. 1528, authored by Sen. Tracy Beckman (DFL-Bricelyn), provides for payment of claims against the state. In addition, a bill from the Mon., May 6, General Orders Calendar was granted final passage. S.F. 510, authored by Sen. Charles Berg (DFL-Chokio), amends the egg law.

Three bills were repassed after Senators concurred with House amendments. S.F. 328, authored by Sen. Sam Solon (DFL-Duluth), conforms state Medicare supplement policy requirements to federal law and requires that plans provide coverage for foreign travel. S.F. 417, authored by Sen. Ronald Dicklich (DFL-Hibbing), makes noncontraversial clarifications and modifications to provisions relating to school districts and the Dept. of Education. S.F. 918, authored by Sen. William Luther (DFL-Brooklyn Park), prohibits certain insurance agreements.

Senators concluded the Fri., May 10, floor session by adopting the conference committee report on S.F. 187, the bill authorizing advanced mental health care directives. The measure, sponsored by Sen. Allan Spear (DFL-Mpls.), specifies that competent adults can formulate advanced directives about the kinds of mental health care they want to receive should they become incompetent. The conference committee compromised on language regarding witnesses and specifies that two witnesses are needed but that there need not be notarization of the witnesses signatures. In addition, the compromise bill retains a requirement that the witnesses make a statement regarding the competency of the person making the directive but changes the wording of the statement. Finally, the conference committee report includes a change in the citation of the statute containing provisions of the Adult

Health Care Decisions Act by renaming the law the Living Will Act. The bill was repassed on a 47-0 vote.

Monday, May 13

Contractor bill approved

During the Mon., May 13, floor session, members of the Senate granted preliminary passage to a bill mandating a statewide licensing system for general building contractors.

S.F. 202, authored by Sen. Gregory Dahl (DFL-Ham Lake), establishes a statewide licensing system that requires contractors to be annually bonded, licensed and educated through continuing education classes. Currently, licensure is prescribed by local units of government. An adopted author's amendment directs the Dept. of Commerce to recommend the types of specialty contractors that should be licensed and report back to the Legislature, which is charged under the measure with the ultimate determination. An amendment offered by Sen. Steven Morse (DFL-Dakota), allowing local governments the option of adopting the statewide system, failed. Although some members said the bill would be burdensome to rural contractors, the bill was granted preliminary passage and placed on the Senate Calendar.

Members also granted preliminary approval to nine other bills. H.F. 1299, authored by Sen. Roger Moe (DFL-Erskine), removes the check-off fee refund option allowed to paddy wild rice producers. Moe indicated that the refund, which is 2.5 cents a pound, has consistently been decreasing over the years. S.F. 836, authored by Sen. Joanne Benson (IR-St. Cloud), appropriates \$465,000 from the General Fund to the State University Board for office space construction needed on the St. Cloud State University Campus. Benson said the bill offers a solution to the nearly \$700,000 in rental payments paid by the university on a building that has recently been condemned by the fire marshall. Under the bill, the university will pay back \$100,000 per year beginning next year. S.F. 1182, authored by Sen. Gene Merriam (DFL-Coon Rapids) directs the Dept. of Administration to prepare a debt capacity forecast covering the next six fiscal years. The measure also eliminates the sale of infrastructure development bonds and consolidates debt service for infrastructure development bonds in the General Fund. The Dept. of Administration is required under the measure to review capital budget requests for state buildings.

S.F. 1238, authored by Sen. Phil Riveness (DFL-Bloomington), allows the city of Richfield to advance funds to the Minnesota Department of Transportation

Floor action

(Mn/DOT) to expedite construction of a frontage road within the city. Riveness said the bill will not result in the deprioritization of any other Mn/DOT projects. S.F. 1402, authored by Sen. John Hottinger (DFL-Mankato), authorizes a study of potential uses of the Waseca branch of the University of Minnesota. The bill appropriates \$50,000 to the Dept. of Administration, which will direct the study and report recommendations back to the Legislature in 1992. Under the measure, Waseca must generate matching funds amounting to \$1 for every \$2 allocated. S.F. 1340, authored by Sen. Gene Waldorf (DFL-St. Paul) provides for ongoing employer contributions to the judges retirement fund.

S.F. 371, carried by Sen. Joe Bertram (DFL-Paynesville) relates to missing and abused children. The bill requires that a sex offender report a current address to a probation officer for 10 years following the offender's release from prison. An adopted amendment by Sen. Carol Flynn (DFL-Mpls.) states that a felony charge against a person taking a child may be dropped if the child is returned within 48 hours. Currently the time frame for dropping charges is 14 days. H.F. 459, sponsored by Merriam, makes changes in administrative forfeiture laws relating to drug crimes. A provision eliminates the civil filing fee unless the value of the property is \$500 or more. S.F. 256, also authored by Merriam, amends Waste Management Act statutes and provides for new waste management procedures. Among provisions in the bill is one broadening the definition of major appliances that must be recycled and another changing recycling goals for counties. Another provision results in the abandonment of the Metropolitan landfill siting process. The bill also shifts waste management responsibility from local units of government to counties, and enables counties to charge fees on materials dumped at nondesignated sites.

Redistricting standards repassed

Members concluded the Mon., May 13, floor session by adopting three conference committee reports. Two of the measures dealt with standards to be used in the process of drawing new congressional and legislative district lines. H.R. 1, sponsored by Sen. Roger Moe (DFL-Erskine), describes the standards to be used in drawing congressional district lines. Under the compromise reached by the conference committee the sentence "To the extent consistent with the other standards in this resolution, districts should be compact" is added to the reso-

lution. The same change is made in H.R. 2, the resolution describing the standards to be used in drawing legislative district lines. The second resolution is also sponsored by Moe. Both conference committee reports were adopted and both measures were repassed by the Senate.

The third conference committee report, on H.F. 132, was also adopted. The measure, sponsored by Sen. John Marty (DFL-Roseville), specifies the type of light bulb to be used in state building exit signs and sets forth other energy conservation provisions. The bill was repassed unanimously.

Earlier, Senators devoted the latter portion of the day's floor session to the continued discussion of bills on the General Orders Calendar. The following measures received preliminary approval. S.F. 100, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes replacement funds for culverts and grading costs and authorizes assistance for bridge approaches from the town bridge account. H.F. 1050, sponsored by Marty, requires notice of proposed executive reorganization orders to be given to the Legislature. An amendment, offered by Sen. Don Frank (DFL-Spring Lake Park), redefines "state agency" to include the Metropolitan Council and, thus, include the council in the provisions of the bill. Another amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), includes a "hold harmless clause" in the bill's provision so that, in the event notice was not received within the two weeks specified by the bill, the reorganization would not be nullified. Both amendments were adopted.

H.F. 499, carried by Sen. Gene Waldorf (DFL-St. Paul), provides for the flagging of school records of missing children. H.F. 365, sponsored by Sen. David Frederickson (DFL-Murdock), provides that a sheriff shall not charge for in forma pauperis service of process. H.F. 1125, sponsored by Sen. Charles Davis (DFL-Princeton), authorizes the Mille Lacs Band of Chippewa Indians to exercise law enforcement authority within the Mille Lacs Reservation and on trust lands. S.F. 820, authored by Chmielewski, regulates real estate transactions on the part of the state agricultural society, clarifies that the attorney general's office need not review each individual contract entered into by the state agricultural society and sets conditions for counties to assist state fair exhibits. H.F. 1127, sponsored by David Frederickson, limits multiparty line telephone service to two subscribers per line. H.F. 696, also carried by Frederickson, revises the membership requirements

for joint vocational technical boards and authorizes joint vocational technical boards to appoint additional members.

S.F. 1118, sponsored by Sen. William Luther (DFL-Brooklyn Park), regulates the assignments, transfers, and sales of franchises. H.F. 205, also carried by Luther, makes it an unfair practice for health insurers to discriminate against military personnel. An amendment, offered by Luther and subsequently adopted, makes it an unfair practice for life insurers to discriminate against military personnel prior to the individual receiving an order for active duty. H.F. 289, a third measure sponsored by Luther, establishes minimum loss ratios for noncomprehensive insurance policies. H.F. 786, carried by Luther, makes technical changes and corrects inconsistencies in statutes relating to contracts. H.F. 564, carried by Sen. Steven Novak (DFL-New Brighton), exempts hotels and motels providing telephone service from regulation by the Public Utilities Commission and requires hotels, motels and other establishments to provide notice of separate charges for use of telephones and notice of which long distance carriers provide service to telephones in the establishments.

H.F. 1191, sponsored by Sen. Jim Vickerman (DFL-Tracy), permits counties to spend money for broadcast facilities. S.F. 109, authored by Chmielewski, decreases the number of certified copies of marriage licenses that must be prepared, expands the probate surcharge to informal probate matters and increases several judicial fees. S.F. 740, authored by Sen. Gene Merriam (DFL-Coon Rapids), is a Department of Finance housekeeping measure that provides for the uses for imprest funds, the cancellation of warrants, the costs of data searches, the conditions and uses of bonds and account rules. H.F. 606, sponsored by Sen. Terry Johnston (IR-Prior Lake), is a Dept. of Transportation housekeeping measure that authorizes the department to cancel uncollectible debts up to \$200, allows the department to employ debt collection services, allows the department to make direct expenditures from state aid funds for administrative expenses, specifies when estimates of construction projects are nonpublic data, requires the adoption of rules governing the location and break-away standards for mailbox installations, allow white strobe lamps to be used on highway maintenance vehicles, adds a route and changes the description of a route in the state highway system and authorizes the exchange of land with the Grand Portage Band of Chippewa Indians.

Tuesday, May 14

Psychology licensure bill moves

The balance of the early portion of the Tues., May 14, floor session, was devoted to processing a number of relatively noncontroversial bills on the General Orders Calendar. With the exception of one bill that was progressed at the author's request, the following measures were granted preliminary passage.

S.F. 300, sponsored by Sen. Carol Flynn (DFL-Mpls.), clarifies current requirements for licensing psychologists and also requires psychological practitioners to be licensed. The measure, according to Flynn, is aimed at increasing the quality of psychological services by requiring a psychologist to possess a doctoral degree in order to practice independently. Currently, a licensed psychologist is anyone with a doctoral or a master's degree in psychology. The measure recognizes two levels of practice, stipulates the requirements for independent practice and for psychological practitioners and establishes educational and continuing educational requirements for each level. Rising in opposition to the bill was Sen. Gary Laidig (DFL-Stillwater). He informed members that there is no conclusive evidence that a person will receive better care from a doctoral level psychologist than from a master's level psychologist. The measure was approved on a 33 - 15 roll call vote.

Three noncontroversial bills, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), were also approved. S.F. 565, allows fire insurers to recover damages from the manufacturer that are caused by purchased goods. H.F. 1119, requires post-secondary governing boards to have a written policy to provide for the needs of students who have disabilities. H.F. 752, permits the school districts of Hallock and Humboldt-St. Vincent to conduct a referendum on potential consolidation at a time other than the designated election time. S.F. 1474, authored by Sen. Ronald Dicklich (DFL-Hibbing), clarifies registration requirements for barbers, apprentices and instructors, expands the causes for discipline and provides for summary suspension.

H.F. 1147, carried by Sen. Gene Waldorf (DFL-St. Paul), was progressed, but not before considerable discussion ensued over two amendments relating to the classification of Minnesota State Lottery employees. The bill reclassifies some state employees from unclassified to classified status. The first amendment, offered by Sen. Bob Lessard (DFL-Int'l. Falls), allows 77 Minnesota State Lottery employees, who work in sales and marketing, to remain unclassified. In addition, the amendment stipulates that all managerial employees will be given classified status. Lessard indicated that in order

for Minnesota to have a successful lottery, the lottery must be allowed to operate as a business. This means, he said, the lottery must be allowed to hire and fire its sales staff as do other businesses. The amendment was rejected by the Senate on a narrow 27-28 roll call vote. As a result of Lessard's amendment being rejected, Sen. Gary DeCramer (DFL-Ghent), offered an amendment, requiring the commissioner of employee relations to develop criteria in determining the classification of professional and managerial positions within the state lottery system. The amendment was adopted. At that time, Waldorf moved to progress the bill. The motion was approved by the Senate.

In other action, Senators turned their attention to granting final passage to several measures on the Senate Calendar that were granted preliminary passage last week. H.F. 20, carried by Sen. John Marty (DFL-Roseville), requires insurers to furnish a summary of claims review findings to the provider who requested the review or to the insured, upon that person's request. H.F. 202, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), defines the term "employee" for the purpose of the Public Employees Labor Relations Act. H.F. 118, carried by Sen. Randy Kelly (DFL-St. Paul), authorizes the commissioner of labor and industry to erect a plaque in honor of workers who suffer fatal accidents while working on public construction projects. H.F. 1657, carried by Sen. Tracy Beckman (DFL-Bricelyn), authorizes the payment of claims made against the state to individuals identified in the measure.

In addition, all but two of the bills given preliminary passage at the previous day's session were granted final passage. One of the measures was not acted upon due to it being out for comparison with the House companion bill, and the other was progressed at the author's request. The two measures included S.F. 202, authored by Sen. Gregory Dahl (DFL-Ham Lake), requiring residential building contractors, remodelers and specialty contracts to be licensed by the state, and S.F. 256, authored by Sen. Gene Merriam (DFL-Coon Rapids), amending provisions in the Waste Management Act, respectively.

Ethanol bill gains

Members granted other measures preliminary passage Tue., May 14. S.F. 559, authored by Sen. David Frederickson (DFL-Murdock), defines oxygenated fuel as having 10 percent ethanol or containing MTBE—a petroleum by-product additive. The bill prohibits the sale of any other fuel than oxygenated after 1995. H.F. 958, authored by Sen. Charles Berg (DFL-Chokio) provides for aquaculture

development. An adopted author's amendment makes permit data acquired by the Dept. of Natural Resources private. Another adopted amendment by Berg defines aquatic farm. An amendment by Sen. Steven Morse (DFL-Dakota) specifies the use of terms describing waters for marketing purposes and prescribes labelling and certification procedures. The amendment, which was adopted, also authorizes the Pollution Control Agency to promulgate rules and sets a date by which they must be issued.

S.F. 174, authored by Sen. Gregory Dahl (DFL-Ham Lake), changes the annual date by which parents must notify school districts regarding participation in the open enrollment process. The date under the measure is January 15 of each year. H.F. 181, authored by Sen. Steven Novak (DFL-New Brighton), relates to the 1987-established Petrofund used to clean up oil spills around the state. The bill is designed to prevent insurance companies from double dipping into the fund and provides for insurance subrogation rights. S.F. 786, authored by Frederickson, makes changes in the plant and animal pest control act. H.F. 1190, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), limits assessments against cooperative electric associations and municipal electric utilities to the maximum assessments made against public utilities. Members adopted an amendment, offered by Sen. Ronald Dicklich (DFL-Hibbing), stating that the fee for a municipality furnishing electric service and cogenerating steam for home heating use may not exceed \$10,000 for its permit for water use related to electricity and steam cogeneration.

H.F. 1142, authored by Sen. William Luther (DFL-Brooklyn Park), deals with alternative dispute resolutions. The bill directs the Supreme Court to adopt rules regarding alternative dispute resolutions. It also facilitates the procedure by which an arbitrator can correct an award. Members adopted an amendment, offered by Sen. Jane Ranum (DFL-Mpls.), relating to drunk driving offenses. The amendment allows the use of preliminary screening tests in civil suits and allows evidence of a drunk driving conviction to be used in a civil suit. Sen. Fritz Knaak (IR-White Bear Lake) offered an amendment reinstating language regarding the time when prejudgment interest begins to accrue, but the amendment failed. Sen. John Hottinger (DFL-Mankato) offered an amendment extending the collateral source statute to arbitration proceedings. The amendment was adopted. H.F. 267, authored by Sen. Tracy Beckman (DFL-Bricelyn), exempts farm trucks from commercial vehicle inspection requirements and hazardous materials driver's license requirements. S.F. 432, authored

Floor action

by Sen. Don Samuelson (DFL-Brainerd), regulates construction bids by requiring bids to contain workers' compensation and unemployment costs. S.F. 105, also authored by Samuelson, allows the Dept. of Veterans Affairs to proceed on projects with previously approved bonding. H.F. 317, authored by Sen. Ember Reichgott (DFL-New Hope), relates to family law and marriage dissolution. The bill provides for child support payments, alternative forms of child support obligation satisfaction and attorney's fees. It also clarifies the procedure for mediation procedures and for modification of custody orders.

Omnibus gambling bill okayed

S.F. 506, the omnibus gambling bill, was granted preliminary approval during the late portion of the Tues., May 14, floor session. The bill, sponsored by Sen. Charles Berg (DFL-Chokio), makes numerous changes to laws governing lawful gambling and the lottery. The measure expands compulsive gambling services, allows payment of up to \$18,000 per year in real estate taxes by a lawful gambling organization as a lawful purpose expenditure, allows payment of one half the expense of an audit to be a lawful purpose expenditure, changes licensure requirements, removes the requirement for mandatory pulltab posting but provides that the board may require posting if an organization has been providing information to players that provides an unfair advantage, requires lawful gambling organizations to maintain basic accounting records and specifies what the records must contain, specifies that the phone number and street address of a lottery winner is private data, prevents lottery advertising from being targeted at a religious holiday, and makes changes to laws covering gambling devices.

Debate on the measure concerned primarily three topics: the possession of slot machines for home use, the cost of gambling device licenses and the authorization of teleracing in Minnesota. Berg offered an amendment specifying that slot machines used in a person's dwelling for display or amusement purposes that do not afford players an opportunity to obtain anything of value would be allowed under the bill. Those opposed to regulation of the individual ownership of slot machines for home use argued that the amendment would be impossible to enforce. Berg, however, countered that restrictions on slot machines are necessary to prevent Minnesota from being used as haven for laundering slot machines. Berg's amendment was adopted 51-0.

The discussion on the license fee for gambling devices was held in conjunction with the debate over slot machines. Originally, the bill specifies a \$5,000 fee, but Berg offered an amendment reducing the fee to \$3,000. Opponents led by Sen. Joe Bertram (DFL-Paynesville) and Sen. Bob Lessard (DFL-Int'l. Falls), argued that the fee was excessive. Berg successfully argued that the fee was a realistic charge for doing business in the state. The amendment was adopted on a 41-6 roll call vote.

The most heated debate was sparked by an amendment, offered by Sen. Carl Kroening (DFL-Mpls.), to authorize the establishment of teleracing facilities in Minnesota. Under the amendment, up to six teleracing facilities are established to provide simulcast televised races for pari-mutuel betting at sites located away from the track. Kroening argued, successfully, that teleracing would provide additional jobs, additional revenue for the state and increase Minnesotan's participation in pari-mutuel betting. Opponents countered that the establishment of teleracing facilities would siphon funds away from other lawful gambling enterprises. The amendment was adopted, though, on a vote of 28-26. Berg was successful in presenting an amendment to reduce the number of teleracing facilities from six to three. Berg said that recently negotiated compacts with Indian gaming groups provided for an equal number of teleracing facilities. The amendment was adopted on a 34-22 roll call vote. The bill was then approved on a voice vote.

In other action, the Senate also approved several additional bills on the General Orders Calendar. S.F. 806, authored by Sen. Joe Bertram (DFL-Paynesville), repeals the sunset provision relating to the position of public fire safety educator. S.F. 819, authored by Sen. Nancy Brataas (IR-Rochester), authorizes a pilot projects to provide care for mentally ill persons. H.F. 744, authored by Sen. Steven Novak (DFL-New Brighton), makes numerous changes to the laws governing the Petrofund. H.F. 833, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), is the annual bond allocation bill and regulates the use of tax-exempt revenue bonds.

H.F. 961, sponsored by Sen. Dallas Sams (DFL-Staples), appropriates money for the farmer-lender mediation program. S.F. 966, authored by Sen. Janet Johnson (DFL-North Branch), authorizes additions to and deletions from several state parks. S.F. 720, authored by Sen. James Metzen (DFL-South St. Paul), contains the omnibus housing bill, S.F. 951, sponsored by Pogemiller. The measure modifies procedures relating to rent escrow actions; modifies procedures relating to a

tenant's loss of essential services; modifies provisions relating to tenant remedy actions, retaliatory eviction proceedings and receivership proceedings; modifies provisions relating to Minnesota Housing Finance Agency low and moderate income housing programs; requires counseling for reverse mortgage loans, modifies provisions relating to housing and redevelopment authorities; provides for the issuance of general obligations bonds for housing by the cities of Minneapolis and St. Paul; authorizes the city of Minneapolis to make small business loans; excludes housing districts from the calculation of local government aid reductions; and modifies the interest rate reduction program.

Finally, the members of the Senate in an unusual parliamentary procedure separated H.F. 1147, relating to public employment, from the other measures acted upon on the General Orders Calendar and reported as a committee report to the full Senate. The bill's authored, Sen. Gene Waldorf (DFL-St. Paul), requested the action and then requested that the Senate vote to not accept the committee report on the bill. Waldorf explained that he wanted to take the action in order to strip away an "unfriendly amendment" that had been placed on the bill earlier in the day. Senators voted to not accept the report on the Waldorf bill. Thus, the measure remains on General Orders in its original form.

Wednesday, May 15

Wetlands legislation passes

Members granted final passage to S.F. 3, the wetlands bill, during the Wed., May 15, floor session. The bill was placed on the Special Orders Calendar for consideration.

S.F. 3, authored by Sen. Charles Davis (DFL-Princeton), provides for the preservation, enhancement, restoration and establishment of wetlands. It also requires the adoption of wetlands public value and classification criteria. Davis said the bill addresses the bulk of public testimony concerning the wise use of remaining state wetlands. The bill, which passed on a 64-0 roll call vote, will be the subject of a conference committee appointed to work out differences contained in the House version.

In other action, members debated a bill prohibiting masters-level psychologists from independent practice. S.F. 300, authored by Sen. Carol Flynn (DFL-Mpls.), requires that masters-level practitioners be supervised by doctoral-level practitioners. Flynn said the bill brings Minnesota into conformance with 47 other states. Sen.

Gary Laidig (IR-Stillwater) opposed the bill, indicating that it makes education the sole factor in providing skilled and competent practitioners. He also alleged that the bill was inconsistent by grandfathering in current masters-level students and practitioners. He said that if masters level practitioners are not competent, as the bill proposes, these inclusions should not exist. Sen. Joanne Benson (IR-St. Cloud) also opposed the bill, arguing that preparation for both masters- and doctoral-level practitioners are similar. She said that rural areas would suffer inadequate access as a result of the doctoral-level requirement in the bill. Sen. Linda Berglin (DFL-Mpls.), in defense of the measure, asserted that the practice of grandfathering in a group is common when the Legislature changes a standard. She further maintained that the provision mandating supervision of masters-level psychologists is no different from that currently required for social workers. The bill was granted final passage on a 40-26 roll call vote.

In other action, all bills that had been approved on the Tue., May 14, General Orders Calendar were granted final passage. In addition, a bill from the Mon., May 13, General Orders Calendar was given final approval. S.F. 256, authored by Sen. Gene Merriam (DFL-Coon Rapids), amends Waste Management Act statutes.

Red fox designated unprotected

After repeated attempts to remove the red fox from the protected species list, Sen. Charles Berg (DFL-Chokio), finally succeeded during the Wed., May 15, floor session by offering an amendment to an omnibus hunting bill that allows a two-year experimental red fox hunting season in restricted areas of the state.

According to Berg, chief author of H.F. 887, the red fox will still be protected in most areas of the state and the gray fox will also be protected. Rising in opposition to the amendment were Sens. Fritz Knaak (IR-White Bear Lake) and Harold "Skip" Finn (DFL-Cass Lake). Knaak argued that the amendment sets a bad precedent for experimental hunting seasons. He said that the case has not been made that an overpopulation of red fox exists in Minnesota, other than that provided through anecdotal evidence. Finn voiced his protest by saying that the red fox should not be taken off the protected list just so that a hunter has a greater chance of hunting pheasants. According to Berg, the red fox is the number one predator and killer of pheasants and other wild game. The amendment was adopted on a 38-8 roll call vote.

Vigorous debate ensued over another provision included in the bill that allows a two-year experimental mourning dove

hunting season. Berg explained that due to the doves nesting in protective wheat fields, the mourning dove population has become a major problem in various parts of the state. Knaak again voiced his opposition to the experimental hunting season by offering an amendment to remove that section from the bill. Sen. Allan Spear (DFL-Mpls.) also voiced his opposition to the hunting of doves by saying that it is ludicrous to hunt a bird the size of a robin, and arguing that it would require 33 mourning doves to feed a dinner party of four. The amendment was adopted on a 34-16 roll call vote. The bill also includes a provision requiring the commissioner of natural resources to study the impact of allowing hunters to take one deer by firearm and one deer by archery in a season. The bill was granted preliminary passage.

Other bills granted preliminary approval on the General Orders Calendar during the afternoon portion of the floor session included the following bills. H.F. 345, carried by Sen. Ember Reichgott (DFL-New Hope), extends the statute of limitations for personal injury actions based on sexual abuse from two years to six years and lengthens the statute of limitations in criminal sexual conduct cases involving a minor and an adult. An amendment was offered, and adopted, permitting a minor victim to file an action within seven years after the offense or within three years after reporting the offense to law enforcement officials. The bill also provides for special applicability in a case where the claim would otherwise be barred by allowing a suit to be brought up to Aug. 1, 1992.

S.F. 716, also authored by Reichgott, allows a judge, when imposing conditions of release, to issue an order for protection at the same time and stipulates that a person violating an existing order for protection twice within two years is guilty of a gross misdemeanor. An amendment, offered by Sen. William Luther (DFL-Brooklyn Park), addresses the concern over automatic expiration of temporary orders of protection. The amendment specifies that temporary orders will remain effective until the defendant is convicted, acquitted or the charge has been dismissed.

H.F. 398, carried by Sen. Jerome Hughes (DFL-Maplewood), allows high school students, who are at least 16 years of age to act as election judges and increases the number of days an employee can take off from work to serve as an election judge. S.F. 1440, authored by Sen. Richard Cohen (DFL-St. Paul), provides that an indemnity provision in a motor vehicle lease includes the right to indemnify for punitive damages caused by the lessee. S.F. 982, sponsored by John Bernhagen (IR-Hutchinson), changes the

name of the Greater Minnesota Corporation to Minnesota Technology, Inc. (MTI) and restructures the board of directors.

S.F. 511, authored by Luther, allows a \$2 surcharge to be applied to all watercraft license fees. The proceeds will be placed in an account for milfoil, zebra mussel and purple loosestrife control. H.F. 694, carried by Sen. Phil Riveness (DFL-Bloomington), establishes a field citation pilot project that provides for the issuance of citations to individuals who unlawfully dump solid waste, authorizes background investigations of environmental permit applicants and authorizes the Pollution Control Agency (PCA) to impose administrative air and waste pollution penalties. Sen. Gregory Dahl (DFL-Ham Lake), voiced his objection to a provision increasing the penalties imposed on individuals who knowingly omit, alter, conceal or fail to file documents with the PCA related to permits and record keeping. Under the bill, a person who knowingly makes a false statement is guilty of a felony. Dahl indicated that he would prefer that the current penalty, that of a gross misdemeanor, remain in statute. Because Dahl was not prepared to offer a formal amendment the bill was progressed.

Bar hours extension debate

The bill to extend bar closing hours to 2:30 a.m. was the topic of extensive debate during the evening portion of the Wed., May 15, floor session. S.F. 582, authored by Sen. Sandra Pappas (DFL-St. Paul), had been debated once before but had been progressed before a vote was taken. (Bills that have been progressed on the General Orders Calendar remain eligible for preliminary approval by the Senate acting as one large Committee of the Whole.)

Pappas argued that extending bar hours would be a valuable aid in attracting convention business to Minnesota. However, a number of Senators opposed to the bill, argued successfully that the latter hours would cause an increase in drunk driving accidents and fatalities. Sen. Fritz Knaak (IR-White Bear Lake) said that the bill is "purely a financial matter for downtown Minneapolis bars and that the cost in increased fatalities is a price we don't need to pay." Sen. Jim Vickerman (DFL-Tracy) said that the bill sent the wrong message to young people in the state and that it is not necessary to extend bar hours in order to attract people to ball games and other events.

An amendment, offered by Sen. Betty Adkins (DFL-St. Michael), providing that municipalities with more than 500 tourist rooms could extend bar hours by ordinance only after holding public hear-

ings, failed to be adopted. Failure of the amendment, on a 6-36 roll call vote, prompted Pappas to move that the bill be stricken from the General Orders Calendar and returned to the Commerce Committee.

In other action, Senators continued work on the General Orders Calendar and granted preliminary approval to a variety of bills. H.F. 1542, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), clarifies that automotive engines may be replaced if the replacement or rebuilt engine does not exceed emission standards for either the model year of the car or the model year of the engine whichever year is earlier. Most of the debate, though, centered not on the bill but on a series of amendments offered by Sen. Pat Pariseau (IR-Farmington), concerning the emission testing program scheduled to start this year. Pariseau's amendments: to require the Environmental Protection Agency and the state Pollution Control Agency to devise a method for ending the program if the Metro Area reaches compliance with EPA air standards and to set the boundaries of the nonattainment area as small as possible; to set up a mechanism for registrars to distribute information on the emission testing program to vehicle owners; to require vehicles to under go testing every other year rather than every year; and to lower the cap on the estimated costs of repairs; were all defeated. The bill was then granted preliminary approval.

An additional four bills gained preliminary passage. S.F. 607, authored by Sen. David Frederickson (DFL-Murdock), permits the inclusion of city streets in Eveleth and Redwood Falls in the county state-aid street system. H.F. 702, authored by Sen. Dallas Sams (DFL-Staples), provides for an agricultural development bond program to finance agricultural business enterprises and beginning farmers. H.F. 977, sponsored by Sen. Steven Morse (DFL-Dakota), sets forth who must prevent, prepare for, and respond to worst case discharges of oil and hazardous substances. H.F. 694, carried by Sen. Phil Riveness (DFL-Bloomington), establishes an environmental enforcement account and provides for the enforcement of environmental laws.

The Senate also concurred with the House amendments to S.F. 269. The bill, sponsored by Sen. Leonard Price (DFL-Woodbury), requires the posting of signs in liquor establishments about the penalties associated with driving while intoxicated. One of the changes from the Senate version of the bill authorizes a \$50,000 appropriation to the city of St. Paul for the purchase of former U.S. Supreme

Court Chief Justice Warren Burger's childhood home.

According to Price, the home, in the Dayton's Bluff area of St. Paul, would be restored as a historical residence. The bill was repassed on a 34-26 vote.

Finally, members agreed to a suspension of the rule relating to the deadline for bills to be reported out of committee in order to adopt the committee report from the Redistricting Committee on S.F. 1571. The measure, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), is a plan for redrawing legislative district lines. The measure had been approved by the committee but without a suspension of rules, it would have had to go to the Committee on Rules and Administration. With the suspension of rules, the bill was given its second reading and placed on the General Orders Calendar.

Preview

May 20

Conference committees on a number of bills will meet throughout the day. The Senate will be in Session Mon., May 20, until final adjournment. Please call the Senate Information Office at 296-0504 for the latest schedule information.

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 and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request 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.

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

WILSON

riefly

UNIVERSITY
COVERS

Minnesota Senate Week in Review

LIBRARIES (May 24, 1991)

Session adjourns

Amidst the controlled chaos that marks the end of every legislative session, the Senate completed work by midnight Mon., May 20 and adjourned the first portion of the 77th Legislative Session. Major tax and spending bills, a wetlands preservation bill, a plan for providing health care access for uninsured Minnesotans and an incentive package for Northwest Airlines to build a major maintenance facility in Northeastern Minnesota were all approved in the final hours of the 1991 session.

Majority Leader Roger Moe (DFL-Erskine) indicated that current plans are to reconvene Mon., Jan. 6, 1992 for a brief time to process legislation dealing with congressional redistricting and then to recess until Feb. 17, 1992. The regular short session of the Legislature will run for eight weeks, until mid April, Moe said.

Health care access approved

A compromise plan to provide health insurance for uninsured Minnesotans was approved in the final stages of the session Mon., May 20. H.F. 2, sponsored by Sen. Linda Berglin (DFL-Mpls.), the Minnesotans' Health Care Plan, initially provides outpatient benefits for about 35,000 Minnesotans. The program is scheduled to start in October of 1992 and will carry a price tag of \$32 million for this biennium. Revenue from an additional tax on cigarettes is earmarked to pay for the program. Under the bill, an additional four cent per pack tax will go into effect July 1 of this year, with three cents per pack scheduled to take effect Jan. 1, 1992.

The bill also provides for a small employer insurance plan, offers incentives for rural health care practitioners and sets up a phase-in of community rating in an effort to reform insurance costs.

Debate on the measure centered primarily on the long range costs of the

program. According to Berglin the goal of the plan is to provide universal health coverage by 1997. However, several Senators, including Sen. Duane Benson (IR-Lanesboro), argued that while the goal was admirable, the state simply could not afford universal coverage. Berglin countered that "we currently pay for the costs of uninsured Minnesotans today through insurance rate increases and that the bill "has mechanisms to begin reform of how we purchase health care."

The conference committee report was approved on a 46-19 roll call vote.

Tax bill approved by narrow margin

The omnibus tax bill came close to failing just prior to the 77th Legislative Session adjournment Mon., May 20, however, enough Senators rallied to pass the measure on a 34-33 roll call vote.

H.F. 1698, carried by Sen. Douglas Johnson (DFL-Cook), raises \$607 million in new taxes over the next two years, with the bulk being raised by increasing the sales tax to 6.5 percent. The half-penny sales tax goes into affect automatically July 1, 1991, and remains in affect for six months. After Jan. 1, 1992, local governments are given the option to decide whether to continue to impose the sales tax increase or drop the sales tax back to 6 percent. According to Sen. Ember Reichgott (DFL-New Hope), if local governments decide to drop the half-cent tax, they will lose state aid and will eventually need to increase property taxes to offset the difference. Under the measure, aid to local governments will be cut by \$70 million over the next two years.

The purpose of the sales tax is to provide property tax relief, said Reichgott. She told members that the property tax provisions in the bill will keep property tax increases down to an average of 8 percent. The measure reduces property

taxes for businesses, rental housing, cabins and homes valued at more than \$110,000. In addition, the measure includes provisions increasing the cigarette tax from 38 cents to 43 cents per pack, imposing a tax on cellular telephones, kennels and landscaping, a 7.5 percent tax on 1-900 pay-per-call phone services and a \$7.50 surtax on car rentals.

Sen. Charles Halberg (IR-Burnsville), vehemently opposed the legislation and chastised those who would vote in favor of it. He said, "I am amazed that this legislation is before the body....this is not a balanced approach in solving the \$1.1 billion budget shortfall." Also arguing against the measure was Sen. Lawrence Pogemiller (DFL-Mpls.). Pogemiller voiced his opposition by stating that the measure is the governor's bill.

Another major provision in the bill deals with income taxes. The measure changes the schedules of individual income tax rates by increasing the tax rate from 8 percent to 8.5 percent for individuals whose taxable incomes are over the following amounts: married filing joint - \$172,920; married filing separate - \$133,620; head of household - \$141,480; and single - \$97,460. The measure also provides an earned income credit for working poor families with children.

Johnson said the bill is the best compromise that both bodies and the governor could reach, while at the same time, preserving a \$400 million budget reserve.

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.

Committee update

Finance

Airbus bill approved

The Senate Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved several bills at the last meeting of the committee, Thurs., May 16, including a bill that provides financing and tax incentives for the construction of an airplane repair facility.

S.F. 1517, authored by Sen. Sam Solon (DFL-Duluth), provides incentives for Northwest Airlines (NWA) to build an Airbus maintenance facilities in Duluth and Hibbing. The bill authorizes the sale of \$350 million in revenue bonds for the building of the Duluth and Hibbing facilities, authorizes the commissioner of finance to enter into lease agreements for the facilities; provides that \$175 million in revenue bonds sold for the project be secured by the state through general obligation bonds; requires St. Louis County to secure revenue bonds; provides an income tax credit for each full-time employee at the facilities of up to \$5,000; exempts materials and equipment used at the facilities from sales tax; and creates tax increment financing (TIF) districts in Duluth and Hibbing.

The bill also authorizes the Metropolitan Airports Commission (MAC) to issue general obligation revenue bonds for the financing and acquisition of real and personal property to be leased to NWA; limits the authority to issue general obligation bonds to \$390 million and revenue bonds to \$120 million; requires that the general obligation bonds have first lien and revenue bonds the second in the case of default or bankruptcy; authorizes \$230 million in general obligation revenue bonds for the purpose of facility construction; and authorizes MAC to establish the Minneapolis/St. Paul Airport as a TIF district.

Several panel members questioned whether the issue of general obligation bonds for the project would effect the state's bond rating. Peter Sausen, deputy commissioner, Dept. of Finance, said that, after consulting with bond rating firms, that the bond rating would not be effected.

An amendment, offered by Sen. William Luther (DFL-Brooklyn Park), authorizes the commissioner of finance to enter into negotiations on facility location and financing, but does not allow enactment of any of the proposals of the bill until further legislative approval. The amendment failed on a 17-13 vote. Sen.

Richard Cohen (DFL-St. Paul) offered an amendment that collateral valued at 125 percent of the outstanding state guaranteed bonds be available as security.

Another amendment, offered by Cohen, ~~authorizes the offering of incentives to NWA~~ ~~to be contingent upon NWA's~~ demonstration that efforts toward noise abatement and maintaining operations in Minnesota have been made. Both amendments were adopted.

Sen. Dean Johnson (IR-Willmar) said that he is concerned that the people of the state are being asked to risk their finances, but the principals of NWA are not risking their wealth. Sen. Don Frank (DFL-Spring Lake Park) questioned the appropriateness of the state guaranteeing financing for private companies. "It is not right that we extend this package to NWA when we have cut important services for the people of the state," he said. Sen. Allan Spear (DFL-Mpls.) said that he is concerned that MAC has as its primary constituent NWA and that such a situation is not conducive to prudent, unbiased policy decisions.

Merriam said that the bill puts hundreds of millions of dollars of the tax payer's money at risk and requires little risk for NWA. Given this and the uncertain nature of the airline industry, it is not appropriate to extend the offer on the part of the citizens of the state, he said.

However, the bill was approved and referred to the Committee on Taxes and Tax Laws.

The committee also heard S.F. 862, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), making adjustments to the administration of the Minneapolis Employee Retirement Fund (MERF). Included in the bill are changes to actuarial assumptions in calculating future benefits and an extension of the time period in which MERF must be fully funded. The committee adopted three amendments, offered by Sen. Gene Waldorf (DFL-Mpls.), including one that caps the appropriation to MERF \$10.5 million. Another amendment, offered by Luther, makes clear that law suits can be brought by the retirement board against the investment actions of the fund. The amendment was adopted. The bill was approved and sent to the full Senate.

The committee heard several other bills at the meeting. H.F. 1109, sponsored by Sen. Jim Gustafson (IR-Duluth), establishes Advantage Minnesota, Inc., an organization to market the economic development potential for the state. S.F.

761, authored by Sen. John Hottinger (DFL-Mankato), directs the State Board of Technical Colleges to develop training materials for those who provide services to people with developmental disabilities. H.F. 222, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), establishes six regional international trade service centers. S.F. 1174, authored by Sen. Dallas Sams (DFL-Staples), allows for decreased water use processing fees for irrigation systems that are dismantled for more than seven days. S.F. 513, authored by Dean Johnson, provides for the issuance of state ribbons to veterans of the Persian Gulf War. All of the bills were approved and sent to the full Senate.

Taxes and Tax Laws

Airbus bill approved

The controversial bonding package for the Duluth airbus maintenance facility cleared its final committee hurdle late Fri., May 17, when members of the Taxes and Tax Laws Committee approved the measure and sent it to the full Senate. S.F. 1517, sponsored by Sen. Sam Solon (DFL-Duluth), authorizes \$350 million in state and local bonding to build the maintenance facility in Duluth, and an engine overhaul facility in Hibbing. In addition, the bill authorizes the Metropolitan Airports Commission (MAC) to sell \$390 million in bonds that Northwest Airlines could use to finance operation and expansion. Under the bill the MAC bonds would be secured by a mortgage on Northwest assets such as the new \$200 million pilot training facility, gates, hangars and headquarters facilities. The measure also authorizes the city of Duluth to create a redevelopment tax increment financing district at the Duluth International Airport. Finally, the bill provides for a job creation income tax credit and a sales tax exemption on materials, supplies, machinery and equipment needed for the construction of the facilities.

The panel, chaired by Sen. Douglas Johnson (DFL-Cook), closely questioned a series of witnesses for the bill on the extent of the state's financial obligation should Northwest Airlines be unable to make lease payments to the debt retirement account. E. Peter Gillette, commissioner of the Dept. of Trade and Economic Development, said the state has several layers of protection built into the proposal.

A number of amendments were offered to the measure. One key amendment

Floor action

included a provision that includes additional oversight by legislative leaders. Under the amendment, the Legislative Commission on Planning and Fiscal Policy must approve the sale of bonds. The commission consists of Senate and House leaders and the chairs of both Senate and House tax and appropriations committees. Another amendment, offered by Sen. Jim Gustafson (IR-Duluth), caps the maximum amount of the income tax credit for any taxable year for each employee at an amount equal to 20 percent of the amount paid to each employee or \$5,000, whichever is less. The amendment also sunsets the sales tax exemption Jan. 1, 1995. Both amendments were adopted by the committee.

An amendment, offered by Sen. Duane Benson (IR-Lanesboro), to delete the portions of the bill dealing with the Metropolitan Airports Commission was defeated on a voice vote.

Thursday, May 16

Gender balance bill reconsidered

A motion to reconsider and grant preliminary passage to the gender balance bill was approved during the early afternoon portion of the Thurs., May 16, floor session.

The measure, S.F. 768, authored by Sen. Sandra Pappas (DFL-St. Paul), once again sparked considerable debate among members of the body. The measure requires appointing authorities to strive for gender balance on various executive branch boards and commissions. An amendment, offered by Sen. John Hottinger (DFL-Mankato), was designed to make the bill more palatable to members, according to Pappas. The amendment sets forth the conditions under which deviations may occur: if the agency serves a specific gender-defined population, or if the appointing authority is unable to find anyone of the under-represented sex who is qualified or willing to serve on the board. The amendment also requires that gender balance must be achieved by June 1995. Pappas said the amendment recognizes the valuable input of women and the need to include women in the process. Speaking in support of the amendment, Sen. Carol Flynn (DFL-Mpls.), said that artificial steps are necessary to correct current inequities in the system.

Sen. Bob Lessard (DFL-Int'l. Falls), an opponent of the measure argued that quotas should be based on ability, not on

whether a person is a man or woman. Sens. Fritz Knaak (IR-White Bear Lake), Nancy Brataas (IR-Rochester) and Thomas Neuville (IR-Northfield), complained that the measure is an attempt to create political embarrassment, create political mischief and possibly create a situation where an individual has the injunctive ability to enforce the provisions in court.

Pappas responded by stating that the bill is not an attempt to single out any one appointing authority. She added that the current administration is making an excellent effort to achieve gender balance in the appointment process.

Another amendment, offered by Sen. Carl Kroening (DFL-Mpls.) requires authorities to ensure that the membership of agencies governed by the provisions in the bill, reflect social, ethnic and socioeconomic diversity. Both amendments were adopted and the bill was granted preliminary passage.

In other action, the body granted final passage to 12 measures on the Senate Calendar. H.F. 218, carried by Sen. Gregory Dahl (DFL-Ham Lake), requires building contractors, remodelers and specialty contractors to be licensed and bonded. Dahl informed members that the bill will protect the consumer by requiring contractors who work on jobs costing more than \$2500 to be licensed. In addition, the measure stipulates that contractors must also carry a \$5,000 bond. Sen. Nancy Brataas (IR-Rochester), supporting the measure, stated that the measure will address the problem of contractors who abscond with an individual's money by requiring the contractors to be qualified and licensed. The measure was passed on a 36-28 roll call vote.

H.F. 1542, also carried by Dahl, specifies that a vehicle having an exchanged or rebuilt engine must not exceed emission standards for either the model year of the car, or the model year of the engine, whichever year is earlier. H.F. 398, carried by Sen. Jerome Hughes (DFL-Maplewood), allows high school students, who are at least 16 years of age to act as election judges. S.F. 1440, authored by Sen. Richard Cohen (DFL-St. Paul), provides that an indemnity provision in a motor vehicle lease includes the right to indemnify for punitive damages caused by the lessee. H.F. 887, carried by Sen. Charles Berg (DFL-Chokio), allows a two-year experimental red fox hunting season in restricted areas of the state. H.F. 345, carried by Sen. Ember Reichgott (DFL-

New Hope), extends the statute of limitations for personal injury actions based on sexual abuse from two years to six years. S.F. 716, also authored by Reichgott, allows a judge to issue an order for protection when imposing conditions of release. S.F. 607, sponsored by Sen. David Frederickson (DFL-Murdock), permits the inclusion of city streets in Eveleth and Redwood Falls in the county state-aid street system.

S.F. 511, authored by Sen. William Luther (DFL-Brooklyn Park), allows a \$2 surcharge to be applied to all watercraft license fees for the purpose of controlling milfoil, zebra mussel and purple loosestrife. H.F. 702, carried by Sen. Dallas Sams (DFL-Staples), provides for an agricultural development bond program to finance agricultural business enterprises and beginning farmers. H.F. 977, sponsored by Sen. Steven Morse (DFL-Dakota), sets forth who must prevent, prepare for, and respond to worst case discharges of oil and hazardous substances. H.F. 694, sponsored by Sen. Phil Riveness (DFL-Bloomington), establishes an environmental enforcement account and provides for the enforcement of environmental laws.

Four of the bills on the Senate Calendar were not acted upon because they were out for comparison with House companion bills: S.F. 256, authored by Sen. Gene Merriam (DFL-Coon Rapids), amends the Waste Management Act, and provides for new waste management procedures. S.F. 819, sponsored by Brataas, authorizes pilot projects to provide care for mentally ill individuals. S.F. 966, authored by Sen. Janet Johnson (DFL-North Branch), authorizes additions to and deletions from several state parks. S.F. 982, authored by Sen. John Bernhagen (IR-Hutchinson), changes the name of the Greater Minnesota Corporation to Minnesota Technology, Inc.

Five bills were repassed after Senators concurred with House amendments. S.F. 510, authored by Berg, makes changes to egg laws. S.F. 588, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), lowers the penalty for intentional damage to timber or wood processing, manufacturing or transportation equipment from a gross misdemeanor to a misdemeanor. S.F. 1034, authored by Sen. Allan Spear (DFL-Mpls.), reduces the fine imposed on employers who retaliate against employees under the Child Abuse and Vulnerable Adults Reporting Acts from \$50,000 to \$10,000. S.F. 350, authored by Sen. Ted

Floor action

Mondale (DFL-St. Louis Park), authorizes the city of Hopkins to issue bonds to pay for environmental response costs at a landfill. H.F. 1179, carried by Mondale, provides for the legislative review of metropolitan agency budgets.

Marriage dissolution bill

Members granted final passage to a bill simplifying marriage dissolution during the latter portion of the Thurs., May 16, floor session. H.F. 321, authored by Sen. Allan Spear (DFL-Mpls.), provides for less costly and cumbersome dissolutions, particularly for individuals with simple cases. The bill also establishes a pilot program to streamline dissolution for individuals meeting certain criteria. An amendment, offered by Spear, relating to custody of children during dissolutions, was adopted. The amendment requires a court to attempt to determine whether parents have demonstrated that joint physical custody is in the best interests of the child. But Sen. Fritz Knaak (IR-White Bear Lake) opposed the amendment, indicating that it would be used as a negotiating tool by parents who are in disagreement over other matters. Knaak's motion to delete the provision was successful. Members also adopted an amendment offered by Sen. Thomas Neuville (IR-Northfield). The amendment provides that legal or physical custody may not be in the best interest of the child in situations of domestic abuse.

Members also granted final passage to a number of other bills on the Special Orders Calendar. S.F. 860, authored by Sen. Jane Ranum (DFL-Mpls.), provides that special service districts in Minneapolis may provide parking facilities. S.F. 783, authored by Sen. Steven Morse (DFL-Dakota), modifies requirements for drilling, sealing and construction of wells, borings and elevators shafts. The bill also expands well sealing licensure requirements. Sen. David Frederickson (DFL-Murdock) offered an amendment that prohibits the Dept. of Health from entering into delegation agreements until January 1993. But the amendment failed. Another Frederickson amendment abolishes the fee for well sealing. Frederickson said the fee, which under the measure is \$8, is a disincentive for persons considering sealing a well. Morse opposed the amendment, contending that local jurisdictions should be allowed to charge a fee if they want. Members voted down the amendment. Members adopted an amendment, offered by Sen. Dick Day (IR-Owatonna), allowing water well

variances to be granted. S.F. 780, authored by Frederickson, requires that computer terminal access to public data at the Secretary of State's office be provided without a fee.

S.F. 666, also authored by Morse, relates to agricultural chemical spills. Under the measure, fees for licensed lawn service applicators are lowered and a surcharge may be applied on sanitizers and disinfectants. The bill also abolishes surcharges on pesticides that are less than \$10. Sen. Joanne Benson (IR-St. Cloud), questioned the \$400,000 appropriation to the University of Minnesota for pest management and ground water research programs. But Morse said that the allocation was reinstated after it had been taken out of the base budget for the University of Minnesota. Another bill sponsored by Morse, H.F. 99, designates Highway 61 and the Lake City rest area as the Disabled American Veterans Highway and Rest Area. The bill also authorizes special license plates for military personnel.

S.F. 93, authored by Sen. Keith Langseth (DFL-Glyndon), limits the fees charged to towns in connection with town road projects to \$100. S.F. 494, authored by Sen. Allan Spear (DFL-Mpls.), provides funding for Driving While Intoxicated (DWI) enforcement, prevention and treatment programs. Spear said the programs will be funded by an additional surcharge on fees levied on repeat DWI offenders. Spear said the fees will amount to about \$82,000 annually for this purpose. An appropriation of \$25,000 is allotted for a University of Minnesota program that Spear said is self-supporting through an increase on the chemical dependency assessment charge. H.F. 1353, carried by Sen. Ted Mondale (DFL-St. Louis Park), creates an international partnership program in the Minnesota Trade Office. Mondale said the agricultural, medical and computer technology available in Minnesota is drawing investors to the state. S.F. 1317, authored by Sen. Don Frank (DFL-Spring Lake Park), modifies the Family Leave Law. Frank said the bill corrects problems in administration of the law. An adopted author's amendment defines when sick leave benefits can be used. H.F. 354, authored by Sen. Ronald Dicklich (DFL-Hibbing), extends the deadline for a report by the Legislative Task Force on Minerals. The bill allows an appropriation from last biennium to be used next biennium. S.F. 414, authored by Sen. Linda Berglin (DFL-Mpls.), relates to community drug

and alcohol abuse prevention programs. Berglin said the bill provides for a planning process to apply for federal funds for a grant program currently administered by the Office of Drug Policy. She said the measure would result in funds being allocated from the Dept. of Health, which usually allocates all community grant funds.

Insurance solvency bill passed

H.F. 12, the insurance solvency bill, authored by Sen. William Luther (DFL-Brooklyn Park), was granted final passage Thurs., May 16. Luther said the measure tightens the enforcement and regulatory powers of the Dept. of Commerce over the insurance industry. The measure sets forth standards for reinsurance, limits insurance company investments of various types and adopts several model acts of the National Association of Insurance Commissioners.

An amendment, offered by Luther, strengthens the guaranteed fund by removing the \$5 million cap. According to Luther, the amendment is an attempt to work with the industry and at the same time recognize the rights of consumers. Another amendment, offered by Sen. Carl Kroening (DFL-Mpls.), addresses the internal real estate appraisal review process. The amendment allows the Dept. of Commerce to randomly select 10 insurers annually to study the effectiveness of internal real estate appraisals. Both amendments were adopted, and the bill was granted final passage by the body.

Redistricting bill passed

A bill redrawing legislative district boundaries was granted final passage during the evening portion of the Thurs., May 16, floor session. S.F. 1571, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), sets new boundaries in accordance with the population shifts that have occurred over the last decade. Under the bill, Greater Minnesota loses two and one half Senate seats because of population loss. The measure increases the number of seats for suburban areas of the Metro Area. In addition, the new districts are drawn in a manner that increases the strength of minority populations. Two Senate districts in Minneapolis and one district in St. Paul have minority populations of over 40 percent. According to Pogemiller, the plan increases the possibility of more people of color being elected to the Legislature.

Because of the way the new lines are

drawn four districts would have incumbents vying for the same seats. Two districts would have DFLer's running against one another, one district would have a race between IR's and one district would pit an incumbent DFLer against an incumbent IR.

Pogemiller said that the plan adhered to the standards adopted by both bodies of the Legislature, particularly in trying to maintain communities of interest. Pogemiller also emphasized that the completion of a redistricting plan this session would allow time for local governments, minority communities and the citizens of the state to organize for the next election.

Sen. Don Storm (IR-Edina) took issue with Pogemiller's claim that the plan maintained communities of interest. According to Storm, the splitting of the city of St. Cloud into two districts and the fracturing of Metropolitan Area counties into several different districts violates the standard of maintaining communities of interest. Pogemiller countered that input from diverse groups had been used to draw the new lines in accordance with the standards.

Sen. Fritz Knaak (IR-White Bear Lake) questioned the speed with which the plan was proceeding through the legislative process and said that the potential for errors could be avoided by holding off taking final action. Pogemiller responded that public testimony had urged prompt completion of the task of setting new boundaries.

The bill was approved on a 38-27 roll call vote.

In other action, the Senate also granted final passage to a bill transferring public employees from the unclassified to the classified service. The bill, H.F. 1584, authored by Sen. Gene Waldorf (DFL-St. Paul), had been discussed earlier in the week and progressed before action could be taken. The controversial portion of the bill transferred employees of the state lottery to the classified service. Several Senators argued against the transfer saying that the lottery needed to be run like a business rather than a bureaucracy. An amendment, offered by Sen. Bob Lessard (DFL-Int'l. Falls), specifies that all professional employees whose primary responsibilities are in marketing are in the unclassified service. The amendment was adopted on a vote of 32-18 and the bill was granted final passage on the Special Orders Calendar.

Finally, Senators granted concurrence and repassage to S.F. 950, the "crack house" bill. The measure, sponsored by Sen. Linda Berglin (DFL-Mpls.), allows

the closing of an alleged disorderly house during the pretrial release of the owner, lowers the threshold amount of seized controlled substance necessary to warrant unlawful detainer action and specifies that weapons offenses and drug seizures may form the basis for a nuisance action.

Friday, May 17

Strike-breaker bill approved

The so-called "strike-breaker" bill, won final passage on the Special Orders Calendar during the early portion of the Fri., May 17, floor session.

Bill author Sen. Florian Chmielewski (DFL-Sturgeon Lake), explained that H.F. 304 restores the balance of power in the collective bargaining process while minimizing the number of strikes. The measure bans the hiring of permanent replacement workers by unionized employers in the event of a strike. However, the measure does allow employers to hire temporary workers.

Sen. Nancy Brataas (IR-Rochester), objected to the measure, arguing that the bill masquerades as a "fairness" bill, when in reality it is only going to affect smaller business that are unionized, because larger businesses are exempted by federal law.

Sen. Patrick McGowan (IR-Maple Grove), suggested a compromise that would allow employers a waiting period before hiring permanent employees. He added that it is not fair to tell an employer that they will never be able to hire permanent replacements. In response, Sen. Pat Piper (DFL-Austin), argued that if an employer is allowed to hire permanent replacements then there is no longer any negotiating possibility for workers. On the other hand, she said, if an employer is allowed to hire temporary workers there is still hope for a solution. The bill was passed on a 41-20 roll call vote.

An additional six measures were granted final passage on the Special Orders Calendar. H.F. 628, carried by Sen. Don Frank (DFL-Spring Lake Park), raises the fine for not wearing a seat belt from \$10 to \$25. Frank informed members that the fine increase will raise approximately \$1 million annually, which will be allocated to emergency medical services and state trooper traffic safety education programs. The measure was passed on a 35-15 roll call vote.

H.F. 1246, carried by Sen. Steven Novak (DFL-New Brighton), the omnibus energy bill, requires gas and electric utilities to contribute one half a percent and 1.5 percent of their gross operating

revenues for the Conservation Improvement and Low Income Energy and Conservation Programs, respectively. An amendment, offered by Sen. John Marty (DFL-Roseville), is aimed at increasing the percentage of contributions to 2.4 and 3.6 percent for investor gas and electric utilities, respectively. Frank criticized the amendment, arguing that the amendment does not address cooperatives or municipalities. These two utilities, said Frank, are the ones that need to more aware of energy conservation. The amendment failed on a 10-35 roll call vote.

H.F. 1088, carried by Sen. James Metzen (DFL-South St. Paul), establishes the Regional Seed Capital Program. H.F. 1286, carried by Sen. Harold "Skip" Finn (DFL-Cass Lake), the Secretary of State's housekeeping bill, increases fees and allows the Secretary of State to remove a document from the public record when a filing fee is not paid. H.F. 1387, carried by Sen. William Belanger (IR-Bloomington), requires that devices to aid the hearing impaired be available in all hearing rooms in the Capitol and in the chambers of each legislative body. H.F. 571, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), makes changes to the administration of benefits for the Minneapolis Employees Retirement Fund including guidelines for the investment of funds paid into the benefit plan.

The Senate also concurred with the House amendments to five measures. S.F. 1053, sponsored by Finn, a revisor's bill, corrects language, text, and obsolete references and makes technical changes to statutes and other laws. S.F. 561, authored by Sen. Bob Lessard (Int'l. Falls), allows minors, when accompanied by an adult, to harvest wild rice. S.F. 762, authored by Sen. Sandra Pappas (DFL-St. Paul), provides that the birth certificate of a child born to an unwed mother is private data unless the mother specifies otherwise. S.F. 1411, authored by Sen. Dallas Sams (DFL-Staples), requires mortgage lenders, prior to entering into reverse mortgage loans, to certify that the borrower has received counseling and information about reverse mortgages from a housing counseling agency. S.F. 910, sponsored by Sen. Linda Berglin (DFL-Mpls.), the Dept. of Health housekeeping bill, clarifies various laws relating to public health issues.

Study board bill

Members took up H.F. 598, the transportation study board bill, during the afternoon portion of the Fri., May 17,

Floor action

floor session. The bill establishes state transportation goals for the next 20 years. Sen. Keith Langseth (DFL-Glyndon), author of the bill, highlighted some of the provisions, including those authorizing toll road and light rail facility planning and construction. Sen. Gary DeCramer (DFL-Ghent) offered an amendment that establishes a paratransit advisory committee to study the feasibility of coordinating and consolidating metro mobility service trips within the existing Dept. of Human Services Medical Assistance service trips program. The amendment was adopted. DeCramer offered another amendment providing for a comprehensive reexamination of public transportation in the Metropolitan Area. DeCramer said that the Metropolitan Council is the agency charged with directing the report, which will focus on mass transit alternatives in some corridors. A provision requires that all transit development comply with the report. An amendment, by Sen. Steven Novak (DFL-New Brighton), striking the latter provision, failed. However, members adopted an amendment, by Sen. Phil Riveness (DFL-Bloomington), requiring that all transit development comply with the report after August 1992.

An amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), relating to the bill's natural preservation route and scenic highway provisions, was adopted. The amendment prohibits a road authority from making road changes that may have detrimental aesthetic effects on the road or its adjacent habitat unless the road authority has written consent of the city, county, park district and state agency with authority over the park. Members also adopted an amendment, offered by Sen. Sandra Pappas (DFL-St. Paul), directing the Dept. of Transportation to ensure consideration of a light rail transit (LRT) in I-94 and I-35W reconstruction. Sen. John Marty (DFL-Roseville), offered an amendment restricting counties' levying authority for light rail transit from 2 mills to one half mill. The amendment, which failed, requires all levies for LRT planning, construction, design or lobbying to be authorized by the Legislature. Members then voted in favor of the bill, thereby granting it final passage.

S.F. 985, authored by Nancy Brataas (IR-Rochester), regulates supplementary benefits within the workers' compensation system. Brataas told members that the amount of money a person can receive while collecting the tax-free supplementary and workers' compensation benefits

can amount to more than the person received while working. She said that Minnesota is the only state that does not coordinate its supplementary and workers' compensation benefits. But Sen. Don Frank (DFL-Spring Lake Park) opposed the measure, contending that any benefits received by a person have been earned. Brataas disagreed, maintaining that the age of the person determines whether or not benefits have been earned. Brataas said the bill, which applies to injuries incurred after 1987, would result in a savings of tens of millions of dollars in coming years. An amendment, offered by Sen. Jim Gustafson (IR-Duluth), essentially comprising all the provisions in the governor's workers' compensation bill, was ruled not germane. A 32-32 vote was ruled as a vote in support of the motion, made by Sen. Jerome Hughes (DFL-Maplewood), president of the Senate. The bill was then progressed.

Health care access gains

The Senate took up the Health Care Access bill on Special Orders at the Fri., May 17, proceedings. The debate on H.F. 2, authored by Sen. Linda Berglin (DFL-Mpls.), began with an amendment, offered by the author, that reinstates several provisions that were deleted in the committee process and deletes the pilot study program which provides access to health care for approximately 15,000 people in a limited geographic area. The amendment leaves in place the insurance industry sponsored plan to provide a health insurance program to small employers.

The amendment reinstates the plan to offer coverage for as many uninsured or underinsured persons for outpatient services as the program's appropriation will allow. The amendment also requires that those contracting with the state provide health coverage for their employees and that the program not duplicate Medical Assistance coverage. Not included in the amendment are insurance reform initiatives and community rating standards that were in earlier versions of the bill.

Sen. Gene Merriam (DFL-Coon Rapids), who proposed the pilot project program, said that the Berglin amendment commits the state to something that it cannot support. The analysis upon which the Berglin program is based does not take into account rising costs of health care, he said.

Sen. Pat Piper (DFL-Austin) said that

the bill is a step in the direction of providing health coverage for uninsured Minnesotans. The bill invests resources into something that most of us have as a right of employment, she said.

Another amendment, offered by Sen. Phil Riveness (DFL-Bloomington), adds chiropractor services to the list of covered benefits. Merriam opposed the amendment. "The more services we mandate, the fewer people we can cover." Both amendments were adopted.

The bill was passed, as amended, on a 51-12 vote.

On the Senate Calendar, the body took up H.F. 303, authored by Merriam, making changes to state and local government responsibilities for waste management, placing emphasis on recycling, and abandoning the waste facility siting process. H.F. 543, authored by Sen. Nancy Brataas (IR-Rochester), establishes a mental health service pilot project in Olmsted County. H.F. 1009, authored by Sen. Janet Johnson (DFL-North Branch), authorizes additions and deletions of land from state parks. H.F. 930, authored by Sen. John Bernhagen (IR-Hutchinson), changes the name of the Greater Minnesota Corporation to Minnesota Technology, Inc. and changes the duties of the office. S.F. 1317, authored by Sen. Don Frank (DFL-Spring Lake Park), makes changes to provisions of parental leave laws. H.F. 321, authored by Sen. Allan Spear (DFL-Mpls.), makes changes to marriage dissolution laws. H.F. 783, authored by Sen. Steven Morse (DFL-Dakota), modifies requirements for drilling and sealing of wells and requires disclosure of well status when selling land. S.F. 780, authored by Sen. David Frederickson (DFL-Murdock), requires that certain public information be provided without a fee. S.F. 93, sponsored by Sen. Keith Langseth (DFL-Glyndon), limits fees charged to towns associated with road construction projects to \$100. S.F. 494, authored by Spear, authorizes an intensive probations pilot project in counties for DWI offenses. S.F. 414, carried by Berglin, establishes a community drug and alcohol prevention program. S.F. 666, authored by Morse, lowers the licensing fee for lawn service applicators. H.F. 1353, authored by Ted Mondale (DFL-St. Louis Park), establishes an international partnership program in the Minnesota Trade Office. H.F. 99, authored by Morse, designates Trunk Highway No. 61 as the Disabled American Veterans Highway.

The Senate concurred on three bills as

they were amended by the House. S.F. 1178, authored by Merriam, allows school meetings on certain election days. S.F. 449, authored by Sen. Sam Solon (DFL-Duluth), makes changes to the cost of living adjustments for the Duluth Teachers Retirement Fund Association and the St. Paul Teachers Retirement Fund Association. S.F. 822, authored by Merriam, establishes criteria to determine responsible parties for cleanup of hazardous waste.

Several conference committee reports came to the Senate for final concurrence and passage. H.F. 236, authored by Kelly, allows environmental testing on land prior to eminent domain proceedings. H.F. 633, authored by Sen. Bob Lessard (DFL-Int'l. Falls), regulates the use and operation of personal watercraft. H.F. 809, sponsored by Sen. John Hottinger (DFL-Mankato), fixes various fees for providing county documents. H.F. 478, carried by Sen. Jerome Hughes (DFL-Maplewood), makes changes to election laws. S.F. 800, authored by Sen. Leonard Price (DFL-Woodbury), revises regulations regarding the transport of wild animals. S.F. 1027, also authored by Price, establishes the Minnesota Adopt-a-Park Program. All of these bills received re-passage.

The Senate took up S.F. 338, authored by Sen. Gene Waldorf (DFL-St. Paul). The bill relates to various public employee pension plans. Included in the bill are provisions that continue surviving spouse benefits after remarriage and that modify public pension actuarial reporting requirements. Also on Special Orders was H.F. 655, carried by Sen. Gary DeCramer (DFL-Ghent). The bill states requirements for size and equipment for road vehicles and trailers. An amendment was offered by DeCramer that modifies the Dimler amendment, a portion of statute that prohibits a speed violation that was less than ten miles per hour over the listed speed limit from being recorded on a driver's record. The DeCramer amendment requires that such violations be recorded on the driver's record but cannot be made known to insurance companies or other similar parties. The amendment was adopted on a 25-21 vote. Also adopted was an amendment, offered by DeCramer, that bans the use of radar detection devices. An amendment, offered by Morse, exempting vehicles used for newspaper delivery from common carrier statutes was adopted. The body adopted an amendment, offered by Sen. Lyle Mehrkens (IR-Red Wing), that puts a moratorium on enforcement action against irregular route common carriers on

the grounds that the carrier is providing service as a regular route common carrier. The bill gained final passage. *

Saturday, May 18

Appointments approved by Senate

Senators spent the morning of the Sat., May 18, floor session confirming a number of noncontroversial appointments. They included: Elton Redalen, commissioner of the Dept. of Agriculture; Bert McKasy, commissioner of the Dept. of Commerce; E. Peter Gillette, commissioner of the Dept. of Trade and Economic Development; Wayne L. Dalke, commissioner of the Iron Range Resources and Rehabilitation Board; Gene Mammenga, commissioner of the Dept. of Education; R. Jane Brown, commissioner of the Dept. of Jobs and Training; Peter E. Obermeyer, commissioner of the Bureau of Mediation Services; Krista Sanda, commissioner of the Dept. of Public Service; Delores J. Knaak, commissioner of the Public Utilities Commission; Rodney Sando, commissioner of the Dept. of Natural Resources; Charles W. Williams, commissioner of the Minnesota Pollution Control Agency; John Gunyou, commissioner of the Dept. of Finance; Linda Barton, commissioner of the Dept. of Employee Relations; Linda Kohl, commissioner of the State Planning Agency; Dana B. Badgerow, commissioner of the Dept. of Administration; Dorothy McClung, commissioner of the Dept. of Revenue; John H. Riley, commissioner of the Dept. of Transportation; and Bernard Melter, commissioner of the Dept. of Veterans Affairs.

Senators also confirmed a number of committee, council and board appointments. They included: Robert Worthington and Demetrius G. Jelatis, members of the Minnesota Housing Finance Authority; H. Theodore Grindal, Steven Watson, Jonelle Moore, Harry A. Sieben, Jr. and William Jones, members of the Board of the Minnesota Center for Arts Education; William C. Ulland, Jerry Serfling and Corey R. Elmer, members of the State University Board; Ann M. Kruchten and Robert M. Bigwood, members of the State Board for Community Colleges; F.B. Daniel, Billeigh H. Riser and Robert L. Cahlander, members of the State Board of Technical Colleges; Tom Martinson, member of the Minnesota Higher Education Facilities Authority; Gary Mohrenweiser, member of the State Board of Vocational Technical Education; Verne E. Long and Robert D. Decker, members of the Minnesota

Higher Education Coordinating Board; Debra A. Wilson and Steven D. Wheeler, judges of the Workers' Compensation Court of Appeals.

Also, Al Brodie, Robert DeVries, Gena Doyscher, Ruth Fitzmaurice, Jack LaVoy, Darby Nelson, John Rose, Joseph Sizer, C. Merle Anderson, Christine Susan Kneeland and Patricia Baker, members of the Environmental Trust Fund Citizens' Advisory Committee; Pat Davies, Robert Dunn, Carolyn E. Engebretson and Edward C. Oliver, members of the Minnesota Environmental Quality Board; Russell W. Domino and Loni Kemp, members of the Minnesota Pollution Control Agency; Donald Ogaard, chair of the Board of Water and Soil Resources; Dottie M. Rietow, director of the Office of Waste Management; Sally Howard, Anthony Thomas, Sr. and Nicholas Zuber, members of the Gambling Control Board; Michael Ehrlichmann, chair of the Regional Transit Board; Doris Caranicas, Terrance O'Toole, John Finley, Richard Wedell and Sandra Hilary, members of the Regional Transit Board; Mary Anderson, chair of the Metropolitan Council; Kathleen Doar, judge of the Tax Court; Richard Helgeson and Lorraine Mayasich, members of the Transportation Regulation Board; and approximately 15,000 notaries public.

In other action, the conference committee reports on the following measures were adopted and granted repassage. S.F. 793, authored by Sen. Gregory Dahl (DFL-Ham Lake), establishes maximum levels of mercury in batteries, and requires battery companies to institute a rechargeable battery pilot project, in which 95 percent of all rechargeable batteries now going to landfills will be recycled. S.F. 880, authored by Sen. Allan Spear (DFL-Mpls.), the "worthless check" bill, allows banks to impose a \$4 service charge to individuals other than the issuer of worthless checks, allows a merchant who accepts a worthless check to impose a \$20 service charge to the bad check offender, and prohibits banks from charging law enforcement officials and prosecutors, who are involved in criminal investigations, for reproduced bank documents.

H.F. 21, carried by Sen. Joe Bertram (DFL-Paynesville), requires new or expanded infectious waste incinerators emitting less than 1000 lbs. per hour to obtain air emission permits, except for facilities that are upgrading to meet pollution control standards or for an incinerator emitting less than 350 lbs. that is planned to manage waste primarily by the owner or operator of the incinerator. The

Floor action

bill also requires environmental impact statements for new or expanded incinerator facilities until new rules are adopted by the Pollution Control Agency. H.F. 1549, carried by Sen. Dallas Sams (DFL-Staples), is a resolution memorializing the President and Congress to take action to alleviate the crisis in the Midwest dairy industry. H.F. 53, carried by Sen. Keith Langseth (DFL-Glyndon), the semi-states omnibus bill, appropriates \$2.6 billion to the Dept. of Transportation and other state agencies.

Workers' comp bill approved

In the second part of session on Sat., May 18, the Senate took final action on the conference committee report on the worker's compensation legislation. H.F. 1422, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake) regulates workers' compensation benefits and insurance and establishes a permanent commission on worker's compensation. The bill takes steps in bringing significant change to the workers' compensation system, said Chmielewski.

Among provisions highlighted by Chmielewski are a 12 percent reduction in insurance rates, the creation of a commission to study workers compensation, judicial reform that provides further access to binding arbitration, the prohibition of compensation above salary rates, and a change in interest rate calculations. Also, no state revenue is appropriated for the program.

Sen. Nancy Brataas (IR-Rochester), said that the bill does not provide necessary reform. The bill fails to eliminate life-time benefits to those without permanent disabilities, does not make it impossible for a person to collect more than their salary in benefits, and does not decrease litigation, she said.

The bill was re-passed on a 41-23 vote.

Four other bills were passed as amended by conference committees. H.F. 922, sponsored by Sen. Dennis Frederickson (IR-New Ulm), requires a person having knowledge of a hunting accident to provide assistance. H.F. 326, carried by Sen. Jerome Hughes (DFL-Maplewood), provides time off from work to vote in primary elections. H.F. 126, sponsored by Sen. Don Samuelson (DFL-Brainerd), designates the Paul Bunyan Expressway. H.F. 683, carried by Sen. Sam Solon (DFL-Duluth), is the omnibus liquor bill.

The Senate also adopted the House language on S.F. 1128, authored by Sen. William Luther (DFL-Brooklyn Park).

The bill provides for replacement cost insurance for personal property and modifies provisions for renter's insurance. The bill was given final passage.

The Senate considered H.F. 299, authored by Sen. Gene Waldorf (DFL-St. Paul) on Special Orders. The bill relates to local police and firefighter pensions, certain surviving spouse and child benefits, and actuarial practices. The bill was passed without opposition.

The Senate also took up the confirmation of Ralph Church as commissioner of the Dept. of Labor and Industry. The appointment was confirmed on a 38-22 vote.

Environment omnibus bill

S.F. 1533, the environment and natural resources omnibus spending bill, was granted final passage during the late afternoon portion of the Sat., May 18, floor session. The bill, authored by Sen. Steven Morse (DFL-Dakota), was considered after being sent to conference committee for comparison with the House File version. Some sections highlighted by Morse include provisions providing for the reinstatement of the Board of Water and Soil Resources flood plain grant and for the abandoned well inventory program, and provisions authorizing funding of the family farm advocates program and area agriculture information centers. He also pointed out a provision authorizing the acceleration of air quality fees in the Pollution Control Agency and provisions providing for flood damage reductions and interpretive parks funding in the Dept. of Natural Resources. He added that the bill also provides for exotic species control. Morse said the bill authorizes \$16 million in bonding for Legislative Commission on Natural Resource (LCMR) recommended programs, including the Reinvest in Minnesota (RIM) Reserve and Critical Habitat programs, and for state trail acquisition and building rehabilitation.

Members granted final passage to other bills on the Special Orders Calendar. S.F. 526, authored by Sen. Allan Spear (DFL-Mpls.), amends laws relating to the intensive community supervision program within the Dept. of Corrections. H.F. 695, also authored by Spear, relates to the Battered Women's Advisory Council. The bill clarifies the relationship between the council and the Dept. of Corrections and establishes a Sexual Assault Advisory Council and a General Crime Victims Advisory Council. The bill also increases the fees for violating a protection order. An amendment, offered by Sen. Ember

Reichgott (DFL-New Hope), provides for payment of a petitioner's filing fees by a perpetrator and allows for a petitioner's affidavit to be filed by a peace officer or other designated party. The amendment was adopted. Sen. Gene Waldorf (DFL-St. Paul) offered an amendment deleting a provision allowing the Dept. of Corrections to adopt rules under which the advisory council may request reconsideration of a Dept. of Correction's decision. Sen. Randy Kelly (DFL-St. Paul) supported the amendment, asserting that if the Legislature allows these types of rules to be adopted in this instance, other advisory councils will want rules allowing for the reconsideration of decisions in other instances as well. But the amendment failed on a 26-28 roll call vote.

H.F. 1129, authored by Sen. Charles Davis (DFL-Princeton), relates to agriculture. The bill regulates genetically engineered plants, pesticides and fertilizers and provides for reimbursement of release of permit costs. S.F. 1433, authored by Sen. Sam Solon (DFL-Duluth), relating to self insurance, regulates custodial accounts. A delete everything amendment, basically consisting of the governor's workers' compensation bill, was offered by Sen. Jim Gustafson (IR-Duluth). But the amendment was defeated by members on a close 31-33 roll call vote. H.F. 540, authored by Sen. Carl Kroening (DFL-Mpls.), regulates the display of handgun ammunition. Kroening said that, under the measure, ammunition that is displayed in a manner accessible to minors is a misdemeanor. Kroening said the bill, which is a statewide measure, does not apply to big game ammunition.

S.F. 1174, authored by Sen. Dallas Sams (DFL-Staples), sets a minimum water use processing fee for water use permits issued for irrigation. Morse offered an amendment defining "once-through" systems and providing for a penalty for unpaid balances of once-through system fees. Members adopted the amendment. H.F. 1109, authored by Gustafson, creates Advantage Minnesota, Inc., a nonprofit public corporation for the state of Minnesota. Gustafson said it would be a marketing tool for Minnesota tourism and economic development. He said the corporation will be funded by private sector dollars matched by public dollars. H.F. 761, authored by Sen. John Hottinger (DFL-Mankato), authorizes the State Board of Technical Colleges to develop training materials for people who provide services to developmentally disabled people. Hottinger said the technical colleges have

volunteered their services to meet provisions in the bill, which has no appropriation. H.F. 222, authored by Sen. Gregory Dahl (DFL-Ham Lake), establishes a regional international trade service center pilot project. Dahl said that, under the measure, six regional trade centers will be established and will work with other organizations, institutions and chambers to obtain funds on a grant basis. Members adopted an amendment, offered by Dahl, authorizing grant monies to be used for the Red River Trade Center project.

H.F. 322, authored by Sen. Gene Merriam (DFL-Coon Rapids), establishes a central resource recovery facility for state offices. Merriam said that 70 percent of the waste currently going from state offices to the Newport facility is recyclable. He indicated that the bill remedies the current system's main problem of space. He added that the \$315,000 appropriation to the Dept. of Administration, which oversees the operation, will be recovered through the sale of recyclables and through the elimination of landfilling costs.

Members also approved two bills on the Calendar. S.F. 860, authored by Sen. Jane Ranum (DFL-Mpls.), authorizes special service districts in Minneapolis to provide parking facilities. H.F. 354, authored by Sen. Ronald Dicklich (DFL-Hibbing), provides a deadline for a report by the Legislative Task Force on Minerals.

Monday, May 20

Education funding bill passes

In the second part of the Mon., May 20, session, the Senate took up the conference committee report on the education funding proposal. H.F. 700, carried by Sen. Ronald Dicklich (DFL-Hibbing), provides school aid and levy requirements for education for pupils through secondary education.

Much of the debate centered around provisions that increase the number of instructional days, provide funding for teacher development, peer review and outcome-based education efforts, and establish charter schools. Sen. Ember Reichgott (DFL-New Hope), said that charter schools are important resources in meeting the needs of learners who are not being served in more normal school settings. The bill passed on a vote of 56-11.

Several other bills were passed as they came out of conference committees. H.F. 20, sponsored by Sen. John Marty (DFL-Roseville), modifies the insurance claims

review process. H.F. 1371, carried by Sen. Charles Berg (DFL-Chokio), extends the right of first refusal on foreclosed land to ten years. S.F. 785, authored by Sen. Richard Cohen (DFL-St. Paul), extends interstate banking reciprocity to Michigan and Ohio. S.F. 525, authored by Sen. Allan Spear (DFL-Mpls.), is the omnibus crime bill. H.F. 1042, carried by Sen. Dennis Frederickson (IR-New Ulm), changes the organization of the Dept. of Trade and Economic Development. H.F. 1050, carried by Marty, requires notice to the Legislature for executive orders for reorganization of state agencies. S.F. 1295, authored by Cohen, creates the Ramsey County Local Services Study Commission. S.F. 520, authored by Sen. Randy Kelly (DFL-St. Paul), directs the Supreme Court to study the feasibility of allowing specialized legal assistants to provide legal services. S.F. 765, authored by Marty, provides specifications for handicapped parking signs. H.F. 317, carried by Reichgott, clarifies procedures for child custody and support orders after marriage dissolution. H.F. 551, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), extends the waiting period for persons receiving a limited driver's license after being convicted of DWI. H.F. 244, carried by Sen. William Luther (DFL-Brooklyn Park), regulates traffic safety regarding school buses. S.F. 931, authored by Sen. Ted Mondale (DFL-St. Louis Park), requires counties to develop and amend solid waste plans and plans related to problem material management.

The Senate rejected the conference committee report on S.F. 81, authored by Sen. John Hottinger (DFL-Mankato). The bill relates to town supervisors, officers and employees. Several members objected on the grounds that too much was added to the bill in conference committee. The bill was directed back to conference committee.

Board of Electricity bill gains

In addition, to granting final passage to the tax bill early Monday afternoon, Senators granted final passage to an additional four measures on the Special Orders Calendar. One of the four measures, which are carried by Sen. Gene Waldorf (DFL-St. Paul), makes numerous changes to the laws governing electricians and the Board of Electricity. The measure, H.F. 871, also modifies the authority of the complaint committee when denying, suspending or licenses. H.F. 1035, makes administrative changes to the Teachers Retirement Association (TRA). An amendment, offered by Sen. Steven

Morse (DFL-Dakota), and adopted by the Senate, incorporates a bill, eliminating an employer contribution to the TRA for the Community College and State University employees who have changed to the Individual Retirement Account Plan. H.F. 611, provides a refund to the designated beneficiary of a deceased individual who was covered under the Local Police and Salaried Firefighters Relief Associations. H.F. 1584, makes changes reflecting benefits, administration and investment practices to the Public Employees Retirement Plan.

Senators turned their attention to repassing five additional measures after concurring with House amendments. S.F. 1152, authored by Sen. Gary DeCramer (DFL-Ghent), requires limousine operators to be licensed. S.F. 371, sponsored by Sen. Joe Bertram (DFL-Paynesville), stipulates that sex offenders, whose victims were minors, must register their addresses with police for up to 10 years after being released from prison. S.F. 774, authored by Sen. Linda Berglin (DFL-Mpls.), a Dept. of Health housekeeping bill, includes an appropriation of \$300,000 to the Women and Infant and Children Program. S.F. 652, authored by Sen. Sam Solon (DFL-Duluth), allows for neighborhood land trusts to provide for affordable housing. S.F. 1284, authored by Sen. Earl Renneke (IR-Le Sueur), changes the livestock market agency and dealer licensing act. Members also adopted a conference committee report and granted repassage to the omnibus transportation bill. S.F. 598, authored by Sen. Keith Langseth (DFL-Glyndon), establishes a state transportation plan with an emphasis on multimodal, efficient and safe transportation. Included in the bill is a provision stipulating that Light Rail Transit (LRT) will be funded solely through federal and county funds. The measure establishes a board made up of members from the Metropolitan Transit Commission, the Dept. of Transportation, the Regional Transit Board, the Metropolitan Council, the Regional Rail Authorities from the seven county Metro Area, and a member from the county Regional Rail Authority, to implement LRT design and construction.

Higher ed and health bills approved

During the mid-afternoon portion of the Mon., May 20, floor session, members acted on conference committee reports for both the health and human services omnibus bill and the higher education funding bill.

Speaking on the conference committee report on S.F. 1535, the higher education

Floor action

funding bill, Sen. LeRoy Stumpf (DFL-Thief River Falls) said tuition rate hikes were reduced and financial aid levels improved. The \$1.9 billion bill, authored by Sen. Gene Merriam (DFL-Coon Rapids), also provides for a merger of the state, technical and community college systems by 1995. The bill passed on a 37-30 roll call vote.

Members also acted favorably on H.F. 719, the human services omnibus bill. Sen. Don Samuelson (DFL-Brainerd), highlighted some provisions in the \$3.7 billion measure, authored by Merriam. He said total spending in the bill is one percent over current law. He added that two state agencies, the Dept. of Human Rights and the Dept. of Housing and Finance, were added this year. He pointed to the Work Readiness and General Assistance programs as having sustained reductions, but he added that the bill provides for the implementation of the Minnesota Family Investment plan. He said funding for health care and nursing home care programs is restored.

The measure repeals a sunset on the Dislocated Workers' Program and extends the tax supporting the program to all employers of the state. The bill also embraces the federal definition of a dislocated worker, which includes housewives and farmers. Sen. Nancy Brataas (IR-Rochester) opposed the new definition, arguing that social ills are not the responsibility of Minnesota employers. She said the program is designed to help retrain and educate workers who are unemployed as a result of a plant lay off and cannot find jobs in their line of work. Sen. Pat Piper (DFL-Austin) disagreed, maintaining that many wives who now find themselves stranded have been in husband/wife relationships that can be defined as partnerships. The bill was passed on a 55-7 roll call vote.

In other action, Senators repassed S.F. 208, authored by Sen. Lyle Mehrkens (IR-Red Wing). The bill, which was sent to conference committee, allows automobile dealers to register dealer plates every seven years.

Airbus bill approved

During the early evening hours of the Mon., May 20, session, the Senate gave final passage to S.F. 1655, the Northwest Airlines airbus bill. The bill enables the state to make loans to Northwest so the carrier can build two maintenance bases for its new fleet of Airbus jetliners. The bill authorizes the state to sell up to \$350

million in bonds to build the bases, grants Northwest tax credits and sales tax breaks for building the bases, and allows the Metropolitan Airports Commission (MAC) to strike a separate \$390 million deal with the company for expansion capital.

Sen. Duane Benson (IR-Lanesboro) offered an amendment to remove all provisions relating to the MAC and its bonding authority from the bill. Benson said he was worried about the state granting so much lending authority to the commission. The airlines industry is very volatile and were Northwest to go under, the state would be stuck with paying off the bonds, Benson said. Bill author Sam Solon (DFL-Duluth) told members that Northwest is the state's largest employer and has never been healthier: "Let's not forget that this bill only gives the go ahead to start discussions, these negotiations are not going to happen over a cup of coffee," Solon said. The final bonding package will not be authorized until after review by an 18-member legislative commission and gubernatorial approval. The Benson amendment was defeated 37-29.

Under the measure, the state may sell up to \$350 million in revenue bonds for construction of the bases, with Northwest paying off the bonds through lease payments on facilities. Construction materials purchased to build the bases are exempt from sales taxes, and the company receives a \$5000-per-new-employee tax credit. In addition, the bill authorizes the MAC to sell another \$390 million in bonds for the purpose of refinancing Northwest's leases in order to provide cash for new routes and equipment. The bill also contains language which requires Northwest to keep its corporate headquarters in Minnesota for the duration of the proposed maintenance base lease. The bill does not require that Northwest build the airbus bases in greater Minnesota but includes some incentives toward that end.

The conference committee report on S.F. 506, the omnibus gambling bill, authored by Sen. Charles Berg (DFL-Chokio), was approved on a 53-11 vote. The measure authorizes the state Racing Commission to license two off-track betting sites before Jan. 1 next year and two more sites after that. One of those licensed this year must be located in the Metro Area. The facilities are required to comply with local zoning ordinances.

The bill also includes a number of charitable gambling provisions. The measure bans the use of video games of

chance. A moratorium on new paddlewheels is instituted, as well. The amount of real estate taxes allowed to be claimed as lawful purpose is raised to \$15,000 a year, up from \$7200. Hard (reusable) bingo cards can be used in organizations that make less than \$150,000 a year and the current reference in statute that the organization have paid employees is stricken. Voluntary pulltab posting is adopted in the new language, and the rent limit for non-bingo facilities is raised to \$1000 per month.

The bill includes a compromise on license fees for gambling equipment with the fee schedule divided into four categories.

In addition, the measure appropriates \$1.2 million for compulsive gambling treatment and programs, but there is no increase in charitable gambling license fees to pay for the increase. The bill also includes a ban on the use of religious symbols or themes in lottery advertising and places a cap of 2.75 percent of gross revenues to be used in lottery advertising.

Members also adopted sixteen conference committee reports during the balance of the late afternoon and early evening. S.F. 351, sponsored by Sen. Lawrence Pogemiller, provides for administrative hearings for police disciplinary actions throughout the state. The bill strikes a balance between witness rights and police rights, Pogemiller said, and has no impact on the current Minneapolis Police Civilian Review board. S.F. 181, carried by Sen. Steve Novak (DFL-New Brighton), makes numerous changes to the law governing the Petrofund to prevent insurance companies from double dipping. S.F. 559, carried by Sen. David Frederickson (DFL-Murdoch), appropriates funds to promote the use of ethanol and requires the use and purchase of oxygenated fuels. H.F. 977, carried by Sen. Steven Morse (DFL-Dakota), sets forth who must prevent, prepare for, and respond to worst case discharges of oil and hazardous substances. H.F. 958, authored by Berg, provides for the promotion of aquaculture development. S.F. 804, carried by William Luther (DFL-Brooklyn Park), specifies regulations relating to health insurance coverage for persons taken into custody by county officials. S.F. 783, sponsored by Dahl, clarifies procedure relating to the handling of infectious waste, and transfers duties from the Pollution Control Agency to the Dept. of Health. S.F. 719, authored by Samuelson, changes requirements in the Minnesota Family Investment Plan.

The conference committee report on the omnibus data practices bill was also approved. H.F. 693, sponsored by Sen. Jane Ranum (DFL-Mpls.), provides for the classification of government data. The elections conference committee report was adopted. The measure, H.F. 137, sponsor Luther explained, was weakened in conference. The rules of election withdrawal no longer apply to all elective offices in the state, only constitutional offices. The Senate language specifying that the next greatest vote getter would be the stand-in candidate in case of withdrawal was also eliminated. Under the approved measure, the political party will choose a stand-in candidate. H.F. 1142, also authored by Luther, directs the Supreme Court to adopt rules regarding alternative dispute resolutions. H.F. 930, sponsored by Sen. John Bernhagen (IR-Hutchinson), restructures and changes the name of the Greater Minnesota Corporation to Minnesota Technologies, Inc.. H.F. 459, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), makes changes in administrative forfeiture laws relating to drug crimes. H.F. 143, carried by Sen. Don Samuelson (DFL-Brainerd), makes technical changes relating to the Veterans nursing homes in Minneapolis and Hastings. H.F. 12, the insurance insolvency bill, authored by Luther, provides for increased regulation of insurance companies. S.F. 906, carried by Sen. Dean Johnson (IR-Willmar), grants special ribbons to Minnesota reservists who served in the Persian Gulf War.

One conference committee report, H.F. 887, the hunting bill sponsored by Berg, failed to gain final approval. The bill allows a two-deer limit for hunters and permits the hunting of the red fox in certain areas of the state. The bill failed on a 32-31 vote.

The Senate also granted concurrence to seven house-amended bills. S.F. 1466, sponsored by Pat Piper (DFL-Austin), requires that the Pollution Control Agency institute a recapture and recycle program for chlorofluorocarbons (CFC's) and provides for low income energy assistance. H.F. 218, authored by Sen. Gregory Dahl (DFL-Ham Lake), requires that housing contractors be licensed by the state. A compromise with the House involves a \$2,500 limit on jobs done by unlicensed contractors. S.F. 621, also authored by Dahl, makes minor changes in the laws governing the Legislative Commission on Minnesota Resources. S.F. 505, authored by Sen. Gary Laidig (IR-Stillwater) allows the sale of tax forfeited land in Washington and Clear-

water counties. H.F. 202, sponsored by Florian Chmielewski (DFL-Sturgeon Lake), defines the word "employee" and clarifies leave of absence without pay for the purpose of the Public Employees Labor Relations Act. S.F. 1112, authored by Sen. Janet Johnson (DFL-North Branch), provides incentives for the use of renewable energy sources and wind energy conversion systems. S.F. 1224, carried by Sen. Gene Waldorf (DFL-St. Paul), make changes in state unclassified employee retirement plan participation.

State departments, wetlands okayed

A flurry of conference committee reports, concurrence and repassages and final passage of bills marked the final hours of the legislative session. Among the conference committee reports that were approved and repassed were the state departments omnibus bill and the wetlands bill. According to Carl Kroening (DFL-Mpls.), the state departments omnibus bill appropriates \$777 million for the general operations of state government, the legislative branch, the judiciary and the constitutional offices. The compromise bill applies a one percent reduction to the base budgets of the agencies covered in the bill. The measure provides for a commission to study ways to decrease spending but does not name the commission. In addition, the measure continues the 8th Judicial District pilot project, provides a small increase for the Trial Court Information System and provides \$1.2 million for the public defense system. The measure also eliminates the State Planning Agency as a state agency and transfers most of the ongoing functions to other agencies. In place of the State Planning Agency, the bill establishes an Office of Strategic and Long-Range Planning. The measure also restores a \$2.1 million appropriation for public broadcasting television and radio. Finally, new monies were provided for the Statewide Telecommunications Access and Routing System, located within the Dept. of Administration. The conference committee report was approved and the bill was repassed on a 49-17 roll call vote.

H.F. 1, the wetlands preservation, enhancement and establishment bill was also repassed in the final minutes of the session. According to chief author, Sen. Charles Davis (DFL-Princeton), the conference committee accepted virtually all of the Senate policy language on wetlands. Under the measure, about \$15 million is provided for easements and compensation for wetlands and another \$2 million is provided for administration.

The measure was repassed 63-3.

A number of other conference committee reports were adopted and the bills subsequently repassed. S.F. 707, authored by Sen. Jim Gustafson (IR-Duluth), provides for exemptions from boiler and pressure vessel inspection requirements. H.F. 702, sponsored by Sen. Dallas Sams (DFL-Staples), provides for an agricultural bond program to help agricultural businesses and beginning farmers. H.F. 303, carried by Sen. Gene Merriam (DFL-Coon Rapids), makes several changes to the waste management laws. The compromise bill provides for a suspension of the landfill siting process in the Metropolitan Area. Under the measure places a moratorium on the siting process and repeals the siting process altogether Aug. 1, 1992. However, the Metro counties must work the Metropolitan Council to come up with a new plan for siting landfills. The repeal of the siting process will take effect if the legislature determines the new plan will be effective. The measure also raises the recycling goals from 30 to 45 percent in the Metro Area and from 25 to 30 percent for Greater Minnesota.

The conference committee report on S.F. 1179, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), the public finance bill, was returned to the Senate with a provision requiring the Dept. of Finance to prepare a debt capacity forecast covering state indebtedness including bonds, loans, grant obligations and capital leases. H.F. 606, sponsored by Sen. Terry Johnston (IR-Prior Lake), is a Dept. of Transportation omnibus housekeeping bill and authorizes the department to cancel uncollectable debts. A provision that was in the Senate bill providing for the Bloomington Ferry Bridge was deleted in the conference committee report. H.F. 833, sponsored by Pogemiller, the annual bonding allocation bill, regulates tax exempt revenue bonds. H.F. 694, sponsored by Sen. Phil Riveness (DFL-Bloomington), is the environmental enforcement bill and authorizes the issuance of citations for illegal waste disposal. S.F. 720, authored by Sen. James Metzen (DFL-South St. Paul), is the omnibus housing bill and provides for housing programs for low and moderate income individuals.

S.F. 1300, authored by Sen. Tracy Beckman (DFL-Tracy), exempts some types of garbage from requirements for feeding to livestock and poultry. H.F. 222, sponsored by Sen. Gregory Dahl (DFL-Ham Lake), establishes international trade zones within the state for

economic development purposes. H.F. 783, sponsored by Sen. Steven Morse (DFL-Dakota), makes several changes to the laws governing well drilling and well sealing. S.F. 764, also authored by Dahl, requires amusement park rides to be insured and specifies that the insurance companies must inspect the rides.

The Senate also acted to suspend the rules in order to grant final passage to three additional bills. H.F. 578, sponsored by Metzen, transfers assessment review duties to the Dakota County Board and consolidates some Dakota County offices. H.F. 635, carried by Sen. William Luther (DFL-Brooklyn Park), is a campaign spending bill that does not include the more controversial provisions that were in the Senate language. The measure limits spending for gubernatorial campaigns to \$20,000, rather than the current \$60,000 and allow a voter's year of birth to be on the registration lists. S.F. 1562, sponsored by Sen. Allan Spear (DFL-Mpls.), is the revisor's bill and contains corrections to bills passed by the Legislature within the past few days.

Branches of government

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

responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature 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 and the attorney general.

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 groups can dominate the workings of government.

Information Office services profiled

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all public materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request 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.

Senate phone numbers

For copies of bills (voice mail)	296-2343
For index and information	296-0504
For committee schedules	296-8088
For TDD	296-0250
For TV comment,	296-0264

Senate Publications

Room G95, State Office Building
St. Paul, MN 55155
(612) 296-0259



FIRST CLASS
PRESORT
U.S. POSTAGE
PAID
ST. PAUL, MN
PERMIT NO. 2326

